

**WHITE RIVER TOWNSHIP**  
**FIRE PREVENTION**  
**AND**  
**PROTECTION ORDINANCE**

For all White River Township properties located within  
the White River Township Fire Protection District  
and the Bargersville Fire Protection District.

*Adopted April 10, 2006*

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# WHITE RIVER TOWNSHIP FIRE PREVENTION AND PROTECTION ORDINANCE

**WHEREAS**, the State Fire Marshal, pursuant to Indiana Statutes, has adopted the Indiana Fire Prevention Code and the Indiana Building Code which contains all fire safety laws and rules that pertain to the design, construction, erection, alteration, modification, repair and demolition of public and private buildings, structures, and facilities and the enforcement of such fire safety laws and rules; and

**WHEREAS**, White River Township is located in Johnson County, Indiana; and

**WHEREAS**, the Fire Protection Districts, desires to adopt local amendments to the Indiana Fire Prevention Code and the Indiana Building Code to strengthen the minimum requirements of said codes by providing for certain administrative matters;

**NOW, THEREFORE, BE IT ENACTED BY THE COUNTY COMMISSIONERS OF JOHNSON COUNTY, INDIANA, AS FOLLOWS:**

**SECTION 1. Authority.** The Trustees of the Township Fire Districts and the agents of the White River Township Fire Department and the Bargersville Fire Department have the authority to adopt this Ordinance for all areas of the Township lying within the areas protected by the above fire departments.

**SECTION 2. Intent.** It is the intent of the Ordinance to prescribe regulations consistent with nationally recognized good practice for the safeguarding of life and property within the Township from the hazards of fire and explosion arising from the storage, handling and use of hazardous substances, materials, devices and from hazardous conditions in the use or occupancy of buildings or premises.

The Ordinance shall not be construed to hold the Districts Trustees or any of its agents responsible for any damage to persons or property by reason of the inspection or re-inspection authorized herein or failure to inspect or re-inspect or the permits issued or denied as herein provided or by reason of the approval or disapproval of any equipment authorized herein.

**SECTION 3.** The White River Township Fire Prevention and Protection Ordinance (“Ordinance”) is hereby adopted as follows:

# **ARTICLE I. General Provisions**

## **SECTION 1. Purpose.**

This Ordinance is intended to be a local amendment to the Indiana Fire Prevention and Indiana Building Code which strengthens the requirements of the minimum fire safety code.

## **SECTION 2. Applicability.**

The provisions of this Ordinance shall be supplemental to the Indiana Fire Code as adopted by the Indiana Fire Prevention and Building Safety Commission. When any provision of this Ordinance is found to be in conflict with any building, zoning, safety, health or other applicable law or code on the effective date of this Ordinance, the provision which established the higher standard for the promotion and protection of the safety and welfare of the public shall prevail. This Ordinance shall apply to, and be in force and effect within all areas of White River Township in Johnson County, Indiana that is served by the White River Township Fire Department or the Bargersville Fire Department.

## **SECTION 3. Authority.**

As authorized by IC 36-8-17, a local Fire Prevention Bureau is hereby established within the White River Township Fire Department and the Bargersville Fire Department. The White River Township Fire Prevention and Protection Ordinance shall be enforced throughout the boundaries of the White River Township Fire Protection District and the Bargersville Fire Protection District by each District's Fire Marshal and/or his designee(s) from the Fire Prevention Bureau.

## **SECTION 4. Organization**

The Fire Prevention Bureau of the Fire Department shall be operated under the executive control of the Fire Chief and the administrative supervision of the Fire Prevention Chief who serves as the Fire Marshal.

## **ARTICLE II. Plan Review**

### **SECTION 1. General.**

- A. The serving Fire Department shall perform a review of all pertinent building plans, site plans and fire protection system plans and specifications of any project within the boundaries of the White River Township Fire Protection District and the Bargersville Fire Protection District, in order to determine whether such plans and specifications comply with the applicable rules of the Fire Prevention and Building Safety Commission (FPBSC), this Ordinance and any other codes, standards or rules that may apply. Separate review and permits shall be required for fire protection systems.
- B. Plans shall be submitted both in traditional paper form and in digital format compatible with current Department software in order to assist the Department in the pre-fire planning of that structure.
- C. Fire Department Plan Review shall occur at the following phases: Site Plan, Sketch Plan, Construction Plan and Fire Protection Systems Plan. This review shall occur concurrent to the county, city, or town plan review and any issues or corrections that need to be made to the plans shall be completed by the developer prior to the approval of the Johnson County Planning and Zoning Office, the City of Greenwood Planning and Zoning Office or the Town of Bargersville Planning and Zoning Office. No permits shall be issued until Department review and compliance has occurred.
- D. Plans shall be submitted to the Fire Marshal prior to any alteration, remodel, addition or demolition of any part of a building that is equipped with an Automatic Fire Suppression System or Automatic Fire Detection or Fire Alarm System, regardless of the size of proposed project.

### **SECTION 2. Fire Protection Requirements.**

- A. Fire Hydrants
  - 1. General
    - a.) Fire hydrants shall be installed pursuant to the requirements of the water utility having jurisdiction. Quantity and location of hydrants shall be determined by the Fire Marshal or his designee.
    - b.) Fire hydrant(s) shall be placed on eight inch or larger water main and outlets 18 inches above finished grade.

- c.) Fire hydrants shall be located not more than eight feet from the edge of pavement.
- d.) If a temporary water system is to be used, prior approval shall be given by the Fire Marshal or his designee.
- e.) Fire hydrants out of service shall be covered with a bag indicating "Out of Service".
- f.) Fire hydrants shall only be used for Fire Protection, or as so directed by the water utility having jurisdiction.
- g.) Fire hydrants shall be kept clear and accessible at all times.
- h.) Fire hydrants shall be in service prior to any issuance of a building permit for the structure.

## 2. Multiple Family, Commercial and Industrial Development

- a.) Fire hydrants shall be installed no more than 300 feet apart on a public or private road. When any portion of a building being protected is in excess of 150 feet from a water supply on a public or private road, there shall be provided on site, mains and hydrants capable of supplying the required fire flow as required by the Fire Marshal or his designee. Required fire flow shall be calculated in accordance with National Fire Protection Association Standards 1231 and 1142.
- b.) Required Water Supply for Fire Protection. A water supply capable of supplying the required fire flow, for firefighting purposes, as determined by local ordinance, shall be provided to all premises upon which a Class 1 building or a portion of Class 1 buildings are hereafter constructed. The water supply shall be provided as follows:
  - (1) When a public water supply is available to a premises, there shall be provided fire hydrants and mains capable of supplying the required fire flow.
  - (2) When a public water supply is not available to a premises, the water supply shall consist of a pond, stream, river, canal, lake, reservoir, quarry, pressure tank, elevated tank, swimming pool, other fixed systems, or fire department delivered portable system capable of providing the required fire flow.

The on-site water supply shall be accessible to the fire department and be located within one hundred fifty (150) feet of the Class 1 building or structure being protected with an automatic fire-extinguishing system. If the on-site water supply is not within one hundred fifty (150) feet of the structure being protected, the water supply shall be connected to on-site fire hydrants and mains capable of supplying the required fire flow. The owner shall verify the water supply requirements with the servicing fire department prior to final design and construction.

(3) As provided in the sections of the Indiana Fire Code.

### 3. Single Family Residential Development

Fire hydrants shall be installed no more than 500 feet apart on a public or private road.

### 4. Sprinkler Systems or Standpipes

Fire hydrants installed to provide fire suppression augmentation for sprinkler systems or standpipes shall be installed within 50 feet of Fire Department Connection or as required by the Fire Marshal or his designee.

### 5. Dry Hydrants

a.) Dry hydrants may be required to be installed when an available static water supply is available in the development to be used as an additional water supply for fire protection. Dry hydrants are to be placed within eight feet of the roadway and 32 inches above grade.

b.) The connection is to be a six-inch male connection National Standard Thread with cap. Specifications of required installations are available through the Fire Marshal's office.

