

# INDIANA FIRE PREVENTION AND BUILDING SAFETY COMMISSION

Tuesday, March 16, 2021  
By Electronic Mail

Molly Jones  
Owner and Petitioner  
5253 West Greenbriar Road  
Hanover, IN 47243  
[jonesm@hanover.edu](mailto:jonesm@hanover.edu)

Devon Sharpe  
Attorney for the Petitioner  
Jenner, Pattison & Sharpe  
307 Jefferson Street  
Madison, IN 47250  
[dsharpe@wjennerlaw.net](mailto:dsharpe@wjennerlaw.net)

**Re: Petition for Administrative Review – IDHS Sanctions Order No. 467-664 – Shipley’s Tavern – 322 West Street, Madison, IN 47250**

Dear Ms. Jones and Mr. Sharpe:

The Indiana Fire Prevention and Building Safety Commission (Commission) is in receipt of your electronically-filed petition for administrative review of Indiana Department of Homeland Security (IDHS) Sanctions Order No. 467-664 – Shipley’s Tavern, submitted on Tuesday, March 16, 2021. Pursuant to the requirements of Indiana Code § 4-21.5-3-7, your petition for administrative review is hereby granted by the Commission.

Your petition will now be forwarded to the Indiana Office on Administrative Law Proceedings (OALP) to be assigned to the Commission’s administrative law judge. OALP or the judge will contact you directly to make arrangements for further proceedings. Should you have any questions, you may contact the Indiana Department of Homeland Security’s deputy general counsel assigned to this matter, Justin Guedel, at [jguedel@dhs.in.gov](mailto:jguedel@dhs.in.gov) or (317) 234-9515.

Sincerely,



Douglas J. Boyle, Director  
Indiana Fire Prevention and Building Safety Commission  
Indiana Department of Homeland Security  
Indiana Government Center South, Room E-208  
302 W. Washington Street

Indianapolis, IN 46204  
[doboyle@dhs.in.gov](mailto:doboyle@dhs.in.gov)

Enclosure

cc: Justin K. Guedel, IDHS Deputy General Counsel – representing the Respondent  
(by electronic mail)  
Bryston Sprecher, Administrative Assistant of the Indiana Fire Prevention and  
Building Safety Commission (by electronic mail)

**From:** [noreply@formstack.com](mailto:noreply@formstack.com)  
**To:** [DHS Legal Mailbox](#)  
**Subject:** Petition for Review  
**Date:** Tuesday, March 16, 2021 1:00:04 PM  
**Attachments:** [68379161\\_BU28689C Sanction Fines 03-03-2021.pdf](#)  
[68380022\\_February 2 Inspection BU28689C.pdf](#)

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**Formstack Submission For: [petition for review](#)**  
Submitted at 03/16/21 12:58 PM

<b>Individual Name:</b>	Molly Jones
<b>Business Name: :</b>	Shipley's Tavern
<b>Phone Number:</b>	(812) 599-3287
<b>Email Address:</b>	jonesm@hanover.edu
<b>Mailing Address:</b>	5253 West Greenbriar Road Hanover, IN 47243
<b>Are you represented by an attorney?:</b>	Yes
<b>Attorney Name:</b>	Devon Sharpe
<b>Firm:</b>	Jenner, Pattison, & Sharpe

<b>Phone Number:</b>	18122655132
<b>Email Address:</b>	dsharpe@wjennerlaw.net
<b>Mailing Address:</b>	307 Jefferson Street Madison, IN 47250
<b>Order Number:</b>	467664
<b>Facility   Device   Boiler ID:</b>	Shipley's Tavern
<b>Date Order Received:</b>	Mar 03, 2021
<b>How did you receive the Order? :</b>	Hand Delivery Email
<b>Entity Issuing Order:</b>	Indiana Department of Homeland Security
<b>Entity Name:</b>	
<b>Upload Order:</b>	<a href="#">View File</a>
<b>Was this order specifically directed to you?:</b>	Yes
<b>Explain:</b>	I am the owner of Shipley's Tavern
<b>Explain:</b>	
<b>Have you been aggrieved or adversely</b>	Yes

**affected by the order?:**

**Explain:** The \$500.00 fine will adversely affect us financially.

**Explain:**

**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

In the annual visit by Kenneth Cole on Tuesday, February 2, 2021, there was no paperwork left at the conclusion of the inspection and no conversation with or notification to the manager or owners. An email

was sent to me, Molly Jones (owner) but not seen until several days after the inspection. Once I saw and read the email, Jackie (manager) and I went through the findings of the inspection and made sure everything was updated and/or fixed by March 1. There was a report of an exposed wire in the basement that couldn't be found, so I called Ken Cole on March 2 to ask about that wire. I also asked for clarification on the back door exit. Ken said he would meet me at Shipley's on Thursday, March 4 to show me the exposed wire he found and talk about the back door exit.

Wednesday, March 3: Call from Shipley's bartender, Holly

Holly called me Wednesday afternoon and said Ken had just left Shipley's and told her we were in violation of 2 codes and were being fined \$500.00. He left the paperwork at Shipley's.

