

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
Wednesday, November 4, 2020, beginning at 9:00 a.m. EDT.

Online Live Streaming

Website Address:

<https://indiana.webex.com/indiana/j.php?MTID=mfebf1e1723a998000b7764b07f7aed26>

Video Address: Dial [1729602107@indiana.webex.com](https://indiana.webex.com/indiana/j.php?MTID=mfebf1e1723a998000b7764b07f7aed26), 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: 172 960 2107

Meeting Number

172 960 2107

Meeting Password

FPBSC1142020

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, October 6, 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
5. Rulemaking Update(s)

a. Indiana Elevator Code Committee Meeting

- i. Next Meeting: Tuesday, November 17, 2020 beginning at 9:00 a.m. EDT, Webex Electronic Meeting – 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 Smith (Indiana University Facility Operations – Elevators & Generator Shop Supervisor) 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

6. Commission Action on Third Party Inspection Agency Annual Renewals

a. Expert Modular Consultants, LLC

7. Variances

a. Tabled

20-07-24 Knapp Supply Company, Muncie
20-09-38 185 Madison Ave, Peru
20-09-48 (a)(b) The Barn at Sioux-Monti, Idaville

b. New

20-10-33 Brown County Music Center, formerly known as Maple Leaf Performing Arts Center, Nashville
20-10-34 (a)(b) Kinser Flats Apartments, Bloomington
20-10-35 Overstock Central LLC, Mishawaka
20-10-36 Victor Polen, Celestine
20-10-37 Common Grounds, Hartford City
20-10-38 Borto Building Renovation, Merrillville
20-10-39 Samira Apartments, Bloomington

20-10-40 Carroll County Sheriff's Office and Jail
20-10-41 (a)(b) Spiceland Event Center, Spiceland
20-10-42 Bottleworks Garage 2 and 3 Food Hall Tenants, Indianapolis
20-10-43 Ellie's Loft, Nashville
20-10-44 Lawrence North HS Additions and Renovation, Indianapolis
20-10-45 Lawrence Central HS Additions and Renovations, Lawrence
20-10-46 Hoosier Hardwood Floors, Goshen

8. Petitions for Administrative Review

- a. Granted and Forwarded to the Office of Administrative Law Proceedings (OALP)
 - i. IDHS Sanctions Order No. 205-286 – AMC Elkhart 14
- b. Commission Determination (Recommendation for Denial for Untimeliness)
 - i. IDHS Construction Design Release Project No. 416937 – Daniel's Vineyard

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

- a. Non-Final Orders of Dismissal
 - i. IDHS Sanctions Order No. 187-258 – Sublime Cause No. DHS-0920-0000785
- b. Commission Consideration and Action on Delegating Ultimate Authority Powers to the Administrative Law Judge (ALJ)/Office of Administrative Law Proceedings (OALP) for Certain Final Orders and Final Orders of Dismissal

10. Commission Review of Local Ordinances

- a. Pre-Adoption
 - i. City of Martinsville, Indiana Fire Prevention Code Ordinance (second draft) – **received by Commission via electronic mail on Wednesday, October 21, 2020**
- b. Adopted
 - i. 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, and tabled by the Commission at 10/6/2020 meeting**
 - ii. Ordinance No. 2020-17 – Unified Development Ordinance of the Town of Whitestown, Indiana – **received by Commission via electronic mail on Tuesday, September 15, 2020, and tabled by the Commission at 10/6/2020 meeting**

- iii. Ordinance No. 20-40 – Fire Prevention Ordinance of the City of Westfield, Indiana – ***received by Commission via electronic mail on Monday, September 28, 2020***

11. Final Comments/Closing Remarks from Chairman Nicoson

12. Next Meeting – Tentatively scheduled for Tuesday, December 1, 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.

13. Adjournment