### 6. Public and Private Fire Hydrants

a.) Public fire hydrants shall be painted "safety yellow" in accordance with the regulations of the water utility having jurisdiction. Private fire hydrants shall be painted per current edition of NFPA 291 (Fire Flow Testing and Marking of Hydrants). The barrel is to be painted "safety yellow". The top portion (bonnet) and nozzle caps to be painted with the following color scheme to indicate flow capacity:

Class Capacity Color

Class AA 1500 gpm or greater Light blue

Class A 1000 gpm to 1400 gpm Green

Class B 500 gpm to 999 gpm Orange

Class C 499 gpm or less Red

b.) The type and model of fire hydrants to be installed shall be in accordance with the requirements of the water utility having jurisdiction.

**B. Fire Department Access**

A minimum of two means of access shall be provided for:

1. Any subdivision with 50 or more single or two-family residential lots;
2. Any development having one or more commercial, multi family, or industrial structures, three stories or greater in height; or
3. Any development having three or more commercial, multi family, or industrial structures of any height.

**C. Fire Department Access Roads**

Fire apparatus access roads shall have an unobstructed width of not less than 20 feet (6096 mm), except for approved security gates in accordance with Section 503.6 of the IFC, and an unobstructed vertical clearance of not less than 13 feet 6 inches (4115 mm).

Dead-end fire apparatus access roads in excess of one hundred fifty (150) feet in length shall be designed and constructed so as to allow the turning around of the longest piece of fire apparatus available to the fire department.

The turning radius of a fire apparatus access road shall be determined after consultation with the servicing fire department and shall be at least equal to the minimum required radius for the fire apparatus. Such roads shall be designed and constructed to permit turning of the longest piece of fire apparatus available to the fire department.

When fire apparatus access roads or a water supply for fire protection is required to be installed, such protection shall be installed and made serviceable prior to and during the time of construction except when approved alternative methods of protection are provided.



D. Gates and Other Traffic Controlling Devices

When a traffic control device (i.e.: gates, islands, or curbing) is proposed to be installed in a new development, the Fire Marshal shall review the plans to assure that fire apparatus access will not be obstructed.

If a gated entrance is proposed on any project, the access drive and radiuses shall be reviewed and shall meet the requirements of this ordinance. A Fire Department Key Box, Access Code or Opticom system shall be provided to the fire department for immediate access to the property.

E. Response Map Updates

Any new development, which necessitates updating of emergency response maps by virtue of new structures, hydrants, roadways or similar features, shall be required to provide map updates in a digital format compatible with current Department software.

F. Fees.

In addition to any fees paid at the time of application for a building permit pursuant to county and state ordinances, at the time of such application, the applicant shall also pay a nonrefundable plan review fee to the serving Fire Department as set forth in Article XVIII of this Ordinance.

# **ARTICLE III. Permitting and Inspection**

## **SECTION 1. General**

Pursuant to IC 36-8-17 the White River Township Fire Department and the Bargersville Fire Department, subject to the limitations and conditions stated in the applicable rules of the FPBSC and IC 36-8-17, it shall be the duty of the Fire Marshal or his designees to inspect or cause to be inspected as often as he may deem necessary or appropriate, all Class 1 structures, and the common areas of all multi-family dwelling buildings within his jurisdiction for the purposes of ascertaining and causing to be corrected any condition which may cause fire or explosion, endanger life from fire or explosion, or any violations of the provisions of the ordinance, or any other ordinances, standards or rules that may apply pertaining to life safety, fire or explosion hazards. The maximum time between routine fire inspections should normally not exceed 12 months. Some occupancies such as high risk, educational, assembly or day-care facilities may require the maximum time between routine inspections not to exceed 6 months between inspections.

## **SECTION 2. Right of Entry**

Where it is necessary to make an inspection to enforce the provisions of this ordinance, the applicable rules of FPBSC and IC 36-8-17, or where the fire marshal has reasonable cause to believe that there exists in a structure or upon a premises a condition which is contrary to or in violation of this ordinance which makes the structure or premises unsafe, dangerous or hazardous, the Fire Marshal is authorized to enter the structure or premises at reasonable times to inspect or to perform the duties imposed by this ordinance, provided that if such structure or premises be occupied that credentials be presented to the occupant and entry requested. If such structure or premises be unoccupied, the Fire Marshal shall first make a reasonable effort to locate the owner or other person having charge or control of the structure or premises and request entry. If entry is refused, the fire marshal shall have recourse to the remedies provided by law to secure entry.

## **SECTION 3. Inspection Process**

### **A. New Construction**

The serving Fire Marshal or his designee shall conduct the following inspections on all new class 1 structures located within the boundaries of the White River Township Fire Protection District or the Bargersville Fire Protection District with the local building department inspector having jurisdiction:

1. Framing Inspection
2. Electrical Rough-in
3. Drywall
4. Occupancy

Prior to the issuance of a Certificate of Occupancy for a new building or tenant space, the Fire Marshal or his designee shall conduct the Pre-Occupancy Inspection with the local Building Inspector and then sign the Certificate of Occupancy.

#### B. Existing Class 1 Structures

A routine fire inspection should occur at a sequence not to exceed 12 months. The inspection is completed by an Indiana certified Inspector.

At the time the inspection occurs, the inspector will evaluate the premises for violations of the applicable rules of FPBSC, this Ordinance and any other life safety concerns. At the completion of the inspection, the inspector will review the results with the occupant and leave a copy of the Inspection Report with the occupant.

At the end of the correction period, a re-inspection will occur to determine if the violations have been corrected. If the previously cited violations are found to be corrected, no other action shall be needed. If violations are found to still exist after this first re-inspection, then a copy of the inspection form will be left with the occupant and the results reviewed with the occupant, the occupant shall then forward to the owner.

A second re-inspection will occur in 14 days and a fee as per Article XVIII of this ordinance, shall be assessed. If the previous cited violations are corrected at this re-inspection, then no further action shall be required. If previously cited violations are found, a fee shall be assessed and a third re-inspection will occur in 7 days.

If those violations are not corrected, a fee shall be assessed for each re-inspection and those re-inspections will occur every 7 days until the violations are corrected.

If at anytime an Inspector completes an inspection and finds an immediate fire or life safety hazard, the violation shall be corrected immediately. In the event the violation can not be corrected immediately, a Fire Safety Law ORDER will be issued and the violation must be corrected by the date on the ORDER. Failure to correct the violation by the date on the ORDER will result in a fee and may cause further legal action to be taken against the violator.

Please note that the fees/fines of this ordinance are in addition to those fines/fees that may be levied by the State of Indiana, County of Johnson, City of Greenwood and Town of Bargersville.

#### **SECTION 4. Limits**

The inspection or permitting of any building, system or plan by the Fire Department, under the requirements of this Article and the applicable rules of the FPBSC, shall not be construed as a warranty of the physical condition of such building, system or plan or the adequacy thereof, nor as an approval thereof. Neither the Districts, Fire Department nor any of its agents, shall be liable in tort for damages for any defect or hazardous or illegal condition or inadequacy in such building, system or plan, nor for any failure of any component of such, which may occur subsequent to such inspection or permitting.

#### **SECTION 5. Construal of Permit; Validity; Effect**

The issuance or granting of a permit or approval of plans and specifications shall not be deemed or construed to be a permit for or an approval of any violation of any of the provisions of this Ordinance, the applicable rules of the FPBSC or any other codes, standards or rules that may apply to the permit or review process. No permit presuming to give authority to violate or cancel the provisions of this section shall be valid, except so far as the work or use which it authorizes is lawful.

