

# 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, October 6, 2020, beginning at 9:00 a.m. EDT.

## Online Live Streaming

Website Address:

<https://indiana.webex.com/indiana/j.php?MTID=m7c68dae56fa2b10be76542dbd5ddad15>

Video Address: Dial [1728483031@indiana.webex.com](https://indiana.webex.com/indiana/j.php?MTID=m7c68dae56fa2b10be76542dbd5ddad15), 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: 172 848 3031

## Meeting Number

172 848 3031

## Meeting Password

FPBSC1062020

## 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. Tuesday, September 1, 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. State Building Commissioner’s Report – Craig Burgess, State Building Commissioner
    - i. Written Interpretation No. CEB-2020-30-2020 IRC-R311.3

- ii. Written Interpretation No. CEB-2020-31-2014 IBC-504.2
  - iii. Written Interpretation No. CEB-2020-32-2014 IMC-306.1
5. Rulemaking Update(s)
- a. Indiana Elevator Code Committee Meeting
    - i. Next Meeting: Tuesday, October 20, 2020 beginning at 9:00 a.m. EDT, Webex Electronic Meeting – Begin 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.***
    - ii. Commission Appointment of Brian Stanley (IDHS Elevator Inspector) to the Indiana Elevator Code Committee
  - b. Indiana Boiler and Pressure Vessel Rules Rewrite Committee
    - i. Update on Submission of Request for Exception to the Regulatory Moratorium
  - c. Variances Proposed Rule [to Replace Current Emergency Rule (LSA Document #19-333(E)) and Become New Final Rule under 675 IAC 12-5] – ***see IDHS' revised draft proposed rule provided in meeting materials***
    - i. Final Comments/Considerations
    - ii. Commission Review and Action on Proposed Rule
  - d. Commission Discussion and Consideration of State's Need/Industry's Desire to Update the Indiana Electrical Code (675 IAC 17) – ***Director Boyle will call on individual stakeholders and/or members of the public to provide oral testimony. The duration of oral testimony will be afforded at Chairman Nicoson's discretion.***
6. COVID-19 Public Health Emergency Rule Modification Notifications
- a. University of Notre Dame Rockne Stadium COVID-19 Testing Site Phase 2 (extension of Phase 1 from July 2020) – 2010 Moose Krause Drive, Notre Dame, IN 46556
  - b. Daviess Community Hospital Health Pavilion COVID-19 Testing Temporary Structure – 1805 S State Road 57, Washington, IN 47501
  - c. University of Notre Dame Joyce Athletic and Convocation Center COVID-19 Testing Site Phase 1 – 18801 Moose Krause South, Notre Dame, IN, 46556

7. Commission Action on Third Party Inspection Agency Annual Renewals
  - a. Hilborn, Werner, Carter & Associates, Inc.
8. Commission Action on Locally-Approved Variance(s) Pursuant to Indiana Code § 22-13-2-7(b)
  - a. Wheeler Mission Center for Women and Children, 3208 East Michigan Street, Indianapolis, IN 46201
9. Variances
  - a. Tabled

20-07-24 Knapp Supply Company, Muncie  
20-07-28 Scroggs Barn Event Center, Warsaw
  - b. New

20-09-38 185 Madison Ave, Peru  
20-09-39 Walmart Distribution Center IND3, McCordsville  
20-09-40 Marian Hills Farm Toilet, Fort Wayne  
20-09-41 Pitt Ohio Terminal, Indianapolis  
20-09-42 (a)(b)(c)(d)(e)(f) Vermont Street Hotel, Indianapolis  
20-09-43 American Welding & Gas Addition and Renovation, Indianapolis  
20-09-44 RVH Trucking, Tippecanoe  
20-09-45 Huntington Union Building Renovations, Huntington  
20-09-46 Sanders School MEP & Interior Improvements, Indianapolis  
20-09-47 Winco Fireworks Distribution Center, Anderson  
20-09-48 (a)(b) The Barn at Sioux-Monti, Idaville  
20-09-49 Purdue University Tent Project, West Lafayette  
20-09-50 Armstrong Hall, West Lafayette  
20-09-51 Bailey Hall North, West Lafayette  
20-09-52 Bailey Hall South, West Lafayette  
20-09-53 Ford Dining Tent, West Lafayette  
20-09-54 Taxman CityWay Brewery, Indianapolis  
20-09-55 (a)(b) Pine Cone Recycling (subsidiary of Waste Away Group), Elkhart  
20-09-56 Homestead High School Additions and Renovations, Fort Wayne
10. Petitions for Administrative Review
  - a. Granted and Forwarded to the Office of Administrative Law Proceedings (OALP)
    - i. IDHS Boiler and Pressure Vessel Safety Division's Order Withholding Certificate of Inspection for Boiler/Pressure Vessel Device ID No. 355035 – Winona Building Products, LLC
    - ii. IDHS Sanctions Order No. 187-258 – Sublime

b. Commission Determination (Recommendation for Denial for Untimeliness)

- i. IDHS Notice of Violations Order No. 474409, Violations No. 8 and 12 – Head Start of LaPorte County/Niemann Elementary School
- ii. IDHS Notice of Violations Order No. 476421 – American Legion Post 267

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

a. Non-Final Orders of Dismissal

- i. Variance No. 20-05-33 - Torsion Group Corp Building Expansion Cause No. DHS-0620-000087

b. Commission Consideration of Delegating Ultimate Authority Powers to the Administrative Law Judge (ALJ)/Office of Administrative Law Proceedings (OALP) for Final Orders of Dismissal

12. Commission Review of Local Ordinances

a. Pre-Adoption

- i. Ordinance No. 2020-12 – Building Code of Blackford County, Indiana – ***received by Commission via electronic mail on Wednesday, September 30, 2020***

b. Adopted

- i. Ordinance No. 2020-OR-05 – Property Maintenance Code of the City of Charlestown, Indiana – ***received by Commission via electronic mail on Wednesday, May 27, 2020, and tabled by the Commission at 7/7/2020, 8/4/2020, and 9/1/2020 meetings***
- ii. Ordinance No. 2020-4 (Amending Ordinance No. 1976-3) – Burn Code of the City of Greensburg, Indiana – ***received by Commission via electronic mail on Thursday, September 10, 2020***
- iii. Ordinance No. 2020-17 – Unified Development Ordinance of the Town of Whitestown, Indiana – ***received by Commission via electronic mail on Tuesday, September 15, 2020***
- iv. Ordinance No. 2020-29 (Amending Ordinance No. 2019-25) – Chapter 91 Fire Prevention Code of the City of Greenfield, Indiana – ***received by Commission via electronic mail on Monday, September 28, 2020***

13. Final Comments/Closing Remarks from Chairman Nicoson

14. Next Meeting – Tentatively scheduled for Wednesday, November 4, 2020, beginning at 9:00 a.m. 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.***

15. Adjournment