



MICHAEL R. PENCE, Governor
STATE OF INDIANA

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

COMMISSION MEETING MINUTES

Indiana Fire Prevention and
Building Safety Commission
Government Center South
302 W. Washington Street
Indianapolis, Indiana 46204
Conference Center Room B

May 6, 2016

Pursuant to IC 22-12-2-6, the Indiana Fire Prevention and Building Safety Commission's regular monthly meeting was opened by Chairman Hawkins at 9:00 a.m. on May 6, 2016.

(a) Commissioners present at the Commission meeting:

Ron Brown
Gregory Furnish
Kevin Goeden, representing the Commissioner, Department of Labor
John Hawkins, Chairman
James Hoch
James Jordan
Matt Mitchell, Vice-Chairman
Patrick Richard
Jessica Scheurich
Randy Snyder, representing the Commissioner, Department of Health
Craig Von Deylen

(b) Commissioners not present at the Commission meeting;

(c) The following departmental and support staff were present during the meeting;

Legal and Code Services

Dean Illingworth, State Building Law Compliance Officer
Denise Fitzpatrick, Code Specialist
Todd Stearns, Code Specialist
Beth Sutor, Secretary
James Schmidt, Deputy Attorney General



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2. Old Business

Chairman Hawkins called for any corrections or a motion for approval of the April 5, 2016, minutes. Commissioner Scheurich moved to approve, with the second by Commissioner Hoch. It was voted upon and carried.

3. General Discussion of Local Ordinance Approval

Chairman Hawkins noted a number of requests have been received for Fire Ordinance approvals, and we have no template for fire ordinances. There were a number of fire officials in the audience, and Commissioner Mitchell had been working with them on the idea of developing a template for the fire ordinances. Commissioner Mitchell stated he thought it had become necessary in the "Post-Mara Era" to try to get some consistency established, much like the building ordinance template has established. He envisioned a very generic template. Fire ordinances touch a lot of things which building ordinances do not. So it will have to be very general so that it can expand where allowed and necessary, while formatted in such a manner that it doesn't destroy the state-wide Fire Code. Commissioner Richard asked for some examples of instances of things that come up without having a fire ordinance in place. Commissioner Mitchell explained that there are a number of places in the Fire Code which say "where required by local ordinance". Those are in fire department access, and fire department water supply is an important one since water supply needs are basically determined at the local level. Chairman Hawkins also noted that fire hydrant spacing was another example. The Fire Code says 600 feet or as required by local ordinance. In a lot of things like that, the code gives you a guideline but defers to a local ordinance. Commissioner Mitchell noted there are a lot of capability and jurisdictional issues that don't work everywhere, and those are the things they try to address in local ordinances. Key boxes, he noted, are by local ordinance only. Chairman Hawkins noted that they normally would form a committee or a task force. He then asked for a volunteer to take that on, suggesting the Commission delegate Commissioner Mitchell to organize a committee and chair it. Chairman Hawkins then stated he did not see this as rule-making, but as creating a template for the use of the local units of government who wish to adopt a fire ordinance, providing guidance to make the approval an easier process. They wished to create a consistent framework for review, to parallel the building ordinance template. Following further discussion, Commissioner Mitchell was nominated to chair the committee by Commissioner Scheurich, with the second by Commissioner Von Deylen. It was voted upon and carried. Deputy Attorney General James Schmidt noted that the committee would be required to operate under open door policies and regulations. It was arranged that meetings would be scheduled through Beth Sutor, the secretary for the Commission.

4. Late Filings – Dean Illingworth

Dean Illingworth, Building Law Compliance Officer, addressed the members of the Commission and the members of the audience. He drew their attention to the agenda, and noted there were 118 new variances, a number that they were used to. However, there were 26 variances which were asked for late. Within the GAR, there is a schedule but with the electronic filing there is a

bit of leeway. Staff would like to have everything submitted by the time of the staff review so that the Commission will get a review which is not hurried and complete. Of the 26 late variances, 14 were applied for last Friday. He stated he found that really not acceptable, and will work with the consultants to try to get that changed. One variance, while one request, had 10 variances on it. One variance was for an item which had been written up by the local building official on March 10th, and it was just now submitted. While he knew things can come up at the last minute, he also knew that people will procrastinate in getting things to people, and what he intended to do was to keep working with people to make it better.

5. Variances

Tabled variances

A/B variances

15-02-01(a)(b) Overlook Notre Dame Building 3, South Bend - incomplete

It was noted that the application had been filed five months ago, and no response from the local fire official and local building official had been received despite staff communication with the proponents. Commissioner Mitchell moved to table for one last time, with the second by Commissioner Von Deylen. It was voted upon and carried.

16-05-17(a)(b) Indiana Spine Hospital, Carmel

It was now complete and had been in an A/B category. Commissioner Mitchell moved to approve, with the second by Commissioner Von Deylen. It was voted upon and carried.

16-05-18(a)(b) Blum Building, Indianapolis

It was now complete and had been in an A/B category. Commissioner Brown moved to approve, with the second by Commissioner Furnish. It was voted upon and carried.

16-05-19(a)(b) Wabash College Martindale Hall, Crawfordsville

Commissioner Mitchell moved to approve, with the second by Commissioner Hoch. It was voted upon and carried.

16-05-21(a)(b) Cummins Headquarters, Indianapolis

Commissioner Jordan moved to approve, with the second by Commissioner Von Deylen. It was voted upon and carried.

16685 22nd and Delaware, Indianapolis – incomplete

The application was still incomplete and ineligible to be heard. Commissioner Furnish moved to table with the second by Commissioner Richard. It was voted upon and carried.

16-05-48(a)(b) Avant, Carmel

Commissioner Jordan moved to approve, with the second by Commissioner Hoch. It was voted upon and carried.

16742 4 Day Ray, Fishers – incomplete

The application was still incomplete and ineligible to be heard. Commissioner Furnish moved to table, with the second by Commissioner Hoch. It was voted upon and carried.

16744 St. Mary St. Mark, Carmel – incomplete

The application was still incomplete and ineligible to be heard. Commissioner Scheurich moved to table, with the second by Commissioner Hoch. It was voted upon and carried.

C/D/NVR variances

16-01-25 Approval of Existing Elevator, Terre Haute

The proponent was not present to provide answers to questions about the code which had been asked at a previous meeting. Commissioner Hoch moved to table, with the second by Commissioner Von Deylen. It was voted upon and carried.

16-03-63 Harold Gunn Pavilion, Boonville

No proponent was available for questions. Commissioner Scheurich moved to table, with the second by Commissioner Hoch. It was voted upon and carried.

