

Inspection Basics

Darrel Cross

Division Chief/Fire Marshal

Noblesville Fire Department

dcross@noblesville.in.us

Topics

- ▶ Authority
- ▶ Codes
- ▶ Tips and Tricks
- ▶ Organizations
- ▶ Training
- ▶ Certifications

Authority of the Fire Inspector - Indiana

Indiana Code (IC)

- ▶ Laws Governing the State
- ▶ Created by the Legislature
- ▶ Signed by the Governor
- ▶ Available at iga.in.gov

Structure

- ▶ **Title** (IC 22 - Labor and Safety)
 - ▶ **Article** (IC 22-11 - Building and Safety Regulations)
 - ▶ **Chapter** (IC 22-11-14 - Regulations of Fireworks by Fire Marshal)
 - ▶ **Section** (IC 22-11-14-4.5 - Sale of Consumer Fireworks)

Title 10 - Public Safety

- ▶ Article 14 - Emergency Management
- ▶ Article 19 - Department of Homeland Security
- ▶ Article 21 - School Safety

Title 22 - Labor and Safety

- ▶ Article 11 - Building and Safety Regulations
- ▶ Article 12 - Fire Safety, Building, and Equipment Laws: General Administration
- ▶ Article 13 - Fire Safety, Building, and Equipment Laws: Rules
- ▶ Article 14 - Fire Safety Laws: Enforcement
- ▶ Article 15 - Building and Equipment Laws: Enforcement

Title 36 - Local Government

- ▶ Article 8 - Public Safety

Our Authority - Enabling Legislation

IC 36-8-17-5 Compliance with order directing fire department to assist division of fire and building safety

Sec. 5. (a) The fire chief and the designees of the fire chief in every fire department are assistants to the state fire marshal.

(b) A fire department shall comply with an order issued by the division under [IC 22-14-2-4](#) that directs the fire department to assist the division.

IC 36-8-17-6 Enforcement of fire safety laws

Sec. 6. A fire department may enforce under this chapter any fire safety law that is applicable to the jurisdiction served by the fire department.

Inspection Program

IC 36-8-17-8 Inspection program; reports

(a) A fire department serving an area that does not include a city may engage in an inspection program to promote compliance with fire safety laws. Upon the request of an owner or a primary lessee who resides in a private dwelling, the fire department may inspect the interior of the private dwelling to determine compliance with [IC 22-11-18-3.5](#). The fire department shall maintain a written report for each inspection. These reports shall be made available to the division upon request

(b) The fire department serving an area that includes a city shall inspect every place and public way within the jurisdiction of the city, except the interiors of private dwellings, for compliance with the fire safety laws. Upon the request of an owner or a primary lessee who resides in a private dwelling, the fire department may inspect the interior of the private dwelling to determine compliance with [IC 22-11-18-3.5](#). Except as otherwise provided in the rules adopted by the commission, **the fire chief of the fire department shall specify the schedule under which places and public ways are inspected and may exclude a class of places or public ways from inspection under this section, if the fire chief determines that the public interest will be served without inspection.** The fire department shall maintain a written report for each inspection. The fire department shall submit monthly reports to the division, on forms prescribed by the division, containing the following information:

State Fire Marshal's Office

IC 22-14-2-4 Powers of the division and the state fire marshal

Sec. 4. (a) To carry out its responsibilities, the division may:

- (1) enter and inspect any property, at a reasonable hour;
- (2) issue and enforce administrative orders under [IC 22-12-7](#) and apply for judicial orders under [IC 22-12-7-13](#);
- (3) direct a fire department to assist the division;
- (4) cooperate with law enforcement officers; and
- (5) provide hazardous materials and counterterrorism:
 - (A) training;
 - (B) support; and
 - (C) response assistance.

State Fire Marshal's Office

IC 22-14-2-10 Fire safety enforcement program and complaint investigation program

Sec. 10. (a) The division shall carry out a program to:

- (1) enforce all fire safety laws and related variances and other orders; and
- (2) protect the public from fire hazards.