The issuance of a permit upon plans and specifications shall not prevent the serving Fire Department from thereafter requiring the correction of errors in such plans and specifications nor from prohibiting the starting or continuance of work there under when in violation of this section or of any other provisions of this Ordinance or the applicable rules of the FPBSC or any other codes, standards or rules that may apply that pertain to the project.

#### **SECTION 6. Service of Orders or Notices**

The service of orders or inspection notices for the correction of violations of the applicable rules of the FPBSC, or of this Ordinance shall be made upon the owner, occupant or other person responsible for the conditions, either by personally delivering a copy of same to such person or by delivering the same to and leaving it with any person in charge of the premises or by sending a copy of the order or notice by certified or registered mail to the owner's last known address.

When buildings or other premises are occupied by one other than the owner under a lease or other agreement, the orders or notices issued to correct violations of the Ordinance shall apply to the owner and occupant thereof; provided that where the order or notices require the making of additions to or changes in the premises themselves which may become part of the real property of the owner, then in such cases, the orders or notices shall also be issued to the owner of the premises or real property. The tenant shall be responsible to contacting the building owner to repair any issue that the tenant believes is the responsibility of the owner. Failure to deliver an order or notice to the owner, if other than the occupant shall not invalidate such order or notice.

## **SECTION 7. Building Permit**

No permit shall be issued for construction, addition, alteration or demolition of any structure located within the jurisdiction limits of the White River Township Fire Protection District or the Bargersville Fire Protection District without the prior plan review and approval of the serving Fire Department's Fire Marshal's Office.

No permit for combustible construction shall be issued prior to the required water source and the required fire department access roads being in-service and tested by the serving Fire Marshal or his designee.

## **SECTION 8. Occupancy Permit**

Prior to the occupancy of any non-construction related materials into the space of a newly constructed structure, an inspection and approval must be given by the serving Fire Marshal and local building inspector having jurisdiction. After the Final Inspection occurs, a Certificate of Occupancy shall be signed by both the serving Fire Marshal and the local building official.

This will then allow the occupant to start moving into that building. Occupancy prior to the Final inspection of the serving Fire Marshal and the issuance of Certificate of Occupancy shall result in a fee/fine as set forth in Article XVIII.

## **SECTION 9. Stop Work ORDER**

Whenever the serving Fire Marshal finds any violation of this ordinance, rules of the FPBSC, or the work being performed is in a manner contrary to the provisions of these codes or in a dangerous or unsafe manner, the serving Fire Marshal is authorized to issue a Stop Work ORDER.

The Stop Work ORDER shall be in writing and shall be given to the owner of the property involved, or to the owner's agent, or to the person doing the work. Upon issuance of a stop work order, the cited work shall immediately cease. The Stop Work ORDER shall state the reason for the ORDER, and the conditions under which the cited work will be permitted to resume. That ORDER shall require persons to leave the area that is affected by a violation and prohibit persons from entering the area until the violation is corrected.

Each person who continues any work after having been served with a Stop Work ORDER, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be subject to a violation of ORDER fine and other penalties as prescribed by law. An order issued under sections of this chapter may be appealed to the commission under IC 4-21.5-3-7. A decision to deny a request to modify or reverse an order issued under section 10 of this chapter is not appealable.

## **SECTION 10. Current Occupant Information**

- A. Each building occupant is required to supply the serving Fire Department with important emergency information. It is the responsibility of the Building owner to notify the serving Fire Marshal of a change of Tenant within 10 days of the change. The required information shall be submitted on the Occupant Emergency Contact Information Sheet as provided by the Fire Department.
  
- B. This emergency contact information is required anytime there is change of tenant or the occupancy becomes vacant. Failure to notify the Fire District within 10 days of the change shall result in a fee/fine as set forth in Article XVII.
  
- C. It shall be the responsibility of the occupant to immediately notify the serving Fire Marshal anytime a change in any of the emergency contacts occurs.

## **SECTION 11. Fees**

Fees for inspections, re-inspections, plans review, and permits required in this Ordinance are set forth in Article XVIII of this Ordinance. Please note that the fees/fines of this ordinance are in addition to those fines/fees that may be levied by the State of Indiana, County of Johnson, City of Greenwood and Town of Bargersville

# **ARTICLE IV. Automatic Fire Protection Systems**

## **SECTION 1. General**

For the purpose of this Article, the following definitions apply to the intent and meaning of the requirements of this Section:

- A. BUILDING – All Class 1 and Class 2 structures as defined in IC-22-12-1.

## **SECTION 2. Hood Suppression Systems**

- A. A Type I hood shall be installed at or above all commercial food heat-processing appliances that produce grease vapors or smoke as required in the Indiana Mechanical Code, (675 IAC 18). Domestic cooking appliances utilized for commercial cooking operations shall be provided with Type I or II hoods as required for the type of appliances and processes in accordance with the IMC.
- B. Systems shall be inspected and tested for proper operation at 6-month intervals. Tests shall include a check of the detection system, alarms and releasing devices, including manual stations and other associated equipment. Extinguishing system units shall be weighed and the required amount of agent verified. Stored pressure-type units shall be checked for the required pressure. The cartridge of cartridge-operated units shall be weighed and replaced at intervals indicated by the manufacturer. A copy of test record shall be submitted to the serving Fire Marshal for review.

## **SECTION 3. Fire Protection Systems Installation and Testing**

- A. Installation of Fire Protection systems shall be in accordance with the applicable rules of the FPBSC.
- B. Fire detection and alarm systems, fire-extinguishing systems, fire hydrant systems, fire standpipe systems, fire pump systems, private fire service main and all other fire protection systems and appurtenances thereto shall be subject to acceptance tests as contained in the installation standards and of the rules of the FPBSC. The serving Fire Marshal shall be notified at least 24 hours prior to any required acceptance testing.
- C. Fire protection systems shall be maintained in accordance with the original installation standards for that system and the rules of the FPBSC. Required fire protection systems shall be extended, altered, or augmented as necessary to maintain and continue protection whenever the building is altered, remodeled or added to.  
Alterations to fire protection systems shall be done in accordance with the rules of the FPBSC.

- D. A copy of the Annual and Bi-annual Fire Protection Systems tests shall be provided to the serving Fire Marshal at the completion of the tests.
- E. Where a required fire protection system is out of service, the serving Fire Marshal shall be notified immediately and, the building shall either be evacuated or an approved Fire Watch shall be provided for all occupants left unprotected by the shut down until the fire protection system has been returned to service.
- F. When utilized, Fire Watches shall be provided with at least one approved means for notification of the fire department and their only duty shall be to perform constant patrols of the protected premises and keep watch for fires. Personnel used for fire watch shall be certified as a State of Indiana Firefighter and shall be approved by the serving Fire Marshal.

#### **SECTION 4. Tampering**

Any person who shall tamper with, damage, destroy, or temporarily remove from its storage place without authority or in the absence of an emergency, any fire extinguisher, fire extinguishing tools, equipment, chemicals or devices, fire sprinkler systems, smoke alarms, early fire warning devices, fire alarm box, wires or other apparatus in connection with any fire protection or safety devices whatsoever shall have violated this section and shall be subject to a fine as set forth in Article XVIII of this Ordinance.

#### **SECTION 5. Fire Appliance Obstruction**

- A. Fire Doors, Fire Walls, Fire Suppression Systems, Fire Alarm Components, Fire Hydrants, Fire Lanes, Fire Detection Devices, or any other device used to detect, suppress, contain, or protect the structure or its occupants from fire or smoke travel shall not be obstructed or otherwise rendered inoperative.
- B. Posts, fences, vehicles, growth, trash, storage and other materials or objects shall not be placed or kept near fire hydrants, fire department inlet connections or fire protection system control valves in a manner that would prevent such equipment or fire hydrants from being immediately discernible. The fire department shall not be deterred or hindered from gaining immediate access to fire protection equipment or fire hydrants.
- C. A 3-foot (914 mm) clear space shall be maintained around the circumference of fire hydrants except as otherwise required or approved.



