



CITY OF MISHAWAKA



DAVID A. WOOD, MAYOR

MISHAWAKA FIRE DEPARTMENT
Bryon P. Woodward
Chief of Department

October 25, 2017

RE: Variance number 18023
De Amicis Mutual Aid Society

Dear State Fire Commission Board,

In April the Mishawaka Fire Department received a complaint from a citizen about the path of exit from the basement area of the De Amicis club. On April 12, 2017, I went to investigate the citizen's concern. The fire investigative report is Exhibit A in the packet. The elevator division of the Indiana Fire and Building Safety had inspected the lift and issued a permit on February 7, 2017. Exhibit B.

4.1.1, of the elevator code, *Lifts shall be installed so that means of egress is maintained as required by the authority having jurisdiction.* Exhibit C

The chair lift was installed and protrudes into the path of exit discharge keeping the occupants from exiting the building while in use or restricting them if not in use. If someone is using the chair lift the other occupants of the basement will have to wait while the chair has stopped, the party using it has stood up and the seat of the lift has been returned to the upright position. If another person needs to use the lift to exit the basement, the chair will have to be returned to the lower level for the next person. This process hinders the expeditious and emergent response to evacuate the building in the event of an emergency situation. This lift is in direct violation of the following Indiana Fire and Building Codes.

- **1003.3.3 Horizontal Projections.** *Structural elements fixtures or furnishings shall not project horizontally from either side more than 4 inches over any walking surface between the heights of 27 inches and 80 inches over any walking surface.*
- **1003.3.4 Clear Width.** *Protruding objects shall not reduce the minimum clear width of Accessible routes.*
- **1003.6 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.*

On October 18, 2017, a follow up visit was made to the business to document and photograph the exit discharges and photograph measurements.

Exhibit D shows the stairs with the chair lift.

Exhibit E and F shows the measurement width of the stairs

Exhibit G and H show the measurement width of the stairs at the front edge of the lift to the opposite wall.

Exhibit I and J shows the measurement from the front edge of the seat in the down position to the opposite wall.

Exhibit K shows the measurement width from the front edge of the lift to the opposite handrail

The staircase measures approximately 38 5/8" at the widest point. Exhibits E and F. The staircase measures approximately 25 1/8" at the widest point of the lift. Exhibits G and H. This is not including the handrail which is 3 3/8" which makes the stairs 21 5/8" at the widest point from the chair to the handrail. The stairs were built to accommodate the occupancy load for the basement. With installing the lift it compromises the Means of Egress Continuity, Section 1003.6.

Another concern is in the event of a medical emergency, the medical equipment would not be able to make it down the stairs. The cots that our medics use are 23 inches wide. With the widest point of the stairs being 21 5/8" the cot would not make it down to assist getting the person out of the basement.

During firefighting operations this diminished exit discharge and obstructions could cause problems for firefighting operations by causing firefighters to become hung up on the lift and a restriction to the point that firefighters could become trapped due to the restriction.

In the variance they mention a second exit from the basement. This exit is not maintained regularly. The stairs are made of concrete. Exhibit L. The rise of the steps is shown in Exhibit M. The treads are of different sizes. Exhibits N, O, P, Q, R. The exhibits were photographed from the lower level to the exit door. The treads range in depth from 8 5/8" to 9 7/8". The treads do not have a slip-resistant surface in accordance with Section 1003.4 IBC.

Exhibit N is the first step out of the lower level

Exhibit O is the second step out of the lower level

Exhibit P is the third step out of the lower level.

Exhibit Q is the fourth step out of the lower level.

Exhibit R is the fifth step out of the lower level

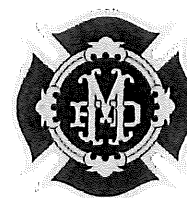
Exhibit S is at the top of the stairs looking into the lower level. This exit discharge is not illuminated at all times and requires a switch to turn the light on. There is no emergency lighting on the staircase or the exit discharge. Sections 1006.1 & 1006.3

Your deepest consideration in rejecting this variance would be appreciated given the circumstances that jeopardize the life safety of the occupants of this building and first responders.