(b) The division shall carry out a program to investigate complaints.

IC 22-14-2-11 Inspection programs

Sec. 11. The division shall carry out a program to periodically inspect structures and other property that are used by the state, a county, a city, a town, or a school corporation, including institutions where inmates are involuntarily detained. Inspections shall be conducted under the schedule specified by the division. The division may exclude a class of buildings or other property from inspection under this section, if the division determines that the public interest will be served without inspection.



Schedule of Inspections

*Based on Occupancy Definitions in NFPA 1730, 2019 Edition

High-Risk Occupancies – Annual inspections

- All A, E, H, I, and R occupancies
- Critical Structures*
- Shell buildings with fire alarm or sprinkler systems
- M stand-alone occupancies with fire alarm or sprinkler systems
- M occupancies with seasonal firework sales

Moderate-Risk Occupancies – Biennial inspections

- All B, F, S occupancies with fire alarm or extinguishment systems
- Downtown district
- Historical Structures*

Low-Risk Occupancies – Triennial inspections

- Remaining B, F, M, S, and U occupancies

***Critical Structures:** The loss of this structure would be detrimental to the ability to provide basic services to the community

***Historical Structures:** Structures listed on the National Register of Historic Places

2021 Calendar

April/May: R-2 occupancies

October: E occupancies

2021 Region Assignments

Mark Teolis

East of White River

Justin Webster

West of White River

Resources - Local Code Enforcement

- ▶ NFPA 1031 - Standard for Professional Qualifications for Fire Inspector and Plans Examiner
- ▶ NFPA 1037 - Standard on Fire Marshal Professional Qualifications
- ▶ NFPA 1201 - Standard for Providing Fire and Emergency Services to the Public
- ▶ NFPA 1300 - Standard on Community Risk Management
- ▶ NFPA 1730 - Standard on Organization and Deployment of Fire Prevention Operations

Codes, Standards, and Permits - Indiana

Statewide Code

- ▶ IC 22-13-2-2
- ▶ Sec. 2. (a) Except as provided in section 3.5 of this chapter, the commission shall adopt rules under IC 4-22-2 to adopt a **statewide code of fire safety laws** and building laws
- ▶ Sec. 3. (a) Except to the extent provided in subsection (c), the rules adopted under section 2 of this chapter take precedence over:
 - ▶ (1) any rule adopted by a state agency that conflicts with the commission's fire safety rules or building rules; and
 - ▶ (2) any ordinance or other regulation adopted by a political subdivision that covers the same subject matter as the commission's fire safety rules or building rules.

Fire Prevention and Building Safety Commission

- ▶ Established in IC 22-12-2
- ▶ 11 members; 9 appointed by governor; 4 year terms; no more than 5 from 1 political party
- ▶ State Health Commissioner; Commissioner of Labor each appoint 1 seat
- ▶ <https://www.in.gov/dhs/boards-and-commissions/fire-prevention-and-building-safety-commission/>

Fire Prevention & Building Safety Commission

- ▶ (1) A paid fire department;
- ▶ (2) A volunteer fire department;
- ▶ (3) The field of fire insurance;
- ▶ (4) The fire service industry;
- ▶ (5) The manufactured housing industry;
- ▶ (6) The field of fire protection engineering;
- ▶ (7) As a professionally licensed engineer;
- ▶ (8) Building contracting;
- ▶ (9) The field of building one (1) and two (2) family dwellings;
- ▶ (10) As a professionally licensed architect;
- ▶ (11) The design or construction of HVAC, or plumbing systems;
- ▶ (12) The design or construction of regulated lifting devices;
- ▶ (13) City, town, or county building inspection;
- ▶ (14) Regulated amusement devices;
- ▶ (15) Accessibility requirements and personal experience with a disability;
- ▶ (16) Underground and aboveground motor fuel storage tanks and dispensing systems;
- ▶ (17) The masonry trades;
- ▶ (18) Energy conservation codes and standards;
- ▶ (19) The boiler and pressure vessel industry.