## **SECTION 6. False or Faulty Alarms**

- A. It shall be unlawful for any person to knowingly give, or cause to be given, any false alarm of fire, or to tamper with or set off any fire alarm or signal box with like intent; or tamper, meddle or interfere with any such fire alarm box; or intentionally cut, break, deface or remove any such box or any of the wires or supports thereof connected with the fire alarm system.
  
- B. The premises owner or the occupant of the premises shall not conduct a fire drill or test a monitored fire alarm system without first notifying the fire department and the fire dispatch Center. A false alarm fee shall be imposed after the third false alarm is received in a twelve (12) month period. That fee is set forth in Article XVII of this Ordinance, however additional fees may be assessed to the suspect and the owner if the activation is determined to be a malicious act.
  
- C. A person who gives a false alarm of fire to the fire department of a governmental entity, knowing the alarm to be false commits false informing, a Class B misdemeanor. However, the offense is a Class A misdemeanor if it substantially hinders any law enforcement process or if it results in harm to an innocent person.
  
- D. Where a required fire protection system is out of service, the fire department shall be notified immediately and the building shall either be evacuated or an approved fire watch shall be provided for all occupants left unprotected by the shut down until the fire protection system has been returned to service.
  
- E. Where utilized, fire watches shall be provided with at least one approved means for notification of the fire department and their only duty shall be to perform constant patrols of the protected premises and keep watch for fires.

# ARTICLE V. Exits and Egress

## SECTION 1. General

- A. Any required means of egress shall not be obstructed or otherwise rendered inoperative. At no time shall any object be placed in front of an exit sign, exit path or exit door that would hamper the identification of or the access of such device.
  
- B. Means of egress continuity.  
The path of egress travel along a means of egress shall not be interrupted by any building element other than a means of egress component as specified in this chapter. Obstructions shall not be placed in the required width of a means of egress except projections permitted by this chapter. The required capacity of a means of egress system shall not be diminished along the path of egress travel.

## SECTION 2. Locks and Latches

- A. All Egress doors shall be readily openable from the egress side without the use of a key or special knowledge or effort.
  
- B. Each door in a means of egress from an occupancy of Group A or E having an occupant load of 100 or more and any occupancy of Group H-1, H-2, H-3 or H-5 shall comply with the applicable rules of the FPBSC and shall not be provided with a latch or lock unless it is panic hardware or fire exit hardware.

## SECTION 3. Occupant Load

At no time shall the occupant, owner or person responsible for the event allow overcrowding or the exceeding the maximum occupant load of a structure. Violation of this section will result in a fine and may result in the immediate evacuation of the structure until the allowed occupant load is reached.

## SECTION 4. EXIT Signs

- A. Exits and exit access doors shall be marked by an approved exit sign readily visible from any direction of egress travel. Access to exits shall be marked by readily visible exit signs in cases where the exit or the path of egress travel is not immediately visible to the occupants. Exit sign placement shall be such that no point in an exit access corridor is more than 100 feet (30 480 mm) from the nearest visible exit sign.
  
- B. Exit signs shall be internally or externally illuminated. The face of an exit sign illuminated from an external source shall have an intensity of not less than 5 foot-candles (54 lux). Exit signs shall be illuminated at all times.

- C. To ensure continued illumination for duration of not less than 60 minutes in case of primary power loss, the exit signs shall be connected to an emergency electrical system provided from storage batteries, unit equipment or an on-site generator.

**SECTION 5. Egress Illumination**

The means of egress, including the exit discharge, shall be illuminated at all times the building space served by the means of egress is occupied. The means of egress illumination level shall not be less than 1 foot-candle (11 lux) at the floor level.

## **ARTICLE VI. Fire Resistive Construction Requirements**

### **SECTION 1. General**

The required fire-resistance rating of fire-resistance-rated construction (including walls, fire stops, shaft enclosures, partitions and floors) shall be maintained. Such elements shall be properly repaired, restored or replaced when damaged, altered, breached or penetrated. Openings made therein for the passage of pipes, electrical conduit, wires, ducts, air transfer openings, and holes made for any reason shall be protected with approved methods capable of resisting the passage of smoke and fire. Openings through fire-resistance-rated assemblies shall be protected by self-closing or automatic-closing doors of approved construction meeting the fire protection requirements for the assembly.

# **ARTICLE VII. Signage and Building Numbering**

## **SECTION 1. General**

New and existing buildings shall have approved address numbers, building numbers, or approved building identification placed in a position to be plainly legible and visible from the street or road fronting the property. These numbers shall contrast with their background. Address numbers shall be Arabic numerals or alphabet letters. Numbers shall be a minimum of 4 inches (102 mm) high with a minimum stroke width of 0.5 inch (12.7 mm).

## **SECTION 2. Timing of Installation**

Streets and roads shall be identified with approved signs. Temporary signs shall be installed at each street intersection when construction of new roadways allows passage by vehicles. Signs shall be of an approved size, weather resistant and be maintained until replaced by permanent signs. Temporary street signs shall be installed at each street intersection when construction of new roadways allows passage by vehicles.

## **SECTION 3. Size of Letters, Numbers and Symbols for Street and Road Signs**

Size of letters, numbers and symbols for street and road signs shall be a minimum of three inch (3") letter height, three eighths inch (3/8") stroke, reflectorized, contrasting with the background color of the sign as per INDOT and Johnson County Highway Department.

## **SECTION 4. Visibility and Legibility of Street and Road Signs**

Street and road signs shall be visible and legible from both directions of vehicle travel for a distance of at least one hundred feet (100').

## **SECTION 5. Height of Street and Road Signs**

Height of street and road signs shall be uniform district wide and meet the visibility and legibility standards of this Ordinance.

## **SECTION 6. Names and Numbers on Street and Road Signs**

Newly constructed or approved public and private roads and streets must be identified by a name or number through a consistent district wide system that provides for sequenced or patterned numbering and/or non-duplicating naming. All signs shall be mounted and oriented in a uniform manner. This Article does not require any entity to rename or renumber existing roads or streets, nor shall a roadway providing access only to a single commercial or industrial occupancy require naming or numbering.

Where a roadway provides access solely to a single commercial or industrial business, the address sign shall be placed at the nearest road intersection providing access to that site.

**SECTION 7. Addresses for Buildings**

All buildings shall be issued an address by the Johnson County E911 coordinator, which conforms to the overall address system of the Township. Accessory buildings will not be required to have a separate address; however, each dwelling unit within a building shall be separately identified. Where multiple addresses are required at a single driveway, they shall be mounted on a single post.

**SECTION 8. Citation Fee**

A citation fee as set forth in Article XVIII, will be issued for those Class 1 Structures that do not comply with this Ordinance.

# **ARTICLE VIII. Prohibited Parking and Removal of Obstructions**

## **SECTION 1. General**

A person may not stop, stand, or park a vehicle in a fire lane. A fire lane is a designated emergency access lane that is for FIRE and EMS vehicle use only. It is marked with the words "No Parking Fire Lane" in white or yellow letters and a stripe of at least four (4) inches in width, and or with other "No Parking Fire Lane" signage in conformance with the Indiana Manual on Uniform Traffic Control Devices. Parking in a fire lane will result in a fine as set forth in Article XVII and that person commits a Class C infraction.

## **SECTION 2. Removal**

Any vehicle found obstructing any fire hydrant, fire protection equipment, designated and marked fire lane, or fire station may be removed or towed away by or under the direction of the serving Fire Marshal.

The owner of such vehicle maintains responsibility for that vehicle and shall pay all reasonable costs incidental to the removal and storage of the vehicle due to the violation of prohibited parking.

At no time will the Fire District or any of its agents assume any responsibility for such vehicle and its contents.

