



Recommendation for Action

File #: 19-3152, **Agenda Item #:** 67.

10/3/2019

Posting Language

Conduct a public hearing and consider an appeal by the appellant Stuart Hersh of the Building and Fire Code Board of Appeals' decision to deny an appeal that would overturn the requirement of a Fire Watch for the dining facility located at 1701 Toomey Road. Related to item #66.

Lead Department

Development Services Department

Fiscal Note

This item has no fiscal impact.

For More Information:

Beth Culver, (512) 974-3111; Chief Tom Vocke (512) 974-0266; Rick Arzola, (512) 974-2417

Council Committee, Boards and Commission Action:

August 28, 2019 - Denied by the Building and Fire Code Board of Appeals with a vote of 6-0.

Additional Backup Information:

The Building and Fire Code Board of Appeals denied an appeal on August 28, 2019, that sought to overturn the requirement to implement Fire Watch at the Casa de Luz dining facility located at 1701 Toomey Road. The certificate of occupancy for the dining facility was suspended on May 2, 2019 with a notice of intent to revoke the certificate of occupancy on June 1, 2019 pending correction of the Fire Code violation. The suspension remains in effect.

The Fire Code violation was not remedied by June 1, 2019. On June 3, 2019 the Building Official issued a requirement that a Fire Watch be provided during the hours the dining establishment is occupied. The Fire Watch was required to start on or before June 10, 2019. Fire Watch duties are performed by a licensed security company and include providing early detection, early local notification, early emergency response notification and assisting with evacuation.

The appellant requests the City Council grant its appeal and reverse the Building Official's June 3, 2019 requirement for a Fire Watch during operating hours at the dining facility located at 1701 Toomey Road.