

User notes:**SECTION 101—FIRE PREVENTION AND BUILDING SAETY COMMISSION**

101.1 Statutory Authority. The Fire Prevention and Building Safety Commission (Commission) is established at IC 22-12-2-1. The Commission shall adopt rules as set out in IC 22-13-2-2.

101.2 Statutory Authority to adopt rules. The Commission has the statutory authority to adopt rules in various provisions in the Indiana Code including IC 22-12-6-6; IC 22-13-2-2, IC 22-13-2-8; IC 22-13-2-13 and IC 36-8-17-13 in accordance with IC 4-22-2.

101.3 Rule Adoption. The Commission's rulemaking action shall comply with the requirements of IC 4-22-2.

101.3.1 This rule shall be known as the 2026 Indiana Building Code and shall be published, except incorporated documents, by the Indiana Fire Prevention and Building Safety Commission for general distribution and use under that title. Wherever the term "this code" is used throughout this rule, it shall mean the 2026 Indiana Building Code

101.4 Title

101.4.1 This rule shall be known as the 2026 Indiana Building Code and shall be published, except incorporated documents, by the Indiana Fire Prevention and Building Safety Commission for general distribution and use under that title. Wherever the term "this code" is used throughout this rule, it shall mean the 2026 Indiana Building Code

101.5 Effect of New or Changed Rules.

101.5.1 Construction projects for which design releases is required to be obtained as set out in IC 22-15-3 and IC 22-15-2.3 shall be done in compliance with the applicable rules of the commission in effect on the date the application, plans and specifications were submitted to the Department notwithstanding the repeal or amendment of any rule before the date the construction work is actually done.

101.5.2 Accordingly, any enforcement action taken by the Department concerning such construction shall appropriately cite the rules of the commission in effect at the time the application, plans and specifications were submitted to the Department.

101.5.3 Notwithstanding section 101.5.1, the construction work may be done in accordance with any rule of the commission that takes effect subsequent to the submission of the application for design release, and before the actual construction work being done, provided that an appropriate addenda and revision design release is issued by the department.

101.5.4 Construction that is exempt from the design release requirements, is not exempt from the compliance with the rules of the commission in effect on the date the construction work actually starts.

101.6 Conflict within the rules.

Where, in any specific case, different sections of the rules of the Commission specify different materials, methods of construction or other requirements, the most restrictive shall govern. Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall be applicable.

101.7. Saving clause

Whenever a rule of the Commission is repealed or amended such repeal, or amendment shall not have the effect to release or extinguish any penalty, forfeiture or liability incurred under such rule before its repeal or amendment, unless the amending or repealing rule promulgation shall so expressly provide; and such rule as it existed prior to the repeal or amendment shall be treated as still remaining in force for the purposes of sustaining any proper action or prosecution for the enforcement of such penalty, forfeiture, or liability.

101.8 Words and Phrases Not Defined.

Where words and phrases are not defined within the rules of the commission, they shall have their ordinary accepted

meanings within the context in which they are used

101.9 Interpretation. The State Building Commissioner authorized to issue written interpretations on Rules of the Commission as set out in IC 22-13-5

SECTION 102 - SCOPE AND GENERAL REQUIREMENTS

102.1 Scope. The provisions of this code shall apply to the construction, *alteration*, relocation, enlargement, replacement, *repair*, equipment, use and occupancy, location, maintenance, of *Class 1 structure* or any appurtenances connected or attached to such *buildings* or *structures*.

Exception: Detached one- and two-family *dwelling*s and *townhouses* not more than three *stories above grade plane* in height with a separate *means of egress*, and their accessory *structures* not more than three *stories above grade plane* in height, shall comply with *Indiana Residential Code 675 IAC 14*.

102.1.1 Appendices. Provisions in the appendices shall not apply unless specifically adopted.

102.2 Purpose. The purpose of this is to establish the minimum requirements to provide a reasonable level of safety, health and general welfare through structural strength, *means of egress*, stability, sanitation, light and *ventilation*, energy conservation, and for providing a reasonable level of life safety and property protection from the hazards of fire, *explosion* or *dangerous* conditions, and to provide a reasonable level of safety to fire fighters and emergency responders during emergency operations.

102.3 Severability. If a section, subsection, sentence, clause or phrase of this is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this code.

102.4 Referenced codes. The other codes specified in Sections 102.3.1 through 102.3.7 and referenced elsewhere in this code shall be considered to be part of the requirements of this code to the prescribed extent of each such reference.

102.4.1 Gas. The provisions of the *Indiana Fuel Gas Code (675 IAC 25)* shall apply to the installation of gas piping from the point of delivery, gas appliances and related accessories as covered in this code. These requirements apply to gas piping systems extending from the point of delivery to the inlet connections of appliances and the installation and operation of residential and commercial gas appliances and related accessories.

102.4.2 Mechanical. The provisions of the *Indiana Mechanical Code (675 IAC 18)* shall apply to the installation, *alterations*, *repairs* and replacement of mechanical systems, including equipment, appliances, fixtures, fittings and appurtenances, including ventilating, heating, cooling, air-conditioning and refrigeration systems, incinerators and other energy-related systems.

102.4.3 Plumbing. The provisions of the *Indiana Plumbing Code (675 IAC 16)* shall apply to the installation, *alteration*, *repair* and replacement of plumbing systems, including equipment, appliances, fixtures, fittings and appurtenances, and where connected to a water or sewage system and all aspects of a medical gas system. The provisions of the *Indiana Department Health, Environmental Health Rules* shall apply to private sewage disposal systems.

102.4.4 Electric. The provisions of the *Indiana Electric Code (675 IAC 17)* shall apply to the installation, *alteration*, *repair* and replacement of electrical systems, including equipment, appliances, fixtures, fittings and appurtenances, and where connected to the premises electrical system.

102.4.5 Fire prevention. The provisions of the *Indiana Fire Prevention Code (675 IAC 22)* shall apply to matters affecting or relating to *structures*, processes and premises from the hazard of fire and *explosion* arising from the storage, *handling* or use of *structures*, materials or devices; from conditions hazardous to life, property or public welfare in the occupancy of *structures* or premises; and from the construction, extension, *repair*, *alteration* or removal of fire suppression, *automatic sprinkler systems* and alarm systems or fire hazards in the *structure* or on the premises from occupancy or operation.