## **SECTION 3. Other Obstructions**

Posts, fences, vehicles, growth, trash, storage and other materials or objects shall not be placed or kept near fire hydrants, fire department inlet connections or fire protection system control valves in a manner that would prevent such equipment or fire hydrants from being immediately discernible. The fire department shall not be deterred or hindered from gaining immediate access to fire protection equipment or fire hydrants.

A 3-foot (914 mm) clear space shall be maintained around the circumference of fire hydrants except as otherwise required or approved.

## **SECTION 4. Citations**

A written citation may be issued to any person who obstructs the fire lane by stopping, standing, parking or by any other means. A written citation may also be issued to any person who obstructs any other fire protection device such as: fire hydrants and fire department connections. This citation fee shall be as set forth in Article XVIII of this ordinance.

Additional fees for reoccurring violations shall be assessed as per Article XVIII of this ordinance.

# **ARTICLE IX. Open Burning, Recreational Fires and Use of Grills**

## **SECTION 1. General**

It is unlawful for any person to cause, allow or permit any open burning, recreational fires, or use of open flame devices in a Class 1 Structure, except as permitted below.

## **SECTION 2. Permitted Open Burning**

The following open fires are permitted, but shall follow the limitations and regulations as set forth in Section 3 and Section 4 below:

- (a) Fires used for celebrating Twelfth Night Ceremonies;
- (b) Fires used for celebrating school pep rallies;
- (c) Fires used for celebrating scouting activities;
- (d) Fires used for recreational and cooking purposes, i.e.: camp fires;
- (e) Farm burning;

## **SECTION 3. Permit Required**

A permit must be obtained from the fire department before any open burning outside of a non-combustible container can occur.

This Open Burning Permit for areas within the White River Township Fire Protection District may be obtained from the White River Township Fire Department Headquarters located at 850 S. Mullinix Road, Greenwood. For areas located within the Bargersville Fire Protection District this permit may be obtained from the Bargersville Fire Department located at 51 S Baldwin Street, Bargersville. The charge for this permit is as set forth in Article XV of this ordinance.

At no time shall open burning outside of a non-combustible container be permitted without an Open Burning Permit issued by the serving Fire Department. The Citation Fee for Open Burning is set forth in Article XVII of this ordinance.

## **SECTION 4. Limitations and Regulations**

The following limitations and regulations shall be adhered to:

- (a) Open Burning is absolutely prohibited in apartment and condominium complexes and mobile home parks
  
- (b) Open Burning shall be in a noncombustible container sufficiently vented to induce adequate primary combustion air with enclosed sides, a bottom, and a mesh covering with opening no larger than 1 ¼ inch square;



- (c) Open Burning shall be constantly attended by at least one adult having an attached working water hose (garden type) or a 10# ABC Fire Extinguisher present;
- (d) Open Burning shall be conducted during day-light hours only;
- (e) Open Burning is prohibited in areas that are within twenty-five feet (25') of any structure or public right-of-way;
- (f) Farm open burning must be wood products derived from the following farm maintenance operations: clearing operations from fence rows, natural growth derived from clearing a drainage ditch, limbs and prunings cannot be diseased or infected so as not to present a contamination hazard;
- (g) Open Burning Fires shall be attended at all times until completely extinguished;
- (h) If Open Burning fires create an air pollution problem, a nuisance, or a fire hazard, they shall be extinguished;
- (i) No burning shall be conducted during unfavorable meteorological conditions such as temperature inversions, high winds, air stagnation, etc.;
- (j) No garbage, rubbish or other trash shall be burned.

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## **SECTION 5. Liability**

Any person who allows the accumulation or existence of combustible material which constitutes or contributes to a fire causing air pollution shall not be excused from responsibility thereof on the basis that said fire was set by vandals, was accidental or was an act of God.

## **SECTION 6. Depositing of Hot Ashes and Other Dangerous Materials**

Hot ashes, cinders, smoldering coals or greasy or oily materials subject to spontaneous ignition shall not be deposited in a combustible receptacle, within 10 feet (3048 mm) of other combustible material including combustible walls and partitions or within 2 feet (610 mm) of openings to buildings. The minimum required separation distance to other combustible materials shall be 2 feet (610 mm) where the material is deposited in a covered, noncombustible receptacle placed on a noncombustible floor, ground surface or stand.

**SECTION 7. Use of Grills**

- A. Charcoal burners and other open-flame cooking devices shall not be operated on combustible balconies or within 10 feet (3048 mm) of combustible construction.
  
- B. LP-gas burners having a LP-gas container with a water capacity greater than 2.5 pounds (1.14 kg) [nominal 1 pound (0.454 kg) LP-gas capacity] shall not be located on combustible balconies or within 10 feet (3048 mm) of combustible construction.
  
- C.

**SECTION 8. Use of Open Flame Devices**

A person shall not utilize or allow to be utilized, an open flame, fireworks or any pyrotechnics in connection with a public meeting or gathering for purposes of deliberation, worship, entertainment, amusement, instruction, education, recreation, awaiting transportation or similar purpose in assembly or educational occupancies without first obtaining a permit from the serving Fire Marshal.

# **ARTICLE X. Key Boxes**

## **SECTION 1. General**

When access to, or within, a structure or an area on that property is unduly difficult because of secured opening, and where immediate access is necessary for life saving or firefighting purposes, the Fire Marshal may require a key box to be installed in an approved location. Or if the building is protected by a monitored fire detection or protection system a KNOX box key system shall be installed. The key box shall be one that is complaint with the Fire Department KNOX box Key system currently in use. The owner or occupant shall incur all necessary expenses for the key box and installation. The owner or occupant shall provide and maintain current keys for the structure(s) for fire department placement in the box, and shall notify the District in writing when the building is re-keyed.

## **SECTION 2. Contents**

The key box shall contain:

- (a) Keys to locked points of ingress whether on the interior or exterior of such Buildings;
- (b) Keys to locked mechanical equipment rooms;
- (c) Keys to located electrical rooms;
- (d) Keys to elevator controls;
- (e) Keys to other areas as directed by the Fire Marshal and/or his designee(s).

## **SECTION 3. Limitation**

This Article shall not apply to residential units.

## **SECTION 4. Voluntary Compliance**

This Article is intended to apply prospectively to any new commercial construction within the Township. All existing buildings are requested to voluntarily comply with this Article. Notwithstanding this provision, any existing building which is remodeled or structurally altered in any way hereafter, shall comply with the terms and provisions of this section.

# **ARTICLE XI. Emergency Entry**

## **SECTION 1. General**

The Fire Department shall have the right to enter any building or premises without permission or warrant in the event of any emergency situation constituting a threat to human life, property or the public safety for the purpose of eliminating, controlling or abating the dangerous condition or situation.

## **SECTION 2. Liability**

At no time will the Districts, Fire Departments or any of its agents be responsible for any damages as a result of an emergency entry. The Fire Department will notify the owner of the event and it will be the responsibility of the building owner to assure that the building is re-secured.

## **ARTICLE XII. Other Requirements**

### **SECTION 1. Traffic Signals**

Any time a new development is required to install a traffic control signal device, or upgrade an existing signal, the developer shall be responsible for installing the current emergency vehicle preemption signaling equipment on that new signal. Product identification and signaling information is available through the local Fire Marshal's Office.

### **SECTION 2. Emergency Communications**

Any time a commercial building is being built in the District, the owner of the building shall contact the serving Fire Marshal for information on emergency communications equipment that will be required to be installed into the building. This equipment is a radio repeater system that is used to assist police and fire agencies inside the building. It will allow the Johnson County Emergency Communications Consortium 800MHZ radio system to function properly inside their new building.

### **SECTION 3. Unlawful to Hinder District**

It shall be unlawful for any person to prevent, interfere with or in any manner hinder the District or any of its agents while engaged in the discharge of duties. A person who knowingly or intentionally obstructs or interferes with a firefighter performing or attempting to perform the firefighter's emergency functions or duties as a firefighter commits obstructing a firefighter, a Class A misdemeanor.

