

**OFFICIAL MINUTES  
COMMISSION OF THE CITY OF BRUNSWICK, GEORGIA  
REGULAR MEETING  
7:00 P. M., JULY 18, 1990**

**PRESENT:** His Honor Mayor Homer L. Wilson, Commissioners James A. Stephens, Ken Tollison and Larry Credle.

**ABSENT:** Commissioner Thomas P. Williams

**INVOCATION**

The invocation was given by Commissioner James A. Stephens.

**APPROVAL OF MINUTES**

Commissioner Credle moved that the minutes of July 10, be approved. Motion was seconded by Commissioner Stephens and was unanimously carried.

**DELEGATION**

Mrs. Frankie Quimby, coordinator of the Georgia Sea Island Festival, was present to request funds for the festival in the amount of \$1,000 .00; the festival will be held on August 18 and 19 on St. Simons Island. Mrs. Quimby was advised by the Commission that the funding for outside agencies will be discussed at a Called Session on Monday Night, July 23, and requested that she attend the meeting.

Bob Saveland representing the Georgia Legal Services appeared before the Commission to request that the City allocate funds in the amount of \$7,500.00 for the Georgia Legal Services 1990-91 Budget. Mr. Saveland was advised by the Commission that the funding for outside agencies will be discussed on Monday, July 23, 1990.

**LEASE AGREEMENT**

Request received from the Golden Isles Arts and Humanities Association for lease agreement to manage the Opera House. Mayor Wilson stated that he would like to have approval of the full Commission before the agreement is ratified.

Commissioner Credle stated that this proposal was presented to the Commission several months ago and moved approval of the lease agreement. Motion was seconded by Commissioner Stephens. The contract is for one year and the City is furnishing the insurance and maintenance of the Opera House. One call for the question the motion carried unanimously.

AN ORDINANCE TO PROVIDE GUIDELINES FOR THE UNIFORM APPLICATION OF FIRE AND BUILDING RELATED CODES TO EXISTING BUILDINGS AND STRUCTURES THROUGHOUT THE CITY OF BRUNSWICK; TO PROVIDE ALTERNATIVE SAFEGUARDS TO REQUIREMENTS OF VARIOUS FIRE AND BUILDING CODE PROVISIONS WHERE STRICT COMPLIANCE IS NOT PRACTICAL; TO PROVIDE CONSTRUCTION AND FIRE SAFETY STANDARDS FOR LANDMARK MUSEUM BUILDINGS AND HISTORIC BUILDINGS; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

BE IT ORDAINED by the Commission of the City of Brunswick in Regular Meeting lawfully assembled, and it is hereby ordained by authority of the same, as follows:

SECTION I. INTENT AND PURPOSES.

(1) The intent of this Ordinance is to provide guidelines for the uniform application of fire and building related codes to existing buildings and structures throughout the City of Brunswick; to define certain terms; to provide acceptable alternative safeguards to requirements of various fire and building code provisions where strict compliance is not practical; to specify various hazardous conditions in existing buildings and structures which should not be permitted to exist; to relieve building and fire code enforcement authorities from certain liabilities when applying the provisions of this Ordinance; to provide for rules and regulations; to provide construction and fire safety standards for landmark museum buildings and historic buildings; to exempt landmark museum buildings and historic buildings from certain laws and regulations; to provide for other matters relative thereto; to provide an effective date; to repeal conflicting laws; and for other purposes.

(2) It is a purpose of this Ordinance to encourage the sensitive rehabilitation, restoration, stabilization, or preservation of existing buildings throughout the City of Brunswick and to encourage the preservation of buildings and structures deemed to be historic in total or in part; provided, however, such rehabilitation and preservation efforts should provide for the upgrading of the safety features of the building or structure to provide a practical level of safety to the public and surrounding property. It is the further purpose of this Ordinance to provide guidance regarding acceptable alternative solutions and to stimulate enforcement authorities to utilize alternative compliance concepts wherever practical to permit the continued use of existing buildings and structures without overly restrictive financial burdens on owners or occupants.

(3) The provisions of this Ordinance shall not be applicable to new construction, except as specifically provided herein.

SECTION II. DEFINITIONS.

As used in this Ordinance, the term;

(1) "Enforcement authority" means the Fire Marshal and/or Building Official as appropriate.

(2) "Existing building or structure" means any completed building or structure which has been placed in service for a minimum of five years.

(3) "Building system" means any utility, mechanical, electrical, structural, egress, or fire protection/safety system.