102.4.6 Energy. The provisions of the *Indiana Energy Conservation Code (675 IAC 19)* shall apply to all matters governing the design and construction of *buildings* for energy efficiency.

102.4.7 Existing buildings. The provisions of the *Indiana Building Code (675 IAC 13) Chapter 34 Existing Building* shall apply to matters governing the *repair*, *alteration*, *change of occupancy*, *addition to* and relocation of *existing buildings*.

SECTION 103—APPLICABILITY

103.1 Other laws. The provisions of this code shall not be deemed to nullify any provisions of state or federal law.

103.2 Application of references. References to chapter or section numbers, or to provisions not specifically identified by number, shall be construed to refer to such chapter, section or provision of this code.

103.3 Referenced codes and standards. The codes and standards referenced in this rule shall be considered to be part of the requirements of this code to the prescribed extent of each such reference and as further regulated in Sections 103.3.1.

103.3.1 Provisions in referenced codes and standards. Where the extent of the reference to a referenced code or standard includes subject matter that is within the scope of this code the provisions of this code as applicable, shall take precedence over the provisions in the referenced code or standard.

103.4 Existing structures. The legal occupancy of any *structure* existing on the date of adoption of this code shall be permitted to continue without change, except as otherwise specifically provided in this code, or the *Indiana Fire Prevention Code (675 IAC 22)*.

103.5 Change of use or occupancy

103.5.1 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 classification continued without requiring the building or structure to be altered to comply with such rule.

103.5.2 No change in the use of the building or structure shall be permitted which shall cause the building or structure to be classified within a different occupancy classification group or within a different division of the same occupancy classification group, unless the building or structure is made to comply with the requirements of Commission for new construction for the proposed occupancy.

103.5.3 Where there is a change of occupancy classification group or within a different division of the same occupancy classification group, the owner may elect to perform a change of occupancy based upon the International Existing Building Code adopted by reference in the Indiana Building Code (675 IAC 13).

103.5.4 *Class 1 structure* lawfully in existence complying with the Rules of the Commission as set out in Table 103.5.4 for the specific occupancy classification is not considered a change of occupancy, due to changes in occupancy classification groups between the various adopted Indiana Building Codes (675 IAC 13).

	TABLE 103.5.4 OCCUPANCY CLASSIFICATION	
1985 Indiana Building (675 IAC 13-2 effective March 1, 1986) through 1993 Indiana Building Code (675 IAC 13-2.2 effective January 3, 1993) ^{2; 3}	1998 Indiana Building Code (675 IAC 12-2.3 effective April 30, 1998) ^{2; 3}	2003 Indiana Building Code (675 IAC 13-2.4 effective April 21, 2003) ^{2; 3}
A-1	A-1	A-1
A-2	A-2	A-1; A-2
A2.1	A-2.1	A-1
A-3	A-3	A-1; A-2; A-3
A-4	A-4	A-4; A-5

NOTE: Prior to adoption of 2003 Indiana Building Code (675 IAC 13-2.4) Assembly “A” occupancy classification was determined by the presence of a legitimate stage, without a legitimate stage, and occupant load.		
B-1	S-3	
B-2	B; F-1; M; S-1 and S-2	B; F-1; M; S-1 and S-2
B-3	S-4; S-5	
B-4	F-2; S-2	F-2; S-2
E-1	E-1	E
E-2	E-2	E
E-3	E-3	E - Daycare
Opening Parking Garage	S-4	S-1
M	U	U – Private Parking Garage
2. Hazardous “H” Occupancy Classification Group: To determine if a change of occupancy has occurred, the rule of the commission in effect at the time the Hazardous Occupancy was established will need to be consulted to determine if a change of occupancy has occurred.		
3. Institutional “I” Occupancy Classification Group: To determine if a change of occupancy has occurred, the rule of the commission in effect at the time the Institutional Occupancy was established will need to be consulted to determine if a change of occupancy has occurred.		

103.3.5. An owner claiming there has been no change of occupancy classification shall provide written verification of the past occupancy classification group, including the occupancy classification group division of the *Class 1 structure*.

103.3.6 When an addition or alteration is part of a change in occupancy classification the existing building addition or alteration to the existing building shall not exceed:

1. height;
2. number of stories; or
3. area;

permitted by the rules of the commission for new construction for the new occupancy classification

SECTION 104—CODE COMPLIANCE AGENCY

104.1 In accordance with IC 36-7-2-9 and IC 36-7-8 municipalities and counties shall create an department for the implementation, administration and enforcement of the provisions of the rules of the Commission. The code *official* may adopt policies as to the administration of the political subdivisions building department.

104.2 Appointment. The political subdivision shall appoint a *code official* authority of the political subdivision.

104.3 Local Ordinance. In accordance with IC 22-15-2 a city, town or county is permitted to adopt an ordinance which incorporates by reference the rules of the commission.

104.4 Local Inspection program. A political subdivision that has enacted and put into effect an ordinance in accordance with IC 22-15-2 shall be deemed to have established a program to enforce the rules of the commission and perform periodic inspection to determine compliance with the rules of the commission.

104.4.1 The appointing authority for the *code official* shall provide a written statement to the department that inspection will be provided by the political subdivision.

104.4.2 The appointing authority shall provide the following information to the department for receiving design releases, notices and order sent by the department:

1. Code Officials name, mailing address and electronic mail address (e-mail)
2. Names of all inspectors and the scope of inspections assigned to the inspectors.

104.4.3 Any changes to the factual content initially submitted to the department is the responsibility of the appointing authority to submit updated information in writing to the department within thirty (30) days of the date of the change.

104.4.5 If the department determines the requirements for an inspection program are no longer performed a statement shall be provided to the appointing authority of the political subdivision, of the determination.

104.4.5.1 Once notice is given to the appointing authority for the political subdivision there is no longer an inspection program in place, the construction fees established in 675 IAC 12 shall be assessed for all applications for design release and construction inspection fee.