16-04-03 Owen Valley Health Campus, Spencer

Kathy Corbin, Owen Valley Health Campus, spoke as proponent. She explained that one of the issues in units caring for their Alzheimer and dementia patients is their desire to “go home”, and they will try any door to do so. She also explained that their Memory Care patients frequently suffer from visuospatial disruption, and they cannot differentiate between one-dimensional and three-dimensional surfaces. To help keep them from finding a way out of the unit while not

affecting the exiting of visitors and staff, the doors are painted to look like book cases, mirrors, plants, etc., which do not, in their minds, offer escape. They see the bookcase and not the door it's painted on. Knowing that their patients cannot self-evacuate in a fire situation, they have ample staff to assist. The dietary staff is also assigned to immediately report to the Memory Care unit and assist the patients during the emergencies. Chairman Hawkins noted that Commissioner Hite had said this was allowed in the Life Safety Code. Mr. Randy Snyder, standing in for Commissioner Hite, noted that it did have some caveats, including unpainted windows and clearly discernable panic hardware. Following discussion, Chairman Hawkins stated that if you can see the door's exit sign, the panic hardware is visible, and any windows are not painted over, it would meet the guidelines for being eligible for inclusion in the block vote. Randy Snyder moved to approve, with the second by Commissioner Scheurich. It was voted upon and carried.

16-04-04 Magdalene House Women's Shelter Remodel, Martinsville

Tom Allen, architect of record, spoke as proponent. Rick Melk, pastor, was also present. The request was to omit a sprinkler system for the existing, single story facility to be used as a shelter for sixteen homeless women. They are to be staffed 24/7, smoke and fire alarms will be installed, and they are thirty feet from the firehouse. A discussion concerning the 13D sprinkler system and their available ¾" water lines was held, with Commissioner Brown noting that a ¾" line would work, but a 1" line would be better. Chairman Hawkins also agreed. Commissioner Brown moved to table to allow the proponent to research cost, with the second by Commissioner Hoch. It was voted upon and carried.

16-04-39(b) North American Cold Storage Building Addition, Woodburn

The proponent had not yet arrived in order to withdraw the application since it had been refiled. Commissioner Von Deylen moved to table, with the second by Commissioner Scheurich. It was voted upon and carried.

16-04-59 Cambria Suites Indianapolis Airport, Plainfield

Mark Stuerenberg, Commonwealth Hotels, spoke as proponent. Also present was Alan Trauner, City of Plainfield Fire Department, and Kevin Cromber, sprinkler systems installations. The facility had not been constructed according to the submitted plans which showed three stories but standing as four stories when completed. The standpipe system had not been installed as required by code. Chief Inspector Trauner stated that since the facility has already been constructed, the stairway is rated, and the door opens to a parking lot 20' away which is easy access for the fire department, they would not object to the variance. Following discussion, Commissioner Brown moved to approve since the fire department did not object, with the second by Commissioner Hoch. It was voted upon and carried with one nay.

16-05-26(a)(b) North American Cold Storage Inc, Woodburn

The proponent had not yet arrived. Commissioner Von Deylen moved to table, with the second by Commissioner Hoch. It was voted upon and carried.

16-05-27 Thai Connection Buildout, Columbus

The proponent had withdrawn the application.

16428 Harlan Bakeries Fresh Pack Warehouse, Avon – incomplete

The application was incomplete and ineligible to be heard. Commissioner Von Deylen moved to table, with the second by Commissioner Hoch. It was voted upon and carried.

16601 Hoops, Frankfort – incomplete

Commissioner Von Deylen moved to table with the second by Commissioner Mitchell. It was voted upon and carried.

16671 Geiger Tank, Markle – incomplete

Commissioner Hoch moved to table, with the second by Commissioner Von Deylen. It was voted upon and carried.

16679 Entrance Chair Lift, Cambridge City – incomplete

Commissioner Hoch moved to table, with the second by Commissioner Von Deylen. It was voted upon and carried.

16684 Delaware Christian Academy, Muncie – incomplete

Commissioner Hoch moved to table, with the second by Commissioner Von Deylen. It was voted upon and carried.

Regular Variance

A/B variances

Chairman Hawkins called for any variances in the block vote to be called out. There were none.

The following variances were approved as submitted:

- (1) 16-05-01 Woods, Bloomington
- (2) 16-05-08 Indy Mart, Indianapolis
- (3) 16-05-09 Lake Central Soccer Concession Building, St. John
- (4) 16-05-10 Milford School 2016 Renovation, Milford
- (5) 16-05-11 East Tipp Middle School Practice Running Track, Lafayette
- (6) 16-05-12 Crawfordsville Fire Station #2, Crawfordsville
- (7) 16-05-13 College Park 1705 N. Lincoln St, Bloomington
- (8) 16-05-14 HWC Engineering Office Tenant, Indianapolis
- (9) 16-05-15 Illinois Street Senior Apartments, Indianapolis
- (10) 16-05-16(a)(b)(c)(d) IU Ivy Tech Arts & Life Sciences Building, Gary
- (11) 16-05-20(a)(b) DePauw University Asbury Hall, Greencastle
- (12) 16-05-22 Meadow View Health & Rehab Renovation, Salem
- (13) 16-05-23 Vincennes University Science Engineering and Math, Vincennes
- (14) 16-05-24 The Kent, Carmel
- (15) 16-05-25(a)(b) The Garden Table Restaurant, Indianapolis
- (16) 16-05-49 The Lebermuth Company, South Bend
- (17) 16-05-50 IU Health Ball Memorial Hospital, Muncie

Commissioner Mitchell moved to approve all eligible "A" and "B" variances. Commissioner Scheurich made the second. It was voted upon and carried.

The following variances were incomplete and ineligible to be heard:

- 16-05-03 3230 E. John Hinkle Place Unit B Windows, Bloomington - incomplete

Commissioner Von Deylen moved to table the incomplete variances, with the second by Commissioner Mitchell. It was voted upon and carried.

C/D/NVR variances

- 16-05-02 Removable Staircase Plastic Chain, Peru - incomplete

The application was incomplete and ineligible to be heard. Commissioner Mitchell moved to table, with the second by Commissioner Von Deylen. It was voted upon and carried.

16-05-04 Former Village Food Mart, Anderson

Jeremiah Catcher, Creek Run Environmental Engineering, spoke as proponent. He requested a six month extension to their existing variance which postpones the required removal of the underground tanks. The property is in the process of being sold, and the new owner will remove the tanks. Following discussion, Commissioner Mitchell moved to approve with the condition that the variance is valid until December 1, 2016. Commissioner Von Deylen made the second. It was voted upon and carried.

16-05-05 Two Sets of Disguised Doors Memory Care Unit, Brownsburg

There was no proponent available for questions, but the application had been distributed to the Commission. The application included pictures which showed the doors, their hardware visible, but no exit signs were included in the photo. Commissioner Von Deylen moved to approve with the condition that exit signs be provided above each exit door, windows are not painted over and panic hardware is visible. Commissioner Hoch made the second. It was voted upon and carried.

16-05-06 South Deck Cover, Indianapolis - incomplete

The application was incomplete and ineligible to be heard. Commissioner Scheurich moved to table, with the second by Commissioner Hoch. It was voted upon and carried.

16-05-07 Regional Mental Health, Hammond - incomplete

The application was incomplete and ineligible to be heard. Commissioner Scheurich moved to table, with the second by Commissioner Hoch. It was voted upon and carried.

