

IC 22-11-17

Chapter 17. Fire Safety in Public Buildings

IC 22-11-17-1

Definitions

Sec. 1. As used in this chapter:

- (1) "Commission" refers to the Indiana fire prevention and building safety commission.
- (2) "Exit" means a continuous and unobstructed means of egress to a public way designated as an exit pursuant to the rules of the commission. The term includes doorways, corridors, exterior exit balconies, ramps, stairways, smokeproof enclosures, horizontal exits, exit passageways, exit courts, and yards.
- (3) "Owner" means a person having control or custody of any building covered by this chapter.
- (4) "Public building" means any structure used in whole or in part as a place of resort, assemblage, lodging, trade, traffic, occupancy, or use by the public, or by three (3) or more tenants. It also means all educational buildings, day care centers, hospitals, institutions, health facilities, residential-custodial care facilities, mercantile occupancies, and office occupancies.
- (5) "Special egress control device" means an exit locking system that:
 - (A) allows a delay in exiting through an exit in a nonemergency situation; and
 - (B) complies with rules adopted by the commission.

As added by Acts 1982, P.L.140, SEC.1. Amended by P.L.8-1984, SEC.116; P.L.169-1996, SEC.1.

IC 22-11-17-2

Obstruction of exits; special egress control device; inoperative fire alarms

Sec. 2. (a) Except as provided in subsection (b) and section 2.5 of this chapter, an owner of a public building shall not permit an exit to be locked or obstructed in any manner that denies the public a continuous and unobstructed means of egress while lawfully occupied by anyone who is not an officer or an employee.

(b) The commission may adopt rules under IC 4-22-2 that:

- (1) allow the owner of a public building to equip an exit with a special egress control device;
- (2) limit the circumstances under which a special egress control device may be used; and
- (3) allow an exit that was in compliance with the rules of the commission when the exit was constructed to be equipped with a special egress control device.

(c) An owner of a public building shall not permit a fire alarm to be disconnected or otherwise rendered inoperative, except in cases of routine maintenance or for repair.

As added by Acts 1982, P.L.140, SEC.1. Amended by P.L.169-1996,

SEC.2.

IC 22-11-17-2.5

Compliance by hospital or health facility

Sec. 2.5. (a) A hospital licensed under IC 12-25 or IC 16-21 or a health facility licensed under IC 16-28 complies with section 2(a) of this chapter by meeting the federal standards of certification for participation in a reimbursement program under either of the following before, on, or after March 21, 1996:

(1) Title XVIII of the federal Social Security Act (42 U.S.C. 1395 et seq.).

(2) Title XIX of the federal Social Security Act (42 U.S.C. 1396 et seq.).

(b) Section 2(b) of this chapter does not apply to this section.

As added by P.L.169-1996, SEC.3. Amended by P.L.220-2011, SEC.373.

IC 22-11-17-3

Violations; offense

Sec. 3. An owner who violates section 2 of this chapter commits a Class B misdemeanor.

As added by Acts 1982, P.L.140, SEC.1.

IC 22-11-17-4

Knowing or intentional violations; offense

Sec. 4. An owner of a public building commits a Class D felony if:

(1) he knowingly or intentionally violates section 2 of this chapter; and

(2) bodily injury (as defined by IC 35-41-1) or a loss of life occurs to a person lawfully in the public building as a result of a fire in the building.

As added by Acts 1982, P.L.140, SEC.1. Amended by P.L.311-1983, SEC.41.

IC 22-11-17-5

Inspections to determine compliance

Sec. 5. The state fire marshal's office may, as part of its normal inspection process, conduct inspections to determine if there is compliance with this chapter and the rules adopted under it. Any evidence of a violation shall be turned over to the prosecuting attorney of the county where the violation occurred.

As added by Acts 1982, P.L.140, SEC.1. Amended by P.L.198-1995, SEC.2.

IC 22-11-17-6

Construction of chapter

Sec. 6. (a) This chapter does not prohibit the securing of a building from illegal entry or exit during nonbusiness or nonworking hours.

(b) This chapter is not intended to conflict with the requirements of IC 22-8-1.1 and the rules adopted pursuant thereto.
As added by Acts 1982, P.L.140, SEC.1.