Commission authority

- ▶ IC 22-13-3-1 Fire safety rules; adoption
- ▶ Sec. 1. The commission shall adopt **fire safety rules** that prohibit the following:
- ▶ (1) The storage of **regulated explosives** (as defined in [IC 35-47.5-2-13](#)) in quantities exceeding the maximum quantity specified by the commission.
- ▶ (2) The storage of **regulated explosives** (as defined in [IC 35-47.5-2-13](#)) at a site that is located less than the minimum distance specified by the commission from a railroad, highway, or other place of habitation or assembly.
- ▶ (3) The use of a receptacle, burning fixture or equipment, heating fixture or equipment, or structure for an **explosive, flammable, or other combustible matter** that does not meet the design and composition standards specified by the commission.
- ▶ (4) The keeping, storage, use, manufacture, sale, handling, transportation, or disposition of an **explosive, flammable, or other combustible matter** in violation of any other requirements specified by the commission.

Commission authority

- ▶ IC 22-13-3-3 Class 1 structures; rules prohibiting occupancy or use
- ▶ Sec. 3. The commission shall adopt **fire safety rules** that prohibit the occupancy or use of Class 1 structures that do not comply with the commission's rules governing the number, type, location, identification, repair, and maintenance of emergency exits, smoke detection devices, and other emergency communication devices.

Commission authority

- ▶ IC 22-13-4-1 Conditions to be promoted by rules
- ▶ Sec. 1. (a) The **building rules** adopted by the commission to govern new construction must promote the following:
 - ▶ (1) Safety.
 - ▶ (2) Sanitary conditions.
 - ▶ (3) Energy conservation.
 - ▶ (4) Access by a person with a physical disability to Class 1 structures.
- ▶ (b) Rules that:
 - ▶ (1) are adopted by the commission; and
 - ▶ (2) are not covered by subsection (a);
 - ▶ must promote safety.

Commission authority

- ▶ **IC 22-13-4-1.5 Compliance with Americans with Disabilities Act**
- ▶ Sec. 1.5. (a) The commission shall adopt building rules for the purpose of complying with and implementing the **Americans with Disabilities Act** (42 U.S.C. 12181 et seq.) and any amendments and regulations relating to the Act, to be consistent with the Americans with Disabilities Act Accessibility Guidelines (28 CFR 36.101 et seq.).
- ▶ (b) The rules adopted under this section must:
 - ▶ (1) require that new construction must be readily accessible to and usable by individuals with disabilities, unless it is structurally impracticable to meet the accessibility requirements according to the standards established by the Americans with Disabilities Act Accessibility Guidelines (28 CFR 36.101 et seq.);
 - ▶ (2) require that an alteration of an existing facility must be made so that the alteration complies with the readily achievable barrier removal provisions of the Americans with Disabilities Act Accessibility Guidelines (28 CFR 36.101 et seq.); and
 - ▶ (3) allow the use of reasonable and cost-effective alternative means of public access or service if the alternative means are consistent with the Americans with Disabilities Act (42 U.S.C. 12181 et seq.).

Class 1 Structure

IC 22-12-1-4 "Class 1 structure"

(a) "Class 1 structure" means any part of the following:

- ▶ (1) A building or structure that is intended to be or is occupied or otherwise used in any part by any of the following:
 - ▶ (A) The public.
 - ▶ (B) Three (3) or more tenants.
 - ▶ (C) One (1) or more persons who act as the employees of another.
- ▶ (2) A site improvement affecting access by persons with physical disabilities to a building or structure described in subdivision (1).
- ▶ (3) Outdoor event equipment.
- ▶ (4) Any class of buildings or structures that the commission determines by rules to affect a building or structure described in subdivision (1), except buildings or structures described in subsections (c) through (f).

(b) Subsection (a)(1) includes a structure that contains three (3) or more condominium units (as defined in [IC 32-25-2-9](#)) or other units that:

- ▶ (1) are intended to be or are used or leased by the owner of the unit; and
- ▶ (2) are not completely separated from each other by an unimproved space.