Sincerely,
George Schafer
Fire Marshal



CITY OF MISHAWAKA



A

DAVID A. WOOD, MAYOR

MISHAWAKA FIRE DEPARTMENT
Bryon P. Woodward
Chief of Department

April 12, 2017

De Amici's
302 W. Eleventh Street
Mishawaka, Indiana 46544

To Whom It May Concern,

A report was sent to Fire Prevention Bureau of the Mishawaka Fire Department on April 11, 2017, in reference to the exit discharge for your club being compromised by a chair lift. The individual felt that it made the staircase too narrow to maneuver after the chairlift was installed.

On April 12, 2017, Fire Marshal George Schafer made a visit to the above listed address to observe the chairlift and staircase in question. The following observations were made upon this visit: The staircase to the basement is 39.5 inches wide at the widest point. At the chairlift the widest point is 24". The bartender was questioned as to if a permit was applied for the installation of the chairlift and she was not aware if one had been acquired or not. She was going to contact the manager and turn the information over to him.

There was a second chairlift to the second floor. It appeared at this time there is enough width to accommodate this chairlift. Before this lift will be able to be approved by the Building/Fire Department there will have to be an occupancy limit established for this room to determine if the exit width may be reduced to still accommodate the amount of people that can be discharged out the exit discharge with this chairlift as it is.

The Americans for Disabilities Act will need to be searched to see if there can be handicap people who are not able to maneuver stairs by themselves or who are in a wheelchair can even be in this room without the proper ramp or elevating systems.

The Indiana Fire Code 2012 Edition is very explicit about obstructions of a means of egress. It states as follows:

1003.3 Protruding Objects. *Protruding objects shall comply with the requirements of Sections 1003.3.1 through 1003.3.4.*

1003.3.3 Horizontal projections. Structural elements fixtures or furnishings shall not project horizontally from either side more than 4 inches over any walking surface between the heights of 27 inches and 80 inches above the walking surface.

Exception: Handrails are permitted to protrude 4 ½ inches from the wall.

1003.3.4 Clear width. Protruding objects shall not reduce the minimum clear width of accessible routes.

1003.6 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.

In conclusion the following items will have to be addressed:

1. The chairlift going to the basement will have to be removed immediately.
2. An occupancy limit will have to be determined for the second floor area to determine the width of exit discharge to see if the chairlift will have to be removed or can stay as it is.

If you have any questions in reference to this matter you may contact me at the Mishawaka Fire Prevention Bureau at 574-257-0620 Ext# 4282

Sincerely,

George Schafer
Fire Marshal
City of Mishawaka

B

INSTALLATION OR ALTERATION PERMIT

Operating Certificate Not Valid Until Certified by an Indiana Licensed Inspector



INDIANA

This Certificate has been issued by the
Division of Fire and Building Safety

State Number 170215	Date Issued 02/07/2017	Contract #
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Owner: DE AMICIS CLUB 302 W 11TH ST MARIO J MERIBELA MISHAWAKA IN 46544 Type: ICL	Contractor: MIDSTATES ELEVATOR CO 709 S BYRKIT AVE MISHAWAKA IN 46544 Capacity: 350
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Indiana State Fire Marshal : James L. Greeson

HOOSIER SAFETY

Department of Homeland Security
 Division of Fire & Building Safety
 302 W. Washington St., Rm W246
 Indianapolis, IN 46204

INDIANA LAW REQUIRES CONSPICUOUS POSTING OF THIS CERTIFICATE

OPERATING CERTIFICATE

Operating Certificate Not Valid Until Certified by an Indiana Licensed Inspector



INDIANA

This Certificate has been issued by the
Division of Fire and Building Safety

State Number 170215	Date Issued	
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Elevator Location: DE AMICIS CLUB 302 W 11TH MISHAWAKA IN 46544 Type: ICL	CERTIFICATION Inspector: Date Inspected: State Lic.#: QEI #: Capacity: 350
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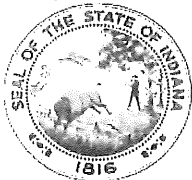
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 Indianapolis, IN 46204

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 Indianapolis, IN 46204



MIDSTATES ELEVATOR CO
 709 S BYRKIT AVE
 MISHAWAKA IN 46544

4 INCLINED STAIRWAY CHAIRLIFTS⁴

Section 4 applies to inclined stairway chairlifts installed in locations other than in or at a private residence for use by the mobility impaired.