16-05-28 Foamcraft Inc., Greenfield

Christina Collester, RTM Consultants, spoke as proponent. The F1/S1 facility, used to store palletized plastics end product, needed smoke and heat vents due to the size of the building. The request was to omit them. The sprinklered facility had a 40 foot ceiling height at the center and 36 feet at the eaves. Following discussion, Commissioner Mitchell moved to approve, with the second by Commissioner Furnish. It was voted upon and carried.

16-05-29(a)(b) First Capitol Group, Bloomington

Christina Collester, RTM Consultants, spoke as proponent. The existing, non-sprinklered building was being turned into storage units. In variance (a) the building has a small area which included 900 square feet of wood construction during some renovation work, and they are no longer able to be Type II-B construction. There is also an existing 2-story retail entrance in the front of the building which will be

infilled with non-combustible construction. The existing building is not sprinklered. There is an exterior stair to the second floor which will be protected, and two interior open stairs. One of the interior stairs will be enclosed to provide two protected means of egress for the second floor. Commissioner Von Deylen moved to approve with the condition that all combustibile construction be protected by 5/8" drywall or paint to keep the flame spread down to 25. Commissioner Mitchell made the second. It was voted upon and carried. Variance (b) was to allow the sprinkler system, now required due to the second floor infill, to be omitted since the actual use of the building had not changed. Commissioner Mitchell moved to approve, with the second by Commissioner Von Deylen. It was voted upon and carried with one nay.

16-05-30(a)(b) Sycamore Events Center, Evansville

Roger Lehman, RLehman Consulting, spoke as proponent. The existing 6-story structure was to have the first and second floors converted to an event center. The request in variance (a) was to allow the corridors to be smaller than code requires in two places due to piping requirements and elevator shaft locations. Commissioner Jordan moved to approve, with the second by Commissioner Von Deylen. It was voted upon and carried. Variance (b) was to allow the existing second floor restroom facilities to not be made accessible. The first floor will have two accessible restrooms added. Following discussion and noting that the variance was not being granted to the ADA, Commissioner Hoch moved to approve, with the second by Commissioner Von Deylen. It was voted upon and carried.

16-05-31 Walnut House Apartments, Evansville

Roger Lehman, RLehman Consulting, spoke as proponent. An existing funeral home built in the 1930's was being converted to apartments. In the 1960's, an apartment was constructed over the garage without separation. The owner will sprinkle the garage which provides parking for nine residents, and will also provide monitored smoke and fire alarms with strobes. Following discussion, Commissioner Hoch moved to approve, with the second by Commissioner Brown. It was voted upon and carried.

16-05-32(a)(b) Boone County Tennis Center, Zionsville

Roger Lehman, RLehman Consulting, and Josh Frost, Zionsville Fire Marshall, addressed the Commission. An eight-court tennis facility, with observation deck, was to be built. The request in (a) was to omit sprinklers over the courts. The facility is two premanufactured buildings side by side, and there will be smoke detection in the high point of both of the tall buildings, and multiple exit doors around the perimeter of the facility. Fire Marshall Frost asked that the facility not be used for events other than tennis matches, and that there be no bleachers. He noted that on the plans, nets were shown around the courts, and he wanted the players to be able to reach the exits with clearly marked paths. Following discussion, Commissioner Hoch moved to approve with the conditions that 1. No events other than tennis matches were to be held. 2. No bleachers on the court. 3. No credit for sprinklers except for area. 4. Clear paths to exits for players. And 5. Nets around the courts will have openings marked with exit signs be provided for the players. Commissioner Von Deylen made the second. It was voted upon and carried. Variance (b) was to allow the facility to be over area. Commissioner Von Deylen moved to approve, with the second by Commissioner Brown. It was voted upon and carried.

16-05-33(a)(b)(c)(d)(e) Indians Stadium Platform Lift & Incline Stair Lift, Indianapolis

Scott Perez, Arxtheon Consulting, spoke as proponent. The original vertical platform lift, which provided access to the field beside the visitor dugout, did not function, had been tagged out, and was being replaced at the request of the CIB. In variance (a) the request was to allow a ramp for those needing accessibility assistance to be a portable metal ramp instead of permanently installed as required by code. Variance (b) was to omit the code-required guard to the south of the shaft to not encumber the line of sight. The top of the elevator is removed when used. Variance (c) was to allow non-compliant door clearance. Variance (d) was to allow a less than 60" turning radius at the bottom of the stairs where the existing pair of doors are located. Variance (e) was to allow a 48" maneuvering clearance for the stair lift in the space between the door and the railing in the visitor dugout area. Following discussion and noting that the variances are not for the ADA, Commissioner Hoch moved to approve with the second by Commissioner Richard. It was voted upon and carried.

Breaking and reconvening. Chairman Hawkins recessed the Commission at 10:28 a.m. It was called back to order at 10:40 a.m.

16-05-34 Holy Family Residential Care Facility, Huntington

Todd Bushmaker, Hoffman Planning, Design & Construction, spoke as proponent. The request was to allow the 12" thick, existing reinforced concrete wall of the chapel to be used as a separation wall for the new addition, protected by a 13R sprinkler system. The wall will be structurally independent in the addition, but it is load-bearing in the existing structure. Following discussion, Commissioner Hoch moved to approve, with the second by Commissioner Von Deylen. It was voted upon and carried.

16-05-35(a)(b)(c)(d) 21 North Pennsylvania Condominiums, Indianapolis

Melissa Tupper, RTM Consultants, spoke as proponent. Variance (a), (b), and (c) had been eligible for inclusion in the block vote. Variance (d) was to allow fire barriers forming the rated shaft walls to be supported by non-rated floor assemblies. This is an existing structure, and the floors cannot be rated retroactively. Following discussion, Commissioner Hoch moved to approve all four variances, with the second by Commissioner Von Deylen. It was voted upon and carried.

16-05-36 Lilly Building K302, Indianapolis

Ed Rensink, RTM Consultants, Tim Puls, Lilly, Michael Noe, Lilly, and Kevin Keating, Lilly, spoke as proponents. The request was to allow standby power through redundant electrical power sources in lieu of the emergency standby generator to provide power for the mechanical ventilation systems. This has been granted for Eli Lilly before. Following discussion, Commissioner Brown moved to approve, with the second by Commissioner Von Deylen. It was voted upon and carried.

16-05-37 Lincoln Industries 2016 Addition, Boonville

Roger Lehman, RLehman Consulting, spoke as proponent. A 13,125 square foot Type II-B S1 addition was to be made to an existing plastic fabrication facility, Type II-B F1/S1, which would put it further non-compliance. Because they now have a new water main extension, the addition can now be sprinklered, and the owner will phase-in sprinklers in the remainder of the building over the next two years. Following discussion, Commissioner Brown moved to approve with the condition that the building be fully sprinklered by June 1, 2018. Commissioner Hoch made the second. It was voted upon and carried.

