



August 30, 2019
By Electronic Mail and U.S. Postal Mail

Ryan Richards
Sports Lake Campground
4209 S 700 E
Marion, IN 46953
zoerichards@aol.com

Re: Petition for Administrative Review – IDHS Inspection Report Order Identification Number BU30410 – Sports Lake Canpground

Dear Mr. Richards:

The Commission is in receipt of your petition for administrative review of IDHS Inspection Report Order Identification Number BU30410 – Sports Lake Canpground, dated 8/30/2019. 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,

A handwritten signature in black ink, appearing to read "D. J. Boyle", is positioned above the typed name of the Director.

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

From: [DHS Legal Mailbox](#)
To: [Boyle, Douglas J \(DHS\)](#); [Guedel, Justin K](#)
Subject: FW: Petition for Review
Date: Friday, August 30, 2019 12:01:44 PM

From: noreply@formstack.com [mailto:noreply@formstack.com]
Sent: Friday, August 30, 2019 11:30 AM
To: DHS Legal Mailbox <Legal@dhs.IN.gov>
Subject: Petition for Review

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



Formstack Submission For: [petition for review](#)
Submitted at 08/30/19 11:30 AM

Individual Name: Ryan Richards

Business Name : Sports Lake Campground

Phone Number: (765) 517-1940

Email Address: zoerichards@aol.com

Mailing Address: 4209 s 700 e
Marion, IN 46953

Are you represented by an attorney?: No

Attorney Name:

Firm:	
Phone Number:	
Email Address:	
Mailing Address:	
Order Number:	
Facility Device Boiler ID:	Campground
Date Order Received:	Aug 29, 2019
How did you receive the Order? :	Email
Entity Issuing Order:	Fire Prevention and Building Safety Commission
Entity Name:	
Upload Order:	<input type="text" value="?"/> Direct Link to Image
Was this order specifically directed to you?:	Yes
Explain:	I am the owner of Sports Lake Campground
Have you been aggrieved or	

adversely affected by the order?:

Yes

Explain:

This order will effectively close the operation of my business and cause financial and emotional harm to me and my family

If the order was not specifically directed to you and you have not been aggrieved or adversely affected by the order, are you entitled to review under some other law? :

What law?:

I request review of the entire order described above:

Yes

If you are not requesting review of the entire order, what is the scope of your request?:

I request a stay of effectiveness:

Yes

Violation 1 IEC 675 IAC 17-1.8 551.71 is in tension with 410 IAC 6-7.1-29
The Indiana State Dept of health regulations for existing

What is the basis of your challenge? :

campgrounds does not currently reflect this code and I question how many campgrounds are given a 30 day order to completely replan and rework their campground to accommodate this code as this seems to be a code that would be in place for newly constructed grounds. This would effectively close most existing campgrounds in the state as few have 50 amp sites and I believe few also meet Meet the 20% rule as per my conversation with Andrew Pappas, senior environmental manager with the ISDH. (317)233-7360. This order in scope of cost and time would do irreparable harm to our ability to operate Sports Lake Campground.

Violation 2 IEC 675 IAC 17-1.8 551.77 is in tension with 410 IAC 6-7.1-29 410 IAC 6-7.1-29

The Indiana State Dept of health regulations for existing campgrounds does not currently reflect this code and I question how many campgrounds are given a 30 day order to completely replan and rework their campground to accommodate this code as this seems to be a code that would be in place for newly constructed grounds. Our currently meters are on average 1' above ground level at the bottom of the box with the top of the box being 2 feet or higher throughout grounds. This order would also do irreparable harm to the operation of our business in scope of time and capital investment.

Violation 3 IEC 675 IAC 17-1.8 551.80 is a current on going item I have been in contact with the Indiana Dept of Health. This item has appeared on my State Health inspection report. We have been discussing a action plan to come into compliance with 410 IAC 6-7.1-29 (f) which covers this violation.

In regards to violation 1 Violation 1 IEC 675 IAC 17-1.8 551.71 We would like to be exempt from the 20% of the sites being 50 amp as we have yet been able to establish with help from our State fire inspector and our State health supervisor to find out how many grounds, if any, have been directed to comply with this code at an existing campground. We have been told that none to their knowledge thus far has had to retro fit a park to meet this requirement. We feel that there is no just cause to rework our system which has not been modified for anything other than minor repairs by a certified electrician.