4.1 Runways

4.1.1 Lifts shall be installed so that means of egress is maintained as required by the authority having jurisdiction.

4.1.2 The structure on which the equipment is installed shall be capable of safely supporting the loads imposed.

4.1.3 The installation of electrical equipment and wiring shall conform to the requirements of ANSI/NFPA 70.

4.1.4 Electrical equipment shall be certified to the requirements of CAN/CSA B44.1/ASME A17.5.

⁴ See section 7 for the requirements for this equipment installed in or at a private residence.

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4.2 Guide Rails and Tracks

The supporting tracks or guide rails shall be securely anchored to the stairs, floor surface, or sidewall. The factor of safety used in the design of the guide rails and tracks shall be not less than 5 based on the rated load.

4.3 Driving Means and Sheaves

The driving means shall be one of the following:

- (a) winding drum
- (b) traction
- (c) roped sprocket
- (d) chain sprocket
- (e) screw
- (f) rack and pinion
- (g) direct-plunger hydraulic
- (h) roped-hydraulic
- (i) lever hydraulic
- (j) friction

4.3.1 General Requirements

4.3.1.1 The factor of safety used in the design of the sprockets and sheaves shall be not less than 5 based on the rated load. See section 8 for special requirements for particular drive systems.

4.3.1.2 Driving-machine chains and sprockets shall be of steel and shall conform in design and dimensions to the requirements of ANSI/ASME B29.1.

4.3.1.3 Winding drums, traction sheaves, overhead sheaves, and deflecting sheaves used with suspension and compensating ropes shall be of metal and be provided with finished grooves for ropes or shall be permitted to be lined with nonmetallic groove material, and have a pitch diameter of not less than 30 times the diameter of the suspension ropes. Where 8 _ 19 steel rope or 7 _ 19 steel aircraft cable is used, the pitch diameter of the drums and sheaves shall be permitted to be reduced to 21 times the diameter of the rope or cable. Where the grooves are used to transmit power, sufficient traction shall be provided between the rope and groove, and in the event of nonmetallic lining failure, between the rope and the remaining sheave groove, to safely stop and hold the chair with 125% of the rated

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WE SHOULD DO MORE
BUD LIGHT
BUD LIGHT
\$5.75 Pitcher