### **SECTION 4. Driving Over Fire Hoses**

A street car or vehicle may not be driven over an unprotected hose of a fire department when laid down on a street, private driveway, or street car track to be used at a fire or alarm of fire without the consent of the fire department official in command. A person who violates this section commits a Class C Infraction.

### **SECTION 5. Following Fire Apparatus Prohibited**

A person who drives a vehicle that is not on official business may not do any of the following:

- (1) Follow any fire apparatus traveling in response to a fire alarm at a distance closer than five hundred (500) feet;
  
- (2) Drive into or park a vehicle within the block where fire apparatus has stopped in answer to a fire alarm commits a Class C infraction.

# ARTICLE XIII. Investigation of Fires

## SECTION 1. General

The serving Fire Department shall investigate the origin, cause, and circumstances of all fires as pursuant to IC 36-8-17-7, under the supervision of the Fire Marshal and/or his designee(s) all fires occurring in its district that meet any of the following criteria shall be investigated:

- a. Any fire of a suspicious nature;
- b. Any fire involving loss of life or injury to persons;
- c. When notified by any fire department;
- d. When circumstances warrant;
- e. When otherwise deemed necessary.

Such investigation will commence immediately upon the occurrence of such a fire and, if it appears that such fire is of suspicious origin, the Fire Marshal and/or his designee(s) shall immediately be notified and coordinate investigation activities with the fire department having jurisdiction. Any information obtained pursuant to any such investigation shall be confidential as authorized and required by law.

The local law enforcement agency, upon request of the Fire Marshal and/or his designee(s), may render such assistance as necessary in the investigation of any fire.

# **ARTICLE XIV. Smoke Detectors**

## **SECTION 1. General**

- A. Dwelling units, congregate residence, and hotel or lodging guest rooms and any other locations as required by the Indiana Fire and Building Code that are used for sleeping purposes shall have smoke detectors installed and in working order. Detectors shall be installed in accordance with the approved manufacturer's instructions.
- B. All smoke detectors in new residential structures shall be hard-wired into the building's electrical system and shall be equipped with a battery backup system that will allow the device to activate and sound in the event of the interruption of the building's house power.
- C. All detectors in new residential structures shall be wired in-series to allow one activation to sound all devices.

## **SECTION 2. Locations Within Dwelling Units**

In dwelling units, a detector shall be installed in each sleeping room and at a point centrally located in the corridor or area giving access to each separate sleeping area. When the dwelling unit has more than one story and in dwellings with basements, a detector shall be installed on each story and in the basement. In dwelling units where a story or basement is split into two or more levels, the smoke detector shall be installed on the upper level, except that when the lower level contains a sleeping area, a detector shall be installed on each level. When sleeping rooms are on an upper level, the detector shall be placed at the ceiling of the upper level in close proximity to the stairway.

In dwelling units where the ceiling height of a room open to the hallway serving the bedrooms exceeds that of the hallway by 24 inches or more, smoke detectors shall be installed in the hallway and in the adjacent room. Detectors shall sound an alarm audible in all sleeping areas of the dwelling unit in which they are located.

## **SECTION 3. Location in Efficiency Dwelling Units, Congregate Residences and Hotels**

In efficiency dwelling units hotel suits and in hotel and congregate residence sleeping rooms, detectors shall be located on the ceiling or wall of the main room or each sleeping room. When sleeping rooms within an efficiency dwelling unit or hotel suite are on an upper level, the detector shall be placed at the ceiling of the upper level in close proximity to the stairway. When actuated the detector shall sound an alarm audible within the sleeping area of the dwelling unit, hotel suite or sleeping room in which it is located.

#### **SECTION 4. Locations in Commercial Buildings**

All smoke, fire detection devices, fire alarm devices and other life safety devices shall be installed as required under the rules of the FPBSC. These devices shall also be kept in working order at all times. In the event of a system failure or trouble in the system, the Fire Marshal shall be notified.

#### **SECTION 5. Rental Properties**

It shall be the responsibility of the owner of any residential structure that is rented to anyone other than the owner, to assure that there is working smoke detectors in the structure prior to the rental of any such structure. It shall be the responsibility of the occupant to maintain detectors in proper working order.

#### **SECTION 6. Maintenance and Testing**

The building owner shall comply with the applicable rules of the FPBSC to ensure that the fire and life safety systems are maintained in an operable condition at all times. Service personnel shall meet the qualification requirements of NFPA 72 as adopted by the FPBSC, for maintaining, inspecting and testing such systems. A written record shall be maintained and shall be made available to the Fire Marshal at the completion of the test. A non-working smoke detector will result in a fee as per Article XVIII. These tests shall be completed at least once annually.



# ARTICLE XV. Property Maintenance

## SECTION 1. General

The owner of buildings and properties in the Township shall be responsible for keeping said buildings and properties maintained free of accumulations of combustible or hazardous material. The owner shall also be responsible for assuring that all fire and life safety devices are in place and operating properly.

## SECTION 2. Fire Alarm Testing

- A. Testing shall be performed in accordance with NFPA 72 as adopted by the FPBSC. Where automatic testing is performed at least weekly by a remotely monitored fire alarm control unit specifically listed for the application, the manual testing frequency shall be annual. A copy of this test shall be provided to the Fire Marshal upon request.
  
- B. Prior Notification shall be given to the Fire Marshal and the company who monitors the system prior to any testing of a monitored fire alarm system. That notification can be by telephone to the Fire Department Headquarters. Whenever or wherever any device, equipment, system, condition, arrangement, level of protection, or any other feature is required for compliance with the provisions of the Rules of the FPBSC or this ordinance, such device, equipment, system, condition, arrangement, level of protection, or other feature shall thereafter be continuously maintained in accordance with applicable Rules of the FPBSC.

## SECTION 3. Unsafe Structures and Equipment

Structures or existing equipment that are or hereafter become unsafe, unsanitary or deficient because of inadequate means of egress facilities, inadequate light and ventilation, or which constitute a fire hazard, or are otherwise dangerous to human life or the public welfare, or which involve illegal or improper occupancy or inadequate maintenance, shall be deemed an unsafe condition. Unsafe structures shall be taken down and removed or made safe, as the building official deems necessary and as provided for in this section. A vacant structure that is not secured against entry shall be deemed unsafe.

The building official shall cause a report to be filed on an unsafe condition. The report shall state the occupancy of the structure and the nature of the unsafe condition. If an unsafe condition is found, the building official shall serve on the owner, agent or person in control of the structure, a written notice that describes the condition deemed unsafe and specifies the required repairs or improvements to be made to abate the unsafe condition, or that requires the unsafe structure to be demolished within a stipulated time.

Such notice shall require the person thus notified to declare immediately to the building official acceptance or rejection of the terms of the order.

Such notice shall be deemed properly served if a copy thereof is (a) delivered to the owner personally; (b) sent by certified or registered mail addressed to the owner at the last known address with the return receipt requested; or (c) delivered in any other manner as prescribed by local law. If the certified or registered letter is returned showing that the letter was not delivered, a copy thereof shall be posted in a conspicuous place in or about the structure affected by such notice. Service of such notice in the foregoing manner upon the owner's agent or upon the person responsible for the structure shall constitute service of notice upon the owner.

The structure or equipment determined to be unsafe by the building official is permitted to be restored to a safe condition. To the extent that repairs, alterations or additions are made or a change of occupancy occurs during the restoration of the structure, such repairs, alterations, additions or change of occupancy shall comply with the applicable rules of the FPBSC.

# **ARTICLE XVI.       Records**

## **SECTION 1. General**

The serving Fire Marshal's office shall keep a record of all fires and of all the facts concerning the same, including statistics as to the extent of such fires and the damages caused thereby. All records shall be public except as protected by confidentiality.

The serving Fire Marshal's office shall also keep a record of all occupancies, including but not limited to inspections, violations, citations, etc.

