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March 24, 2017

Indiana Fire and Building Safety Commission  
Division of Code Services  
302 W Washington St., Room W246  
Indianapolis, IN 46204-2739

Commissioners:

The Evansville Fire Department has a high regard for its sworn duty to protect life and property. Within its sworn duty the Evansville Fire Department would like to inform you that in reference to variance application 17505, the Evansville Fire Department is formally objecting to this variance being approved. This application variance is a conversion of an historic office tower to apartments. This rehabilitation is an existing ten-story building known as the Hulman Building Apartments located at 24 NW 4th Street, Evansville, Indiana 47708.

A brief history of the property located at 24 NW 4th Street would give you a description of a revitalization project that is covered under Chapter 34. This building was constructed in 1929 and is ten-stories and 130 feet in height with an area of 7,500 square feet per floor. A local law firm occupies floors 7 through 10 with over 40 employees. This structure is part of a revitalization project in the center of downtown Evansville and is highly visible in the downtown area. The Evansville Fire Department understands the vital role that this project has in the revitalization of our remarkable downtown.

Once this occupancy is completed it will be considered an R-2 occupancy (see photo attachments). The said structure is surrounded by a mix of different types of construction that includes a bank.

Following is a summary of Fire Code Violations for this structure:

3/17/17 – The Evansville Fire Department visited the structure known as the Hulman Building found the Fire Code Violations:

6.2.1 Components of standpipe and hose systems shall be visually inspected annually or as specified in Table 6.1.1.2.



**904.6.1 System test.** Systems shall be inspected and tested for proper operation at six-month intervals. Tests shall include a check of the detection system, alarms and releasing devices, including manual stations and other associated equipment.

**901.6.2 Records.** Records of all system inspections, tests and maintenance required by the referenced standards shall be maintained on the premises for a minimum of three years and shall be the copied to the fire code official upon request.

Tenth Floor:

- Power strips piggybacked in several location on 10<sup>th</sup> floor.

**605.4.2 Power supply.** Relocatable power taps shall be directly connected to a permanently installed receptacle.

- Storage too close to ceiling in storage room.

**315.3.1 Ceiling clearance.** Storage shall be maintained 2 feet (610 mm) or more below the ceiling in non-sprinklered areas of buildings or a minimum of 18 inches (457 mm) below sprinkler head deflectors in sprinklered areas of buildings.

- Storage in IT room.

**315.3.3 Equipment rooms.** Combustible material shall not be stored in boiler rooms, mechanical rooms or electrical equipment rooms.

- Fire door propped open.

**703.2 Opening protectives.** Opening protectives shall be maintained in accordance with the rules of the commission. Where allowed by the *fire code official*, the application of field-applied labels associated with the maintenance of opening protectives shall follow the requirements of the *approved* third-party certification organization accredited for *listing* the opening protective. Fire doors and *smoke barrier* doors shall not be blocked or obstructed, or otherwise made inoperable. Fusible links shall be replaced promptly whenever fused or damaged. Fire door assemblies shall not be modified.

- Unfinished wiring in elevator hoist way room.
- Open wiring on A/C handler in elevator hoist way room.

**605.6 Unapproved conditions.** Open junction boxes and open-wiring splices shall be prohibited. Approved covers shall be provided for all switch and electrical outlet boxes.

Ninth floor:

- Open knock-outs in #905 electrical panel.

**605.1 Abatement of electrical hazards.** Identified electrical hazards shall be abated. Electrical wiring, devices, appliances and other equipment that is modified or damaged and constitutes an electrical shock or fire hazard shall not be used.

- Emergency light needs repaired/replaced in 9<sup>th</sup> floor center stairway.
- Emergency light needs repaired/replaced Riverside 9<sup>th</sup> floor stairway.
- Emergency light needs repaired/replaced room901 HVAC

**604.5.2 Power test.** For battery-powered emergency lighting, a power test of the emergency lighting equipment shall be completed annually. The power test shall operate the emergency lighting for a minimum of



90 minutes and shall remain sufficiently illuminated for the duration of the test.