16-05-38(a)(b) East Allen County Schools Heritage JR/SR High School Canopy, New Haven

Melissa Tupper, RTM Consultants, spoke as proponent. Variance (a) was a request to allow the exterior exit, located by the girls' locker room, to be closed from June 2016 to July 2016 during the construction of the new exterior canopy. Variance (b), a request to allow the canopy addition, was eligible for the block vote. Following discussion, Commissioner Brown moved to approve both (a) and (b), with the second by Commissioner Hoch. It was voted upon and carried.

16-05-39(a)(b) Carmel Park East Parking Garage, Carmel

Melissa Tupper, RTM Consultants, spoke as proponent. The request in variance (a) was to allow a stairway which serves the enclosed first floor and the open second through sixth floors of the parking garage to be open. The first floor retail and apartments will have independent exits from the garage. Variance (b) was a request to allow only the enclosed portion of the parking garage stairs to be sprinklered. The second through sixth levels of the garage, with noncombustible construction, are not be required to be sprinklered. Following discussion, Commissioner Brown moved to approve both (a) and (b), with the second by Commissioner Hoch. It was voted upon and carried.

16-05-40(a)(b) Parkview Cancer Institute, Ft. Wayne

Lauren Raven, architect, spoke as proponent. Variance (a) was a request to allow the use of an ICC-ED in lieu of a 2-hour wall. The ICC-ED Report (ESR-2397), details a water curtain system, and the glass will be sprinklered on both sides. Variance (b) was eligible for the block vote. Following discussion, Commissioner Brown moved to approve both, with the second by Commissioner Mitchell. It was voted upon and carried.

16-05-41(a)(b) The Albert and Sara Reuben Engagement Center, Indianapolis

Melissa Tupper, RTM Consultants, spoke as proponent. An existing, sprinklered building is converting a portion of the second floor into a detox facility for the homeless. The sheriff's office is the first floor tenant and controls first floor egress from the two enclosed stairways. Variance (a) was to allow the occupants of the second floor facility to exit through the first floor visitor lobby. The sheriff has agreed to allow this in emergencies. A pedestrian bridge and exterior stair also serve the second floor. Variance (b)

was to allow the exits, located at 65 feet apart instead of the required 69 feet, to be less than 1/3 the overall diagonal of the building. Following discussion, Commissioner Hoch moved to approve both (a) and (b), with the second by Commissioner Jordan. It was voted upon and carried.

16-05-42(a)(b)(c)(d)(e)(f) Lilly Building K105, Indianapolis

Ed Rensink, RTM Consultants, Tim Puls, Lilly, Michael Noe, Lilly, and Kevin Keating, Lilly, spoke as proponents. Variance (a) was a request to omit a horizontal one-hour barrier between the second floor and the freeze dryer mechanical spaces. The second floor is concrete supported by metal decking and unprotected steel beams. The building is sprinklered, and the mechanical spaces have one-hour fire barrier walls. Following discussion, Commissioner Jordan moved to approve, with the second by Commissioner Hoch. It was voted upon and carried. Variance (b) was to allow corridors and aisles in the H-3 freeze dryer mechanical spaces to not be of 1-hour rated construction. The corridors are noncombustible elements, or clean style modular pharmaceutical panels, and the closed process equipment include multiple safety features. Following discussion, Commissioner Hoch moved to approve, with the second by Commissioner Von Deylen. It was voted upon and carried. Variance (c) was to allow the two freeze dryer mechanical areas to exceed the square footage permitted by code. Following discussion, Commissioner Brown moved to approve, with the second by Commissioner Hoch. It was voted upon and carried. Variance (f) was to omit fire dampers in ductwork penetrating the 1-hour fire barriers surrounding freeze dryer mechanical spaces. Fire dampers through the 1-hour fire barriers would not be required for this sprinklered facility except for the H-3 rating. Following discussion, Commissioner Von Deylen moved to approve, with the second by Commissioner Hoch. It was voted upon and carried. Variance (e) was a request to establish a fourth control area on the second floor of the sprinklered building. Two small areas are used for filter test operations and storage of isopropyl alcohol, and a third for storage of lab chemicals. The fourth is necessary for closed use of small vessel and/or drums of isopropyl alcohol for filter testing. Following discussion, Commissioner Hoch moved to approve, with the second by Commissioner Jordan. It was voted upon and carried. Variance (d) is a request to allow the existing construction on the second floor control areas to not comply with the required 2-hour fire rating. It would be a difficult, expensive and lengthy project involving opening concrete floors to apply fireproofing to steel beams located in the interstitial space above clean rooms. Following discussion, Commissioner Hoch moved to approve, with the second by Commissioner Mitchell. It was voted upon and carried.

16-05-43 600 W. Troy Office Trailer, Indianapolis

Carrie Ballinger, RTM Consulting, spoke as proponent. The request was to omit the fire hydrant required by code within 400 feet, with an existing hydrant 900-1,000 feet away from the office trailer on a permanent foundation. The owner will provide fire extinguishers at both exits. There is a 50 foot travel distance and will have an actual occupant load of less than 10 people. Following discussion, Commissioner Hoch moved to approve, with the second by Commissioner Richard. It was voted upon and carried.

16-05-44 CE Solutions Office Addition, Carmel

Carrie Ballinger, RTM Consulting, spoke as proponent. A two story addition to a two story office building will exceed the maximum exit travel distance for the second story with a single exit access

stairway in the addition. The stair in the existing building will be removed. The owner will install a fire alarm and smoke detection system. Following discussion, Commissioner Hoch moved to table to allow the proponent time to discuss alternative designs for the stairway. Commissioner Von Deylen made the second. It was voted upon and carried.

16-05-45 Roan Farms Event Barn, Shelbyville

Melissa Tupper, RTM Consultants, spoke as proponent. The request was to omit sprinklers in the new, 1-story event facility. Estimates put the cost at \$140,000 for the system. A fire alarm and smoke detection system will be provided, and doors provide exiting for 800 occupants though the calculated occupant load is 252 people. Following discussion, Commissioner Von Deylen moved to approve with the condition that a shunt trip be installed, no open flames were to be allowed, and the kitchen would be a warming kitchen only. Commissioner Hoch made the second. It was voted upon and carried with three nay votes.

16-05-46 Studebaker Building, South Bend

Ed Rensink, RTM Consultants, spoke as proponent. A nonrated mezzanine will be built for office use in Area A of the first story of the manufacturing facility being converted to a multi-tenant building. As Type 1-B construction, a 2-hour structural frame and floor system is required, while the request is to allow steel tube frame grid with reinforced concrete in all floor panels. Steel pipe columns, sprinklered at the top, and steel rod suspension from the existing structure will be used. Sprinklers beneath the mezzanine will be ordinary hazard, and the building will be protected throughout with an NFPA 13 system. Following discussion, Commissioner Hoch moved to approve with the second by Commissioner Von Deylen. It was voted upon and carried.