In regards to Violation 2 IEC 675 IAC 17-1.8 551.77

We would like to be exempt from the implementation of this rule as stated previously we have made no modifications to the electrical system other than minor and routine repairs performed by a certified electrician. Our boxes are currently at the least 12 inches above grade at the bottom of the box and the top reach well above 2 feet throughout the grounds. These boxes have been in this state since we purchased the grounds 15 years ago. It would provide a enormous challenge through expense and labor to raise all the

What is your

desired outcome? :

boxes throughout the grounds. Not to mention the time frame of such a project would be lengthy.

The above 2 code violations we see throughout many of the campgrounds we compete with throughout our area in east central Indiana. To force a complete rebuild for these code violations for one grounds and not all grounds would put us a a competitive disadvantage as these violations are it exclusive to our facility. We have always been aware that if we did make any modifications to the grounds certain codes and requirements must and would be met. But instantaneous enforcement was not something we could have foreseen or prepared for.


Violation 3 IEC 675 IAC 17-1.8 551.80

As I previously stated we have been in contact with the State Health Dept in regards to this violation and have been in discussions on a action plan. We at this time do not have a timeline for compliance or much of a road map. As this to is a major project in terms of financial and labor investment. We would request you allow us to continue with working on this violation with the ISDH.

Additional information in support of my request:

The sheer size and scope of these projects would involve and investment in the tens of thousands in materials and the same in labor costs if not more. We have never had a complaint before this most recent disgruntled camper called due to a power issue they caused by not maintaining their equipment. We are in the process of requesting all past state health inspection reports for our grounds and others in the area. We have never had a critical violation in regards to our electrical supply system. As with all businesses there are things that must be repaired and improved. In speaking with the health department who visits us at least annually and is thorough they have seen no imminent dangers to the public as the fire marshall didn't either. What has been observed are building code violations that have been that way since the inception of the facility. We are working to comply with the State on known issues and will continue to do so. We also appreciate the states continued over site of grounds that are not safe for customers. The violations that we are cited for in some cases are being fixed on a temporary basis. Others just aren't feasible from a supply power side from AEP. They will not supply me with any more transformers. For violation 2 we would need around a 1,000 man hours and countless thousands of dollars in parts to raise the meters so the bottom was above 2 feet instead of the 12-18inches currently.

Additional Attachments:


[Direct Link to Image](#)

Additional Attachments:

**Additional
Attachments:**

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Formstack, 11671 Lantern Road, Suite 300, Fishers, IN 46038



FIRE AND CODE ENFORCEMENT INSPECTION REPORT ORDER

302 WEST WASHINGTON
INDIANAPOLIS, IN 46204
TELEPHONE: 317-232-2222
WEB ADDRESS: WWW.IN.GOV/DHS

Identification Number BU30410	Name of the facility SPORTS LAKE CAMPGROUND	County GRANT
Address of Property 7230 E 400 S MARION 46953	Name of the Contact RYAN RICHARDS	Telephone Number (765) 998-2558
Email zoerichards@aol.com	Inspection Type SITE VISIT	Inspection Date 08/26/2019
Inspection Category COMPLAINT INVESTIGATION	Inspection Status: VIOLATION	Phone: 3174167013
Name of the inspector CHRISTOPHER BETZNER	Email: cbetzner@dhs.in.gov	

VIOLATION NUMBER	RULE OR INDIANA CODE SECTION VIOLATED	DESCRIPTION OF VIOLATION	DATE BY WHICH VIOLATION MUST BE CORRECTED
1	Sec. 240.80 2009 Edition IEC 675 IAC 17-1.8	VI. Recreational Vehicle Parks 551.71 Type Receptacles Provided. Every recreational vehicle site with electrical supply shall be equipped with at least one 20-ampere, 125-volt receptacle. A minimum of 20 percent of all recreational vehicle sites, with electrical supply, shall be equipped with a 50-ampere, 125/250-volt receptacle as identified in Figure 551.46(C).	09/30/2019

ISDH: 410 IAC 6-7.1
Campgrounds

August 28, 2019 at 1:13 PM

Ryan – hey thanks for the call today. It was nice to talk through the big picture items and discuss a way forward. Please get ahold of me in the future as needed.