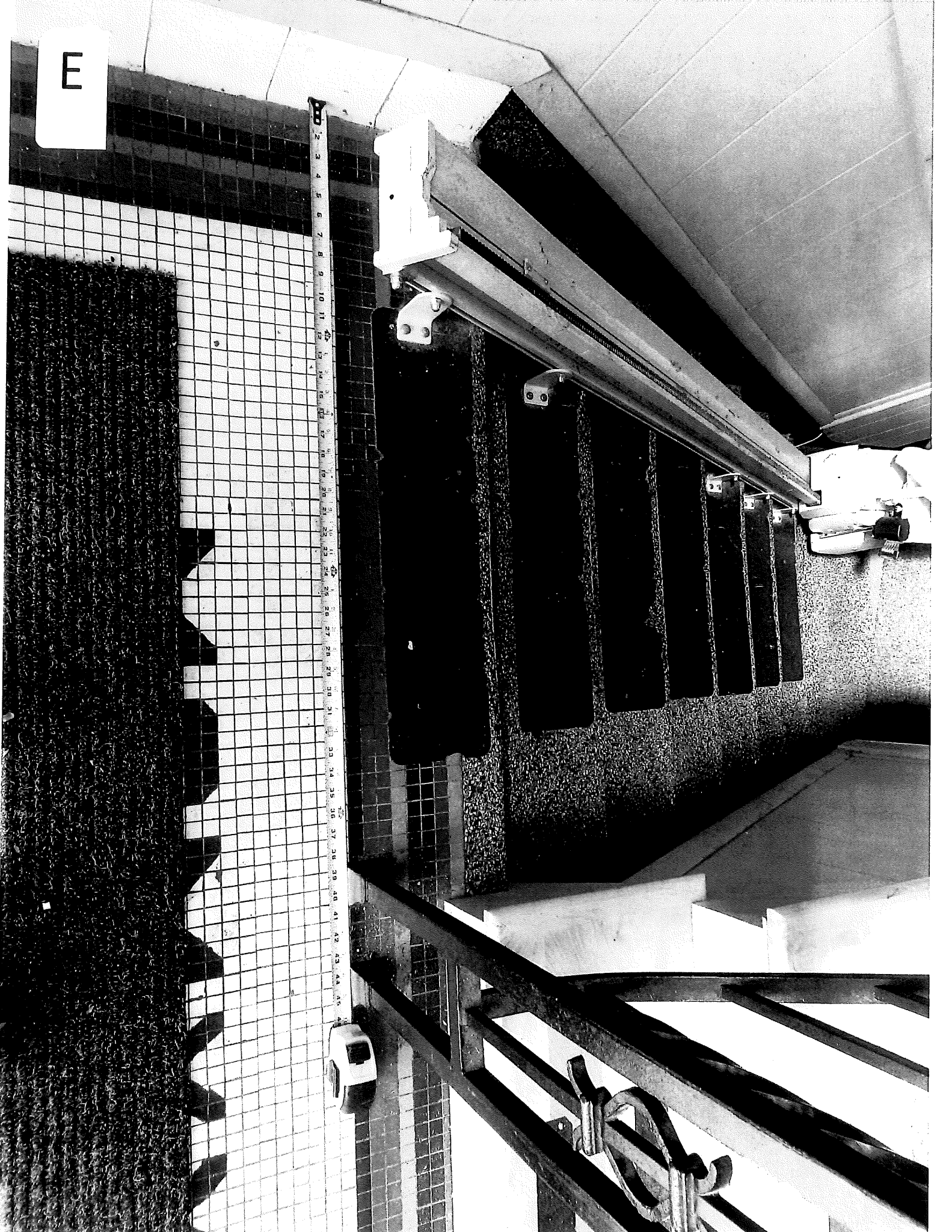
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\$ PER HOUR