Thursday, March 4: Call to Ken Cole

I looked at the paperwork left at Shipley's and called Ken Cole. I left a message. When Ken and I connected via phone early Thursday afternoon, I asked about the meeting we had scheduled for Thursday to go over my questions. Ken said his plans changed at the last minute so he went on Wednesday. When I again explained that we did not know what the specific problems were, he said he told the bartender what the problems were on Wednesday. When I reminded him that we had agreed to meet on Thursday so that we could go over exactly what we needed to do, he said he was going to the jail in downtown Madison about 1:00pm but that he could meet at Shipley's in about 20 minutes. John (co-owner) and I both met Ken at Shipley's Thursday afternoon about 1:30pm. We went to the back exit door and Ken told us that we couldn't have a closed door leading to the exit, that we had to have the back door unlocked, and that we had to remove 2 shelves that were on the wall close to the exit. We asked why he hadn't written those down on his original report so that we could fix them and he said he told the bartender, but he told the bartender about these on March 3 when he gave the sanctions. These specifics were not in any written report. I also asked him about the exposed wire we couldn't find and he said he couldn't find it either.

**What is the basis of your challenge? :**

Reasons for Petition:

- Kenneth Cole left no paperwork on his initial visit so

we had no idea he was even there until I found his email several days later.

- Kenneth agreed to meet me on Thursday, March 4 to show us what we needed to fix/change since it was not clear in the paperwork, but instead, he showed up on Wednesday, March 3 and left us paperwork that included 2 violations with fines.

- Kenneth told the bartender on Wednesday, March 3 that these were serious violations and we needed to fix them immediately to avoid more fines, yet he did not try to contact the manager or owners, even after we had specifically reached out to him with questions.

- Kenneth was not specific or clear at all on what needed to be done, so we did what we thought needed to be done but had some questions we asked him to clarify.

- Kenneth told us this back exit was a major problem but when we asked him why he had not put this in his report the previous year, he said he must have missed it. This is the first year the back exit door has even been mentioned in a report.

- When I called Kenneth in the fall of 2020 to get information for our contractor about specifics for a back exit door that we would eventually be replacing, he said since we are an historic building, the back door was fine until we replaced it and then it had to be specific to code and that since we were only at 50% capacity with a maximum of 50 people allowed inside during Covid, we didn't even need to use that back exit and they could use the front door in the case of emergency.

- We have made every change asked of us both last year (2020) which was our first year of owning Shipley's and this year (2021). We have every intension to be in compliance. We made all of the changes listed in the initial inspection on February 2, but the specific things he told us to change on March 4 were not written anywhere on the report.

**What is your desired outcome? :**

The fine be removed because we complied with everything asked of us.

**Additional information in support of my request:**

**Additional**

[View File](#)

**Attachments:**

**Additional  
Attachments:**

**Additional  
Attachments:**

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



**Report of inspection**

Indiana Department of Homeland Security  
 302 W. Washington Street, Room E208  
 Indianapolis, IN 46204  
 Phone: 317-232-2222

Permit Number	Sanction Number
BU28689C	467-664

Visit us at: <http://www.in.gov/dhs>

<b>Date</b>	03/03/2021	<b>Type</b>	Sanctions
<b>Results</b>	Sanctions		
<b>Location</b>		<b>Owner</b>	
Name	Shipley's Tavern	Name	JOHN AND MOLLY JONES
Street	322 West ST	Street	322 WEST STREET
City	Madison	City	MADISON
Zip	47250	Zip	47250
<b>Inspector</b>		<b>Permit</b>	
Name	Kenneth Cole	State Number	BU28689C
Email	KeCole@dhs.IN.gov	Type	Business
Phone	317-417-3720		

**Notice of Violations**

#	Code	Description	Order	Correct By	Fee
	Sec. 1030.2 2014 Edition IFC 675 IAC 22-2.5	Required exit accesses, exits and exit discharges shall be continuously maintained free from obstructions or impediments to full instant use in the case of fire or other emergency when the building area served by the means of egress is occupied. An exit or exit passageway shall not be used for any purpose that interferes with a means of egress.	Rear building required exit shall not be obstructed and area shall not be used for any other purpose that interferes with means of egress.	03/02/2021	\$250.00
	Sec. 1014.2 2014 Edition IFC 675 IAC 22-2.5	Egress through intervening spaces shall comply with this section. 1. Egress from a room or space shall not pass through adjoining or intervening rooms or areas, except where such adjoining rooms or areas and the area served are accessory to one or the other, are not a Group H occupancy and provide a discernible path of egress travel to an exit. Exception: Means of egress are not prohibited through adjoining or intervening rooms or spaces in a Group H, S or F occupancy when the adjoining or intervening rooms or spaces are the same or a lesser hazard occupancy group.	Egress shall not pass through a closet, back exit.	03/02/2021	\$250.00



## Report of inspection

Indiana Department of Homeland Security  
302 W. Washington Street, Room E208  
Indianapolis, IN 46204  
Phone: 317-232-2222

Permit Number	Sanction Number
BU28689C	467-664

Visit us at: <http://www.in.gov/dhs>

2. An exit access shall not pass through a room that can be locked to prevent egress.

3. Means of egress from dwelling units or sleeping areas shall not lead through other sleeping areas, toilet rooms or bathrooms.

