



August 29, 2019
By U.S. Postal Mail

Julie Riley, Manager
Sunman's Landing
105 W. Washington Street
Sunman, IN 47041

Re: Petition for Administrative Review – IDHS Inspection Report Order Number BU30147-080119 – Sunman's Landing (Civil Penalty)

Dear Ms. Riley:

The Commission is in receipt of your petition for administrative review of IDHS Inspection Report Order Number BU30147-080119 – Sunman's Landing (Civil Penalty), dated 8/6/2019. The petition for review is timely and has been granted by the Commission. The petition has been assigned to the Commission's administrative law judge.

The judge's office will contact you to make arrangements for further proceedings. Should you have any questions, you may contact our deputy general counsel assigned to the matter, Justin Guedel at jguedel@dhs.in.gov or (317) 234-9515.

Sincerely,

Douglas J. Boyle, Director
Fire Prevention and Building Safety Commission
Indiana Department of Homeland Security
302 W. Washington Street, Room E-208
Indianapolis, IN 46204
doboyle@dhs.in.gov
(317) 650-7720

Enclosure

cc: Justin Guedel, IDHS Deputy General Counsel – representing the respondent (by personal service and electronic mail)
ALJ (by electronic mail)
File

My name is Julie Riley and I am the manager of Sunman's Landing, a tavern located in Sunman, Indiana. On 05/09/2019 my contractor, Dustin Hoff applied for a Ripley County permit. He was approved and granted the permit. He brought me the paperwork from the county proving so and construction started immediately. On 05/15/2019 D. Bauman, a Ripley county inspector, and Mr. Knaepple showed up at the tavern when construction of the shelter was halfway completed. Mr. Knaepple advised Dustin Hoff that he may continue to work on the shelter but he should file for a permit through the state and told Mr. Hoff the steps to go through to do so. After Mr. Knaepple was finished talking to Mr. Hoff he came inside and spoke to me about other issues I needed to take care of. While we were in the kitchen discussing exit lights etc. Mr. Knaepple told me that he explained some things to Mr. Hoff that he needed him to do, and that Mr. Hoff was going to take care of it. He also told me that he would return about June 15th. After he left I immediately took care of the issues Mr. Knaepple listed in the inspection report and was told by Mr. Hoff that everything with the permit was taken care of. I felt like I was prepared for Mr. Knaepples return visit to inspect. He never showed up.

On July 23rd, 2019 Mr. Knaepple finally showed up but without notice and I wasn't at the tavern that day and was unavailable. I spoke to him on the phone. He agreed to come back the following week and meet me at the tavern and ask that I bring him copies of Mr. Hoff's paperwork where he paid the county and copies of the county permit. I made him copies and was prepared for his visit. He returned on Thursday August 1st, 2019. He advised me that Mr. Hoff hadn't done what he was supposed to do and that we were issued a permit by the county in error and that I needed to find someone to complete a construction design release. At that time he also issued me a fine for \$250.

Since August 1st, 2019 I spoke with Mr. Hoff who told me that after being told by Mr. Knaepple in May that he needed to apply for a permit through the state that he began the process and had designs drawn by Gillmans Hardware store, he then spoke to a lady at the state office by the name of Pat and Tad Brinson who is the Executive Director of Ripley County Planning and Building Department who both told him that the permit was not issued in error and that the shelter we built was exempt. For that reason Mr. Hoff continued the construction and completed the shelter. Since then I made direct contact with Tad Brinson just to make sure I was getting accurate information from Mr. Hoff. Mr. Brinson gave me the same info he gave Mr. Hoff and he also sent me documents that lists the requirements for being exempt from a design release. On page 28 and #6 of design release requirements, it reads; a 1 story detached class 1 structure that : A- does not exceed 500 sq. ft. floor area. B-have at least 1 unenclosed side, and C- are used for personnel shelters, such as: bus stops, gazebos, picnic shelters. The structure that was built is 3 sided (a triangle) with the front side open and is only 200 sq. ft. It will be used as a shelter from the weather for customers that want to sit outside and shelter for entertainment that will play outside to keep them protected from the weather. I have included all paperwork and info that I have available to me in hopes to come to a resolution.

I feel as if myself, Julie Riley the manager of Sunman's Landing is caught in between a disagreement between the state and the county inspectors and I'm suffering and being penalized due to the dispute. Myself and Mr. Hoff are unsure which inspector is giving us the correct information but feel as though we wouldn't have been granted a county permit if it wasn't correct and the shelter we built seems to fit perfectly into the description of exemption requirements.

Due to all of these circumstances I feel I am entitled to a review of this penalty. My desired outcome is that this penalty is dropped and that it is found that my business should not suffer for the disagreements and/or mistakes of County and State employees therefore the County permit that was granted to me should be all I'm required to have. Why should I have to get a design release and State permit after my shelter is already built? Since July 23rd I've had Mr. Knaepple at the tavern 3 times and Mr. Brinson at the tavern 1 time, all during business hours. Each time they have been inspecting and taking pictures of the shelter. My customers are asking tons of questions and wondering if the shelter is safe due to the constant presence of inspectors inspecting it and taking pictures. We've spent approximately 4 thousand dollars building a shelter to improve business and now have to convince our customers that it's safe because of this issue. I'd really appreciate if this issue was resolved quickly and we were able to move on from a project that began on 05/09/2019 and start putting the shelter to use.

