

**675 IAC 12-6-22 Requirements of other laws**

Authority: IC 22-13-2-13  
 Affected: IC 22-15-3

Sec. 22. The issuance of a design release in no way relieves the applicant from the requirements of any law including statute, rules, regulations or ordinances of the federal government, the state government and local units of government. (*Fire Prevention and Building Safety Commission; 675 IAC 12-6-22; filed Jul 17, 1987, 2:30 pm: 10 IR 2698, eff Aug 1, 1987 [IC 4-22-2-36 suspends the effectiveness of a rule document for 30 days after filing with the secretary of state. LSA Document #87-53 was filed Jul 17, 1987.]; readopted filed Sep 11, 2001, 2:49 p.m.: 25 IR 530; readopted filed Sep 21, 2007, 9:20 a.m.: 20071010-IR-675070388RFA; readopted filed Oct 10, 2007, 9:16 a.m.: 20071031-IR-675070388RFA*)

**675 IAC 12-6-23 Design release revocations**

Authority: IC 22-13-2-13  
 Affected: IC 4-21.5-3-6; IC 4-21.5-3-7; IC 22-12-7-7; IC 22-15-3

Sec. 23. (a) Under IC 22-12-7-7, the division may impose a sanction concerning any type of design release previously issued. Available sanctions are as follows:

- (1) Revocation.
- (2) Suspension.
- (3) Censure.
- (4) Reprimand.
- (5) Probation.
- (b) The division may impose an appropriate sanction whenever one (1) or more of the following exists:
  - (1) If a determination is made that the design release was obtained by fraudulent or misleading statements or information, including plans and specifications.
  - (2) Circumstances have materially changed since a design release was granted so that if the sanction is not imposed, public health, safety, or welfare will be adversely affected.
  - (3) The construction done subsequent to the issuance of the design release is contrary to the rules of the commission.
  - (4) A check paying an applicable fee is returned.
  - (5) The design release was issued:
    - (A) in error;
    - (B) on the basis of incorrect information; or
    - (C) in violation of:
      - (i) a rule of the commission;
      - (ii) fire safety law; or
      - (iii) a building law.

(c) The order imposing a sanction shall be issued under the requirements of IC 4-21.5-3-6. If a petition for review is subsequently granted under IC 4-21.5-3-7, the resulting administrative proceeding shall be conducted by the commission. (*Fire Prevention and Building Safety Commission; 675 IAC 12-6-23; filed Jul 17, 1987, 2:30 p.m.: 10 IR 2698, eff Aug 1, 1987 [IC 4-22-2-36 suspends the effectiveness of a rule document for 30 days after filing with the Secretary of State. LSA Document #87-53 was filed Jul 17, 1987.]; filed Jan 30, 1998, 4:00 p.m.: 21 IR 2100; readopted filed Sep 11, 2001, 2:49 p.m.: 25 IR 530; filed Aug 30, 2006, 2:25 p.m.: 20060927-IR-675050108FRA; readopted filed Sep 21, 2007, 9:20 a.m.: 20071010-IR-675070388RFA; readopted filed Oct 10, 2007, 9:16 a.m.: 20071031-IR-675070388RFA*)

**Rule 7. Local Plan Review**

**675 IAC 12-7-1 Purpose and scope**

Authority: IC 22-13-2-13  
 Affected: IC 22-15-3-1

Sec. 1. (a) The purpose of this rule is to:

(1) establish administrative procedures for the review of plans and specifications by certified cities, towns, or counties under IC 22-15-3-1; and

(2) reduce the time needed by the division to issue a design release under 675 IAC 12-6.

(b) This rule pertains to the review of plans and specifications for Class 1 structures by a city, town, or county before the granting or denying of a design release by the office of the division under IC 22-15-3 and 675 IAC 12-6.

(c) This rule does not apply to, or permit, plan review by a city, town, or county for the following:

(1) Industrialized building systems.

(2) Automatic fire-extinguishing or standpipe systems.

(3) Regulated lifting devices.

(4) Boilers and pressure vessels.

*(Fire Prevention and Building Safety Commission; 675 IAC 12-7-1; filed Feb 1, 1988, 2:15 p.m.: 11 IR 1787; filed Jan 30, 1998, 4:00 p.m.: 21 IR 2100; readopted filed Sep 11, 2001, 2:49 p.m.: 25 IR 530; filed Aug 30, 2006, 2:25 p.m.: 20060927-IR-675050108FRA)*

### **675 IAC 12-7-2 Certification; application**

Authority: IC 22-13-2-13

Affected: IC 4-21.5-3-4; IC 4-21.5-3-7; IC 22-13-2-3; IC 22-15-3-1

Sec. 2. (a) A city, town, or county that has in its employ a person qualified under this rule whose duties include the review of construction plans and specifications for conformance with applicable rules of the commission may apply for certification under IC 22-15-3-1.

