

City Council meeting

February 2, 2011

Background

I am Gaylen Melby, a registered electrical engineer responsible for design of fire alarm systems for educational and industrial type buildings in several states including Minnesota.

I therefore am very familiar with the protocols and laws that involve these designs, and the need to be aware of codes, ordinances, state laws and authorities having jurisdiction.

803 Snelling Ave built in 1911 as a Hamline University fraternity for 32 men who resided in eight bedrooms.

Purchased the property over 20 years ago

It is classified a Group R3 occupancy (duplex) with four bedrooms per unit.

Property has been rented to students over its lifetime.

Bedrooms are fitted with the original doors and hardware, plus dead bolt locks.

Those students who have lost keys have easily shouldered the door to access their room, and have paid to have the doors either repaired or replaced with original, matching doors.

A fire about 10 years ago occurred due to student carelessness. The repairs were completed through insurance, replacing two damaged doors with solid core doors with deadbolt locks and door closers. The city inspected and approved the repairs.

A fire inspection was completed on November 9, 2010 which resulted in a deficiency list that included a requirement to remove "...unapproved locks from the unit doors. The door must be operable from the inside without the use of keys or special knowledge or effort – remove illegal deadbolt locks."

The deficiency referenced MSFC 1003.3.1.8. I could not locate it on line, however the reference was obsolete and was replaced after the State adopted the 2007 Minnesota State Fire Code, MSFC7511.1008.1.8.4 which states that doors from individual dwelling or sleeping units of Group R occupancies are permitted to be equipped with "...dead bolt ... devices provided such devices are operable from the inside without the use of a key or tool.

I appealed this via the hearing process on December 14, 2010, but received a denial on December 23, 2010, with a compliance date of January 31, 2010 for the “illegal deadbolt locks to come into compliance.”

The term “illegal deadbolt locks” is vague, and arbitrarily used, since nowhere can I find that any law or statute rules them as such for use in bedrooms.

Part of my responsibility to my student tenants is to provide them with security for their property and from other students.

An example is having computer stolen from an unlocked room. The student failed to lock her room, and she had no recourse to me for her lapse.

Another example was when one student became abusive to another student, who locked her room when she was there.

Request

I find no valid basis to claim that deadbolt locks on Group R occupancies are “illegal”

I request that the basis for removing these locks are made clear from existing laws, or that the deficiency be removed.

If a basis is presented to me, I request that the conformance date be moved to the month of June when the existing leases terminate, at which time I will remove all room locks and provide electronic locks at the entry doors, hence retaining historic doors and latches without having to modify them by adding other locks, which my original inspector required.

I have a new inspector who saw the property on January 31, 2011. I advised him that I would be appearing before you, the Council; he said he would wait for your determination as to whether the deadbolts can remain in service.