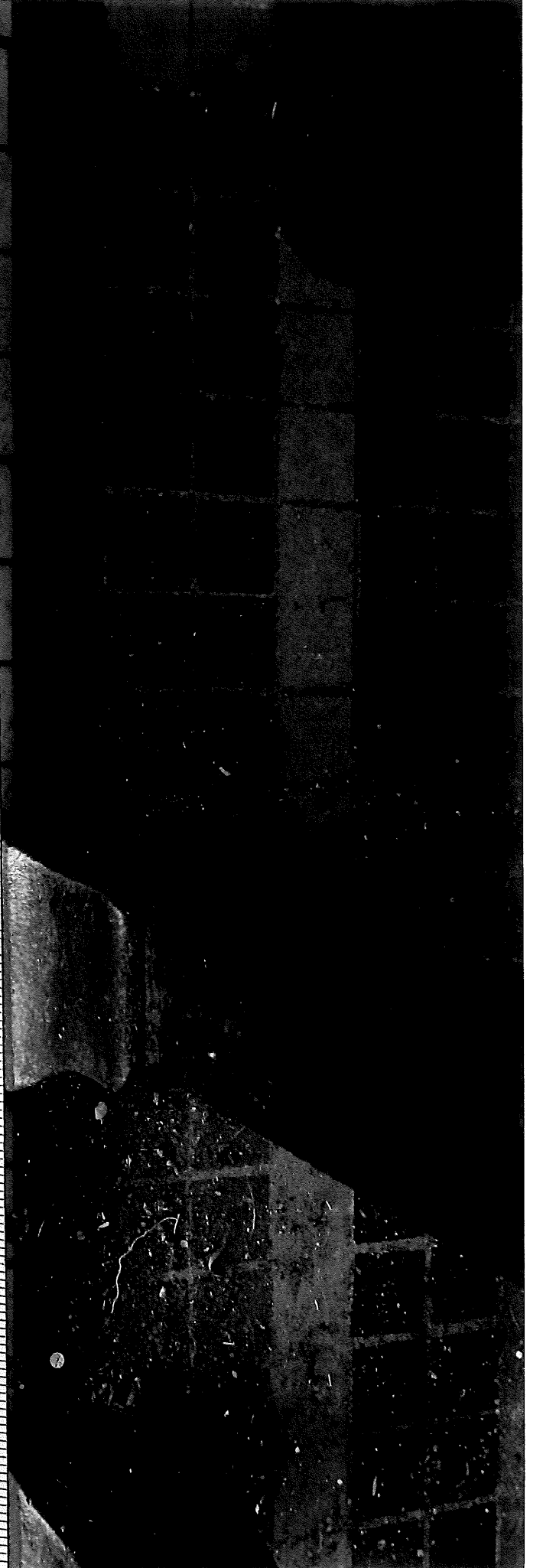
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