(b) Application may be made in letter form by the executive officer or officers of a city, town, or county. An application shall include the following:

(1) The name and title of each qualified plan reviewer.

(2) Documents that show that each plan reviewer has successfully passed the competency test designated in this rule.

(3) A signature card completed by each qualified plan reviewer.

(4) A statement by the applicant that prompt notification shall be given to the division upon the termination of employment or assignment to other duties of any qualified plan reviewer.

(5) A statement that the city, town, or county has adopted the rules of the commission under IC 22-13-2-3.

(c) The division shall, upon receipt of an application under this section, determine if the applicant city, town, or county is competent to perform plan review for Class 1 structures. The order granting or denying the certification shall be issued following the requirements of IC 4-21.5-3-4. If a petition for review is subsequently granted under IC 4-21.5-3-7, the resulting administrative proceeding shall be conducted by the commission. *(Fire Prevention and Building Safety Commission; 675 IAC 12-7-2; filed Feb 1, 1988, 2:15 p.m.: 11 IR 1787; filed Jan 30, 1998, 4:00 p.m.: 21 IR 2100; readopted filed Sep 11, 2001, 2:49 p.m.: 25 IR 530; filed Aug 30, 2006, 2:25 p.m.: 20060927-IR-675050108FRA)*

### **675 IAC 12-7-3 Certification; sanctions**

Authority: IC 22-13-2-13

Affected: IC 4-21.5-3-6; IC 4-21.5-3-7; IC 22-12-7-7; IC 22-15-3-1

Sec. 3. (a) Under IC 22-12-7-7, the division may impose a sanction concerning any certification of a city, town, or county. Available sanctions are as follows:

(1) Revocation.

(2) Suspension.

(3) Censure.

(4) Reprimand.

(5) Probation.

(b) The division may impose an appropriate sanction whenever one (1) or more of the following exists:

(1) It is determined that substantial and frequent failure to detect and report errors or omissions in plans and specifications that could result in noncompliance with applicable rules of the commission.

(2) Failure to do the following:

(A) Comply with the procedural requirements of this rule.

(B) Retain in employment at least one (1) qualified plan reviewer assigned to plan review duties.

(c) The order imposing a sanction shall be issued under the requirements of IC 4-21.5-3-6. If a petition for review is subsequently granted under IC 4-21.5-3-7, the resulting administrative proceeding shall be conducted by the commission. (*Fire Prevention and Building Safety Commission; 675 IAC 12-7-3; filed Feb 1, 1988, 2:15 p.m.: 11 IR 1788; filed Jan 30, 1998, 4:00 p.m.: 21 IR 2101; readopted filed Sep 11, 2001, 2:49 p.m.: 25 IR 530; filed Aug 30, 2006, 2:25 p.m.: 20060927-IR-675050108FRA*)

**675 IAC 12-7-4 Competency testing; written examinations**

Authority: IC 22-13-2-13

Affected: IC 22-15-3-1

Sec. 4. (a) A written test shall be administered to determine if a person is a qualified plan reviewer for the purposes of this rule. The test shall be administered by the division. The test shall be in the following two (2) parts:

(1) The plans examiner test prepared by the International Code Council (ICC).

(2) The state plan review test prepared by the division.

(b) The test shall be administered not fewer than two (2) times each year at the division offices in Indianapolis, Indiana.

(c) The test shall be based on the following:

(1) The editions of the ICC Building Code and ICC Fire Code adopted by reference in 675 IAC 13 and 675 IAC 22.

(2) Those portions of:

(A) the Indiana Building Code that are substantially different than the ICC Building Code; and

(B) 675 IAC 22 that are substantially different than the ICC Fire Code.

(3) The commission's rules:

(A) covering design releases in 675 IAC 12-6; and

(B) found in 675 IAC 12-4.

(d) A person may make application to take the written test on forms provided by the division.

(e) The passing score for each part of the test is seventy-five (75).

(f) The division shall revise the state plan review portion of the test as necessary to be consistent with the following:

(1) The Indiana Building Code.

(2) The Indiana Fire Code.

(3) Other commission rules in effect.