(c) Subsection (a)(1) does not include a building or structure that:

- ▶ (1) is intended to be or is used only for an agricultural purpose on the land where it is located; and
- ▶ (2) is not used for retail trade or is a stand used for retail sales of farm produce for eight (8) or less consecutive months in a calendar year.

(d) Subsection (a)(1) does not include a Class 2 structure

(e) Subsection (a)(1) does not include a vehicular bridge.

(f) Subsection (a)(1) does not include a structure that is intended to be or is occupied solely to provide periodic maintenance or repair of:

- ▶ (1) the structure; or
- ▶ (2) mechanical or electrical equipment located within and affixed to the structure.

Class 2 Structure

IC 22-12-1-5"Class 2 structure"

(a) "Class 2 structure" means any part of the following:

- ▶ (1) A townhouse or a building or structure that is intended to contain or contains only one (1) dwelling unit or two (2) dwelling units unless any part of the building or structure is regularly used as a Class 1 structure.
- ▶ (2) An outbuilding for a structure described in subdivision (1), such as a garage, barn, or family swimming pool, including an above ground swimming pool, unless any part of the outbuilding is regularly used as a Class 1 structure.

(b) Subsection (a) does not include a vehicular bridge.

(c) For purposes of subsection (a)(1), "townhouse" means a single-family dwelling unit constructed in a group of three (3) or more attached units in which each unit:

- ▶ (1) extends from foundation to roof;
- ▶ (2) is not more than three (3) stories in height;
- ▶ (3) is separated from each adjoining unit by:
 - ▶ (A) two (2) one (1) hour fire-resistance rated walls with exposure from both sides; or
 - ▶ (B) a common two (2) hour fire-resistance rated wall; and
- ▶ (4) has open space on at least two (2) sides.

Indiana Administrative Code

- ▶ The Administrative arm of the Indiana Code (IC)
- ▶ Created and adopted by various agencies in the state when given permission by IC code
- ▶ Organized by Title, then Article, then rule
- ▶ 675 IAC 12-1.1-5
- ▶ Title 675 - Fire Prevention and Building Safety Commission
- ▶ Article 12 - Administration
- ▶ Rule 1.1 - General Provisions

675 IAC - Fire Prevention and Building Safety Commission

- ▶ 675 IAC 12: Administration (General Administrative Rules; GAR)
- ▶ 675 IAC 13: Building Codes.
- ▶ 675 IAC 14: One and Two Family Dwelling Code.
- ▶ 675 IAC 15: Industrialized Building Systems.
- ▶ 675 IAC 16: Plumbing Code.
- ▶ 675 IAC 17: Electrical Codes.
- ▶ 675 IAC 18: Mechanical Code.
- ▶ 675 IAC 19: Energy Conservation Codes.
- ▶ 675 IAC 20: Swimming Pool Code.
- ▶ 675 IAC 21: Safety Codes for Elevators, Escalators, Manlifts and Hoists.
- ▶ 675 IAC 22: Fire Prevention Codes.
- ▶ 675 IAC 23: Recreational Facilities.
- ▶ 675 IAC 25: Fuel Gas Code.
- ▶ 675 IAC 26: Regulated Explosives; Use and Licensure.
- ▶ 675 IAC 28: NFPA Standards
- ▶ 675 IAC 29: Outdoor Event Equipment
- ▶ 675 IAC 30: Indiana Boiler and Pressure Vessel Rules
- ▶ 675 IAC 31: Indiana Amusement Device Code

675 IAC 12: Administration (General Administrative Rules; GAR)

- ▶ Rule 4 - Development and Application of Rules
- ▶ Rule 5 - Variances
- ▶ Rule 6 - Design Releases (CDR)
- ▶ Rule 9 - Permits
 - ▶ Amusement and Entertainment Permits
 - ▶ Regulated explosives magazine permits
 - ▶ Supervised public display of fireworks
 - ▶ Retail and wholesale fireworks
- ▶ Rule 10 - Building regulations of state agencies and political subdivisions
- ▶ Rule 12 - Underground Storage Tank Certification
- ▶ Rule 13 - Conversion of Existing Buildings