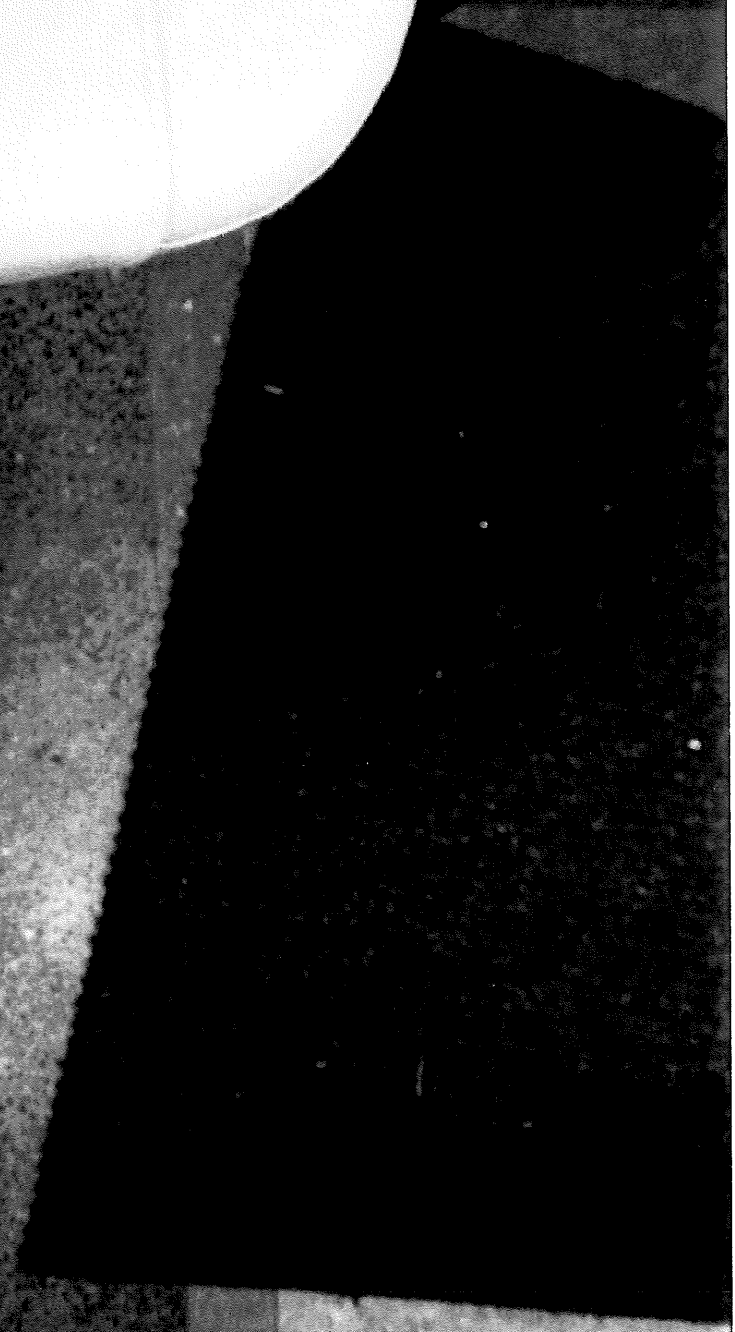
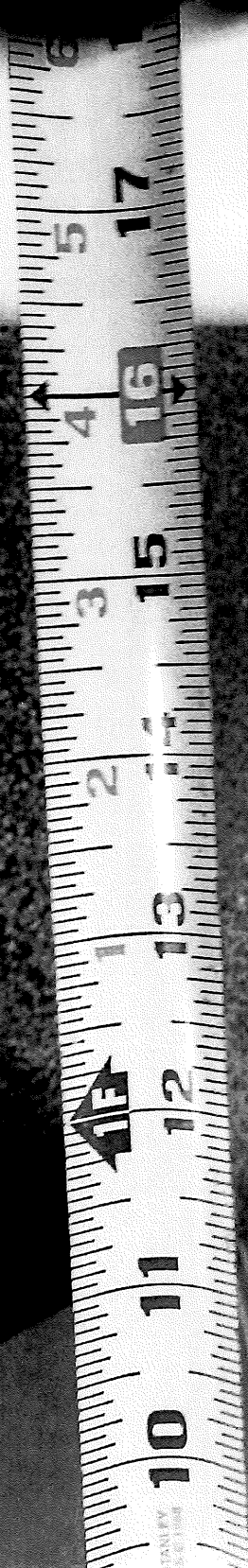
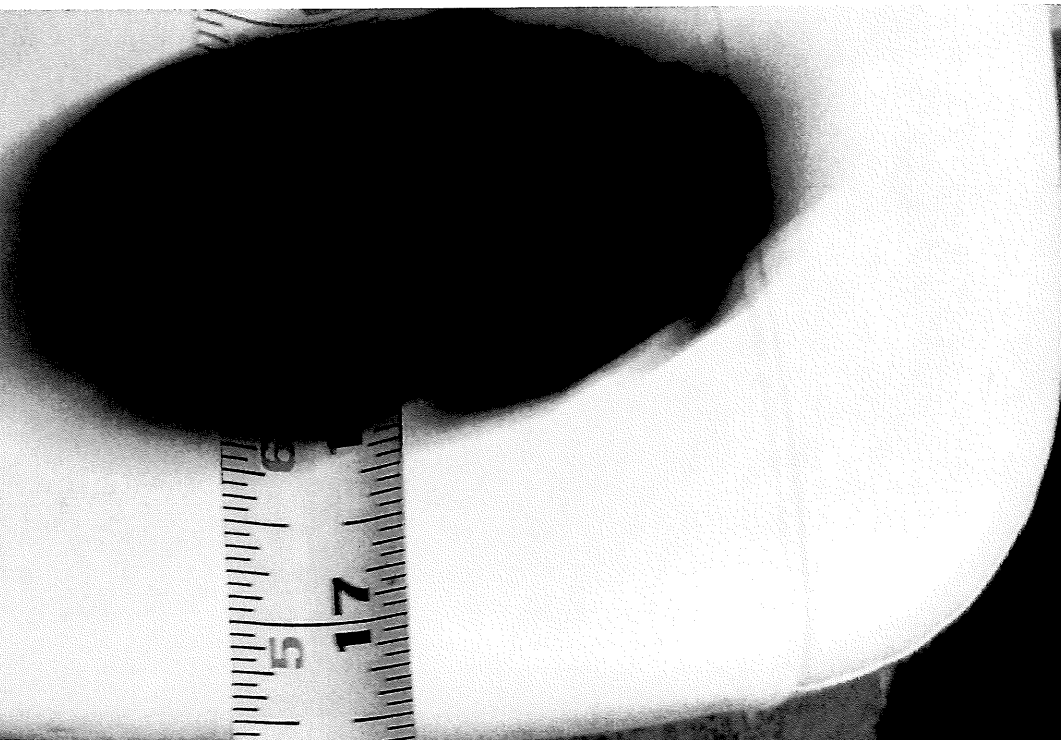