Below is information I will pass on to Steve Yeary in regards to inspections at your site:
Call Ryan, let him know you are coming onsite, no need to stop in the office

Additionally, here are the rule documents as mentioned:

410 IAC 6-7.1 Campgrounds
<https://www.in.gov/isdh/21961.htm>

Specific on Electrical
<https://www.in.gov/isdh/21961.htm#Electrical>

Cheers to a great Labor Day,
Andrew



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

Identification Number BU30410	Name of the facility SPORTS LAKE CAMPGROUND	County GRANT
Address of Property 7230 E 400 S MARION 46953	Name of the Contact RYAN RICHARDS	Telephone Number (765) 998-2558
Email zoerichards@aol.com	Inspection Date 08/26/2019	
Inspection Category COMPLAINT INVESTIGATION	Inspection Type SITE VISIT	Inspection Status: VIOLATION
Name of the inspector CHRISTOPHER BETZNER	Phone: 3174167013	
Email: cbetzner@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. 240.80 2009 Edition IEC 675 IAC 17-1.8	<p>VI. Recreational Vehicle Parks 551.71 Type Receptacles Provided. Every recreational vehicle site with electrical supply shall be equipped with at least one 20-ampere, 125-volt receptacle. A minimum of 20 percent of all recreational vehicle sites, with electrical supply, shall each be equipped with a 50-ampere, 125/250- volt receptacle conforming to the configuration as identified in Figure 551.46(C) . These electrical supplies shall be permitted to include additional receptacles that have configurations in accordance with 551.81. A minimum of 70 percent of all recreational vehicle sites with electrical supply shall each be equipped with a 30-ampere, 125-volt receptacle conforming to Figure 551.46(C) . This supply shall be permitted to include additional receptacle configurations conforming to 551.81. The remainder of all recreational vehicle sites with electrical supply shall be equipped with one or more of the receptacle configurations conforming to 551.81. Dedicated tent sites with a 15- or 20-ampere electrical supply shall be permitted to be excluded when determining the percentage of recreational vehicle sites with 30- or 50-ampere receptacles. Additional receptacles shall be permitted for the connection of electrical equipment outside the recreational vehicle within the recreational vehicle park. All 125-volt, single-phase, 15- and 20-ampere receptacles shall have listed ground-fault circuit-interrupter protection for personnel. FPN: The percentage of 50 ampere sites required by 551.71 may be inadequate for seasonal recreational vehicle sites serving a higher percentage of recreational vehicles with 50 ampere electrical systems. In that type of recreational vehicle park, the percentage of 50 ampere sites could approach 100 percent.</p> <p><u>A total of 30 sites need to be provided with 50amp service.</u></p>	09/30/2019
2	Sec. 240.80 2009 Edition IEC 675 IAC 17-1.8	<p>551.77 Recreational Vehicle Site Supply Equipment. (A) Location. Where provided on back-in sites, the recreational vehicle site electrical</p>	09/30/2019