- ▶ 675 IAC 14: One and Two Family Dwelling Code.
 - ▶ Based on 2020 International Residential Code with Indiana Amendments
- ▶ 675 IAC 16: Plumbing Code.
 - ▶ Based on the 2006 International Plumbing Code with Indiana Amendments
- ▶ 675 IAC 17: Electrical Codes.
 - ▶ Based on the 2008 National Electrical Code (NFPA 70) with Indiana Amendments
- ▶ 675 IAC 19: Energy Conservation Codes.
 - ▶ Based on 2007 ASHRAE 90.1
- ▶ 675 IAC 20: Swimming Pool Code.
- ▶ 675 IAC 21: Safety Codes for Elevators, Escalators, Manlifts and Hoists
 - ▶ Many referenced documents; currently being updated
- ▶ 675 IAC 29: Outdoor Event Equipment
- ▶ 675 IAC 30: Indiana Boiler and Pressure Vessel Rules
- ▶ 675 IAC 31: Indiana Amusement Device Code

675 IAC 13: Building Codes

- ▶ Based on 2012 International Building Code with Indiana Amendments
- ▶ Chapter 3 - Use and Occupancy Classifications
- ▶ Chapter 4 - Special Requirements - high-rise, stages & platforms, special amusement buildings, flammable finishes
- ▶ Chapter 5 - building heights and areas
- ▶ Chapter 6 - Types of Construction
- ▶ Chapter 7 - Fire and Smoke Protection Features
- ▶ Chapter 34 - Existing Buildings and Structures

675 IAC 18: Mechanical Code

- ▶ Based on the 2012 International Mechanical Code with Indiana Amendments
- ▶ Chapter 3 - appliance location, access
- ▶ 504 - clothes dryer exhaust
- ▶ 506 - commercial kitchen ducts and exhaust equipment
- ▶ 507 - commercial kitchen hoods
- ▶ 606 - duct smoke detectors
- ▶ Chapter 8 - chimneys and vents
- ▶ Chapter 9 - specific appliances

675 IAC 22: Fire Prevention Codes

- ▶ Based on the 2012 International Fire Code with Indiana Amendments

675 IAC 25: Fuel Gas Code

- ▶ Based on the 2012 International Fuel Code with Indiana Amendments
- ▶ Duplication with mechanical code
- ▶ Chapter 6 - specific appliances

675 IAC 28: NFPA Standards

- ▶ Only direct adoptions in Indiana; Other standards as referenced in other codes
- ▶ Desire is to eliminate direct adoptions and simply by reference
- ▶ Remember to look at Indiana amendments
- ▶ NFPA 10, 2010 fire extinguishers
- ▶ NFPA 13, 13R, 2010 - sprinkler systems
- ▶ NFPA 17, 2002 - dry chemical extinguishing systems
- ▶ NFPA 17A, 2002 - wet chemical extinguishing systems
- ▶ NFPA 25, 2011 - ITM of sprinkler systems
- ▶ NFPA 50, 50B, 2001 - bulk oxygen, liquefied hydrogen
- ▶ NFPA 72, 2010 - Fire Alarm Systems
- ▶ NFPA 704, 2001 - Identification of hazardous materials
- ▶ NFPA 1123, 2006 - fireworks display
- ▶ NFPA 2001, 2004 - Clean Agent systems