SECTION 105 —DUTIES AND POWERS OF CODE OFFICIAL

105.1 General. Duties and powers of the *code official as set out in the political subdivision's ordinance for the enforcement of the Rules of the Commission.*

105.2 Determination of compliance. The *code official* shall have the authority to determine compliance with the rules of the commission is hereby authorized and directed to administer and enforce, variances granted in accordance with IC 22-13-2-11 and orders issued under IC 22-12-7.

105.2.1 Listed compliance. Where this code or a referenced standard requires equipment, materials, products or services to be listed and a listing standard is specified, the listing shall be based on the specified standard. Where a listing standard is not specified, the listing shall be based on an *approved* listing criteria.

Listings shall be germane to the provision requiring the listing. Installation shall be in accordance with the listing and the manufacturer's instructions, and where required to verify compliance, the listing standard and manufacturer's instructions shall be made available to the *code official*.

105.2.2 Technical assistance. To determine compliance with this code, the *code official* is authorized to determine compliance with this code, to require the *owner* or *owner's* authorized agent to provide a technical opinion and report.

105.2.2.1 Cost. A technical opinion and report shall be provided without charge to the *jurisdiction*.

105.2.2.2 Preparer qualifications. The technical opinion and report shall be prepared by an Indiana licensed *design professional* or specialty organization acceptable to the *code official*. The *code official* is authorized to require design submittals to be prepared by, and bear the stamp of, an Indiana licensed *design professional*.

105.2.2.3 The technical opinion and report shall analyze the properties of the design, operation or use of the *building* or premises and the *facilities* and appurtenances situated thereon to identify and propose necessary recommendations.

105.2.2.4 Tests. Where there is insufficient evidence of compliance with the provisions of this code, the *code official* shall have the authority to require tests as evidence of compliance. Test methods shall be as specified in this code or by other recognized test standards. In the absence of recognized test standards, the *code official* shall approve the testing procedures. Such tests shall be performed by a party acceptable to the *code official*.

105.2.3 Alternative materials, design and methods of construction and equipment. The provisions

of this code are not intended to prevent the installation of any material or to prohibit any design or method of construction not specifically prescribed by this code, provided that any such alternative has been *approved*.

105.2.3.1 Approval authority. An alternative material, design or method of construction shall be *approved* where the *code official* finds that the proposed alternative is satisfactory and complies with Sections 105.2.3 through 105.2.3.7 as applicable.

105.2.3.2 Application and disposition. Where required, a request to use an alternative material, design or method of construction shall be submitted in writing to the *code official* for approval. Where the alternative material, design or method of construction is not *approved*, the *code official* shall respond in writing, stating the reasons the alternative was not *approved*.

105.2.3.3 Compliance with code intent. The *code official* may accept as evidence of compliance with this code and any other of the rules of the commission any evaluation report that contains limitations, conditions, or standards for alternative materials, methods of construction or design procedures and is published by an independent, nationally recognized testing laboratory that is accredited by the American Association of Laboratory Accreditation or any one (1) of the following:

1. Factory Mutual Loss Prevention Data Sheets and test reports (FM)
2. International Code Council (ICC) Evaluation Services Report (ESR)
3. International Code Council Plumbing, Mechanical and Fuel Gas (PMG) Evaluation Report.
4. International Organization for Standardization (ISO) ISO standards listed by the American National Standards Institute (ANSI).
5. International Electrotechnical Commission (IEC) IEC standards listed by the American National Standards Institute (ANSI).

105.2.3.4 Equivalency criteria. An alternative material, design or method of construction shall, for the purpose intended, be not less than the equivalent of that prescribed in this code with respect to all of the following, as applicable:

1. Quality.
2. Strength.
3. Effectiveness.
4. Durability.
5. Safety, other than fire safety.
6. Fire safety.

105.2.3.5 Tests. Tests conducted to demonstrate equivalency in support of an alternative material, design or method of construction application shall be of a scale that is sufficient to predict performance of the end use configuration. Tests shall be performed by a party acceptable to the *code official*.

105.2.3.5.1 Fire Tests. Tests conducted to demonstrate equivalent fire safety in support of an alternative material, design or method of construction application shall be of a scale that is sufficient to predict fire safety performance of the end use configuration. Tests shall be performed by a party acceptable to the *code official*

105.2.3.6 Reports. Supporting data, where necessary to assist in the approval of materials or assemblies not specifically provided for in this code, shall comply with Sections 105.2.3.6.1 and 105.2.3.6.2.

105.2.3.6.1 Evaluation reports. Evaluation reports shall be issued by an *approved agency* and use of the evaluation report shall require approval by the *code official* for the installation. The alternate material, design or method of construction and product evaluated shall be within the scope of the *code official*'s recognition of the *approved agency*. Criteria used for the evaluation shall be identified within the report and, where required, provided to the *code official*.

105.2.3.6.2 Other reports. Reports not complying with Section 105.2.3.6.1 shall describe criteria, including but not limited to any referenced testing or analysis, used to determine compliance with code intent and justify code equivalence. The report shall be prepared by an Indiana Licensed *design professional* or specialty organization acceptable to the *code official*. The *code official* is authorized to require design submittals to be prepared by, and bear the stamp of, an Indiana Licensed *Design Professional*.

105.2.4 Variance. Where there are practical difficulties involved in carrying out the provisions of this code, the department or commission may shall approve or deny such modifications through the variance process as set out in IC 22-13-2.

105.2.4.1 Flood hazard areas. Construction in flood hazards areas is regulated by the Indiana Department of Natural Resources, Division of Water.

105.3 Applications and permits. The *code official* shall receive applications, review *construction documents*, issue *permits*, inspect the premises for which such *permits* have been issued and enforce compliance with the provisions for administration of the political subdivision's ordinance with reference to review of construction documents, issuance of permit and performance of inspections. .

105.3.1 Determination of substantially improved or substantially damaged existing buildings and structures in flood hazard areas. Determination of substantially improved or substantially damaged existing *Class 1 structures* is determined by the Indiana Department of Natural Resources, Division of Water, rules for requirements of political subdivision ordinance required by the Federal Emergency Management Agency (FEMA).

