

Elk River Fire Department

Policies and Procedures Manual



Policy Title: Request for Extension
Section: 8000 Inspections and Code Enforcement
Number: 8012
Authority: Fire Chief
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Updated:

Purpose

To provide a standardized procedure for the determination and documentation of circumstances surrounding, and the granting or denial of additional time within which, an owner/occupant must remedy a specific violation if compliance cannot be achieved within the time specified in the Notice of Violations and Order to Correct (“Notice”).

Background

It is understandable that unique circumstances may make it difficult for an owner/occupant to correct a violation within the timeframe originally specified on the Notice, and, as in the past, staff should continue to grant a reasonable extension of time so that such compliance can be achieved.

This policy is intended to require the owner/occupant to request and justify the need for the time extension in writing, and provide a valuable document for use by the inspection staff.

It should be noted that this is not an attempt to establish a schedule of time frames for the correction of specific violations. Whether an extension of time to correct a violation will be granted, and if so, the amount of time to be granted, is ultimately up to the Fire & Building Safety Division (FABS), based on individual circumstances associated with a particular violation.

Policy

1. A request for an extension of time to comply with a Notice (“Extension Request”) must be submitted in writing, using the form, *Request for Extension of Time to Obtain Compliance with a Notice of Violations and Order to Correct*. The Extension Request must be received by FABS by the “abate by” date listed for the specific violation on the Notice. No extension will be granted if the request is received after the “abate by” date.
2. An Extension Request must be submitted by the owner/occupant, or duly authorized representative for the addressed property. An Extension Request must be made for each individual violation cited in the Notice for which an extension of time for compliance is sought. Extension Requests lacking sufficient detail or data will be rejected.
3. Upon receiving an Extension Request, the request will be evaluated based on the following criteria:
 - a. A good faith effort has been/is being made to correct the violation(s).
 - b. The granting of the extension does not pose a significant risk to public safety, health, or welfare.
 - c. Undue hardship will result to the requesting party unless the extension is granted.
4. No time extension will be granted for violations that are deemed to be immediately dangerous to public safety, health, or welfare.

Request for Extension

5. Once a final determination has been made as to whether an Extension Request is to be granted or denied, the original form will be returned to the applicant, via USPS mail, informing the applicant of FABS' determination.
6. If an Extension Request is denied, sufficient information must be provided on the returned form indicating the reason(s) the request was denied.
7. A copy of the form shall be scanned into the Department's RMS and marked accordingly on the inspection record.
8. Additional Extension Requests based upon the same Notice will be evaluated on a case-by-case basis, and shall follow the same procedure as previously outlined.