## **SECTION 2. Reporting**

The Fire Departments shall keep a record of all their emergency alarms and submit reports of these alarms to the State Fire Marshal's office as the Fire Marshal prescribes.

## **SECTION 3. Availability**

Records are available, pursuant to IC 5-14-3, except as protected by confidentiality in reference to incendiary fires or EMS patient information.

Records may also be made available to insurance companies, attorneys, or others with appropriate written request of said records.

Any person requesting copies of records must complete the Request for Record information form and submit it to the Fire Marshal, who shall give final approval prior to the release of any record.

The serving Fire District shall impose any necessary fees, as set forth in Article XVIII of this Ordinance, for the reproduction of records.

# **ARTICLE XVII. Fees, Fines, Variances and Appeals**

## **SECTION 1. General**

All funds that are generated from the fees and fines collected by this ordinance shall be placed in the serving Fire District's General Fund and such funds shall be used by the serving Fire District for Fire Prevention related activities and supplies related to the Fire Prevention Division.

## **SECTION 2. Making Payment**

Violators of this Ordinance shall pay citations, fees and fines cited from this Ordinance to appropriate serving Fire Department at the below address.

Within the boundaries of the White River Township Fire District.

White River Township Fire Protection District  
850 S. Mullinix Road  
Greenwood IN 46143  
(317) 888-8337

Within the boundaries of the Bargersville Fire Department

Bargersville Fire Department  
89 S Baldwin Street  
Bargersville IN 46106  
(317) 422-5130

All payments are due within 30 days from the date or the assessment of the fee/fine. Payments can be paid in person or in mail.

## **SECTION 3. Failure to Pay**

Violators who fail to make payment prior the due date shall be assessed a late fee as set forth in Article XVIII of this Ordinance, and be subject to litigation for failure to pay an ordinance violation fee.

## **SECTION 4. Variance**

An owner or occupant requesting a variance from the state adopted fire and building laws as set forth by IC 22-13-2-11 shall apply for such from the Indiana Fire Prevention and Building Safety Commission in accordance with 675 IAC 12-5.

An owner or occupant requesting a variance from the provisions of this ordinance that is not part of the state adopted fire and building laws as set forth by IC 22-13-2-11 shall apply in writing to the serving Fire Chief within 14 days of the citation. The granting of a variance shall only be considered upon the written application of the owner of the property.

The owner or occupant requesting a variance from this ordinance shall pay a non-refundable fee of \$50.00 to apply for such a variance request.

A variance will only be granted if the serving Fire Chief determines that granting the variance does not increase the risk of fire or danger to the public.

In the event the variance is not granted by the Fire Chief, the owner/occupant may appeal the decision to the serving Fire Protection District Board. Such appeal shall be initiated within 18 days of the Fire Chief's decision.

## **SECTION 5. Appeal**

At any time after the receipt of a citation, ORDER, violation notice or denial of variance, and up to 14 days prior to the final correction date on the notice, the owner or person occupying or controlling the premises may appeal to the serving Fire Protection District's Board of Directors.

Such appeal shall be in writing to the serving Board of Directors and submitted to the Fire Chief. The Fire Chief will address the appeal with the Board of Directors at a regular or adjourned meeting. A decision regarding the appeal shall be final and delivered not more than 30 days after the receipt of said appeal.

An Administrative Review fee of fifty-dollars (\$50.00) shall accompany any appeal filed. Application of waiver shall be in the form of a letter signed by the owner and their appropriate delegate. Failure to provide the administrative review fee at the time of application of waiver will result in the application being denied.

Any cited violation of the rules of the FPBSC shall not have an appeal hearing. To appeal the rules of the FPBSC you must request an administrative review of the order by filing a petition for review with the FPBSC at 302 West Washington Street Room E-243 Attn: Code Services Indianapolis Indiana 46204.

## **SECTION 6. Schedule of Fees for Services Rendered**

### **A. Hazardous Materials**

Pursuant to IC 36-8-12.2, the serving Fire District shall charge the owner of a vehicle or a responsible party that is involved in a hazardous material or fuel spill or chemical- or hazardous material-related fire.

(1) For initial response with a fire engine, a fire truck, or a fire apparatus, including a hazardous material response unit, or a fire rescue unit dispatched on a fire or hazardous material incident, two hundred fifty dollars (\$250.00) per response vehicle except command/control vehicle, which is one hundred dollars (\$100.00) per vehicle.

(2) For each hour or fraction thereof of on-scene assistance, one hundred fifty dollars (\$150.00) per response unit and fifty dollars (\$50.00) per command/control vehicle.

(3) For expendable materials such as absorption materials, emulsifiers, or other agents used in cleanup operations, the actual replacement cost of those materials.

(4) For collection of debris, chemicals, fuel, or contaminated materials resulting from a spill, the actual cost of removal and disposal at an authorized location. The spiller or owner of the equipment involved in the spill is responsible for the entire amount of all costs involved in the emergency incident and the clean-up of the incident.

#### B. Fire Incidents

Pursuant to IC 36-8-12-16 the serving Fire District shall charge the owner of the structure the using the following schedule:

(1) For initial response with a fire engine, a fire truck, or a fire apparatus, including a hazardous material response unit, or a fire rescue unit dispatched on a fire or hazardous material incident, two hundred fifty dollars (\$250.00) per response vehicle except command/control vehicle, which is one hundred dollars (\$100.00) per vehicle.

(2) For each hour or fraction thereof as on-scene assistance, one hundred fifty dollars (\$150.00) per response unit and fifty dollars (\$50.00) per command/control vehicle.

This service fee is delivered to the Owner/Occupants Insurance Company for the payment from the owners/occupants fire department service fee amount. The fire department accepts the maximum allowed on the policy and will not require the owner/occupant any out-of-pocket expense.

# ARTICLE XVIII. Schedule of Fees

## SECTION 1. General

The serving District shall levy a fine for any violation shown below.

<b>VIOLATION</b>	<b>CODE SECTION</b>	<b>FINE</b>
False/Faulty Alarms	Article 4	50.00min 250.00max
Tampering	Article 4	100.00
Fire Lane	Article 8	1st/15.00 <i>Add \$5 for each repeat offense</i>
Fire Protection Obstruction	Article 4	25.00
General Violation of an Article	All Articles	25.00
Site Plan Review	Article 2	15.00
Construction Plan Review	Article 2	35.00
Fire Protection Plan Review	Article 2	25.00
Re-Inspection Fees	Article 3	2 <sup>nd</sup> / 15.00 3 <sup>rd</sup> / 30.00
Failure to comply with ORDER	Article 3	30.00ea/\$250.00 for STOP WORK
Occupancy Permit	Article 3	10.00
Occupancy before a Permit	Article 3	100.00
Failure to provide Change of Occupancy Information	Article 3	10.00
Open Burning Permit	Article 9	5.00
Unlawful Burning	Article 9	50.00
Non-working Smoke Detector	Article 14	15.00ea
Reports NFIRS	Article 16	10.00
Fire Investigation Report	Article 16	Itemized
Variance Request	Article 17	50.00
Administrative Review/Appeal	Article 17	50.00
Violation of Grill use	Article 9	15.00ea
Late Fees for non-payment	Article 17	Add \$10 ea notice

## **ARTICLE XIX. Definitions and Terms**

### **BOARD OF DIRECTORS**

Fire trustees of a fire protection district.

### **BUILDING**

A Class 1 structure used for shelter, protection, or enclosure of persons, animals, or property and which is permanently affixed to the land.

### **BUILDING CODE**

Indiana Building Code (675 IAC 13)

### **BUILDING PERMIT**

A certificate issued permitting a person, firm, or corporation to erect, construct, enlarge, alter, repair, move, improve, remove, convert, or demolish any building or structure

### **BUILDING PLANS**

The maps and drawings showing the specific location and design of building and released by the State Fire Marshal's Office.