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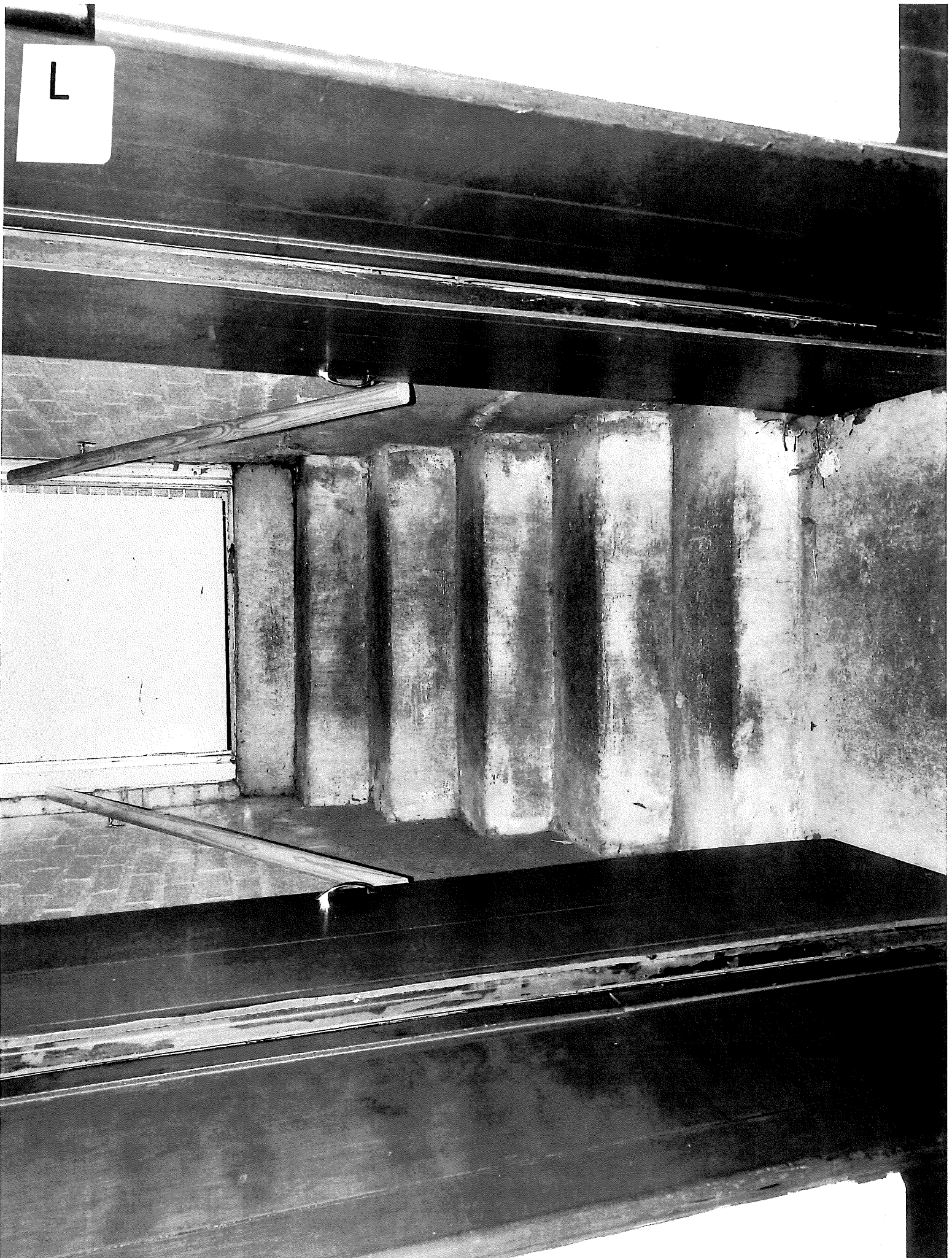