- Portable heated plugged into a power strip under reception desk.

**605.10.2 Power supply.** Portable, electric space heaters shall be plugged directly into an approved receptacle.

- Storage in furnace room.

**315.3.3 Equipment rooms.** Combustible material shall not be stored in boiler rooms, mechanical rooms or electrical equipment rooms.

Eighth Floor:

- No emergency lighting in center stairway.

**[B] 1006.1 Illumination required.** The *means of egress*, including the *exit discharge*, shall be illuminated at all times the building space served by the *means of egress* is occupied.

- Flexible gas line running across stairway exit.

**675 IAC 12-4-9 Maintenance of buildings and structures**

Authority: IC 22-13-2-13 Affected: IC 22-12-6-6; IC 22-13-2-2; IC 22-13-2-8; IC 36-8-17-13

Sec. 9. (a) All buildings and structures, and any part of the permanent heating, ventilating, air conditioning, electrical, plumbing, sanitary, emergency detection, emergency communication, or fire or explosion systems, and all parts thereof, shall be maintained in conformance with the applicable rules of the commission, or applicable rules of its predecessor agencies, in effect when constructed, installed, or altered.

- Extension cords being used as permanent wiring.

**605.5 Extension cords.** Extension cords and flexible cords shall not be a substitute for permanent wiring.

- Power strips being piggybacked.

**605.4.2 Power supply.** Relocatable power taps shall be directly connected to a permanently installed receptacle.

- Portable A/C unit being powered by power strip.

**321.3.7.1** The use of any portable electrical appliance shall be as follows:

1. Multiple-outlet adapters are prohibited.
2. Not more than one (1) continuous extension cord shall be used to connect one (1) appliance to the fixed electrical receptacle, and such cord shall be listed for hard service and properly sized for the intended application.
3. Extension cords shall not be used as an insert for permanent wiring.

- Fire door propped open.

**703.2 Opening protectives.** Opening protectives shall be maintained in accordance with the rules of the commission. Where allowed by the *fire code official*, the application of field-applied labels associated with the maintenance of opening protectives shall follow the requirements of the *approved* third-party certification organization accredited for *listing* the opening protective. Fire doors and *smoke barrier* doors shall not be blocked or obstructed, or otherwise made inoperable. Fusible links shall be replaced promptly whenever fused or damaged. Fire door assemblies shall not be modified.



Seventh Floor:

- 4<sup>th</sup> street side ceiling tiles need replaced.

**703.1 Maintenance.** The required *fire-resistance rating* of fire-resistance-rated construction shall be maintained. Such elements shall be visually inspected by the owner annually and properly repaired, restored or replaced when damaged, altered, breached, or penetrated.

Sixth floor:

- Open wiring in electrical closet.
- Open wiring in bathroom.

**605.6 Unapproved conditions.** Open junction boxes and open-wiring splices shall be prohibited. Approved covers shall be provided for all switch and electrical outlet boxes.

- Extension cord powering heat tape in Mechanical room.
- Extension cord being used under Shelbi's desk.

**605.5 Extension cords.** Extension cords and flexible cords shall not be a substitute for permanent wiring.

Fifth floor:

- Need Emergency light repaired/replaced Riverside stairway?

**604.5.2 Power test.** For battery-powered emergency lighting, a power test of the emergency lighting equipment shall be completed annually. The power test shall operate the emergency lighting for a minimum of 90 minutes and shall remain sufficiently illuminated for the duration of the test.

- Exit sign needed in Riverside stairway.

**1011.1 Where required.**

Exits and exit access doors shall be marked by an approved exit sign readily visible from any direction of egress travel

- Extension cord being used in room 511.

**605.5 Extension cords.** Extension cords and flexible cords shall not be a substitute for permanent wiring.

4<sup>th</sup> floor:

- Open abandoned wiring in electrical closet in center stairway.

**605.1 Abatement of electrical hazards.** Identified electrical hazards shall be abated. Electrical wiring, devices, appliances and other equipment that is modified or damaged and constitutes an electrical shock or fire hazard shall not be used.

- Exit sign needed at stairway.