105.4 Right of entry. Where it is necessary to make an inspection to enforce the provisions of this code, or where the *code official* has reasonable cause to believe that there exists in a *Class 1 structure* or on a premises a condition that is contrary to or in violation of the rules of the Commission that makes the *Class 1 structure* or premises unsafe, *dangerous* or hazardous, the *code official* is authorized to enter the *Class 1 structure* or premises at all reasonable times to inspect or to perform the duties imposed by this code and the political subdivision ordinance as it relates the administrative procedures of this code. If such *Class 1 structure* or premises is occupied, the *code official* shall present credentials to the occupant and request entry. If such *Class 1 structure* or premises is unoccupied, the *code official* shall first make a reasonable effort to locate the *owner*, the *owner's* authorized agent or other *person* having charge or control of the *Class 1 structure* or premises and request entry. If entry is refused, the *code official* shall have recourse to every remedy provided by law to secure entry.

105.4.1 Warrant. Where the *code official* has first obtained a proper inspection warrant or other remedy provided by law to secure entry, an *owner*, the *owner's* authorized agent, occupant or *person* having charge, care or control of the *Class 1 structure* or premises shall not fail or neglect, after a proper request is made as herein provided, to permit entry therein by the *code official* for the purposes of inspection and examination pursuant to this code.

105.5 Identification. The *code official* shall carry proper identification when inspecting *Class 1 structures* or premises in the performance of duties under this code.

105.6 Notices and orders. The *code official* shall issue necessary notices or orders to ensure compliance with this code. Notices of violations shall be in accordance with the political subdivision's administrative procedures and IC 36-7-2-9.

105.7 Official records. The *code official* shall keep official records as required by Sections 105.7.1 through 105.7.2. Such official records shall be retained as set out in the political subdivision's records retention schedule. If the political subdivision does not have a records retention schedule records shall be retained in accordance with the State of Indiana's record retention rules.

105.7.1 Approvals. A record of approvals shall be maintained by the *code official* and shall be available for public inspection during business hours in accordance with applicable laws.

105.7.2 Inspections. The *code official* shall keep a record of each inspection made, including notices and orders issued, showing the findings and disposition of each.

105.7.3 Code alternatives. Application for alternative materials, design and methods of construction and equipment in accordance with Section 105.2.3 and documentation of the final decision of the *code official* for either shall be in writing and shall be retained in the official records.

105.7.4 Tests. The *code official* shall keep a record of tests conducted to comply with Sections 105.2.2.4 and 105.2.3.5

105.8 Approved materials and equipment. Materials, equipment and devices *approved* by the *code official* shall be constructed and installed in accordance with such approval.

105.9 Materials and equipment reuse. Materials, equipment and devices shall not be reused unless such elements are in good working condition and approved.

SECTION 106—PERMITS



106.1 Required. Any *owner* or *owner's* authorized agent who intends to construct, enlarge, alter, *repair*, move, demolish or change the occupancy of a *Class 1 structure*, or to erect, install, enlarge, alter, *repair*, , convert or replace any electrical, gas, mechanical or plumbing system, the installation of which is regulated by this code or another rule of the commission, or to cause any such work to be performed, shall make application to the *code official* and obtain the required *permit*.

106.1.1 Issuance of permits shall be as set out in the political subdivision's ordinance for administrative procedures for the building department.

106.1.2 Where a Design Release is required. No permit shall be issued by the political subdivision until the owner or owner's authorized agent has submitted a copy of the design release required by IC 22-15-3 or IC 22-15-3.2 to the *code official*.

106.2 Work exempt from permit. Exemptions from *permit* requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any rule of the Commission.

SECTION 107 —FLOOR AND ROOF DESIGN LOADS

107.1 Live loads posted. In *Class 1 structures*, for each floor or portion thereof designed for *live loads* exceeding 50 psf (2.40 kN/m²), such design *live loads* shall be conspicuously posted by the *owner* or the *owner's* authorized agent in that part of each story in which they apply, using durable signs. It shall be unlawful to remove or deface such notices.

107.2 Issuance of certificate of occupancy. A certificate of occupancy required by Section 112 shall not be issued until the floor load signs, required by Section 107.1, have been installed.

107.3 Restrictions on loading. It shall be unlawful to place, or cause or permit to be placed, on any floor or roof of a *Class 1 structure* or portion thereof, a *load* greater than is permitted by this code.

SECTION 108 —CONSTRUCTION DOCUMENTS

108.1 General. Submittal documents consisting of *construction documents*, statement of *special inspections*, geotechnical report and other data shall be submitted in two (2) or more sets, or in a digital format where allowed by the *code official*, with each *permit* application. The *construction documents* shall be prepared by an Indiana Licensed *design professional* where required by the IC 22-15-3 or IC 22-15-2.3. Where special conditions exist, the *code official* is authorized to require additional *construction documents* to be prepared by an Indiana Licensed *design professional*.

Exception: The *code official* is authorized to waive the submission of *construction documents* and other data not required to be prepared by an *Indiana Licensed design professional* if it is found that the nature of the work applied for is such that review of *construction documents* is not necessary to obtain compliance with this code.

108.2 Construction documents. *Construction documents* shall be in accordance with Sections 108.2.1 through 108.2.8.

108.2.1 Information on construction documents. *Construction documents* shall be dimensioned and drawn on suitable material. Electronic media documents are permitted to be submitted where *approved* by the *code official*. *Construction documents* shall be of sufficient clarity to indicate the location, nature and extent of the work proposed and show in detail that it will conform to the provisions of this code and relevant laws, ordinances, and rules of the commission.

108.2.2 Fire protection system shop drawings. Shop drawings for the *fire protection systems* shall be submitted to indicate conformance to this code, applicable standards and the *construction documents* and shall be *approved* prior to the start of system installation. Shop drawings shall contain all information as required by the referenced installation standards in Chapter 9 of this code.

108.2.3 Means of egress. The *construction documents* shall show in sufficient detail the location, construction, size and character of all portions of the *means of egress* including the path of the exit discharge to the *public way* in compliance with the provisions of this code. In other than occupancies in Groups R-2, R-3, and I-1, the *construction documents* shall designate the number of occupants to be accommodated on every floor, and in all rooms and spaces.