Thank you,

Sunman's Landing

105 W. Washington St

Sunman, Indiana 47041

Julie Riley 812-577-7922

17099 Palmer Rd.

Moore Hill, Indiana 47032



CIVIL PENALTY

TO: Julie Riley, Manager, Sunman's Landing
105 W. Washington St.
Sunman IN 47041
BU30147 Sunman's Landing

DATE: 08/01/2019

ORDER #: BU30147-080119

Pursuant to Indiana Code § 4-21.5-3-6 and Indiana Code § 22-12-7-7, the Division of Fire and Building Safety of the Indiana Department of Homeland Security (the "Division") issues this Order imposing a \$250.00 fine for failing to correct all violations of the Indiana building and fire safety laws found during an inspection conducted at your facility. A copy of the inspection report order that was issued following this inspection has been attached to this Order for your reference.

Specifically, the following violations you were required to correct still remain uncorrected:

675 IAC 12-6-3(a) - No construction shall be done on a Class 1 structure until a design release has been issued by the division unless the construction is of a type specifically exempted from the design release requirements by section 4 of this rule. Design releases may be issued by the division.

Violation -Construction of an outdoor stage adjoining the rear exterior deck of the facility without a Construction Design Release.

Please notify the Division immediately upon your compliance with the requirements of this Order. Failure to correct the above mentioned violations and remit payment in full for the fine that has been issued will result in additional sanctions and enforcement actions.

Payments may be made by:

1. Certified Check or Money Order; or

Made out to the Indiana Department of Homeland Security and delivered to:
Indiana Department of Homeland Security
Division of Fire and Building Safety, Code Enforcement
302 W. Washington St. Rm. E241
Indianapolis, IN 46204

2. Credit Card

By following the directions at the following link: <https://oas.dhs.in.gov/dfbs/idhsFeesFines/start.do>.

REVIEW RIGHTS

This order is final and effective fifteen (15) days after service. If you would like to request **informal review** of this order, please complete the informal review form located at <https://www.in.gov/dhs/appeals>. Following receipt of this form, the Department may modify or reverse the order, however, a request for an informal review does not extend the deadline for filing a petition for review. Additionally, if you have any questions regarding this order, you may contact that Department at (317) 232-2222.

If you desire a formal administrative review of this order, you must comply with the requirements of Indiana Code § 4-21.5-3-7 and file a written petition for review within fifteen (15) days after receiving notice of this order. Your petition for review must state facts demonstrating that you are: (1) a person to whom the order is specifically directed; (2) aggrieved or adversely affected by the order; or (3) entitled to review under any law. You may submit your petition by the following methods:

U.S. MAIL OR PERSONAL SERVICE

Indiana Department of Homeland Security
Fire Prevention and Building Safety Commission
c/o Legal Counsel
302 W. Washington Street, Rm. E208
Indianapolis, IN 46204

ONLINE

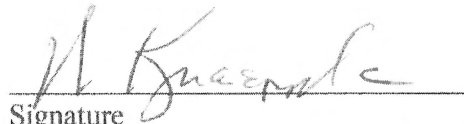
By completing the form at
<https://www.in.gov/dhs/appeals.htm>

For additional information about the administrative review process and applicable templates that may be used for filings, visit the following link <https://www.in.gov/dhs/appeals.htm>.

CERTIFICATE OF SERVICE


I hereby certify that a true and correct copy of the foregoing Findings and Order has been served this 1st day of August, 2019, via hand delivery upon the following:

Julie Riley, Manager, Sunman's Landing
105 W. Washington St
Sunman IN 47041
Address
City, State, Zip



Signature
Indiana State Fire Marshal (or designee)
Walter Knaepple

Received this 1st day of August 2019



Signature (owner's representative)

Received this _____ day of _____, 201__

Signature (occupant/tenant if applicable)



FIRE AND BUILDING CODE ENFORCEMENT INSPECTION REPORT ORDER

DIVISION OF FIRE AND BUILDING SAFETY
INDIANA DEPARTMENT OF HOMELAND SECURITY
302 WEST WASHINGTON STREET, RM E241
INDIANAPOLIS, IN 46204
TELEPHONE: 317-232-2222
WEB ADDRESS: WWW.IN.GOV/DHS

Wrong Spelling

Wrong number

Identification Number BU30147	Name of the facility SUNMAN'S :LANDING	County RIPLEY
Address of Property 105 W WASHINGTON ST SUNMAN 47041	Name of the Contact JULIE RYLE <i>Riley</i>	Telephone Number (815) 777-922 <i>812-577-7922</i>
Email sunmanslanding@g mail.com		Inspection Date 05/15/2019
Inspection Category BUSINESS/MANUFACTURING	Inspection Type INITIAL	Inspection Status: VIOLATION
Name of the inspector WALTER KNAEPPEL	Phone: 3176953665	
Email: wknaeppel@dhs.in.gov		

