

INDIANA FIRE PREVENTION AND BUILDING SAFETY COMMISSION

TO: Shelly Wakefield, Representative for the Town of Clarksville
Rick Barr, Building Commissioner of the Town of Clarksville
Amy Eversole, Applegate Fifer Pulliam, LLC

FROM: Fire Prevention and Building Safety Commission (Commission) Staff

DATE: Monday January 3, 2022

RE: Commission Review of Ordinance No. 2019-G-15 – Building Code of the Town of Clarksville, Indiana – Staff Review Memo

The information contained in this memo is advisory only. Commission staff does not have the authority to approve or deny ordinances or other regulations adopted by a political subdivision that qualify as fire safety or building laws. The decision to approve or deny ordinances or other regulations is left to the Commission.

GENERAL INFORMATION

Political Subdivision	Ordinance Number	Ordinance Type
Town of Clarksville, Indiana	2019-G-15	Building Code
Date of Adoption	Date of Submission	First Commission Meeting
August 6, 2019	December 13, 2021	January 4, 2022
Fire Safety/Building Law	Follow Template?	Recommendation
Building Law(s)	Yes	Denial

PROVISIONS THAT DUPLICATE, CONFLICT, OR OVERLAP WITH STATEWIDE CODE

The following is a list of potential defects identified between this ordinance and the state's building and fire safety laws:

#	Ordinance Citation	State Citation	Explanation of Defect
1	Article VI	675 IAC 12-10-6(5) IC 22-13-2-5(b)(2)	The ordinance provides an effective date that is earlier than the date upon which the Commission grants its approval. The ordinance claims to be effective following "adoption by a majority of the membership of this Town Council and publication in accordance with IC 5-3-1-2." See Article VI of the Commission's Building Code Ordinance Template for language that should be included in the ordinance.

ADDITIONAL COMMENTS

1. The definition of “Building Commissioner” in Article I Section 3 should be revised for clarity and completeness.
2. The definition of “Fire Prevention and Building Safety Commission” in Article I Section 3 should be revised to mirror the definition of “Commission” in Article I Section 3 of the [Commission’s Building Code Ordinance Template](#).
3. Modify the language in Article V Section 2 to mirror Article V Section 2 of the [Commission’s Building Code Ordinance Template](#).