



MICHAEL R. PENCE, Governor
STATE OF INDIANA

INDIANA DEPARTMENT OF HOMELAND SECURITY
302 West Washington Street
Indianapolis, IN 46204

December 12, 2016
By U.S. Mail

Corey Ford
Sport Wayne, Inc.
327 E. Wayne Street
Suite 200
Fort Wayne, IN 46802

Re: Petition for Review – Fort Wayne Escape Room

Dear Mr. Ford,

The Commission is in receipt of your Petition for Review of the recent decision related to Violation Number 1 of the Fire and Building Code Enforcement Inspection Report Order Number BU26734. The Petition for Review is timely and has been granted by the Commission. The Petition has been assigned to the Commission's administrative law judge.

The judge's office will contact you to arrange for further proceedings. Should you have any questions, you may contact our staff attorney assigned to the matter, Justin Guedel at JGuedel@dhs.in.gov or (317) 234-9515.

Sincerely,

Jonathan L. Whitham
General Counsel
Indiana Department of Homeland Security

cc: Justin Guedel



An Equal Opportunity Employer

Sport Wayne Inc.
327 E Wayne Street
Suite 200
Fort Wayne, IN 46802

Fire Prevention and Safety Division
302 West Washington Street
RM W246
Indianapolis, IN 46204

To Whom It May Concern,

I would like to file for administrative review of our recent classification of being a special amusement building for the Fort Wayne Escape Room. I have reviewed the code handbook extensively and have found several issues with that classification that do not align with our place of business. I would like to present my case in person to explain.

We take safety very serious, and want nothing more than to provide a safe, fun, and educational environment for families, friends, and business. Being classified as a special amusement building would create several hardships for our small, non-profit organization.

Please accept this letter as a petition for review and kindly inform me of the next steps.

Sincerely,

Corey Ford
President
Sport Wayne Inc. /Fort Wayne Escape Room
260-414-3371

SCANNED
Date: 12/16/16
Emailed to: _____
Initials: AW



FIRE AND BUILDING CODE ENFORCEMENT INSPECTION REPORT ORDER

DIVISION OF FIRE AND BUILDING SAFETY
INDIANA DEPARTMENT OF HOMELAND SECURITY
302 WEST WASHINGTON STREET, RM E241
INDIANAPOLIS, IN 46204
TELEPHONE: 317-232-2222
WEB ADDRESS: WWW.IN.GOV/DHS

Identification Number BU26734	Name of the facility FORT WAYNE ESCAPE ROOM	County ALLEN
Address of Property 327 E WAYNE ST FORT WAYNE 46802		Name of the Contact COREY FORD
		Telephone Number (260) 414-3371
Email corey@sportwayne.com		Inspection Date 11/10/2016
Inspection Category BUSINESS/MANUFACTURING	Inspection Type INITIAL	Inspection Status: VIOLATION
Name of the inspector CRAIG BOSSELMAN		Phone: 3174173694
Email: CBOSSELMAN@DHS.IN.GOV		

Violations

VIO-LATION NUMBER	RULE OR INDIANA CODE SECTION VIOLATED	DESCRIPTION OF VIOLATION	DATE BY WHICH VIOLATION MUST BE CORRECTED
1	IC 22-12-1-23 "Regulated place of amusement or entertainment"	<p>Sec. 23. "Regulated place of amusement or entertainment" refers to the following:</p> <p>(1) A theater, opera house, movie theater, dance hall, night club with a stage or floor show, or another place that offers an amusement or entertainment to the public for consideration or promotional purposes.</p> <p>(2) A place where a boxing, sparring, or unarmed combat match or exhibition is conducted under the supervision of the state athletic commission.</p> <p>(3) A hall, gymnasium, or place of assembly where a school, college, university, social or fraternal organization, lodge, farmer's organization, society, labor union, trade association, or church holds any type of amusement.</p> <p><u>The owner/operator of the facility needs to apply for an Amusement Entertainment permit.</u></p>	12/10/2016
2	675 IAC 12-4-11 Occupancy of existing buildings	<p>Sec. 11. (a) Any building or structure lawfully in existence at the time of the adoption of any rule of the commission for new construction may have its existing use or occupancy continued without having to be altered to comply with such a rule.</p> <p>(b) No change in the character or use of any building or structure shall be permitted that shall cause the building or structure to be classified within a different occupancy group or within a different division of the same occupancy group, unless the building or structure complies with, or is made to comply with the:</p> <p>(1) current rules of the commission for new construction for the proposed revised use of the building; or</p> <p>(2) provisions of:</p> <p>(A) Chapter 34 of the Indiana Building Code (675 IAC 13-2.6-34); or</p> <p>(B) 675 IAC 12-13.</p> <p><u>This building has been converted to a Special Amusement occupancy without complying with any of the options listed above. The owner/operator of the facility needs to apply for a change of use. Until the change of use has been completed, the State Fire Marshal is</u></p>	12/10/2016