16-05-47 Fifth Third-Eskenza Faculty Office Building, Indianapolis

Ed Rensink, RTM Consultants, spoke as proponent. The City of Indianapolis Code Enforcement felt that, since the persons using the meeting rooms on the 4th floor are not all from the adjacent open area offices, they are exiting through an intervening room to reach an exit. The persons using the meeting rooms are Eskenza employees from all over the campus, and invited guests. The building is sprinklered and a clear path to the exit is marked and maintained 24/7. Following discussion, Commissioner Von Deylen moved that no variance was required, with the second by Commissioner Hoch. It was voted upon and carried.

16-05-51 Blue & Company Expansion, Carmel

Ed Rensink, RTM Consultants, spoke as proponent. The request was to allow the accessory use area, an A-occupancy break room, to be above the second floor in this Type II-B construction building. Per Section 503.2.3, this is not allowed. The break room will have two remote means of egress in the sprinklered building. Following discussion, Commissioner Hoch moved to approve, with the second by Commissioner Von Deylen. It was voted upon and carried.

16-05-52 Asbury Hall Restorations Phase I, Greencastle

Ed Rensink, RTM Consultants, spoke as proponent. A new elevator was being installed, which requires compliance with current code. The request was to omit an enclosed elevator lobby on each of the four floors. The unsprinklered, 1930's building has open stairways connecting all floors. The hoistway will be protected by a two-hour enclosure, with ninety-minute rated doors. Following discussion, Commissioner Von Deylen moved to approve, with the second by Commissioner Hoch. It was voted upon and carried.

16-05-53 Huntington University Merillat Centre Addition, Huntington

Ed Rensink, RTM Consultants, spoke as proponent. An existing building will have a 2,720 square foot addition, using the existing cmu 2-hour area separation wall. The wall has a horizontal offset between the lower and main levels of the existing building, and therefore would not be a compliant separation wall. The request is to allow the use of the existing cmu wall. The existing building and the addition will be sprinklered, and they comply with current code of allowable are for Type II-B construction, non-separated occupancies. Following discussion, Commissioner Brown moved to approve, with the second by Commissioner Von Deylen. It was voted upon and carried. Commissioner Mitchell abstained.

16-05-54(a)(b) Ft. Wayne Community Schools Construction Trades, Ft. Wayne

Ed Rensink, RTM Consultants, spoke as proponent. Additional rooms, originally used for storage in an industrial building converted to an educational building in 2015, are being converted into classrooms and lab space for the Construction Trades Program. The request in (a) is for additional points to pass a Chapter 34 review. The request was for 59 for the Fire Safety column, 44 for the Means of Egress column, and 56 for the General Safety column. Variance (b) is a request to not rate the corridors. The building is sprinklered, all areas have access to two exits, and a fire alarm system has been installed since last year. Following discussion and Fire Marshal Jim Murua, Ft. Wayne Fire Department, not objecting to the variances, Commissioner Brown moved to approve both, with the second by Commissioner Von Deylen. It was voted upon and carried with Commissioner Hoch and Commissioner Scheurich abstaining.

16-05-55 Vincennes Waste Water Treatment Plant, Vincennes

Ed Rensink, RTM Consultants, spoke as proponent. The request was to omit sprinklers in the H-4 storage area. The chemicals are non-combustible and corrosive, and will be separated. Following a brief discussion, Commissioner Brown moved to approve, with the second by Commissioner Richard. It was voted upon and carried.

16-05-56 Cummins Indianapolis Distribution Headquarters, Indianapolis

Ed Rensink, RTM Consultants, spoke as proponent. Plywood has been installed on the inside face of exterior parapet walls, mechanical penthouse walls, and roof coping. The use of non-fire-retardant treated wood is not permitted in Type I-B construction. The penthouse structure is to be sprinklered. Following

discussion, Commissioner Von Deylen moved to approve, with the second by Commissioner Hoch. It was voted upon and carried.

16-05-57 Mainstreet Whitestown Skilled Nursing Facility, Whitestown

Melissa Tupper, RTM Consultants, spoke as proponent. The request is to permit the living, dining, and residential kitchen to be open to the non-rated corridors in the sprinklered 12-bed nursing home. Commissioner Hoch moved to approve, with the second by Commissioner Von Deylen. It was voted upon and carried.

Breaking and reconvening. Chairman Hawkins recessed the Commission at 12:00 p.m. It was called back to order at 1:03 p.m. Commissioner Brown was not present during the afternoon session.

16-05-58 Flying J #649 Temporary Operation, Indianapolis

Brad Alsop, Pilot Travel Centers LLC, spoke as proponent. The Flying J Truck Stop had suffered a fire which destroyed the building but left the pumps operational. In order to serve the professional drivers, the request was to allow the use of trailer restroom facilities in lieu of permanent toilets until construction is completed by the anticipated date of late October or early November. The restrooms are ADA compliant, and in a fully-approved, industrialized building structure. Following discussion, Commissioner Brown moved to approve with the condition that the variance was valid until January 1, 2017. The second was made by Commissioner Von Deylen. It was voted upon and carried.

16-05-59(a)(b)(c)(d) Riley Hospital for Children Behavior Health, Indianapolis

Derrick Holman, RTM Consultants, spoke as proponent. During the final inspection of the unit, some accessibility issues were discovered. The request in variance (a) was to allow the bathtub in the tub room to not comply with accessibility requirements since the patients who are bathed in this tub are generally not capable of bathing themselves without staff assistance. They have no permanent seat or grab bars. Architect Nathan Alderfer, arcDesign, explained that the bars were not installed because the plates between the bar and the wall to prevent someone from harming themselves could not be perfectly placed due to the curvature of the tub, but they do have the bracing in the walls making them adaptable. Following discussion, Commissioner Von Deylen moved to approve, with the second by Commissioner Scheurich. It was voted upon and carried. Variance (b) was a request to place the controls of the roll-in showers on the end wall instead of the back wall above the grab bar as required by code. The 2010 ADA Standards allow this placement when there are no seats, and none will be provided in this unit due to the anti-ligature requirements in place. Commissioner Richard moved to approve, with the second by Commissioner Von Deylen. It was voted upon and carried. Variance (c) was to omit the folding seat and hand shower in the roll-in shower. Anti-ligature accessories are used. Commissioner Von Deylen moved to approve, with the second by Commissioner Mitchell. It was voted upon and carried. Variance (d) was to allow vision panels within the doors in patient sleeping rooms to be installed at 45" above the floor

instead of the ADA code-required 43". Fitted with internal blinds or one-way vision film, the windows are for use by the staff to monitor patients. Commissioner Hoch moved to approve, with the second by Commissioner Von Deylen. It was voted upon and carried.

16-05-60(a)(b) Creekside Hotel Buildings B & E, Nashville

Melissa Tupper, RTM Consultants, spoke as proponent. The facility was undergoing a change of use from apartments to a hotel. Variance (a) was to allow the second exit from the second floor in the existing building to be only 21 feet apart instead of the code-required 36 feet. The stair, being added to provide the second exit, can be placed only in the requested spot due to existing floor layout. Following discussion, Commissioner Von Deylen moved to approve with the condition that the bedroom windows be egress windows. Commissioner Hoch made the second. It was voted upon and carried with one nay. Variance (b) was eligible for the block vote. Commissioner Von Deylen moved to approve, with the second by Commissioner Scheurich. It was voted upon and carried with one nay.