108.2.4 Exterior wall envelope. *Construction documents* for all *buildings* shall describe the *exterior wall envelope* in sufficient detail to determine compliance with this code. The *construction documents* shall provide details of the *exterior wall envelope* as required, including flashing, intersections with dissimilar materials, corners, end details, control joints, intersections at roof, eaves or parapets, means of drainage, *water-resistive barrier* and details around openings.

The *construction documents* shall include manufacturer's installation instructions that provide supporting documentation that the proposed penetration and opening details described in the *construction documents* maintain the weather resistance of the *exterior wall envelope*. The supporting documentation shall fully describe the *exterior wall* system that was tested, where applicable, as well as the test procedure used.

108.2.5 Exterior balconies and elevated walking surfaces. Where balconies or other elevated walking surfaces have *weather-exposed surfaces*, and the structural framing is protected by an impervious moisture barrier, the *construction documents* shall include details for all elements of the impervious moisture barrier system. The *construction documents* shall include manufacturer's installation instructions.

108.2.6 Site plan. The *construction documents* submitted with the application for *permit* shall be accompanied by a site plan showing to scale the size and location of new construction and *existing structures* on the *site*, distances from *lot lines*, the established street grades and the proposed finished grades and, as applicable, *flood hazard areas*, *floodways*, and *design flood elevations*; and it shall be drawn in accordance with an accurate boundary line survey. In the case of demolition, the site plan shall show construction to be demolished and the location and size of *existing structures* and construction that are to remain on the *site* or plot. The *code official* is authorized to waive or modify the requirement for a site plan where the application for *permit* is for *alteration* or *repair* or where otherwise warranted.

108.2.6.1 Design flood elevations. Construction within any designated flood zone is regulated by the Indiana Department of Natural Resources, Division of Water, in accordance with the Federal Emergency Management Agency, Flood Insurance Rate Maps (FIRM) maps

108.2.6.2 Construction in certain flood hazard areas requires the submission of Certified Elevation Certificate to the code official.

108.2.7 Structural information. The *construction documents* shall provide the information specified in Section 1603 of this code.

108.2.8 Relocatable buildings. *Construction documents* for *relocatable (moved) buildings* shall comply with this section.

108.3 Examination of documents. The *code official* may examine or cause to be examined the accompanying submittal documents and may ascertain by such examinations whether the construction indicated and described is in accordance with the requirements of this code.

108.3.1 If the code official choose to exam submitted construction documents, the examination in no way substitutes for the design release required by IC 22-13-3 or IC 22-13-3.2

108.3.2 Acceptance of construction documents. When the *code official* issues a *permit*, the *construction documents* may be accepted as the construction documents for said construction, in writing or by stamp, as “Reviewed for Code Compliance.” One (1) set of *construction documents* so reviewed shall be retained by the *code official*. The other set shall be returned to the applicant, shall be kept at the *site* of work and shall be open to inspection by the *code official* or a duly authorized representative.

108.3.3 Previous acceptance. This code shall not require changes in the *construction documents*, construction or designated occupancy of a *Class 1 structure* for which a lawful *permit* has been heretofore issued or otherwise lawfully authorized, and the construction of which has been pursued in good faith within one hundred eighty (180) days after the effective date of this code and construction has not been abandoned.

108.3.4 Phased acceptance. The *code official* may issue a *permit* for the construction of foundations or any other part of a *building* or *structure* before the *construction documents* for the whole *building* or *structure* have been submitted, provided that adequate information and detailed statements have been filed complying with pertinent requirements of this code. The holder of such *permit* for the foundation or other parts of a *building* or *structure* shall proceed at the holder’s own risk with the building operation and without assurance that a *permit* for the entire *structure* will be granted.

108.3.4.1 The *code official* shall not issue permits for phased construction unless the required design release has been issued by the department.

108.3.5 Design professional in responsible charge. Where it is required that documents be prepared by an Indiana Licensed *registered design professional*, the *code official* may require the *owner* or the *owner’s* authorized agent to engage and designate on the *building permit* application an Indiana licensed *registered design professional* who shall act as the *registered design professional in responsible charge*. If the circumstances require, the *owner* or the *owner’s* authorized agent may designate a substitute *registered design professional in responsible charge* who shall perform the duties required of the original *registered design professional in responsible charge*. The *code official* shall be notified in writing by the *owner* or the *owner’s* authorized agent if the Indiana licensed *registered design professional in responsible charge* is changed or is unable to continue to perform the duties.

The Indiana licensed *registered design professional in responsible charge* shall be responsible for reviewing and coordinating submittal documents prepared by others, including phased and *deferred submittal* items, for compatibility with the design of the building.

108.3.5.1 Deferred submittals.

Documents for *deferred submittal* items may be submitted to the Indiana Licensed *registered design professional in responsible charge* who shall review them and forward them to the *code official* with a notation indicating that the *deferred submittal* documents have been reviewed and found to be in general conformance to the design of the building. The *deferred submittal* items shall not be installed until the *deferred submittal* documents have been accepted by the *code official* and permits are issued for deferred submittals.

108.3.5.1.1 Permits shall not be issued for deferred submittals until the required design release has been issued by the department.

108.4 Amended construction documents. Work shall be installed in accordance with the accepted *construction documents*, this code and the rules of the commission. Any changes made during construction that are not in compliance with the accepted *construction documents* shall be resubmitted for acceptance as an amended set of *construction documents*.

108.4.1 Amended construction documents may require the amended construction or design to be submitted to the department for the issues of the required design release.

108.4.2 No permits for amended construction requiring a design release shall be issued until the required design release has been issued by the department.

108.5 Retention of construction documents. One (1) set of accepted *construction documents* shall be retained by the *code official* for a period of not less than one hundred and eighty (180) days from date of completion of the permitted work, or as required by the political subdivisions retention schedule or in the absence of the political subdivision’s retention schedule in accordance with the State of Indiana’s retention rules.