(4) "Historic building" means any building so designated by the State Historic Preservation Officer as individually significant or as contributing to the historic character of a historic district, pursuant to the rules and regulations adopted by the Board of Natural Resources or as so designated pursuant to the provisions of the Georgia Historic Preservation Act, O.C.G.A. § 44-10-20 et seq.

(5) "Landmark museum building" means a historic building or structure used as an exhibit of the building or structure itself, and which exhibits a high degree of architectural integrity, and which is open to the public not less than 12 days per year; however, additional uses, original or ancillary, to the use as a museum shall be permitted within the same building subject to the provisions of O.C.G.A § 25-2-13(b)(3). Landmark museum buildings shall be so designated by the State Historic Preservation Officer pursuant to rules and regulations adopted by the Board of Natural Resources.

SECTION III. JURISDICTION.

Where an existing building or structure falls within the jurisdiction of both state and local enforcement authorities, the final review of any part of the project which is under the jurisdiction of both such enforcement authorities shall occur with the state authority; provided, however, the local fire and building authorities shall agree in writing with any compliance alternatives before such can be approved by the state authority.

SECTION IV. CONDITIONS FOR APPLICATION.

The provisions of this Ordinance authorize the enforcement authority to permit the repair, alteration, addition, or change of use or occupancy of existing buildings without total compliance with any rule, regulation, code, or standard for new construction requirements under the following general conditions:

- (1) All noted conditions hazardous to life, based on the provisions of applicable state and local standards or codes for existing buildings, and outlined in Section V, shall be corrected to a reasonable and realistic degree as set forth in this Ordinance;
- (2) The existing building becomes the minimum performance standard; and
- (3) The degree of compliance of the building after changes must not be below that existing before the changes. Nothing in this Ordinance will require nor prohibit compliance with requirements more stringent than those provided in this Ordinance.

SECTION V. HAZARDOUS CONDITIONS.

With reference to existing buildings, authorized enforcement authorities should assure that any of the conditions or defects described in this section are identified and corrected as deemed appropriate by the enforcement authority having jurisdiction and through the utilization of appropriate compliance alternatives:

- (1) Structural. Any building or structure or portion thereof which is in imminent danger of collapse because of, but not limited to, the following factors:
  - (A) Dilapidation, deterioration, or decay;
  - (B) Faulty structural design or construction;
  - (C) The removal, movement, or instability of any portion of the ground necessary for the purpose of supporting such building; or
  - (D) The deterioration, decay, or inadequacy of the foundation;
- (2) Number of exits. Less than two approved independent, remote, and properly protected exit ways serving every story of a building, except where a single exit way is permitted by the applicable state or local fire or building code or life safety code;
- (3) Capacity of exits. Any required door, aisle, passageway, stairway, or other required means of egress which is not of sufficient capacity to provide for the population of the portions of the building served and which is not so arranged

as to provide safe and adequate means of egress to a place of safety; and

(4) Mechanical systems. Utilities and mechanical systems not in conformance with the codes in effect at the time of construction of a building which create a serious threat of fire or threaten the safety of the occupants of the building.

SECTION VI. ADDITIONS TO EXISTING BUILDING.

Additions to an existing building shall comply with the applicable requirements of state and local laws, rules, regulations, codes, and standards for new construction. Such additions shall not impose loads wither vertical or horizontal which would cause the existing building to be subjected to stresses exceeding those permitted under new construction. If the existing building does not comply with the standards provided in this ordinance and the authorized enforcement authority finds that the addition adversely affects the performance of the total building, the authorized enforcement authority may require:

(1) The new addition to be separated from the existing structure by at least a two-hour fire wall with openings therein properly protected; or

(2) The installation of an approved automatic fire suppression system; or

(3) Other remedies which may be deemed appropriate by the enforcement authority.

SECTION VII. MINOR ALTERATIONS AND NEW MECHANICAL SYSTEMS.

Minor alterations or repairs to an existing building which do not adversely affect the performance or safety of the building may be made with the same or like materials. Existing buildings which, in part or as a whole, exceed the requirements of any applicable construction or fire safety code, may, in the course of compliance with this ordinance, have reduced or removed, in part or total, features not required by such code for new construction; provided, however, that such features were not a condition of prior approval. Existing buildings and structures which, in part or as a whole, do not meet the requirements of the applicable code for new construction may be altered or repaired without further compliance to any such code by utilizing the provisions of this ordinance provided their present degree of compliance to any applicable construction or fire safety code is not reduced. Any new mechanical systems installed in an existing building shall conform to applicable codes for new construction to the fullest extent practical as approved by the authorized enforcement authorities.

SECTION VIII. CONTINUED USE.

The legal use and occupancy of any building or structure may be continued without change, except as may be provided otherwise by this Ordinance or as may be legally provided for by any applicable state or local law, ordinance, rule, regulation, code, or standard.