16-05-61(a)(b) The Barn at Helm Road, Williamsburg

Melissa Tupper, RTM Consultants, spoke as proponent. A 1900's heavy timber barn was being converted to an event center. Variance (a) was a request to allow the use of portable toilets, with at least one being accessible, in lieu of permanent restrooms as required by code. Todd Smith, Wayne County Health Department, is not opposed to the variance. Variance (b) was to allow the use of Chapter 34 in the conversion of the agricultural building to an A-occupancy event center. Chairman Hawkins asked about the roof live load, and was told by the proponent that the roof live load was not considered in the structural evaluation since it was not included in the definition, and the engineer who did the evaluation did not provide a written report. The Chairman disagreed, and a lengthy discussion was held. Bobby LaRue, Monroe County Building Department, addressed the Commission concerning the intent of the amendment to Chapter 34, having served on the committee which authored it. He stated that many issues had been taken through Chapter 34 without "even coming close" to compliance. The intent of the amendment was to get the buildings closer to compliance and have enough evidence to show the building was safe for assembly occupancy and could go forward. The proponent stated they would have the structural review by the time they filed. Discussion then turned to an occupant load of 134 persons calculated at 15 square feet per person, the need for an additional side-swinging door, no kitchen, exit lights, a shunt trip, no open flames, and egress lighting. Commissioner Brown then brought up variance (b) which was a request to omit the installation of a septic system and provide portable toilets in lieu of permanent restrooms. Several Commissioners voiced concerns about the variances, and Commissioner Richard then moved to deny, with the second by Commissioner Hoch. The proponent then asked that they table to allow her to work on the issues. The motion was changed to table, was voted upon and carried.

16-05-62 Seven Oaks Classical School, Ellettsville

Ed Rensink, RTM Consultants, spoke as proponent. The former Ellettsville Elementary School had been sold and converted to shops, offices, a Boys and Girls Club, and a church. It was again sold and will be converted back to a school, starting with grades K-8. The request is to allow occupancy of the entire building by the school without having to comply with all current codes for the change of occupancy. The building has a monitored fire alarm system with corridor smoke detectors to be connected to the system. A 1-hour corridor rating will be assumed and repairs will be done to maintain that level of protection. Chief Mike Korman, Ellettsville Fire Department, also addressed the Commission and, while he preferred it be sprinklered, he did not object to the variance. Following discussion, Commissioner Hoch moved to approve, with the second by Commissioner Von Deylen. It was voted upon and carried by a vote of 6 to 5.

16-05-63 Meijer Main Store, Indianapolis
The proponent had withdrawn the application.

16-05-64 The Silver Centre, Indianapolis

Don Highlander, Connecting Spaces LLC, spoke as proponent. Also present was Chesia Torrence, owner of the Silver Centre. An established tenant wished to expand her business into a portion of the vacant anchor building, using it as an A-2, and leaving the remainder of the area unoccupied. The issue is whether or not an anchor building is required to be limited to one tenant as stated by the City of Indianapolis plan review. John Habner, JTL Engineering, spoke for Indianapolis Plan Review, explaining the position of the reviewer. Following a lengthy discussion, Commissioner Von Deylen moved to approve, with the second by Commissioner Hoch. It was voted upon and carried.

16-05-65 Arthouse Music Society, Lafayette

Tim Callas, J&T Consulting, spoke as proponent. Also presenting was Paul Paige, the tenant. An existing first floor M occupancy was being converted to an A-2 occupancy, and was required by code to have a 2-hour horizontal occupancy/fire area separation from the R-2 on the second floor. The request was to allow a 1.5 hour fire resistive horizontal assembly, achieved by combining the 1/2-inch thick plaster ceiling, pressed tin, and applying intumescent paint, for the preservation of the original plaster ceiling and pressed tin ceilings. Smoke detection and monitored fire alarm system will be installed in the basement and first floor, with additional horns/strobes installed in the common use areas of the second and third floors. The first floor has three exits directly to the exterior, and there is no communication between the first and second floors. A shunt trip will be installed on the performance platform to disconnect power at fire alarm activation. Dave Thomas, Lafayette Fire Department, also spoke, and requested that a third party test for the thickness and adhesion of the paint. Following further discussion, Commissioner Von Deylen moved to approve with the condition that a third party test thickness

and adhesion of the paint, with the second by Commissioner Hoch. It was voted upon and carried.

16-05-66(a)(b) Embassy Theatre and Indiana Hotel Renovations, Ft. Wayne

Dennis Bradshaw, FP&C Consultants, spoke as proponent. The existing roof of the theatre is being replaced with a flat roof. The request was to allow the new vents, being placed in the same locations as the old ones, to not be located in the highest part of the stage area. Variance (b) was to allow an addition to put the existing Type I-B building into noncompliance. A fire barrier will be provided in lieu of a fire wall, and the addition will be sprinklered with an NFPA 13 system. Following discussion, Commissioner Von Deylen moved to approve both, with the second by Commissioner Hoch. It was voted upon and carried.

16-05-67(a)(b)(c)(d) Rock City Lofts, Wabash

Melissa Tupper, RTM Consultants, spoke as proponent. An existing 3-story building is being converted to a multiple-use facility. The basement will be used for storage. The first floor will have a restaurant, apartments, offices and a living well center. The second and third floors will be used for apartments and rooms for resident amenities. Variance (a), a request for new exterior openings which will exceed the percentage allowed by code. This had been eligible for the block vote. Commissioner Von Deylen moved to approve, with the second by Commissioner Hoch. It was voted upon and carried. Variance (b) was to allow the rated shaft walls to rest on nonrated floor assemblies. The building will be protected throughout with an NFPA 13 system, as well as a fire alarm system. Following discussion, Commissioner Von Deylen moved to approve, with the second by Commissioner Hoch. It was voted upon and carried. Variance (c) was to allow the corridor width to be reduced in one location on both the second and third floor due to a shaft enclosure. This had been eligible for the block vote. Commissioner Von Deylen moved to approve, with the second by Commissioner Hoch. It was voted upon and carried. Variance (d) was to allow the use of Section 3412 in lieu of compliance with all requirements for new construction. While the attic will not be sprinklered, building will otherwise be sprinklered throughout with an NFPA 13 system. Following discussion, Commissioner Hoch moved to approve with the condition that a heat detection system be installed in the attic. Commissioner Von Deylen made the second. It was voted upon and carried.

16-05-68 Millstone at Noblesville Bldgs. 6, 9, 11, 12, Noblesville

Tim Callas, J&T Consulting, spoke as proponent. Also present was Jim Curtis, builder. The request was to allow a 2-way gangbox wall switch control immediately outside the entrance to the master bathroom and a light switch located by the vanity. Buildings 1 through 4 had been granted a variance for this installation configuration. Commissioner Hoch moved to approve,

with the second by Commissioner Von Deylen. It was voted upon and carried with one nay. Commissioner Mitchell abstained.