**1011.1 Where required.**

Exits and exit access doors shall be marked by an approved exit sign readily visible from any direction of egress travel.



3<sup>rd</sup> floor:

- Open abandoned wiring in electrical closet in center stairway. (See above)

2<sup>nd</sup> floor:

- OK

1<sup>st</sup> floor:

- Exit signs in bank need repaired/replaced.

**1011.6.3 Power source.** Exit signs shall be illuminated at all times.

Basement:

- Emergency lighting in basement stairway needs repaired/replaced.
- Emergency lighting needs repaired/replaced in basement electrical room.

**604.5.2 Power test.** For battery-powered emergency lighting, a power test of the emergency lighting equipment shall be completed annually. The power test shall operate the emergency lighting for a minimum of 90 minutes and shall remain sufficiently illuminated for the duration of the test

- Fire doors need tested and repaired.

**703.1.3 Fire walls, fire barriers and fire partitions.** Required *fire walls, fire barriers* and *fire partitions* shall be maintained to prevent the passage of fire. All openings protected with *approved doors* or fire dampers shall be maintained in accordance with NFPA 80.

- Open electrical box on ceiling in furnace room inside safe.

**605.6 Unapproved conditions.** Open junction boxes and open-wiring splices shall be prohibited. Approved covers shall be provided for all switch and electrical outlet boxes.

- Exit sign to 4<sup>th</sup> St stairway needs repaired/replaced.

**1011.6.3 Power source.** Exit signs shall be illuminated at all times. To ensure continued illumination for a duration of not less than 90 minutes in case of primary power loss, the sign illumination means shall be connected to an emergency power system provided from storage batteries, unit equipment or an on-site generator.

The issue that is of a major concern is that the said structure's automatic sprinkler system, smoke detection, and fire alarm system will be installed as each floor is converted - from the basement to the tenth floor. The issue of this variance is that during the construction and renovation of this 10-story high rise the building will be partially occupied.

In looking at fire protection features of all structures they are categorized as a group of systems as either active fire protection systems, which is equal to automatic sprinkler and alarm systems. Or they are passive fire protection systems, which is a group of systems that compartmentalize a building through the use of fire resistance rated walls and floors.



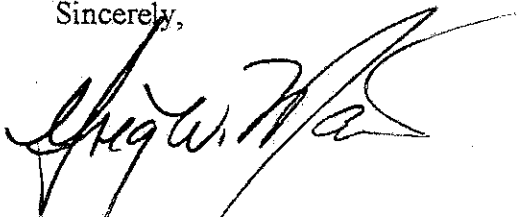
As floors are altered during the conversion process, the compartmentalization of rated walls could be altered thus affecting the concept of compartmentalization without the sprinkler system being installed on the floor(s). The problem lies in the fact the structure will be partially occupied during this process. After talking to Code Consultant Roger Lehman of RLehman Consulting he stated the construction project would start on floors 5, 6, and 7 of the said structure. This will create a fire exposure to the floor levels above this starting point. Also please note, floors 1 and 2 will be sprinklered last according to the variance application. Nothing regarding the status of the basement of the said structure was noted in this variance application.

To ensure Fire Code requirements are followed the Evansville Fire Department feels consideration should be given to the following:

- 1) An operational sprinkler system shall be installed before conversion of the floors of said structure especially due to the structure being partially occupied.
- 2) A wet standpipe system shall be in place and operational before construction. This includes the use of a pre-existing system in the center core and the addition of a second standpipe system opposite the stairwell from the basement to the 10<sup>th</sup> floor.
- 3) A fire pump shall be installed per NFPA 20.
- 4) An option exists that the said structure could be vacated during the construction process.
- 5) Fire watch shall be implemented per IFC 3304.5 Fire Watch during construction and conversion of the floors of the said structure.
- 6) The construction project shall comply with NFPA 241 during construction.
- 7) No woodworking operations shall be allowed in the said structure until it is fully sprinklered and operational per NFPA 13.

The Evansville Fire Department stands firmly in objecting to the application for variance application 17505 and that it not be approved.

Sincerely,



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