SECTION IX. CHANGE IN USE.

(1) A total change in the use or occupancy of an existing building which would cause a greater hazard to the public shall not be made unless such building is made to comply with the requirements of the applicable state and local rules, regulations, codes and standards for the new use or occupancy; provided, however, the compliance alternative provisions of this Ordinance may be utilized by authorized enforcement authorities where total or strict compliance with applicable state or

local rules, regulations, codes, or standards is not practical.

(2) When the proposed use is of equal or lesser hazard as determined by an authorized enforcement authority, further compliance with any code for new construction is not required unless otherwise provided in this Ordinance. Alterations or repairs to an existing building or structure which do not adversely affect the performance of the building may be made with like materials. Any proposed change to the existing building or change in type of contents of the existing building shall not increase the fire hazard to adjacent buildings or structures. If the fire hazard to adjacent buildings or structures is increased, then requirements of applicable construction or fire safety codes for exterior walls shall apply.

(3) Sprinkler systems shall be required in accordance with NFPA 13-D or NFPA 13-R standards in one-family, two-family, and multi-family residences, group dwellings and boarding houses, as defined in the Brunswick Zoning Ordinance.

SECTION X. CHANGE IN USE OF A PORTION OF A BUILDING.

(1) If a portion of a building is changed to a new use or occupancy and that portion is separated from the remainder of the building with vertical or horizontal fire separations complying with applicable state or local rules, codes, or standards or with compliance alternatives, then the portion changed shall be made to comply to the applicable requirements for the new use or occupancy to the extent noted in Section IX.

(2) If a portion of the building is changed to a new use or occupancy and that portion is not separated from the remainder of the building as noted in subsection (1) of this section, then the provisions of the applicable state and local rules, regulations, codes, and standards applying to each use or occupancy of the building shall apply to the entire building to the extent noted in Section IX; provided, however, if there are conflicting provisions in requirements for the various uses or occupancies, the authorized enforcement authority shall apply the strictest requirements.

(3) Sprinkler systems shall be required in accordance with NFPA 13-D and NFPA 13-R standards in one-family, two-family, and multi-family residences group dwellings or boarding houses, as defined in the Brunswick Zoning Ordinance.

SECTION XI. FLOOR LOADING.

Any proposed change in the use or occupancy of an existing building or portion thereof which could increase the floor loading should be investigated by a Georgia registered professional engineer to determine the adequacy of the existing floor system to support the increased loads. If the existing floor system is found to be inadequate, it should be modified to support the increased loads or the proposed allowable floor loading shall be reduced by and posted by the appropriate enforcement authority.

SECTION XII. DOCUMENTATION.

Whenever action is taken on any existing building to repair, make alterations, or change the use or occupancy of an existing structure and, when said action proposes the use of compliance alternatives, the authorized enforcement authority shall ensure that at least one copy of the accepted compliance alternatives approved, including applicable plans, test data, or other data submitted for evaluation, be maintained on file in the office of the local enforcement authority. If said structure also falls under the jurisdiction of a state level enforcement authority, at least one copy of same material shall be maintained on file with that authority.

SECTION XIII. COMPLIANCE ALTERNATIVES.

Paragraphs (1) through (5) contain generally acceptable compliance alternatives illustrating principles which shall be applied to the rehabilitation of existing buildings by enforcement authorities in the City of Brunswick. It is recognized for purposes of this Ordinance that all building systems interact with each other; therefore, any consideration of compliance alternatives should take into account all existing and proposed conditions to determine their acceptability. The compliance alternatives are not all-inclusive and do not preclude consideration and approval of other alternatives by any enforcement authority.

(1) Compliance alternatives for an inadequate number of exits include, but are not limited to, the following:

(A) Provide connecting fire-exit balconies acceptable to the enforcement authority between buildings;

(B) Provide alternate exit or egress facilities leading to safety outside the building or to a place of safe refuge in the building or an adjoining building as acceptable to the enforcement authority;

(C) Provide an exterior fire escape or escapes as acceptable to the enforcement authority where the providing of enclosed interior or enclosed exterior stairs is not practical; or

(D) Install early fire warning and fire suppression systems (monitored alarm system, sprinklers or as defined by life safety codes).

(2) Compliance alternatives for excessive travel distances to an approved exit include, but are not limited to, the following:

(A) Install an approved smoke detection system throughout the building;

(B) Install an approved complete automatic fire suppression system;

(C) Subdivide the exit travel route with smoke-stop doors acceptable to the enforcement authority; rating of corridor walls and doors as defined by "Enforcement Authority; or

(D) Increase the fire resistance

(E) Provide additional approved means of escape.