Any revised test shall be submitted to the commission for approval. (*Fire Prevention and Building Safety Commission; 675 IAC 12-7-4; filed Feb 1, 1988, 2:15 p.m.: 11 IR 1788; filed Jan 30, 1998, 4:00 p.m.: 21 IR 2101; readopted filed Sep 11, 2001, 2:49 p.m.: 25 IR 530; filed Aug 30, 2006, 2:25 p.m.: 20060927-IR-675050108FRA*)

**675 IAC 12-7-5 Local plan review; procedures; seals**

Authority: IC 22-13-2-13

Affected: IC 22-15-3

Sec. 5. (a) A city, town, or county certified to perform plan review of Class 1 structures shall adhere to the following procedures:

(1) Plans and specifications shall be checked for compliance with 675 IAC 12-6, Design Releases.

(2) A report of errors and omissions shall be prepared for each construction project covered by submitted plans and specifications.

(3) The report of errors and omissions shall include a citation reference to the exact section of a rule of the commission for each error or omission noted by the plan reviewer.

(4) Upon preparation, the report of errors and omissions shall be mailed directly to the division on the same working day. A copy may be furnished to the applicant for the design release.

(5) The local qualified plan reviewer shall stamp each set of submitted plans and specifications with a seal provided by the division.

(6) The local plan reviewer will affix his or her signature over the seal to identify those sets to be subsequently submitted to the division in accordance with 675 IAC 12-6.

(7) The stamped set of plans and specifications shall be returned to the applicant with an instruction to submit them, with a completed application for construction design release, to the division in accordance with 675 IAC 12-6.

(b) The seal provided by the division shall remain the property of the division.

(c) The certified city, town, or county may obtain a supply of application for construction document release forms from the division for the convenience of plan review applicants. *(Fire Prevention and Building Safety Commission; 675 IAC 12-7-5; filed Feb 1, 1988, 2:15 p.m.: 11 IR 1788; filed Jan 30, 1998, 4:00 p.m.: 21 IR 2101; readopted filed Sep 11, 2001, 2:49 p.m.: 25 IR 530; filed Aug 30, 2006, 2:25 p.m.: 20060927-IR-675050108FRA)*

**Rule 8. Indiana Building Rehabilitation Standard (Repealed)**

*(Repealed by Fire Prevention and Building Safety Commission; filed Mar 18, 2008, 2:34 p.m.: 20080423-IR-675070476FRA, eff 90 days after filing with the Publisher)*

**Rule 9. State Fire Marshal; Permits**

**675 IAC 12-9-1 Purpose**

Authority: IC 22-13-2-2; IC 22-13-2-13

Affected: IC 22-12; IC 22-13; IC 22-14

Sec. 1. The purpose of this rule is to establish administrative procedures for the:

- (1) application;
- (2) issuance; and
- (3) renewal;

of permits by the state fire marshal. *(Fire Prevention and Building Safety Commission; 675 IAC 12-9-1; filed Feb 1, 1988, 2:17 p.m.: 11 IR 1790; readopted filed Sep 11, 2001, 2:49 p.m.: 25 IR 530; filed Aug 30, 2006, 2:25 p.m.: 20060927-IR-675050108FRA)*

**675 IAC 12-9-2 Definitions**

Authority: IC 22-13-2-2; IC 22-13-2-13

Affected: IC 22-12-1; IC 22-14-2; IC 22-14-3-2

Sec. 2. (a) The definitions in this section apply only to this rule.

(b) "Amusement" means the same as entertainment.

(c) "Entertainment" means a performance or show designed to amuse or divert an assembly of persons.

(d) "Place" means, in the context of a place of amusement or entertainment, any of the following:

(1) A building primarily classified or capable of being classified as a Group A Occupancy under the Indiana Building Code (675 IAC 13).

(2) A room classified or capable of being classified as a Group A Occupancy under the Indiana Building Code (675 IAC 13).

(3) A structure classified or capable of being classified as a Group A-4 Occupancy under the Indiana Building Code (675 IAC 13).

(4) A designated outdoor area upon which are installed or erected temporary or permanent regulated amusement devices as defined in 675 IAC 23-1-4.

(e) "Regulated place of amusement or entertainment" means any of the following:

(1) A:

(A) theater;

(B) opera house;

(C) movie theater;

(D) dance hall;

(E) night club with a stage or floor show; or

(F) another place that offers an amusement or entertainment to the public for consideration or promotional purposes.

(2) A place where a boxing exhibition is conducted under the supervision of the state boxing commission.

(3) A hall, gymnasium, or place of assembly where a:

(A) school;