SECTION 109—TEMPORARY STRUCTURES, EQUIPMENT AND SYSTEMS

109.1 General. The *code official* is authorized to issue a *permit* for temporary structures, equipment or systems. Such *permits* shall be limited as to time of service but shall not be permitted for more than one hundred eighty (180) days in a twelve (12) month period. The *code official* is authorized to grant extensions for demonstrated cause. Structures designed to comply with Section 3103.6 shall not be in service for a period of more than one (1) year unless an extension of time is granted.



109.2 Conformance. *Temporary structures* shall comply with the requirements in Section 3103.

109.3 Temporary service utilities. The *code official* is authorized to give permission to temporarily supply service utilities for a period not to exceed the time of service.

109.4 Termination of approval. The *code official* is authorized to terminate such *permit* for a *temporary structure*, equipment or system and to order the same to be discontinued.

SECTION 110. —FEES

110.1 Payment of fees. A *permit* shall not be valid until the fees prescribed by the political subdivision have been paid, nor shall an amendment to a *permit* be released until the additional fee, if any, has been paid.

110.2 Schedule of permit fees. Where a *permit* is required, a fee for each *permit* shall be paid as required, in accordance with the schedule as established by the political subdivision.

110.3 Permit valuations. The applicant for a *permit* shall provide an estimated value of the work for which the *permit* is being issued at time of application. Such estimated valuations shall include the total value of work, including materials and labor, for which the *permit* is being issued, such as electrical, gas, mechanical, plumbing equipment and permanent systems. Where, in the opinion of the *code official*, the valuation is underestimated, the *permit* may be denied, unless the applicant can show detailed estimates acceptable to the *code official*. The *code official* shall have the authority to adjust the final valuation for permit fees.



110.4 Work commencing before permit issuance. Any *person* who commences any work before obtaining the necessary *permits* may be subject to a fee established by the political subdivision that shall be in addition to the required *permit* fees.

110.5 Related fees. The payment of the fee for the construction, *alteration*, removal or demolition for work done in connection to or concurrently with the work authorized by a building *permit* shall not relieve the applicant or holder of the *permit* from the payment of other fees that are prescribed by the political subdivision.

110.6 Refunds. Refunds shall be in accordance with the political subdivision policies.

SECTION 111 —INSPECTIONS

111.1 General.

Construction or work for which a *permit* is required shall be subject to inspection by the *code official* and such construction or work shall remain visible and able to be accessed for inspection purposes until *approved*. Approval as a result of an inspection shall not be construed to be an approval of a violation of the provisions of this code or any rule of the commission or the political subdivision. Inspections presuming to give authority to violate or cancel the provisions of this code or any rule of the commission or the political subdivision shall not be valid. It shall be the duty of the *owner* or the *owner's* authorized agent to cause the work to remain visible and able to be accessed for inspection purposes. Neither the *code official* nor the political subdivision shall be liable for expense entailed in the removal or replacement of any material required to allow inspection.

111.2 Preliminary inspection. Before issuing a *permit*, the *code official* is authorized to examine or cause to be examined *Class 1 structures* and *sites* for which an application has been filed.

111.3 Required inspections. The *code official*, upon notification, may make the inspections set forth in Sections 111.3.1 through 111.3.12.

111.3.1 Footing and foundation inspection. Footing and foundation inspections shall be made after excavations for footings are complete and any required reinforcing steel is in place. For concrete foundations, any required forms shall be in place prior to inspection. Materials for the foundation shall be on the job, except where concrete is ready mixed in accordance with ASTM C94, the concrete need not be on the job.

111.3.2 Concrete slab and under-floor inspection. Concrete slab and under-floor inspections shall be made after in-slab or under-floor reinforcing steel and building service equipment, conduit, piping accessories and other ancillary equipment items are in place, but before any concrete is placed or floor sheathing installed, including the subfloor.

111.3.3 Lowest floor elevation. In *flood hazard areas*, upon placement of the *lowest floor*, including the *basement*, and prior to further vertical construction, the elevation certification required by the Indiana Department of Natural Resources, Division of Water shall be submitted to the *code official*.

111.3.4 Frame inspection. Framing inspections shall be made after the *roof deck* or sheathing, all framing, *fire-blocking* and bracing are in place and pipes, chimneys and vents to be concealed are complete and the rough electrical, plumbing, heating wires, pipes and ducts are *approved*.

111.3.5 Types IV-A, IV-B and IV-C connection protection inspection. In *buildings* of Types IV-A, IV-B and IV-C construction, where connection *fire-resistance ratings* are provided by wood cover calculated to meet the requirements of Section 2304.10.1, inspection of the wood cover shall be made after the cover is installed, but before any other coverings or finishes are installed.

111.3.6 Lath and gypsum panel product inspection. Lath and *gypsum panel product* inspections may be made after lathing and *gypsum panel products*, interior and exterior, are in place, but before any plastering is applied or *gypsum panel product* joints and fasteners are taped and finished.

Exception: *Gypsum panel products* that are not part of a fire-resistance-rated assembly or a shear assembly.

111.3.7 Weather-exposed balcony and walking surface waterproofing. Where balconies or other elevated walking surfaces have *weather-exposed surfaces*, and the structural framing is protected by an impervious moisture barrier, all elements of the impervious moisture barrier system shall not be concealed until inspected and *approved*.

Exception: Where *special inspections* are provided in accordance with Section 1705.1.1, Item 3.

111.3.8 Fire- and smoke-resistant penetrations. Protection of *joints* and penetrations in fire-resistance-rated assemblies, *smoke barriers* and *smoke partitions* shall not be concealed from view until inspected and *approved*.

111.3.9 Energy efficiency inspections. Inspections shall be made to determine compliance with Indiana Energy Conservation Code (675 IAC 19) or submitted ComCheck Energy Compliance Reports and shall include, but not be limited to, inspections for: envelope insulation *R*- and *U*-values, *fenestration U*-value, duct system *R*-value, and HVAC and water-heating equipment efficiency.

111.3.10 Other inspections. In addition to the inspections specified in Sections 111.3.1 through 111.3.9, the *code official* is authorized to make or require other inspections of any construction work to ascertain compliance with the provisions of this code, rules of the commission and other political subdivision requirements enforced by the *code official*.