### **CERTIFICATE OF OCCUPANCY**

A certificate issued permitting a person, firm, or corporation to occupy a building or space.

### **CLASS 1 STRUCTURE**

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) 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

Any part of the following:

(1) 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, unless any part of the outbuilding is regularly used as a Class 1 structure.

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

## CODE

Either Indiana Fire Code or Indiana Building Code

## DWELLING

A single unit providing complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking, and sanitation.

## DISTRICT

Serving Fire District

The White River Township Fire Protection District or the Bargersville Fire Department

## EMERGENCY

Sudden unforeseen crisis (usually involving danger) that requires immediate action.

## EMS

Emergency Medical Services

## FALSE ALARM

An alarm caused by mechanical failure, malfunction, improper installation, or lack of proper maintenance, or an alarm activated by a cause that cannot be determined.

## FARM

A tract of land cultivated for the purpose of agricultural production or a tract of land devoted to the raising and breeding of domestic animals.

## FIRE APPARATUS

Any vehicle utilized by the fire department in response to an emergency.

## FIRE APPLIANCE

Any device which may be utilized to extinguish a fire.

## FIRE CODE

Indiana Fire Code (675 IAC 22)

## FIRE DISTRICT BOARD

The Fire Districts Board of Directors, appointed by the County legislative body, put in place for the following purposes: (1) Fire protection, including the capability for extinguishing all fires that might be reasonably expected because of the types of improvements, personal property, and real property within the boundaries of the district. (2) Fire prevention, including identification and elimination of all potential and actual sources of fire hazard. (3) Other purposes or functions related to fire protection and fire prevention.

## FIRE DOOR

A combination of a fire door, frame, and other accessories that together provide a specific degree of fire protection to an opening.

#### FIRE ALARM SYSTEM

A system or portion of a combination system consisting of components and circuits arranged to monitor and annunciate the status of fire alarm or supervisory signal-initiating devices and to initiate the appropriate response to those signals.

#### FIRE DETECTION DEVICE

A device designed to detect the presence of a fire signature and to initiate action.

#### FIRE LANE

A fire lane is a designated emergency access lane that is for FIRE and EMS vehicle use only. It is marked with the words "No Parking Fire Lane" in white or yellow letters and a stripe of at least four (4) inches in width, in conformance with the Indiana Manual on Uniform Traffic Control Devices

#### FIRE PROTECTION SYSTEM

Approved devices, equipment and systems or combinations of systems used to detect a fire, activate an alarm, extinguish or control a fire, control or manage smoke and products of a fire or any combination thereof.

#### FIRE WALL

A separation which provides a specific degree of fire protection between areas as per rules of the FPBSC.

#### FIRE WATCH

A fire watch is a person or persons who are assigned to monitor an area for watching for fires and other life safety concerns that may endanger the occupants or building. Fire watch personnel shall be provided with at least one approved means for notification of the fire department and their only duty shall be to perform constant patrols of the protected premises and keep watch for fires. This person must be familiar with the building, the evacuation procedure, the use of fire extinguishers and trained in Fire Safety and Prevention. Personnel used for fire watch shall be certified as a State of Indiana Firefighter and shall be approved by the Fire Marshal. All costs, including wages paid directly to the fire watch personnel, shall be the responsibility of the building owner.

#### IBC

Indiana Building Code (675 IAC 13)

#### IFC

Indiana Fire Code (675 IAC 22)

#### INDIANA BUILDING CODE (675 IAC13)

Standards for the construction of buildings, utilities, mechanical equipment, and all forms of structures and permanent installations as adopted by the FPBSC. (675 IAC 13)

#### INDIANA FIRE CODE (675 IAC 22)

Regulations affecting or relating to structures, processes and premises and safeguards from the hazard of fire and explosion arising from the storage handling or use of structures, materials or devices; from conditions hazardous to life, property or public welfare in the occupancy of structures or premises from fire hazards in the structure or on the premises from occupancy or operation; and, matters related to the construction, extension, repair, alteration or removal of fire suppression and alarm systems as adopted by the FPBSC. (675 IAC 22)

#### KEY BOX

A key box is a key box provided by the KNOX Company that the building owner utilizes to provide easy access to the fire department in the event of an emergency. This key box will have a master key to the building or keys to all areas needing to be accessed by the fire department.

**MEANS OF EGRESS**

A continuous and unobstructed path of vertical and horizontal egress travel from any point in a building or structure to a public way. A means of egress consists of three separate and distinct parts: the exit access, the exit and the exit discharge.

**NFPA**

National Fire Protection Association

**OCCUPANCY PERMIT**

A certificate issued permitting a person, firm, or corporation to occupy a building or space.

**OPTICOM**

This is referring to the brand name of the equipment that the fire department uses to control traffic control devices throughout the district.

**ORDER**

A written document that requires the person being served, to immediately take action to correct the violation. The person being served must follow the requirements of the ORDER and comply within the stated deadline.

**PERMIT**

A certificate issued by governing authority

**PLANS**

Building Plans

**OCCUPANT**

Person who inhabits or engages in commerce within a building

**OWNER**

Any person with legal interest with property without limitation, the holder of title in fee

**RESIDENCE**

A dwelling whose occupants may not be permanent.

**SERVING FIRE CHIEF**

The Fire Chief for the Fire Department that provides the primary fire and emergency services to the property.

**SERVING FIRE DEPARTMENT**

The fire department that provides the primary fire and emergency services to the property.

**SERVING FIRE MARSHAL**

The Fire Marshal from the department that provides the primary fire and emergency services to the property.

**SMOKE DETECTOR**

A listed device that senses visible or invisible particles of combustion.

**STANDARD/RULE**

Requirement established by governing body

**STRUCTURE**

Anything constructed, erected, or established that requires location on or in the ground or is attached to something having a location on or in the ground.

**SUPERVISORY TROUBLE SIGNAL**

A signal initiated by the fire alarm system or device indicative of a fault in a monitored circuit or component.

**TOWNSHIP TRUSTEE**

The White River Township Trustee.

**VACANT**

Building or structure which remains unoccupied.

## **ARTICLE XX. Disclaimers**

### **SECTION 1. Severability**

If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portion hereto.

### **SECTION 2. Codification**

It is the intention of the Township Fire Districts, that the provisions of this Ordinance shall be made a part of the Code of Ordinances of the City of Greenwood, Town of Bargersville as well as the Code of Ordinances of Johnson County; and that sections of this Ordinance may be renumbered or re-lettered and the word "ordinance" may be changed to "chapter", "section", "article" or such other appropriate word or phrase in order to accomplish such intentions; and regardless of whether such inclusion in the Code is accomplished, sections of this Ordinance may be renumbered or re-lettered and the correction of typographical errors which do not affect the intent may be authorized by the County Commissioners, without need of public hearing, by filing a corrected or re-codified copy of same with the County Clerk.

### **SECTION 3. Local Ordinances**

Nothing contained in these regulations shall be considered as abrogating the provisions of any ordinance, rule or regulation of any state or local jurisdiction providing such ordinance, rule, regulation or general plan element is equal to or more stringent than these minimum standards. The Commissioners may certify local ordinances as equaling or exceeding these regulations when they provide the same practical effect.

**ARTICLE XXI. Approval and Adoption**

**PASSED AND ADOPTED:**

This \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

**APPROVED AND ATTESTED:**

**JOHNSON COUNTY COMMISSIONERS**

\_\_\_\_\_  
County Clerk

\_\_\_\_\_  
County Commissioner

\_\_\_\_\_  
Bargersville Fire Protection District

\_\_\_\_\_  
White River Township Fire Protection District

**APPROVED AS TO FORM AND LEGALITY**

This \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

By: \_\_\_\_\_

Date Advertised \_\_\_\_\_

Date of First Reading \_\_\_\_\_

Date of Second Reading & Adoption \_\_\_\_\_

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