

INDIANA FIRE PREVENTION AND BUILDING SAFETY COMMISSION

Notice is hereby given that the
Indiana Fire Prevention and Building Safety Commission
will be meeting electronically/remotely through Cisco Webex on
Tuesday, December 1, 2020, beginning at 9:00 a.m. EST

Online Live Streaming

Website Address:

<https://indiana.webex.com/indiana/j.php?MTID=mc345ed3dc226ad2f00e7752f272509bb>

Video Address: Dial [1575595770@indiana.webex.com](tel:1575595770), or dial 173.243.2.68 and enter the meeting number provided below.

Call In (Audio Only)

1-240-454-0887 United States Toll

Access Code: 157 559 5770

Meeting Number

157 559 5770

Meeting Password

FPBSC1212020

MEETING AGENDA

1. Call to Order – Chairman Nicoson
2. Roll Call – Douglas Boyle, Director of the Fire Prevention and Building Safety Commission
3. Commission Review and Action on Meeting Minutes
 - a. Wednesday, November 4, 2020
4. IDHS/Commission Staff Reports and Updates
 - a. Status Update on Indiana Open Door Law and Public Meeting Requirements during the State of Indiana's COVID-19 Public Health Emergency – Douglas Boyle, Director of the Fire Prevention and Building Safety Commission & Justin Guedel, IDHS Deputy General Counsel
 - b. Indiana Fire Prevention and Building Safety Commission's 2021 Scheduled Meeting Dates and Locations
 - c. State Building Commissioner's Report – Craig Burgess, State Building Commissioner

- i. Written Interpretation No. CEB-2020-34-2014 IBC-903.4
- ii. Written Interpretation No. CEB-2020-36-2020 IRC-R302.5
- iii. Written Interpretation No. CEB-2020-37-GAR-12-4-9
- iv. Written Interpretation No. CEB-2020-38-2020 IRC-R310.6

5. Rulemaking Update(s)

a. Indiana Elevator Code Committee Meeting

- i. Next Meeting: Tuesday, December 15, 2020 beginning at 9:00 a.m. EST, Webex Electronic Meeting – Finish Review of ASME A17.3-2017

Public notice and meeting access details will be provided on the Committee's web page (<https://www.in.gov/dhs/4200.htm>) in advance of the meeting.

b. Status Update on the Indiana Boiler and Pressure Vessel Rules Proposed Rule

c. Status Update on the Variances Proposed Rule

- i. Update on Submission of Request for Exception to the Regulatory Moratorium

d. Commission Discussion and Consideration of State's Need/Industry's Desire to Update the Indiana Building, Fire, Mechanical, Fuel Gas, and Plumbing Codes (675 IAC 17) – ***see written comments provided with meeting materials.***

6. Commission Action on Locally Approved Variance(s) Pursuant to Indiana Code § 22-13-2-7(b)

- a. Sullivan Hardware & Garden Greenhouse and Building Expansion, 6955 N Keystone Avenue, Indianapolis, IN 46220

7. Variances

a. Tabled

20-09-38 185 Madison Ave, Peru
20-10-36 Victor Polen, Celestine
20-10-41 (a)(b) Spiceland Event Center, Spiceland
20-10-46 Hoosier Hardwood Floors, Goshen

b. New

20-12-37 (a)(b)(c)(d)(e) Evergreen Rentals, West Lafayette
20-12-38 Watersong, Fort Wayne
20-12-39 Riverstart Solar Park, Modoc
20-12-40 (a)(b) Liberty Place at Lockerbie Square, Indianapolis
20-12-41 Bolt & Tie, Clarksville
20-12-42 American Sealants Addition, Fort Wayne
20-12-43 COVID-19 Hand Sanitizer Flammable Storage, Huntington
20-12-44 Jasper Cultural Center, Jasper

8. Petitions for Administrative Review

- a. Granted and Forwarded to the Office of Administrative Law Proceedings (OALP)
 - i. IDHS Sanctions Order No. 315-441 – AMC Theatres Bloomington 12
 - ii. IDHS Sanctions Order No. 318-444 – Five Star Dive Bar
- b. Commission Determination (Recommendation for Denial for Untimeliness)
 - i. IDHS Notice of Violations Order No. 475628 – Historic Broadway Hotel & Tavern

9. Commission Review and Action on Non-Final Orders/Non-Final Orders of Dismissal

- a. Non-Final Orders of Dismissal
 - i. IDHS Sanctions Order No. 26-70 - Shoe Sensation (Cause No. DHS-0820-000382)
- b. Commission Consideration and Action on Delegating Ultimate Authority Powers to the Administrative Law Judge (ALJ)/Office of Administrative Law Proceedings (OALP) for Certain Final Orders and Final Orders of Dismissal – ***tabled at Commission's November 4, 2020 meeting.***

10. Commission Review of Local Ordinances

- a. Adopted
 - i. Ordinance No. 2020-17 – Unified Development Ordinance of the Town of Whitestown, Indiana – ***received by Commission via electronic mail on Tuesday, September 15, 2020, and tabled by the Commission at the 10/6/2020 and 11/4/2020 meetings.***
 - ii. Ordinance No. 20-40 - Fire Prevention Ordinance of the City of Westfield, Indiana – ***received by Commission staff via electronic mail on Monday, September 28, 2020, and tabled by the Commission at the 11/4/2020 meeting.***

- iii. Ordinance No. 2020-29 (Amending Ordinance No. 2019-25) – Chapter 91 Fire Prevention Code of the City of Greenfield, Indiana – ***received by Commission staff via electronic mail on Friday, October 30, 2020.***

11. Final Comments/Closing Remarks from Chairman Nicoson

12. Next Meeting – Tentatively scheduled for Tuesday, January 5, 2021, beginning at 9:00 a.m. EST in History Reference Room 211 of the Indiana State Library, 315 W. Ohio Street, Indianapolis, IN 46202

If the Commission's meeting must be conducted electronically/remotely due to the ongoing COVID-19 public health emergency, details will be provided on the Commission main web page (<https://www.in.gov/dhs/2375.htm>) in advance of the meeting date.

13. Adjournment