Violations

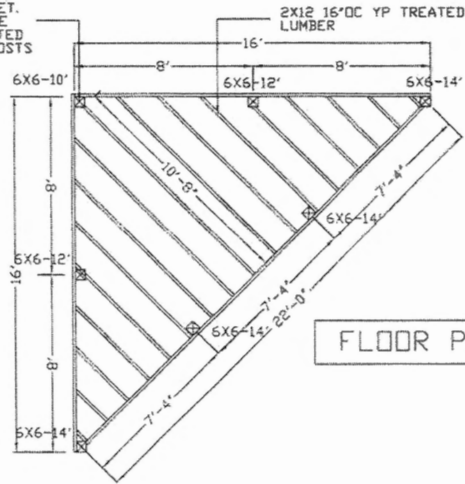
VIO-LATION NUMBER	RULE OR INDIANA CODE SECTION VIOLATED	DESCRIPTION OF VIOLATION	DATE BY WHICH VIOLATION MUST BE CORRECTED
1	Sec. 604.5.2 2014 Edition IFC 675 IAC 22-2.5	For battery-powered emergency lighting, a power test of the emergency lighting equipment shall be completed annually. The power test shall operate the emergency lighting for a minimum of 90 minutes and shall remain sufficiently illuminated for the duration of the test. <u>Provide documentation that all battery operated exit signs and emergency lights are operable and have been tested to the above standard.</u>	06/15/2015
2	Sec. 605.3 2014 Edition IFC 675 IAC 22-2.5	A working space of not less than 30 inches (762 mm) in width, 36 inches (914 mm) in depth and 78 inches (1,981 mm) in height shall be provided in front of electrical service equipment. Where the electrical service equipment is wider than 30 inches (762 mm), the working space shall be not less than the width of the equipment. No storage of any materials shall be located within the designated working space. Exceptions: 1. Where other dimensions are required or allowed by NFPA 70. 2. Access openings into attic or underfloor areas, which provide a minimum clear opening of 20 inches (509 mm) by 40 inches (1,016 mm). <u>The electrical service panel in the kitchen is obstructed by the storage rack.</u>	06/15/2015
3	Sec. 609.3.3.2 2014 Edition IFC 675 IAC 22-2.5	If during the inspection it is found that hoods, grease-removal devices, fans, ducts or other appurtenances have an accumulation of grease, such components shall be cleaned. <u>Visual observation shows grease accumulation seeping out from under the filter rack.</u>	06/15/2015
4	675 IAC 12-6-3(a)	No construction shall be done on a Class 1 structure until a design release has been issued by the division unless the construction is of a type specifically exempted from the design release requirements by section 4 of this rule. Design releases may be issued by the division. <u>Construction of a 200 sf deck w/ roof in progress. Local permit issued!</u>	06/15/2015

Inspection Notes:

Inspected w/ D. Bauman, Ripley Co LBO. The local Building Permit issued in error.

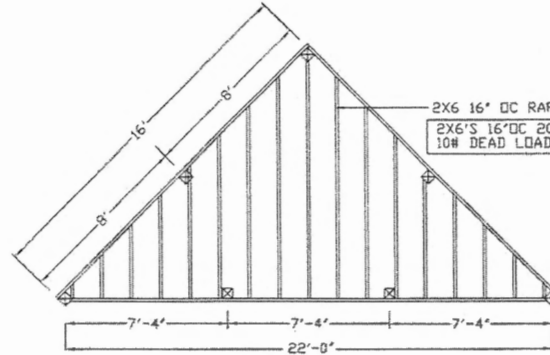
Facility Id	Received By Name	Signature and Date
BU30147		

(RATED FOR BELOW GROUND)
 .60 RET. VALUE
 TREATED
 YP POSTS

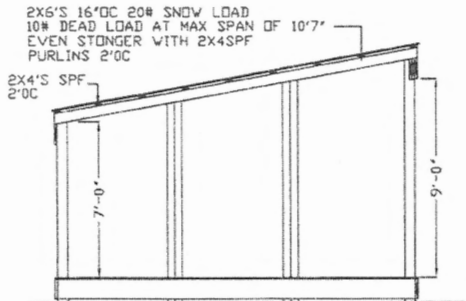


FLOOR LOADINGS
 40 LBS LIVE LOAD
 AT MAX. SPAN OF 17'5"