(3) Compliance alternatives for unenclosed or improperly enclosed exit stairways or vertical shafts include, but are not limited to, the

following:

- (A) Improve enclosure of exit stairway;
- (B) Add a partial fire suppression system;
- (C) Add a sprinkler draft curtain; or
- (D) Add a monitored smoke detection system

(4) Compliance alternatives for inadequate or a total lack of fire partitions or fire separation walls shall be as set forth in paragraph (3).

(5) Compliance alternatives for a lack of required protection of openings in exterior walls where a fire exposure is a risk include, but are not limited to, the following:

- (A) Improve fire resistance of existing openings and protect them with fire-rated windows or doors as appropriate;
- (B) Seal the opening with fire-rated construction as approved by the enforcement authority; or
- (C) Install an approved fire suppression system.

SECTION XIV. APPEALS.

Should a party not agree with a decision of the enforcement authority or should an enforcement authority desire a ruling, an appeal may be made as permitted under Ordinance No. 880.

SECTION IV. LIABILITY PROVISIONS.

Nothing in this Ordinance shall be construed to constitute a waiver of the sovereign immunity of the City of Brunswick or any officer or employee thereof in carrying out the provisions of this Ordinance. Further, no action shall be maintained against the City of Brunswick or any duly authorized elected or appointive officer or duly authorized employee thereof, for damages sustained as a result of any fire or hazard covered by this Ordinance by reason of inspection or other action taken or not taken pursuant to this Ordinance. Nothing in this Ordinance shall be construed to relieve any property owner or lessees or person in charge thereof from any legal duty, obligation, or liability incident to the ownership, maintenance, or use of such property.

SECTION XVI. LANDMARK MUSEUM BUILDINGS.

(1) The provisions of this paragraph relating to landmark museum buildings shall apply only to those portions of such buildings which meet all the requirements of a landmark museum building, except as otherwise provided in paragraphs (2) and (3) of this section. Paragraphs (2) and (3) of this section shall, unless otherwise provided in such paragraphs, preempt all laws, regulations, or rules governing reconstruction, alteration, repair, or maintenance of landmark museum buildings.

(2) A landmark museum building shall be subject to the following provisions:

- (A) Repairs, maintenance, and restoration shall be allowed without conformity to any building or fire safety related code, standard, rule, or regulation, provided the building is brought into and remains in full compliance with this section;
- (B) In the case of fire or other casualty to a

landmark museum building, it may be rebuilt, in total or in part, using such techniques and materials as are necessary to restore it to the condition prior to the fire or casualty and use as a totally preserved building; or

(C) If a historic building or structure, as a result of proposed work or changes in use, would become eligible and would be so certified as a landmark museum building, and the state Historic Preservation Officer so certifies and such is submitted to the local fire and building code official with the construction or building permit application, then the work may proceed under the provisions of this section.

(3) All landmark museum buildings shall comply with the following requirements:

(A) Every landmark museum building shall have portable fire extinguishers as deemed appropriate by the local fire authority having jurisdiction based on the applicable state or local fire safety codes or regulations;

(B) All landmark museum buildings which contain residential units shall have electrically powered smoke or products of combustion detectors installed within each living unit between living and sleeping areas. Such detectors shall be continuously powered by the building's electrical system. When activated, the detector shall initiate an alarm which is audible in sleeping rooms of that living unit. These unit detectors shall be required in addition to any other protective system that may be installed in the building;

(C) For all landmark museum buildings, except those protected by a total automatic fire suppression system and one and two-family dwellings, approved automatic fire warning protection shall be provided as follows: install at least one listed smoke or products of combustion detector for every 1,200 square feet of floor area per floor or story. In addition, all lobbies, common corridors, hallways, and ways of exit access shall be provided with listed smoke or products of combustion detectors not more than 30 feet apart. Detectors shall be so connected as to sound an alarm audible throughout the structure or building. With respect to buildings which are totally protected by an automatic fire suppression system, activation of the sprinkler system shall sound an alarm throughout the structure or building;

(D) Smoke or products of combustion detectors shall be listed by a nationally recognized testing laboratory;

(E) All multi-story landmark museum buildings, except one and two-family dwellings, with occupancy above or below the street or grade level shall have manual fire alarm pull stations in the natural path of

egress. The activation of a manual pull station shall cause the building fire warning system to sound;

(F) Approved exit signs shall be located where designated by the authority having jurisdiction in accordance with the applicable code, standard, rule, or regulation;