111.3.11 Special inspections. For *special inspections*, see Chapter 17.

111.3.12 Final inspection. The final inspection shall be made after all work required by the building *permit* is completed.

111.3.12.1 Flood hazard documentation. If located in a *flood hazard area*, documentation of the elevation of the *lowest floor* or the elevation of dry floodproofing, required by the Indiana Department of Natural Resources, Division of Water shall be submitted to the *code official* prior to the final inspection.

111.4 Inspection agencies. The *code official* is authorized to accept reports of *approved* inspection agencies, provided that such agencies satisfy the requirements as to qualifications and reliability.

111.5 Inspection requests. It shall be the duty of the holder of the building *permit* or their duly authorized agent to notify the *code official* when work is ready for inspection. It shall be the duty of the *permit* holder to provide access to and means for inspections of such work that are required by this code.

111.6 Approval required. Work shall not be done beyond the point indicated in each successive inspection without first obtaining the approval of the *code official in writing in accordance with IC 36-7-2-9.5*. The *code official*, upon notification, shall make the requested inspections and shall either indicate the portion of the construction that is satisfactory as completed, or notify the *permit* holder or the *permit* holder's agent wherein the same fails to comply with this code or any other rule of the commission. Any portions that do not comply shall be corrected and such portion shall not be covered or concealed until authorized in writing in accordance with IC 36-7-2-9.5 by the *code official*.

SECTION 112—CERTIFICATE OF OCCUPANCY

112.1 Change of occupancy. When required by the political subdivision, issues a Certificate of A *Class 1 structure* shall not be used or occupied in whole or in part, and a *change of occupancy* of a *building* or *structure* or portion thereof shall not be made, until the *code official* has issued a certificate of occupancy therefor as provided herein. Issuance of a certificate of occupancy shall not be construed as an approval of a violation of the provisions of this code or any other rule of the commission. Certificates presuming to give authority to violate or cancel the provisions of this code or any rule of the commission or the political subdivision shall not be valid.

112.2 Certificate issued. When required by the political subdivision after the *code official* inspects the *Class 1 structure* and does not find violations of the provisions of this code or any other rule of the commission or political subdivision the *code official* may issue a certificate of occupancy that contains the following information:

1. The permit number.
2. Date of issued,
2. The address of the structure.
3. The name and address of the owner or the owner's authorized agent.
4. A description of that portion of the *Class 1 structure* for which the certificate is issued.
5. A statement that the described portion of the *Class 1 structure* has been inspected for compliance with the requirements of this code and other rules of the commission.
6. The name of the *code official*.
7. The edition of the code under which the permit was issued.
8. The use and occupancy, in accordance with the provisions of Chapter 3.
9. The type of construction as defined in Chapter 6.
10. The design occupant load.
11. Where an automatic sprinkler system is provided, whether the sprinkler system is required.
12. Any special stipulations and conditions of the building permit.

112.2.1 Issuance of a certificate of occupancy shall not be construed as an approval of a violation of the provisions of this code or any other rule of the commission or of other ordinances of the jurisdiction. Certificates presuming to give authority to violate or cancel the provisions of this code or any rule of the commission or the political subdivision or other ordinances of the jurisdiction shall not be valid.

112.3 Temporary occupancy. The *code official* is authorized to issue a temporary certificate of occupancy before the completion of the entire work covered by the permit, provided that such portion or portions shall be occupied safely. The *code official* shall set a time period during which the temporary certificate of occupancy is valid.

112.4 Revocation. The *code official* is authorized to suspend or revoke a certificate of occupancy or completion issued under the provisions of this code, in writing, wherever the certificate is issued in error, or on the basis of incorrect information supplied, or where it is determined that the *Class I structure* or portion thereof is in violation of the provisions of this code or any other rules of the commission or of the political subdivision.

SECTION 113—MAINTENANCE OF EXISTING BUILDING AND STRUCTURES

113.1. Permanent Systems

Permanent Systems is defined as follow and is only applicable to this sections. Permanent systems means any of the following:

1. Heating,
2. Ventilation,
3. Air conditioning,
4. Electrical,
5. Plumbing,
6. Emergency detection,
7. Emergency communication;
8. Fire sprinkler systems;
9. Fire or explosion suppression; or,
10. Passive building-fire resistance rated building elements or systems (e.g. walls, doors, corridors, floor, ceilings and roofs).

113.2. Buildings and structures constructed prior to 1928.

Class I structures and any of the permanent systems shall continuously be maintained in a condition at least as safe as when originally constructed, installed, or altered

113.3. Buildings and structures, constructed after 1928 and prior to the creation of the Commission July 1, 1986.

Class I structures, and any of the permanent systems shall be continuously maintained in conformance with the applicable rules of the predecessor agency or the Commission in effect when constructed, installed, or altered.

113.4. The requirements of this section shall not prohibit maintenance in compliance with the current applicable rules of the commission or in another manner which would be at least as safe, sanitary, energy efficient, and accessible to persons with a physical disability.

113.5 This section does not prohibit the removal of any of the permanent systems provided the permanent system(s) are not required for the current occupancy classification by the rules of the commission or the predecessor agencies or prior to creation of predecessor agency, at the time of construction, installation, or alteration.

113.6. Notwithstanding section 113.5 of this rule, no alteration or removal of any of the permanent systems shall not create an unsafe or overloaded condition under the provisions of the current rules of the commission for new construction.

SECTION 114 VARIANCE

114.1 Where there are practical difficulties involved in complying with the provisions of this code, or any other rule of the commission, the department or commission shall approve or deny such modifications through the variance process as set out in IC 22-13-2. See IC 22-13-2.

115.1 No addition or alteration to a *Class 1 structure* shall reduce existing fire protection or detection systems or exit capacities to a level less than that required by the rules of the commission for new construction.