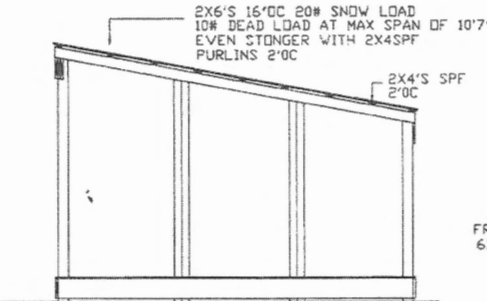
FLOOR PLAN



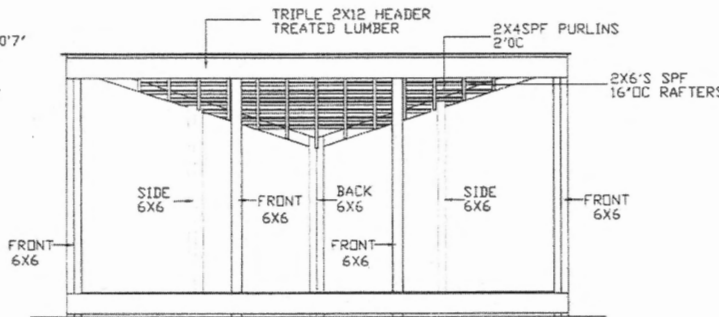
2X6 16' OC RAFTERS
 2X6'S 16' OC 20# SNOW LOAD
 10# DEAD LOAD AT MAX SPAN OF 10'7"



RIGHT ELEVATION



LEFT ELEVATION



FRONT ELEVATION

REVISIONS
 5/22/2019 FOR CUSTOMER APPROVAL

PROJ. LOC. / OWNER

BUILDER

Gillmann Home Center
 271 State Road 129 s

GILLMAN

5/22

1

GHC

BUILDING PERMIT FOR RIPLEY COUNTY, INDIANA

Ripley County Building Department
P.O.Box 151 Versailles, In. 47042
812-689-6068

Application Number: 15838

Owner Whitewater River 812-577-7922/

Contractor Dustin Hoff 812-212-0447/

Address 105 W Washington St Sunman, IN 47041

Directions _____

Comments _____

Township Adams Twp Section 17-09-13
Application Date 5/9/2019 Zoning GB Proposed Use Business / Commercial

Lot Number _____

Permit Number	Permit Type	Work Being Done	Lot Number
B 23422	Building	Commercial	Duke

This Permit is subject to the following:

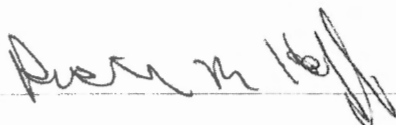
- 1 Time Limit. The work authorized by the Improvement Location Permit must be commenced within Six (6) months from the date of issuance. All work so authorized by this Building Permit shall be completed within Twelve (12) months, One (1) year.
- 2 The granting of a permit does not presume to give authority to violate any state or local law regulating construction or the performance of construction, or any and all easements, zoning regulations, or subdivision restrictions.
- 3 I hereby certify that I have read and examined this permit and know the same to be true and correct. All provisions of laws and ordinances governing this type of work will be complied with whether specified herein or not.
- 4 Any and all applicable rules and regulations of the Ripley County Health Department shall be applied here in. All applicable Flood Plain Ordinances including State and Federal guidelines pertaining to the designated Flood Hazard Areas of Ripley County.
- 5 This permit issued for the above referenced project shall be in full compliance with all applicable State rules. This permit may be suspended or revoked if not in compliance with all the rules of the State Fire Prevention & Building Safety Commission.
- 6 A Certificate of Occupancy shall only be issued upon final completion of the above referenced project. Failure to obtain a Certificate of Occupancy will result in the denial of the Homestead Exemption.

THIS PERMIT IS VALID FOR ONE (1) YEAR FROM THE DATE OF ISSUE.

This license is a permit to do the above described work according to the application, plans, and specifications on file in this office.

POST THIS PERMIT IN A CONSPICUOUS PLACE ON THE JOB SITE

Approved by



No. 15838

Approved by State Board of Accounts

Date: 5/9/2019

LOCATION IMPROVEMENT APPLICATION
 Ripley County Area Planning Commission
 P.O. Box 151, Indiana 47042
 Phone:812-689-6062 Fax:812-689-5206

Proposed Use:
Business / Commercial

Owner Name: Whitewater River

Owner Phone Number

Owner Address: 927 Beechwood Ctr
Lawrenceburg, In 47025

812-577-7922

Property Address: 105 W Washington St
Sunman, IN 47041

Directions or description of property if necessary

Lot Number: Township: Adams Twp

Section: 17-09-13

Location of Bldg on lot		Size of Proposed Bldg		Construction Materials		Septic/Sewer	
Set Back	80	Width	20	Basement		Septic/Sewer	NA
Side Yard	36	Length	20	Foundation	Pole	Permit #	
Side Yard	0	Height	8	Walls		Site Survey #	
Rear Yard	0	Area (Sq. Ft)	200	Roof	Metal		

Is the property, if accurately located by applicant, in a Flood Hazard Area? No FIRM MAP#

Zoning: GB

Notes:

wood deck with roof the shape of the deck is a triangle so sq footage is 200

Total Est. Cost of Construction: 4,000.00

Key / Parcel #: 020-100239-00

FEES PAID

Permit Type	Permit #	Fee
Building	B 23422	345.00
TOTAL:		345.00

I HEREBY CERTIFY THAT ALL BUILDINGS, ALTERATIONS AND/OR USE OR IMPROVEMENT OF ANY LAND WILL BE EXECUTED AND DONE IN ACCORDANCE WITH THE COMPREHENSIVE PLAN AND SANITATION CODE AS ADOPTED BY THE COUNTY OF RIPLEY, STATE OF INDIANA. THIS PERMIT IS VALID FOR SIX (6) MONTHS FROM THE DATE OF ISSUE.