(G) Except for one and two-family dwellings, every landmark museum building occupied after daylight, or which has occupied areas subject to being totally darkened during daylight hours due to a power failure or failure of the electrical system, shall be equipped with approved emergency lighting meeting the provisions of the applicable code, standard, rule, or regulation;

(H) Occupant loading of landmark museum buildings or structures shall be limited by either the actual structural floor load capacity or by the limitations of means of egress or by a combination of factors. Actual floor load capacity shall be determined by a Georgia registered professional engineer. Said floor load shall be posted at a conspicuous location. The building owner shall submit evidence of this certification and related computations to the enforcement authority having jurisdiction upon request. Where one or more floors of a landmark museum building have only one means of egress, the occupant load shall be computed and occupancy limited as determined by the fire marshal; and

(I) The electrical, heating, and mechanical systems of landmark museum buildings shall be inspected and any conditions that create a threat of fire or a threat to life shall be corrected in accordance with applicable standards to the extent deemed necessary by the authority having jurisdiction.

#### SECTION XVII. HISTORIC BUILDINGS.

(1) Historic buildings not classified as landmark museum buildings shall meet the requirements of applicable building and fire safety laws, ordinances, codes, standards, rules, or regulations as they pertain to existing buildings. If a historic building or structure is damaged from fire or other casualty, it may be restored to the condition prior to the fire or casualty using techniques and methods consistent with its original construction, or it shall meet the requirements for new construction of the applicable codes, standards, rules, or regulations, provided these requirements do not significantly compromise the features for which the building was considered historically significant.

(2) As to any buildings or structures in the City of Brunswick which have been designated as historic buildings or structures by the State Historic Preservation Officer, the appropriate enforcement authority, in granting or denying a variance shall consider the intent of this Ordinance, with special attention to Section XVI of this Ordinance, The Uniform Act for the Application of Buildings and Fire Related Codes to Existing Buildings (O.C.G.A. § 8-2-200 et seq.), the Georgia Historic Preservation Act (O.C.G.A § 44-10-20 et seq.) and the Secretary of Interior's Standards for Preservation Projects.

#### SECTION XVIII.

This Ordinance shall be effective from the date of

adoption.

#### SECTION XIX.

All laws and parts of laws in conflict with this Ordinance are hereby repealed and superseded to the extent of such conflict.

#### **CITY MANAGER'S REPORT**

The City Manager reported on the installation of a sidewalk on Ellis and Albermarle Street. He also gave an update on the Budget and removing dead plants in the Downtown Area.

#### **PAVING CONTRACT**

Commissioner Credle moved that the Mayor be authorized to execute contract between the Department of Transportation and the City of Brunswick resurfacing 1.5 miles of various streets in the City. Motion was seconded by Commissioner Stephens and was unanimously carried.

#### **BIDS LARP PROJECT**

Pursuant to advertisement the following bids were received on resurfacing of 19 City Streets under LARP Contract, Project No. LAU20-8530-26(127). (1) Reynolds Construction \$157,023.40 (2) Seaboard Construction Co. \$141,024.55. After reviewing bids Commission Stephens moved that the low bid be accepted. Motion was seconded by Commissioner Credle and was unanimously carried.

#### **URBANA WAY**

The Director of Community Development representing the Urbana Oaks Neighborhood Association was present to report that the residents of Urbana Oaks would like to donate the cul-de-sac Urbana Way to City of Brunswick in order that it could be maintain by the City. The City Manager stated that he felt that one of the Islands and the sign would have to come down to provide public safety to the residents. There will be a lot of expense involved for the City to accept the area. Commissioner Stephens moved that the City accept the area in Urbana Oaks. Motion was seconded by Commissioner Credle and was unanimously carried.

#### **QUIT CLAIM DEED**

Redemption received from Dean R. Weiss, as attorney for George Rowell, Jr., the present owner of Town Commons, Lot No. 137 between Stonewall and Lee Streets, to clear title record of tax deed taken by the City which deed was subsequently redeemed but was lost, misplaced or destroyed with being recorded. On motion of Commissioner Stephens, seconded by Commission Credle, the Mayor was unanimously authorized to execute Quit Claim deed.

#### **MONTHLY REPORTS**

The following reports for the month of June, 1989 were received and ordered filed as information:

(1) General Fund (2) Revenue Sharing (3) Water and Sewer (4) Community Development (5) Metro Drug Squad and (6) Recorder's Court. Uncollectible Water and Sewer Accounts in

the amount of \$2,052.69 and Uncollectible Account paid in said month in the amount of \$331.14.

**MEETING ADJOURNED.**

\_\_\_\_\_  
Mayor

Attest \_\_\_\_\_  
Secretary of the City Commission