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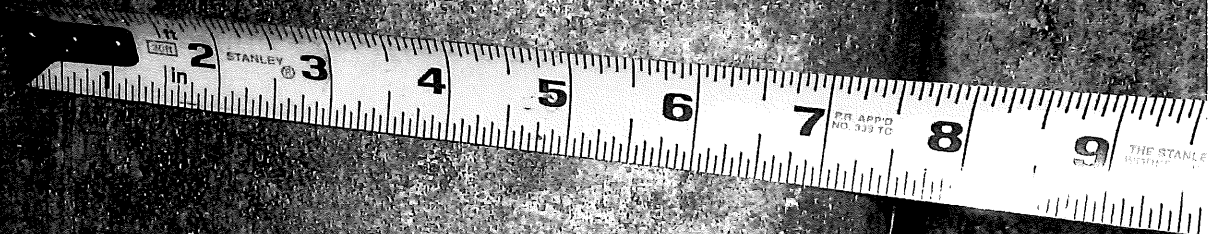
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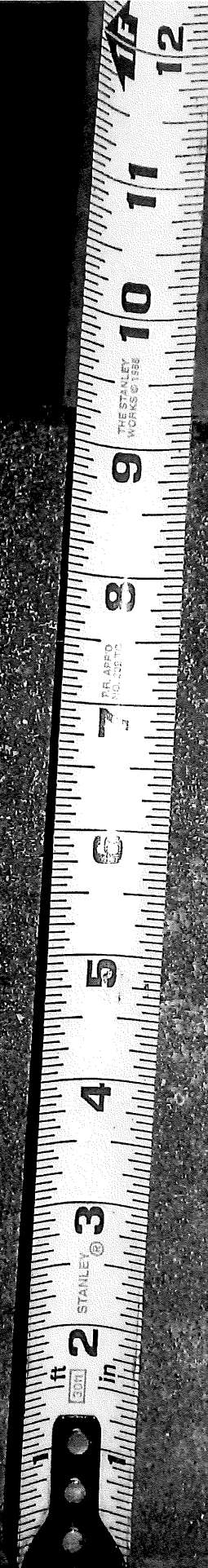
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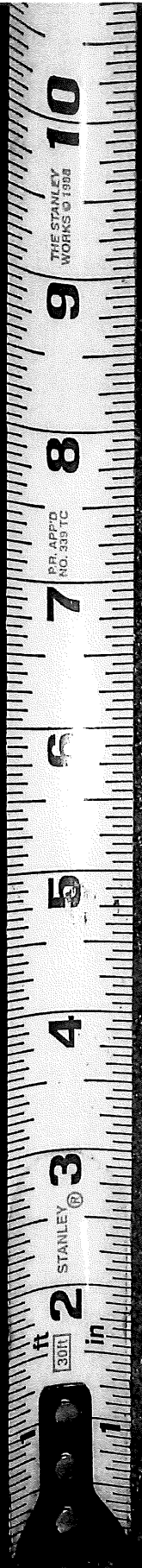
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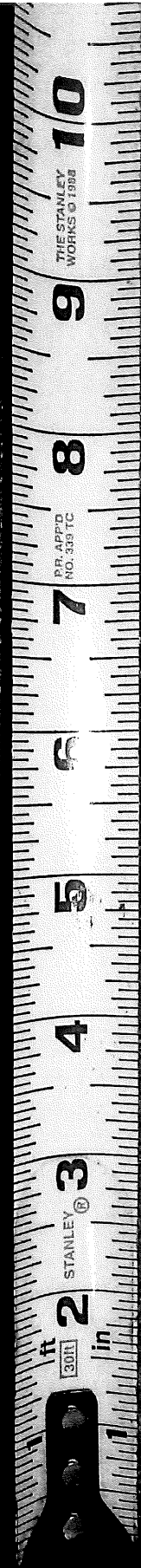
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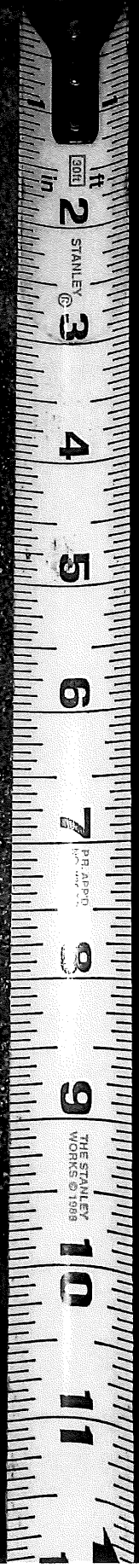
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THIS DOOR TO REMAIN

BEWARE OF THE DOOR