SIGNATURES:

Ted Brunson

Ripley County Building Department

P.O.Box 151
Versailles, In. 47042
812-689-6068
Fax 812-689-5206

Receipt of Permit Application

Application #:
15838

Owner:
Whitewater River

Printed on: 5/9/2019

Permit Type:	Permit Sub Type:	Permit #:	Fee:
Building	Commercial	B 23422	345.00
		Total:	345.00

Receipt #: 21699	Received By: Vicki Taylor	Date:
Receipt Date: 5/9/2019	Received From: Dustin Hoff	(Payor Address)
<input type="checkbox"/> Cash 0.00	<input checked="" type="checkbox"/> Check 345.00	<input type="checkbox"/> Money Order 0.00
	<input type="checkbox"/> Credit / Debit Card 0.00	<input type="checkbox"/> Other 0.00
		(Payor Phone)
	Total:	345.00
Fund / Department	Amount	
Area Plan Commission,	15.00	
Building Department,	330.00	

DUSTIN M. HOFF
29471 BLUE CREEK ROAD
SUNMAN, IN 47041

71-464749

Ripley County Building Dept.

Date \$-9-20-09

Pay To The
Order Of

Three hundred forty five dollars
Ripley County Building Dept

\$ 345.00

FCN BANK
BATESVILLE, INDIANA 47006

Dollars Credits features
printed on back

For *Wagner building*

Dustin Hoff

████████████████████

Line Street Hazard

CON Number

324385

Ticket Number

1905093027

See: Page 28 #6

ADMINISTRATION

(2) Portable structures on construction job sites for use by persons involved in the construction process.

(3) Mobile structures as set forth at IC 22-12-1-17.

(Fire Prevention and Building Safety Commission; 675 IAC 12-6-2; filed Jul 17, 1987, 2:30 p.m.: 10 IR 2688, eff Aug 1, 1987 [IC 4-22-2-36 suspends the effectiveness of a rule document for 30 days after filing with the Secretary of State. LSA Document #87-53 was filed Jul 17, 1987.]; errata, 11 IR 97; filed Jan 30, 1998, 4:00 p.m.: 21 IR 2089; readopted filed Sep 11, 2001, 2:49 p.m.: 25 IR 530; filed Aug 30, 2006, 2:25 p.m.: 20060927-IR-675050108FRA; readopted filed Sep 21, 2007, 9:20 a.m.: 20071010-IR-675070388RFA; readopted filed Oct 10, 2007, 9:16 a.m.: 20071031-IR-675070388RFA; readopted filed Aug 8, 2012, 8:08 a.m.: 20120905-IR-675120260RFA; filed Aug 1, 2014, 11:12 a.m.: 20140827-IR-675130339FRA, eff Dec 1, 2014)

675 IAC 12-6-3 Design release; requirement

Authority: IC 22-13-2-13

Affected: IC 22-15-3

Sec. 3. (a) No construction shall be done on a Class 1 structure until a design release has been issued by the division unless the construction is of a type specifically exempted from the design release requirements by section 4 of this rule. Design releases may be issued by the division.

(b) If a foundation release is obtained under section 14 of this rule, construction may:

(1) be done to the grade level only as provided for by section 14(c) of this rule; and

(2) not go beyond that point without the issuance of a design release or a partial design release authorizing the further construction.

(c) If a partial design release is obtained under section 15 of this rule, construction may be done to the extent of the partial design release but it may not exceed that scope without the issuance of a design release or another partial design release authorizing the further construction. *(Fire Prevention and Building Safety Commission; 675 IAC 12-6-3; filed Jul 17, 1987, 2:30 p.m.: 10 IR 2689, eff Aug 1, 1987 [IC 4-22-2-36 suspends the effectiveness of a rule document for 30 days after filing with the Secretary of State. LSA Document #87-53 was filed Jul 17, 1987.]; readopted filed Sep 11, 2001, 2:49 p.m.: 25 IR 530; filed Aug 30, 2006, 2:25 p.m.: 20060927-IR-675050108FRA; readopted filed Sep 21, 2007, 9:20 a.m.: 20071010-IR-675070388RFA; readopted filed Oct 10, 2007, 9:16 a.m.: 20071031-IR-675070388RFA; readopted filed Aug 8, 2012, 8:08 a.m.: 20120905-IR-675120260RFA)*

675 IAC 12-6-4 Exemptions from design release requirement

Authority: IC 22-13-2-13

Affected: IC 4-21.5; IC 12-13-4-3; IC 22-15-3

Sec. 4. (a) Design releases are necessary for construction on all Class 1 structures, except the following:

(1) Class 1 structures that will never be occupied or otherwise used in any part by the public and that will not normally be occupied or otherwise used in any part by a person who is acting as an employee of another, of the following types:

(A) Oil derricks.