		<p>supply equipment shall be located on the left (road) side of the parked vehicle, on a line that is 1.5 m to 2.1 m (5 ft to 7 ft) from the left edge (driver's side of the parked RV) of the stand and shall be located at any point on this line from the rear of the stand to 4.5 m (15 ft) forward of the rear of the stand.</p> <p>For pull-through sites, the electrical supply equipment shall be permitted to be located at any point along the line that is 1.5 m to 2.1 m (5 ft to 7 ft) from the left edge (driver's side of the parked RV) from 4.9 m (16 ft) forward of the rear of the stand to the center point between the two roads that gives access to and egress from the pull-through sites.</p> <p>The left edge (driver's side of the parked RV) of the stand shall be marked.</p> <p>(B) Disconnecting Means. A disconnecting switch or circuit breaker shall be provided in the site supply equipment for disconnecting the power supply to the recreational vehicle.</p> <p>(C) Access. All site supply equipment shall be accessible by an unobstructed entrance or passageway not less than 600 mm (2 ft) wide and 2.0 m (6 ft 6 in.) high.</p> <p>(D) Mounting Height. Site supply equipment shall be located not less than 600 mm (2 ft) or more than 2.0 m (6 ft 6 in.) above the ground.</p> <p>(E) Working Space. Sufficient space shall be provided and maintained about all electrical equipment to permit ready and safe operation, in accordance with 110.26.</p> <p>(F) Marking. Where the site supply equipment contains a 125/250-volt receptacle, the equipment shall be marked as follows: ⚡ Turn disconnecting switch or circuit breaker off before inserting or removing plug. Plug must be fully inserted or removed.⚡ The marking shall be located on the equipment adjacent to the receptacle outlet.</p> <p><u>a mounting height of no less than 2ft and no more than 6ft 6" needs to be provided for site supply equipment.</u></p>	
3	Sec. 240.80 2009 Edition IEC 675 IAC 17-1.8	<p>551.80 Underground Service, Feeder, Branch-Circuit, and Recreational Vehicle Site Feeder-Circuit Conductors.</p> <p>(A) General. All direct-burial conductors, including the equipment grounding conductor if of aluminum, shall be insulated and identified for the use. All conductors shall be continuous from equipment to equipment. All splices and taps shall be made in approved junction boxes or by use of material listed and identified for the purpose.</p> <p>(B) Protection Against Physical Damage. Direct-buried conductors and cables entering or leaving a trench shall be protected by rigid metal conduit, intermediate metal conduit, electrical metallic tubing with supplementary corrosion protection, rigid nonmetallic conduit, liquidtight flexible nonmetallic conduit, liquidtight flexible metal conduit, or other approved raceways or enclosures. Where subject to physical damage, the conductors or cables shall be protected by rigid metal conduit, intermediate metal conduit, or Schedule 80 PVC conduit. All such protection shall extend at least 450 mm (18 in.) into the trench from finished grade.</p> <p>FPN: See 300.5 and Article 340 for conductors or Type UF cable used underground or in direct burial in earth.</p> <p><u>The underground cable needs protected with listed and approved conduit from 18" underground to the supply equipment.</u></p>	09/30/2019

Inspection Notes:

This was a complaint inspection using the 2009 NEC as reference.

Facility Id	Received By Name	Signature and Date
BU30410		

If you are receiving this notice, property that you own or have control over has been inspected by the Indiana Department of Homeland Security (Department). Depending on the outcome of this inspection, alleged violations may have been found. If violations were found, the below information describes what this notice means and how to request review of the violations contained in this report.

NOTICE OF VIOLATIONS

This report is to notify you that violations are believed to exist on your property. However, if you enter into a corrective plan and correct these violations by the correction date provided in this report, no enforcement actions or sanctions will commence. If you fail to enter into a corrective plan, the Department will move forward with enforcement of this order and the imposition of sanctions.

If you would like to enter into a corrective plan, sign and return this notice to your inspector within five (5) days of receiving this report.

Terms of corrective plan:

1. I agree to correct the violations contained on this report by the date provided.
2. I understand my failure to correct these violations by the correction date will result in the enforcement of this report and sanctions, including but not limited to, a fine of up to \$250 per day per violation.
3. I understand no extensions of time are permitted unless they are granted in writing by Department.
4. I understand that entering into this corrective plan is not an admission that a violation has occurred.
5. I agree to protect the safety and property of other persons as outlined by the Department while corrections are underway.
6. I agree to notify the Department, by the compliance date, that all violations have been corrected, and I am aware that my failure to do so may result in sanctions being ordered.
7. I understand that in order for the Department to determine compliance, an additional inspection may be performed and the Department must notify me of the determination of my compliance within thirty (30) days following the earlier of: (a) the correction date contained in this report; or (b) the date the Department is provided notice that the violations have been corrected.

Printed Name: _____ Signature: _____

If you choose not to enter into a corrective plan and would like to request **informal review** of this report, please complete the informal review form located at <https://www.in.gov/dhs/appeals.htm>. Following the receipt of this form, the Department may modify or reverse the report, and will attempt to respond to your request within five (5) business days, 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 report, you may contact that Department at (317)

232-2222.

If you do not enter into a corrective plan or receive a determination modifying or reversing this report, the requirements of this report are effective fifteen (15) days after service and must be complied with until such time that: (1) this order is overturned on review; (2) an administrative law judge issues a stay of enforcement; or (3) the Department consents to the request for stay in writing.

If you desire a formal administrative review of these violations, you must comply with the requirement of Indiana Code IC 4-21.5-3-7 and file a written petition for review within fifteen (15) days after receiving notice of these violations. 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>.