16-05-69 Millstone at Noblesville Bldgs. 5, 7, 8, 10, 13, 14, 15, 16, Noblesville

Tim Callas, J&T Consulting, spoke as proponent. This variance was to allow the same installation arrangement as presented in 16-05-68. Commissioner Von Deylen moved to approve with the second by Commissioner Hoch. It was voted upon and carried with one nay. Commissioner Mitchell abstained.

16-05-70 Carwash Facility #8, Indianapolis

Melissa Tupper, RTM Consulting, spoke as proponent. A new kiosk, with office, is being constructed at the existing facility. The request was to allow the existing, noncompliant restroom, located 100 feet from the kiosk, to serve as its restroom. The employees must be able-bodied to perform their job requirements, and a public restroom is not required. Following discussion and a warning that the variance was not to the ADA requirements, Commissioner Brown moved to approve, with the second by Commissioner Hoch. It was voted upon and carried.

Tim Callas, J&T Consulting, withdrew variances 16-04-99 North American Cold Storage Addition, Woodburn, and 16-05-26 North American Cold Storage, Woodburn, which had been tabled earlier in the meeting.

16-05-71(a)(b) North American Cold Storage, Woodburn

Christina Collester, RTM Consultants, spoke as proponent. Variance (a) was to omit sprinklers in the freezer warehouse which is conditioned to -20°. A supervised fire alarm system will be provided, with horns and strobes. Following discussion, Commissioner Von Deylen moved to approve with the condition that access doors instead of knockout panels in four additional locations beyond what is shown in the application be provided. Commissioner Scheurich made the second. It was voted upon and carried with Commissioner Brown voting nay. Variance (b) was a request to omit smoke and heat vents and replace them with knockout panels. Smoke and heat vents insulated as required for use in a freezer are not manufactured. Commissioner Von Deylen moved to approve, with the second by Commissioner Scheurich. It was voted upon and carried.

16-05-72 (a)(b) North American Cold Storage Addition, Woodburn

Christina Collester, RTM Consultants, spoke as proponent. This set of variances, for the Phase II addition to the freezer building, are the same conditions as 16-05-72. Variance (a) was to omit sprinklers. Commissioner Von Deylen moved to approve, with the second by Commissioner Hoch. It was voted upon and carried with one nay by Commissioner Brown. Variance (b) was to omit smoke and heat vents. Commissioner Von Deylen moved to approve, with the second by Commissioner Hoch. It was voted upon and carried.

16-05-73(a)(b)(c)(d)(e)(f)(g)(h)(i)(j)(k) 306 Riverfront District, Kokomo

Ralph Gerdes, Ralph Gerdes Consultants, spoke as proponent. Variance (a) was to allow the recirculation of dwelling unit kitchen air. Staff had given this a NVR rating. Commissioner Von Deylen moved to approve, with the second by Commissioner Hoch. It was voted upon and carried. Variances (b)(c)(d)(e)(g)(h)(i) and (k) were eligible for the block vote. Commissioner Von Deylen moved to approve, with the second by Commissioner Hoch. It was voted upon and carried. Variance (f) was a request to allow a four foot high fence to be provided in lieu of the six foot fence required by code. The fence will be wrought iron. Following discussion, Commissioner Von Deylen moved to approve, with the second by Commissioner Hoch. It was voted upon and carried. Variance (j) was a request to provide only minimal plumbing fixtures in the amenities area. The pool is for the use of the residents, and they have access to their bathrooms in their apartments. Following discussion, Commissioner Hoch moved to approve, with the second by Commissioner Von Deylen. It was voted upon and carried.

16-05-74 Allpoints Midwest Renovations, Plainfield

Ralph Gerdes, Ralph Gerdes Consultants, spoke as proponent. A new large volume warehouse, protected by an ESFR sprinkler system, has a travel distance of up to 480 feet due to a four-tier pick module. The warehouse and pick module will have an ESFR system, and the pick module will also have a VESDA system. Smoke modeling was done, without sprinklers and at 50% relative movement, which showed evacuation accomplished before smoke levels from the 44 foot high roof affected egress routes. Following discussion, Commissioner Mitchell moved to approve, with the second by Commissioner Von Deylen. It was voted upon and carried.

16-05-75 Quinn Hall Addition to Innovation Park, South Bend

Ralph Gerdes, Ralph Gerdes Consulting, spoke as proponent. A three story office addition will have a three story vertical opening without a shaft enclosure or smoke removal system as required by code. The building will be sprinklered with an NFPA 13 system, and floor openings at the first and second levels will be protected with a draft curtain and close spaced sprinklers.

Following discussion, Commissioner Hoch moved to approve, with the second by Commissioner Mitchell. It was voted upon and carried.

16-05-76 Emerald Acres Wedding Barn, Zionsville

Dennis Bradshaw, FP&C Consultants, spoke as proponent. He requested the application be tabled. Commissioner Von Deylen moved to table, with the second by Commissioner Richard. It was voted upon and carried.

6. A Request To Be Heard

Melissa Tupper, RTM Consultants, asked Chairman Hawkins if a variance application, which was still in ID status since the local fire department had not yet responded, could be heard. Their project was delayed in Plan Review, and the variance was needed to move it forward. Chairman Hawkins suggested the architect submit plans which showed the one-hour separation. The proponent could then appear to request the variance when the local fire official responded. Ms. Tupper thanked the Commission and was seated.

Commissioner Brown then began a discussion on the late addition variance applications, asking if there were some way of categorizing them. Chairman Hawkins noted that they had done twenty variances which had been timely filed in the same amount of time it had taken to do five late addition variances. Acknowledging that there are valid reasons to request a late addition, he noted that many of the requests do not have the hardships one would expect for a late request. Commissioner Scheurich felt that if it were, for example, a case of a stop work order or issues of public safety, those should be a late addition to the agenda. But otherwise, perhaps not. Commissioner Von Deylen stated that if it were a situation where it's a notice of violation which is holding up occupancy of a major project, then he sees no reason why the Commission wouldn't agree to hear it. He also thought a major issue with a review, like adding or subtracting a floor which would require serious amendments to drawings, should be heard. He felt that anything received fifteen days before the meeting should be heard, but after that only serious issues should be considered. When delays are caused which cost the developer money, he continued, it's really the economy of the state of Indiana which is losing money, not just the developer.

7. Discussion and Possible Commissioner Action

RE:

Leo Tire & Wheel I
Leo Tire & Wheel II
Rathskeller Restaurant

CAUSE NO.

14-21-FPBSC
14-22-FPBSC
DHS-1508-FPBSC-005

Regal Adult Day Services
Hampton Inn and Suites
Delaware Christian Academy
White County Ordinance
Cambria Suites Hotel
MSD of Pike Twp.