Commission Variances

- ▶ IC 22-13-2-11
- ▶ Sec. 11. (a) **The department or the commission may grant a variance to any rule adopted by the commission.** However, the commission may grant a variance under this section only if the department places the application for the variance on the commission's agenda.
- ▶ (b) To qualify for a variance, an applicant must pay the fee set under IC 22-12-6-6 and file an application, on a form approved by the department, that contains facts demonstrating that:
 - ▶ (1) **compliance with the rule will impose an undue hardship upon the applicant or prevent the preservation of an architecturally significant or historically significant part of a building or other structure; and**
 - ▶ (2) **either:**
 - ▶ (A) noncompliance with the rule; or
 - ▶ (B) compliance with an alternative requirement approved by the body considering the variance application;
 - ▶ **will not be adverse to the public health, safety, or welfare.**
- ▶ (c) A variance granted under this section is conditioned upon compliance with an alternative standard approved under subsection (b)(2)(B).
- ▶ <https://www.in.gov/dhs/boards-and-commissions/fire-prevention-and-building-safety-commission/commission-variances/>

Administrative Appeals

- ▶ IC 4-21.5
- ▶ <https://www.in.gov/dhs/administrative-review/order-review/>
- ▶ Formal appeal of a violation
- ▶ Heard and decided by an administrative law judge

Tips and Tricks

- ▶ Inspect with your state inspector and/or local inspector
- ▶ Build a good relationship with you local building inspector
- ▶ Build relationships in your community

Tips and Tricks

- ▶ Know the codes
 - ▶ Understand how they are organized
 - ▶ Know the Indiana amendments and interpretations
 - ▶ <https://www.in.gov/dhs/fire-and-building-safety/codes-standards-and-other-rules/>
 - ▶ <https://www.in.gov/dhs/boards-and-commissions/fire-prevention-and-building-safety-commission/non-rule-policy-documentsinterpretations-of-the-commissions-rules/>
 - ▶ Read definitions
 - ▶ Read the commentaries
 - ▶ Look up the code change proposals
 - ▶ Don't memorize!
 - ▶ Ask for help when you need to

Tips and Tricks

▶ Inspections

- ▶ Research prior inspection reports, potential violations prior to the inspection
- ▶ Quality over quantity
- ▶ Research
- ▶ Don't major in the minors
- ▶ Document, document, document!
- ▶ If something doesn't look right, there is probably a violation
- ▶ Don't make stuff up!
- ▶ Don't write a violation you don't understand
- ▶ Educate!
- ▶ Engineer!
- ▶ Make requests and recommendations when appropriate
- ▶ Establish appropriate timeframes for correction

Organizations

- ▶ Fire Inspectors Association of Indiana - www.fiai.us
- ▶ International Code Council - www.iccsafe.org
- ▶ National Fire Protection Association - www.nfpa.org
- ▶ National Fire Sprinkler Association - www.nfsa.org
- ▶ Indiana Association of Building Officials - www.iabo.com

Resources

- ▶ The Building Code Forum - <https://www.thebuildingcodeforum.com/forum/>
- ▶ ePARADE - <https://groups.io/g/eparade>
- ▶ Facebook Groups
 - ▶ Fire Inspectors Association of Indiana
 - ▶ Fire Marshals
 - ▶ Fire Inspectors With No Borders

Training

- ▶ FIAI - www.fiai.us
- ▶ National Fire Academy - <https://www.usfa.fema.gov/training/nfa/>
- ▶ National Fire Sprinkler Association - www.nfsa.org
- ▶ Local sprinkler contractors
- ▶ International Code Council - www.iccsafe.org
- ▶ National Fire Protection Association - www.nfpa.org

Certifications

- ▶ State of Indiana - Fire Inspector 1 And 2 -
<https://acadisportal.in.gov/acadisviewer/PortalHomePage.aspx>
 - ▶ Based on IFSTA Fire Inspection and Code Enforcement, 8th Edition
- ▶ ICC - <https://www.iccsafe.org/professional-development/education/career-paths/>
 - ▶ Fire Inspector I, II, Fire Plans Examiner, Commercial Fire Alarm Inspector, Certified Fire Marshal
 - ▶ Based on 2015 or 2018 versions
- ▶ NFPA - <https://catalog.nfpa.org/>
 - ▶ Certified Fire Protection Specialist (CFPS), Certified Fire Inspector 1, etc.