115.1.1 Permanent Systems

Permanent Systems is defined as follow and is only applicable to this sections. Permanent systems means any of the following:

1. Heating,
2. Ventilating,
3. Air conditioning,
4. Electrical,
5. Plumbing,
6. Emergency detection,
7. Emergency communication, or
8. Fire sprinkler systems
9. Fire or explosion suppression
10. Passive building- fire resistance rated building elements or systems (e.g. walls, doors, corridors, floor, ceilings and roof)

115.1.2 Not Permitted to become noncompliant

No addition or alteration shall cause an existing *Class 1 structure*, or any permanent systems to become noncompliant under the provisions of the current rules of the commission for new construction or with the applicable rules of the commission or its predecessor agencies in effect at the time the original construction or installation was made

115.2 Minor Nonstructural Alterations.

115.2.1. Minor nonstructural alterations to an existing *Class 1 structure*, which do not adversely affect any structural members, or any part of the building or structure having required fire resistance, may be made with the same materials of which the building or structure is constructed.

115.2.2 The following shall comply with the requirements of the rules of the commission for new construction:

1. The installation or replacement of glass shall meet the requirements for safety glazing.
2. The installation or replacement of wall and ceiling finishes shall meet the requirements for flame spread ratings.
3. The installation or replacement of any potable water distribution system, or portion thereof, shall be only of lead-free pipe, fittings, flux, and solder.

115.3 Addition Limitations.

The Addition to a *Class 1 structure* plus the existing *Class 1 structure* shall comply with the current rules of the commission for:

1. Height,
2. Number of stories; and
3. Area

115.4 Additions or alteration to existing *Class 1 structures*

115.4.1 Additions or alterations to existing *Class 1 structures* including additions to or installation of permanent system shall comply with the rules of the commission for new construction, unless specifically exempted elsewhere in this section

115.4.2. Additions or alterations may be made to existing *Class 1 structure*, or any permanent systems without requiring the entire existing *Class 1 structure*, to comply with all the requirements of the rules of the commission for new construction provided:

1. the construction work within the scope of the construction complies with the requirements of the commission for new construction; and
2. Sections 115.1, 115.2, 115.3, and 115.10 are not violated

115.5 Additions of Balcony

The addition of one (1) or more balconies, each of which does not exceed one hundred (100) square feet in total area, to an existing, non-sprinklered, R-2 occupancy is permitted without either the balconies or the existing building being protected by a sprinkler system in accordance with 675 IAC 13.

115.6 Repairs

Repairs to any permanent systems may be made in accordance with the current rules of the commission for new construction or with the applicable rules of the commission or its predecessor agencies in effect at the time original installation.

115.7 Energy Code Compliance.

Alterations of buildings built prior to January 21, 1978 (the effective date of the first state rule for energy conservation) need not conform with the new construction standards of 675 IAC 19. This exception does not apply to any addition to an existing *Class 1 structure*.

115.8 – Rehabilitation of Existing Building

If the rehabilitation of an existing building is undertaken in accordance with Chapter 34 of the Indiana Building (675 IAC 13), all construction work undertaken in the rehabilitation shall comply with the rule of the commission for new construction.

115.9 Moved Buildings and Structures

115.9.1 All *Class 1 structures* that are moved into the state shall comply with, or be made to comply with, the requirements of the commission for new construction for their intended occupancy at their new location.

115.9.2 All *Class 1 structures* that are moved within the state, or to a new location on the same site, shall comply with, or shall be made to comply with, section 103.5.1 or 103.5.2 of this rule

SECTION 116 —VIOLATIONS

116.1 Unlawful acts. It shall be unlawful for any *person*, firm or corporation to erect, construct, alter, extend, *repair*, move, remove, demolish or occupy any *Class 1 structure* regulated by this code or any other rule of the commission, or cause same to be done, in conflict with or in violation of any of the provisions of this code or any other rule of the commission.

116.2 Notice of violation. The *code official* is authorized to serve a notice of violation or order in writing on the *person* responsible for the erection, construction, *alteration*, extension, *repair*, moving, removal, demolition or occupancy of a *Class 1 structure* in violation of the provisions of this code or any other rule of the commission, or in violation of a *permit* or certificate issued under the provisions of this code in accordance with IC 36-7-2-9.5. Such order shall direct the discontinuance of the illegal action or condition and the abatement of the violation.

116.3 Prosecution of violation. If the notice of violation is not complied within the timeframe set out in the notice of violation, the *code official* is authorized to request the legal counsel of the political subdivision to institute the appropriate proceeding at law or in equity to restrain, correct or abate such violation, or to require the removal or termination of the unlawful occupancy of the *Class 1 structure* in violation of the provisions of this code or of the order or direction made pursuant thereto.

116.4 Violation penalties. Any *person* who violates a provision of this code or any other rule of the commission or fails to comply with any of the requirements thereof or who erects, constructs, alters or *repairs* a *Class 1 structure* in violation of the accepted *construction documents* or directive of the *code official*, or of a *permit* or certificate issued under the provisions of this code or any other rule of the commission, shall be subject to penalties as prescribed by law.

SECTION 117 —STOP WORK ORDER

117.1 Authority. Where the *code official* finds any work regulated by this code, or any other rule of the commission, being performed in a manner contrary to the provisions of this code, or any other rule of the commission or in a dangerous or unsafe manner, the *code official* is authorized to issue a stop work order.

117.2 Issuance. The stop work order shall be in writing and shall be given to the *owner* of the property, the *owner's* authorized agent or the *person* performing the work. Upon issuance of a stop work order, the cited work shall immediately cease. The stop work order shall state the reason for the order and the conditions under which the cited work is authorized to resume. The stop work order shall cite the rule of the commission including the section of the commission's rule which is violated

117.3 Emergencies. Where an emergency exists, the *code official* shall not be required to give a written notice prior to stopping the work. Written notice shall be provided to the owner, owner's representative within twenty-four (24) hours of stopping said work.

117.4 Failure to comply. Any *person* who shall continue any work after having been served with a stop work order, except such work as that *person* is directed to perform to remove a violation or unsafe condition, shall be subject to fines established by the political subdivision.

SECTION 118—UNSAFE BUILDINGS AND STRUCTURES AND EQUIPMENT

118.1 GENERAL. For Unsafe Building or structure or equipment see the political subdivision Code of Ordinances for adoption by reference IC 36-7-9 unsafe structures.