DHS-1520-FPBSC-015
DHS-15230-FPBSC-017
DHS-1526-FPBSC-020
DHS-1601-FPBSC-001
DHS-1603-FPBSC-003
DHS-1606-FPBSC-003

Notice of withdrawal of Administrative Law Judge

Commissioner Von Deylen moved to accept the withdrawal of the Administrative Law Judge, with the second by Commissioner Hoch. It was voted upon and carried.

8. Discussion and Commission Action on Petition for Review (Timely filed unless otherwise noted.)

Turf Bar
Order – Fire and Building Code Enforcement

Express Inn
Denial of Variance 16-04-36

Commissioner Mitchell moved to grant the Petition for Review, with the second by Commissioner Von Deylen. It was voted upon and carried.

9. Motion for Authorization of Administrative Law Judge

Commissioner Von Deylen moved to authorize David L. Carter to serve as administrative law judge under IC 4-21-5 for the Fire Prevention and Building Safety Commission, including, without limitation, the authority to: 1. Assume all pending administrative cases before the Commission with ultimate authority for these actions resting with the Commission; 2. Act as administrative law judge for all new cases to come before the Commission with the ultimate authority for these actions resting with the Commission; 3. Hear and rule upon petitions for stays of enforcement as the ultimate authority for the Commission; and 4. Hear and decide appeals to Emergency Orders issued with respect to one or more violations of the Commission statutes or rules as ultimate authority for the Commission. Commissioner Mitchell made the second. It was voted upon and carried.

10. Local Unit Plan Review Application for Certification Discussion

Chairman Hawkins stated there were two applications for certification for local plan reviewers. Senate Enrolled Act 324 grants the Commission as approving agency for these requests, though the local units are not effective until January 1, 2017. A request had been received from South Bend and Monroe County, both meeting the Tier One Plan Review qualifications as established, and Chairman Hawkins felt the approvals should be tied to the names of the applicants submitted in the applications. Deputy Attorney General Schmidt cautioned that the GAR is still the authority until January when SEA 324 takes effect. Chairman Hawkins stated there were a lot of things which needed to be done before January 1st to avoid being overwhelmed. Chairman Hawkins, wanting to "get the ball rolling", suggested that they certify these two particular people who are qualified, and, if necessary, to recertify them at the January meeting. Mr. Schmidt was concerned that the qualifications in the GAR are different, for example, requiring a written test. Chairman Hawkins stated there was currently no written test because the agency refuses to write it. While he understood the wish to move forward, Mr. Schmidt was not certain that, under the GAR, the Commission could certify anyone at this time. He said he would look at SEA 324 and see if it addressed the possible conflict with the GAR, but until that time, he would not recommend certifying anyone today. He also agreed that it would not be wise to wait until January to begin preparations. Bobby LaRue, Monroe County Building Department, addressed the Commission. He explained that they have a registered architect in their office who had passed a written test on the GAR in 1997, received his congratulatory letter, and who had been told he would receive a stamp for plan review under Rule Seven. He has not yet received his stamp to operate under Rule Seven. Mr. LaRue was asked to bring a copy of the letter, if possible, to the next meeting. Chuck Beulot, the South Bend Building Official, stated he also had a man in his office who had taken and passed the exam as well, and would provide a copy of his letter if possible. Mr. Beulot also expressed concern about the lack of information available to help him make sure his office would be operating within legal bounds when they begin issuing CDR's.

11. Discussion and Possible Commission Action On a New Elevator Mechanic Test

Tom Hendricks, Elevators and Amusements, addressed the Commission. Also speaking was Brian Selky, Mid-America Elevators. They had been working with Jonathan Whitham, General Counsel, on the acceptance of a test for the certification of elevator mechanics. To become a certified mechanic, you must have had three years of experience and you must pass an approved test. Mr. Hendricks and Mr. Selky proposed the use of the elevator mechanics test given by Elevator World, a company which already provides continuing education for elevator inspectors in Indiana. Mr. Hendricks had taken the test himself, along with two inspectors which had been certified mechanics, and the questions were thought to be adequate. Mr. Hendricks did feel that

it needed to be longer. He felt it would be an acceptable test to be used, along with proof of experience and time in service for certification. Elevator World had stated that they could design the test to his specifications for a custom test for Indiana. The questions are currently from the 2004 code, but they could use the 2007 code for Indiana. It is an on-line test and is also open-book. A motion to approve the Elevator World Elevator Mechanic Test subject to review and approval by the Elevator Division Chief Inspector was made by Commissioner Von Deylen and seconded by Commissioner Richard. It was voted upon and carried.

12. Discussion of Expiring Codes and Legislative Requirements

Chairman Hawkins explained that rules expire on January 1st of the seventh year following their effective date. Working with Jim Schmidt, Chairman Hawkins provided a list of Rules which have or will soon expire. This included the Permanent Outdoor Stage Equipment Rules which are under a different statute. They expired in January of this year, and Jonathan Whitham is working with OMB regulations to have them adopted as a permanent rule. On January 1, 2017, the Indiana Energy Code expires. NFPA 386, which regulates flammable liquid packaging, and NFPA 1126, which regulates fireworks, also expire in 2017. The issue with these two items is that there is no time to do updates, so they can only be readopted as they are currently or left to expire. Mr. Schmidt noted that the re-adoption would be a method they could accomplish within the remaining time available to them. Chairman Hawkins then expressed frustration concerning not being able to get requests for legislation, such as the Permanent Outdoor State Equipment Rules, or publications, such as Non-Rule Policies, done by the legal department of IDHS. Mr. Schmidt offered limited assistance if he was needed. The Chairman noted that there had been NFPA's which had been allowed to expire and then were used as a secondary reference, and asked if that were something which might apply with NFPA 386, but NFPA 1126 which regulates fireworks, he felt should stay a primary. He then asked the Commission if they wanted to readopt the Energy Code, NFPA 386 and NFPA 1126, or did they wish to let them expire. Commissioner Hoch moved to direct the agency to begin the process to readopt the Energy Code (675 IAC 19), NFPA 386 (675 IAC 22-2.2-22), and NFPA 1126 (675 IAC 22-2.2-26). Commissioner Jordan made the second. It was voted upon and carried. Chairman Hawkins also noted that on January 1, 2018, the Safety Code for Elevators, and the Industrialized Building Systems Code are set to expire. These would be talked about at another meeting.

The second page of the handout included the reference Mr. Schmidt had made earlier about Rule Seven. Rule Thirteen, a part of SEA 324, was also listed on page 2 but not under as great a time constraint. Rule Five would need to be updated to include the online variance system, while Rule Ten covered the local fire ordinance. The objective criteria January 1st enactment in Rule Seven presents the greatest time issue. The Chairman felt it needed to be updated to conform the SEA 324. There are, he stated, a lot of logistical questions that the criteria needs to answer now. Chase amendments also needed to be followed up on, but not with as great an urgency as Rule Seven.

13. Adjournment

Calling for any further business and hearing none, Chairman Hawkins closed the meeting at 4:09 p.m.

Approved: _____
John Hawkins, Chairman

DRAFT