		<u>requiring the owner/operator to conduct a Fire Watch at the facility. This should be completed through the Fort Wayne Fire Department Inspection division.</u>	
3	Sec. 411.3 2014 Edition IBC 675 IAC 13-2.6	Special amusement buildings shall be equipped with an automatic fire detection system in accordance with Section 907. <u>The owner/operator of the facility needs to install an Automatic fire detection system to meet the above requirement as a Special amusement facility.</u>	12/10/2016
4	Sec. 411.4 2014 Edition IBC 675 IAC 13-2.6	Special amusement buildings shall be equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1. Where the special amusement building is temporary, the sprinkler water supply shall be of an approved temporary means. Exception: Automatic sprinklers are not required where the total floor area of a temporary special amusement building is less than 1,000 square feet (93 m2) and the travel distance from any point to an exit is less than 50 feet (15 240 mm). <u>The owner/operator of the facility needs to install an Automatic sprinkler system to meet the above requirement for a Special Amusement facility.</u>	12/10/2016
5	2014 Edition IFC 675 IAC 22-2.5	1008.1.9 Door operations. Except as specifically permitted by this section egress doors shall be readily openable from the egress side without the use of a key or special knowledge or effort. <u>All of the locking devices on the escape room doors are not to be locked, due to the fact that the locking devices do not meet the requirements.</u>	12/10/2016
6	Sec. 411.6 2014 Edition IBC 675 IAC 13-2.6	An emergency voice/alarm communications system shall be provided in accordance with Sections 907.2.12 and 907.5.2.2, which is also permitted to serve as a public address system and shall be audible throughout the entire special amusement building. <u>The owner/operator of the facility needs to install an Emergency voice/alarm communications system to meet the Special Amusement facility requirements.</u>	12/10/2016
7	Sec. 411.7 2014 Edition IBC 675 IAC 13-2.6	Exit signs shall be installed at the required exit or exit access doorways of amusement buildings in accordance with this section and Section 1011. Approved directional exit markings shall also be provided. Where mirrors, mazes or other designs are utilized that disguise the path of egress travel such that they are not apparent, approved and listed low-level exit signs that comply with Section 1011.5, and directional path markings listed in accordance with UL 1994, shall be provided and located not more than 8 inches (203 mm) above the walking surface and on or near the path of egress travel. Such markings shall become visible in an emergency. The directional exit marking shall be activated by the automatic fire detection system and the automatic sprinkler system in accordance with Section 907.2.12.2. <u>The owner/operator of the facility needs to install exit signs showing the means of egress.</u>	12/10/2016
8	Sec. 411.8 2014 Edition IBC 675 IAC 13-2.6	The interior finish shall be Class A in accordance with Section 803.1. <u>The owner/operator of the facility needs to make sure that all interior finish materials are Class A type.</u>	12/10/2016

9	2014 Edition IFC 675 IAC 22-2.5	1003.2 Ceiling height. The means of egress shall have a ceiling height of not less than 7 feet 6 inches (2286 mm). <u>The owner/operator of the facility needs to put the ceiling that moves up and down back into its normal construction to meet the above requirement.</u>	12/10/2016
10	Sec. 411.5 2014 Edition IBC 675 IAC 13-2.6	Actuation of a single smoke detector, the automatic sprinkler system or other automatic fire detection device shall immediately sound an alarm at the building at a constantly attended location from which emergency action can be initiated including the capability of manual initiation of requirements in Section 907.2.12.2. <u>The owner/operator of the facility needs to meet the above requirement as a special amusement facility.</u>	12/10/2016

Facility Id BU26734	Received By Name	Signature and Date
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APPEAL RIGHTS

Please be advised that if you desire administrative review of this Order and **this Order was delivered by hand**, you must file a written petition for review with the Fire Prevention and Building Safety Commission at 302 West Washington Street, Rm. W246, Indianapolis, IN 46204, identifying the violations for which you seek review no later than 15 calendar days from the hand delivery date of this Order unless such date is a Saturday, Sunday, legal holiday under state statute, or day that the Department of Homeland Security's offices are closed during regular business hours, in which case the deadline would be the first calendar day thereafter that is not a Saturday, Sunday, legal holiday under state statute, or day that the Department of Homeland Security's offices are closed during regular business hours. If you do so, your petition for review will be granted and an administrative proceeding will be conducted by an administrative law judge appointed by the Fire Prevention and Building Safety Commission. If you do not file a petition for review, this Order will be **FINAL** and you **MUST** comply with its requirements.

Please be advised that if you desire administrative review of **this Order and this Order was delivered by first class U.S. mail**, you must file a written petition for review with the Fire Prevention and Building Safety Commission at 302 West Washington Street, Rm. W246, Indianapolis, IN 46204, identifying the violations for which you seek review no later than 18 calendar days from the mailing date of this Order unless such date is a Saturday, Sunday, legal holiday under state statute, or day that the Department of Homeland Security's offices are closed during regular business hours, in which case the deadline would be the first calendar day thereafter that is not a Saturday, Sunday, legal holiday under state statute, or day that the Department of Homeland Security's offices are closed during regular business hours. If you do so, your petition for review will be granted and an administrative proceeding will be conducted by an administrative law judge appointed by the Fire

Prevention and Building Safety Commission. If you do not file a petition for review, this Order will be **FINAL** and you **MUST** comply with its requirements.

Please be further advised that you may request an opportunity to informally discuss this Order prior to filing a petition for review. Such informal discussion, or a request therefor, does not extend the deadline for filing a petition for review and, therefore, any request for an informal discussion should be made promptly, preferably by telephone, upon receipt of this Order.