
FIRE PREVENTION AND BUILDING SAFETY COMMISSION
Department of Homeland Security

NONRULE POLICY DOCUMENT

TITLE: Valet Trash Collection
DOCUMENT #: 2024-1-DHS
DATE ADOPTED: February 6, 2024
ADOPTED BY: Fire Prevention and Building Safety Commission

Overview

This document identifies whether "valet trash collection" is prohibited by the building and fire safety laws contained in [675 IAC](#).

Background

Pursuant to [IC 22-14-2-10](#) and [IC 22-15-2-7](#), the Indiana Department of Homeland Security (IDHS) is required to carry out a program to enforce the building and fire safety laws throughout the state. In large part, this requires the IDHS to enforce the Indiana Building Code (IBC) and Indiana Fire Code (IFC), which are adopted by the Fire Prevention and Building Safety Commission (Commission) in [675 IAC](#). In enforcement of these codes, and in the enforcement of laws in general, activities or conditions are generally permissible unless a law prohibits said activity or condition. But, simply because an activity or condition isn't generally prohibited, does not mean that the activity or condition may exist in an unregulated state. On their face, these concepts seem simple and easily applied, however, over the course of time and based on the application of the law by different jurisdictions, these concepts can become lost, confused, or applied inconsistently.

Due to recent inquiries and concerns surrounding how these concepts are being applied to "valet trash collection" operations, the IDHS issued this policy on January 15, 2024, to ensure the consistent application of the Commission's rules on "valet trash collection". On February 6, 2024, the Commission adopted this policy as its own.

Policy

"Valet trash collection" is a generally permissible activity under the current rules of the Commission. There is no general prohibition against the placement of trash receptacles in hallways or corridors found in the 2014 IBC or the 2014 IFC. It is not a violation of Section 1030.2 or 1030.3 of the 2014 IFC to place trash receptacles in exit accesses or means of egresses, so long as the required width is maintained open for full instant use.

However, while this activity is not generally prohibited, there are certain provisions that generally will regulate this activity depending on the specific circumstances. In general, these provisions include prohibitions on:

1. Obstructing the required width of a means of egress. See Section 1003.6 of the 2014 IBC.
2. Obstructing the required width of corridors. See Section 1018.3 of the 2014 IBC.
3. Accumulation of combustible waste material creating a fire hazard. See Section 304.1 of the 2014 IFC.
4. Storage of combustible rubbish creating a fire hazard. See Section 304.2 of the 2014 IFC.
5. Noncompliant storage containers. See Section 304.3 of the 2014 IFC.
6. Storage in exits or enclosures for stairways and ramps. See Section 315.3.2 of the 2014 IFC.

Therefore, based upon the above considerations, it is the policy of the IDHS and the Commission that "valet trash collection" is not prohibited by the rules of the Commission but simply must be conducted in a manner that complies with the generally applicable building and fire safety laws.

Replaces Policy: New

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