(B) Pipelines, including related physical support structures.

(C) Tanks for storage of products, other than flammable or combustible liquids or gases, that are factory fabricated and assembled.

(D) Electrical power cable transmission towers and substations.

(E) Structures used for communication purposes, except for:

(i) satellite dishes exceeding ten (10) feet in diameter; and

(ii) antennas exceeding thirty (30) feet in length;

when mounted on the roof of a Class 1 structure.

(F) Structures appurtenant to:

(i) industrial plants;

(ii) power generating plants;

(iii) gas plants;

(iv) bulk storage facilities; and

ADMINISTRATION

(v) shipping terminals;
where the functions of the structures are primarily the support of related equipment.

(G) Structures of:

- (i) sewage;
- (ii) water;
- (iii) gas; and
- (iv) electric;

utilities.

(H) Signs, except those mounted on the roof of a Class I structure, that exceed one hundred (100) square feet of surface area.

(2) Temporary structures.

(3) Class I structures either:

- (A) owned by the federal government; or
- (B) located on land over which exclusive jurisdiction has been ceded to the federal government. (See 40 U.S.C. 255 and IC 4-21.5.)

(4) One (1) story detached accessory Class I structures in Group B, F, R, S, U, or M Occupancy classifications that:

- (A) do not exceed five hundred (500) square feet; and
- (B) are used as:

- (i) equipment shelters;
- (ii) tool and storage sheds (not used for the storage or handling of hazardous materials);
- (iii) freezers;
- (iv) coolers; or
- (v) other similar uses.

(5) One (1) story attached additions to Class I structures in Group B, F, R, S, U, or M Occupancy classifications that:

- (A) do not:
 - (i) exceed three hundred (300) square feet; and
 - (ii) impose an excessive structural load onto the existing structure; and
- (B) are used as:

- (i) equipment shelters;
- (ii) tool and storage sheds (not used for the storage or handling of hazardous materials);
- (iii) freezers;
- (iv) coolers; or
- (v) other similar uses.

- * (6) One (1) story detached Class I structures that:
- (A) do not exceed five hundred (500) square feet in floor area;
 - (B) have at least one (1) unenclosed side; and
 - (C) are used for personnel shelters, such as:
 - (i) bus stops;
 - (ii) picnic shelters; and
 - (iii) gazebos.

(7) One (1) story detached Class I structures that:

- (A) do not exceed two hundred (200) square feet in floor area; and
- (B) are used as guard houses or retail sales outlets, such as:
 - (i) kiosks;
 - (ii) drive-up facilities; and
 - (iii) roadside fruit and vegetable stands.

(8) Fences, except for those enclosing:

- (A) public swimming pools; or
- (B) liquified petroleum gas storage facilities.



Julie Riley <sunmanslanding@gmail.com>

Fw: CDR requirements

2 messages

Tad Brinson <tbrinson@ripleycounty.com>
To: sunmanslanding@gmail.com

Mon, Aug 5, 2019 at 10:17 AM

This is what I sent them today.

From: Tad Brinson
Sent: Monday, August 05, 2019 1:02 PM
To: codequestions@dhs.in.gov
Cc: ksettle@dhs.in.gov
Subject: CDR requirements

To whom it may concern,

I am hopeful that someone in code enforcement can give some clarity to an ongoing situation in Ripley County.

Our State Inspector Walt Knaepple has apparently spoken to the President of the Ripley County Commissioners

regarding his belief that I am purposely suggesting that people circumvent the code for a CDR. Specifically, a business owner in Sunman, Indiana came in and asked about obtaining a permit for a Three (3) sided, triangular open structure under roof. Containing Two Hundred (200) sq. ft.

I told the gentleman that as long as it is open sided and under Five Hundred (500) sq. ft., no CDR was required.

According to 675 IAC 12-6-4 exemptions from design release requirement. Section 4. (6), (A) & (B) state this, unless I am reading this wrong.

I learned that Thursday August 1, 2019 from the property manager that Mr. Knaepple was there and gave them a fine of \$250.00 for not having obtained a CDR.

He informed them that they need to hire an engineer to design the plans for this structure.

They had plans drawn up, but Mr. Knaepple refused them. He told them that the plans had to be drawn by an engineer, specifically the Poole Group.

I have attached photos of the structure in question. If someone in the staff can please give me guidance to this situation, I would greatly appreciate it.

Thank you,
Tad Brinson,
Executive Director
Ripley County Area
Plan Commission

 MX-3115N_20190802_123805.pdf
1855K

Tad Brinson <tbrinson@ripleycounty.com>
To: sunmanslanding@gmail.com

Mon, Aug 5, 2019 at 10:41 AM

Here is the latest response.

