

Cause #00-52L  
Name: Intech One Office Building  
Administrative Law Judge: William Teegarden  
Date: February 16, 2001  
Commission action: Affirmed

### **FINDINGS OF FACT**

1. A Local Building Official (“LBO”) has the authority to write NOV’s for violation of the SBC. See IC 22-13-2-1.
2. NOV’s issued by an LBO are subject to administrative review under IC 4-21.5 with the FPBSC acting as the ultimate authority.
3. IC 22-13, IC 4-21.5, and IAC 675-13 apply to this proceeding.
4. At all times relevant to this proceeding, Intech was a newly constructed building on the Northern part of Marion County.
5. A duly authorized representative of the LBO for the City of Indianapolis issued the NOV to Intech.
6. At issue, is the location of the main line of the sprinkling system.<sup>1</sup>
7. 675 IAC 13-2.3 is the current IBC and adopts the 1997 Uniform Building Code, with modifications, as the IBC.
8. The NOV portion involved in this case states as follows:

Indiana Building Code Section 1005.3.3.5 –  
penetrations into or through an exit enclosure  
are prohibited except for those serving the exit  
enclosure such as ductwork . . . sprinkler piping,  
standpipes . . . .
9. Sections 1005.3.3 and 3.4 deal with exiting from the building.
10. The stairway system providing egress from upper levels of the 4 story office building is an example of an exit enclosure as discussed in Section 1005.3.3.
11. The exit enclosures must exit to the outside or into exit passageways as discussed in Section 1005.3.4.

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<sup>1</sup> The NOV also cites another violation not involving the sprinkler system which was not appealed.

12. Section 1005.3.3.2 requires exit enclosures to be of fire-resistive construction.
13. Section 1005.3.4 deals with exit passageways.
14. Exit passageways are a part of the egress system and are required to have walls, ceilings, and floors that are fire resistive.
15. At Intech, exit passageways lead to exit enclosures and vice versa as required by code.
16. Both exit enclosures and exit passageways include code sections dealing with penetrations of the fire rated walls and ceilings in order to maintain the appropriate fire rating for the enclosure or passageways.
17. The main water line for the sprinkling system passes through the exit passageways and has short branches which run from the exit passageways through the wall to the exit enclosure to serve the standpipe system.
18. Section 1005.3.3.5 prohibits penetrations into or through an exit enclosure subject to several exceptions.
19. One such exception involves standpipes.
20. The exit enclosure is penetrated twice in the same general location by a major water line; once to reach the standpipe and one returning.
21. This does not appear to be a violation of the SBC as the penetrations are solely for the purpose of serving the standpipe.
22. Since the SBC allows standpipes to be in the stairwell, the design of the sprinkling system does not violate 1005.3.3.5 because regardless of the design, the exit enclosure must be penetrated twice to serve the standpipe system.
23. More of a code issue would appear to be Section 1005.3.4.4 of the IBC dealing with penetrations of exit passageways.
24. The above section states that “Penetrations into or through an exit passageway are prohibited except for those serving the exit passageway such as sprinkler piping, standpipes, . . . .”
25. If only the sprinkler piping which contains sprinklers in the passageway are considered allowable sprinkler piping, then there is a violation.

26. If the main water pipe for the entire sprinkler system for the building is considered part of sprinkler piping as the term is used in Section 1005.3.4.4, then there is no violation.
27. Since Section 1005.3.4.4 was not cited in the NOV, this question must be left for another day.
28. The sprinkler design does not violate Section 1005.3.3.5 and therefore that portion of the NOV dealing with the sprinkler system should be vacated.

**NONFINAL ORDER**

The portion of the Notice of Violation issued by the City of Indianapolis to Intech One Office Building dealing with the penetration of the exit enclosure by the main sprinkler pipe is hereby vacated.