I am no satisfied, so I requested Ms. Settle tell me who I can get an interpretation from. I'll keep you informed.

From: Settle, Kristin
Sent: Monday, August 05, 2019 1:29 PM
To: Tad Brinson ; DHS Code Questions
Cc: Cooley, Randall
Subject: Re: CDR requirements

Mr. Brinson,

There was some discussion last week on this topic with both plan review and building commissioner. Unfortunately this issue does not qualify as an interpretation request, as the issue at hand is a violation that was issued to a business, not an interpretation issue. At this time, all of the paperwork provided to the owner both upon initial visit and Reinspection provides explicit instructions on how to appeal or file an informal review of a violation and a fine. The business owner needs to file an informal review so it can go through our office legal team in the same manner as all of our issued inspection reports and fines. When an informal review is received formally in our office, we will review the inspection report documents, the photos of the structures, and confer with plan review on what specifically is needed and issue out a determination through the legal process established. There is a time limit for this request to our office so please make sure the business owner gets this in to us as soon as possible to the address/ department provided.

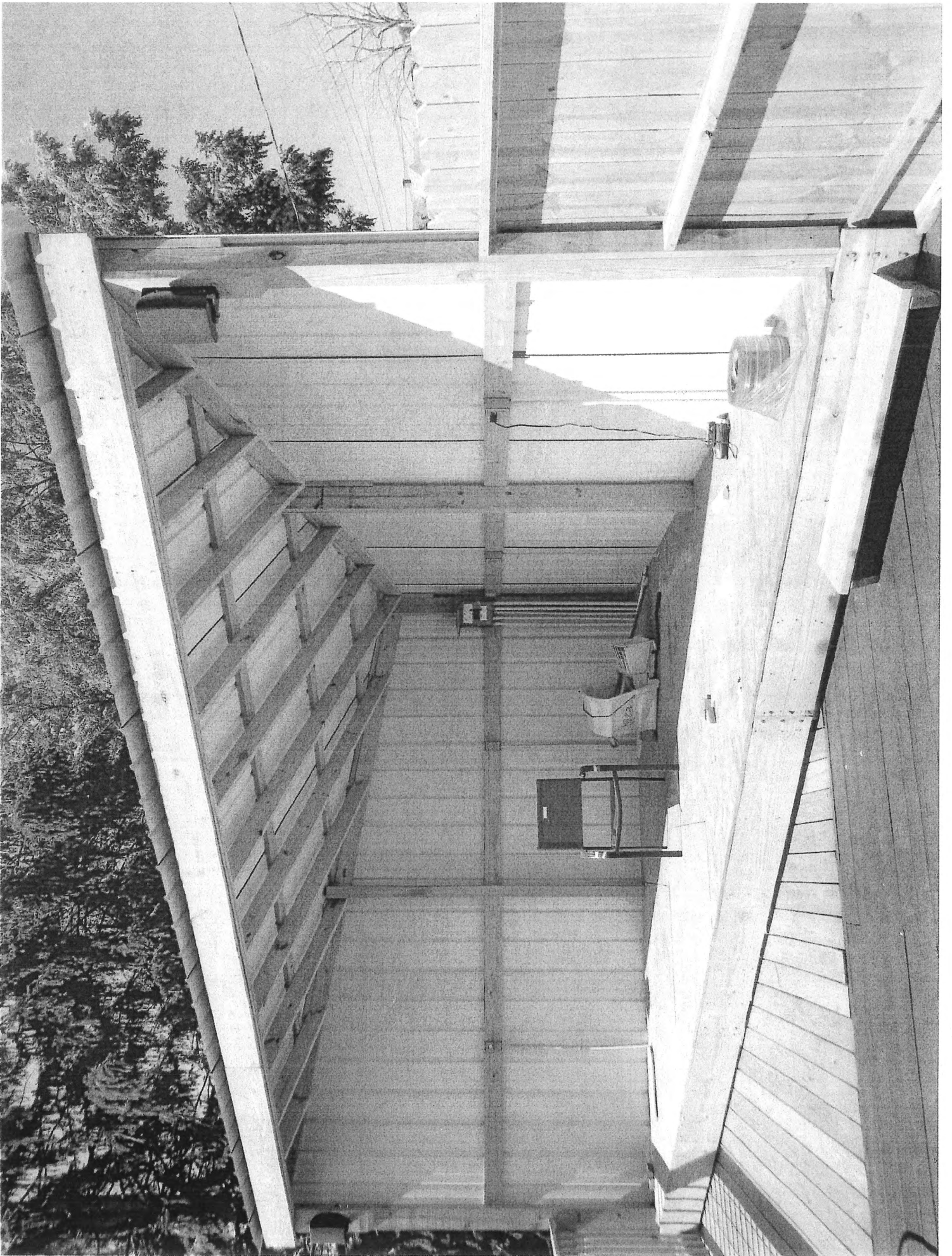
Thank you,

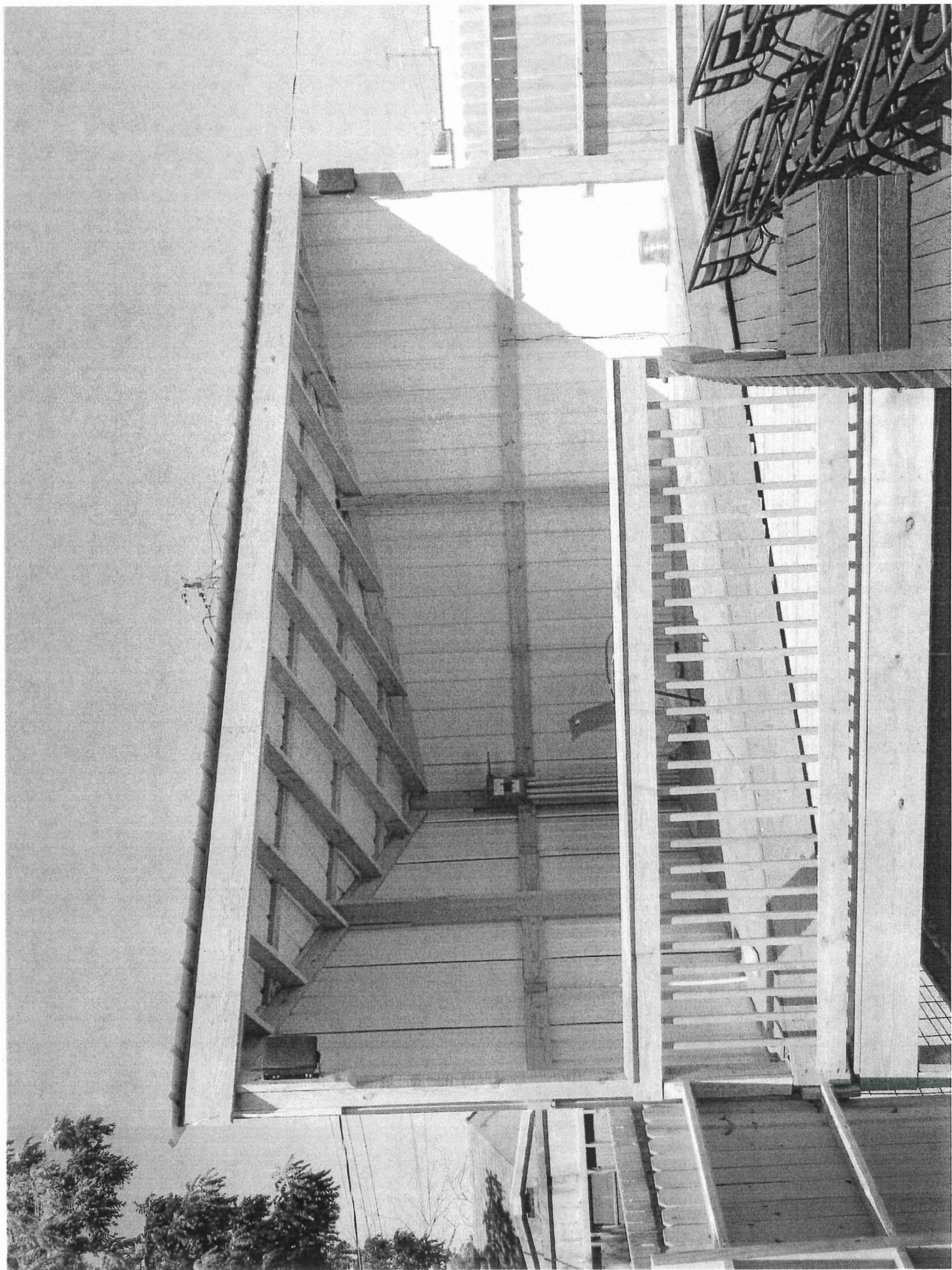
Kristin Settle | Section Chief-Code Enforcement
Division of Fire & Building Safety
Indiana Department of Homeland Security
302 W. Washington Street, Room E241
Indianapolis, IN 46204
Phone: 317-232-7648
Email: ksettle@dhs.in.gov
Web: www.in.gov/dhs

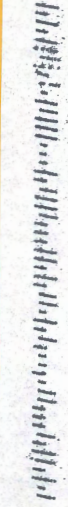
From: Tad Brinson< tbrinson@ripleycounty.com>
Sent: Monday, August 5, 2019 1:02 PM
To: DHS Code Questions
Cc: Settle, Kristin
Subject: CDR requirements

**** This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email. ****

[Quoted text hidden]







1
's Landing
Washington St.
In. 47041



1000



46204

Indiana Department of Homeland Security
Fire Prevention & Building Safety Commission
c/o legal Counsel
302 W. Washington St. Rm. E208
Indianapolis, In. 46204