4. Egress shall not pass through kitchens, storage rooms, closets or spaces used for similar purposes.

Exceptions:

1. Means of egress are not prohibited through a kitchen area serving adjoining rooms constituting part of the same dwelling unit or sleeping unit.

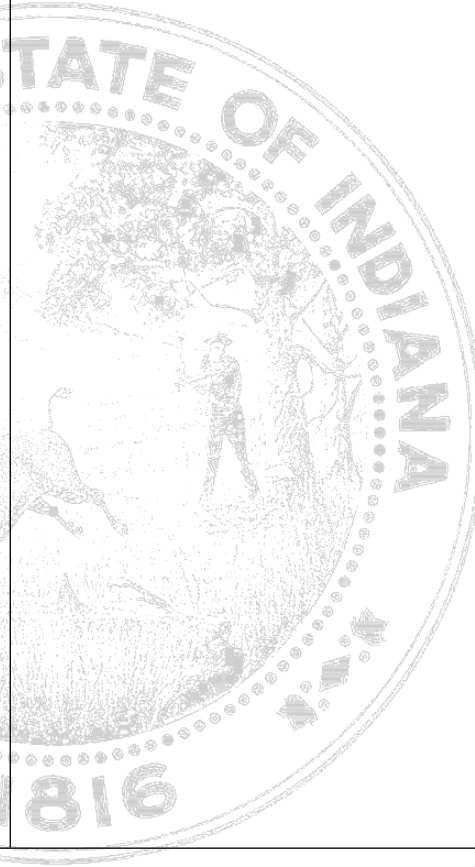
2. Means of egress are not prohibited through stockrooms in Group M occupancies when all of the following are met:

2.1. The stock is of the same hazard classification as that found in the main retail area;

2.2. Not more than 50 percent of the exit access is through the stockroom;

2.3. The stockroom is not subject to locking from the egress side; and

2.4. There is a demarcated, minimum 44-inch-wide (1118 mm) aisle defined by full- or partial-height fixed walls or similar construction that will maintain the required width and lead directly from the retail area to the exit without obstructions.





## Report of inspection

Indiana Department of Homeland Security  
302 W. Washington Street, Room E208  
Indianapolis, IN 46204  
Phone: 317-232-2222

Permit Number	Sanction Number
BU28689C	467-664

Visit us at: <http://www.in.gov/dhs>

If you are receiving this document, property that you own or have control over, has been, or was attempted to be, inspected by the Indiana Department of Homeland Security (Department). Depending on the outcome of this inspection, one of five different RESULTS was notated. See the first page for the RESULT of this inspection. The following describes what each RESULT means:

### 1. INSPECTION NOT POSSIBLE

This report is to notify you that the Department attempted to perform an inspection of your property, but was unable to for some reason. If you have not already spoken with your inspector regarding this, please contact him or her immediately.

### 2. NO VIOLATIONS FOUND

This report is to notify you that the Department performed an inspection of your property, and no violations were found to exist. However, please be aware that obtaining a RESULT of "no violations found" does not mean that no violations exist on your property or may be found during a later inspection.

### 3. EMERGENCY OR TEMPORARY ORDER

This report is to notify you that the Department has determined that conduct or a condition of property:

- (1) presents a clear and immediate hazard of death or serious bodily injury to any person other than a trespasser;
- (2) is prohibited without a permit, registration, certification, release, authorization, variance, exemption, or other license and the license has not been issued; or
- (3) will conceal a violation of law.

This order must immediately be complied with, up to and until such time that: (1) it expires; (2) an order is issued by an administrative law judge voiding, terminating, modifying, or staying its effectiveness; or (3) the Department terminates its effectiveness. If you desire administrative review of this order, you must submit your request by one of the methods provided for in the administrative review section mentioned below.

### 4. 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, you must notify your inspector, in writing, 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 \$250 per day per violation.
3. I understand no extensions of time are permitted unless they are granted in writing by the 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.

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 a stay in writing. To request an informal review or administrative review of this report, you must comply with the information provided below.



## Report of inspection

Indiana Department of Homeland Security  
302 W. Washington Street, Room E208  
Indianapolis, IN 46204  
Phone: 317-232-2222

Permit Number	Sanction Number
BU28689C	467-664

Visit us at: <http://www.in.gov/dhs>

### 5. SANCTIONS

This report is to notify you that sanctions are being imposed due to violation(s) of the law. If a civil penalty is imposed, you will be prohibited from renewing any permit, license, registration, certification, or other similar authorization related to the device, equipment, or structure, which is the subject of the civil penalty, until the debt has been satisfied. For information on how to request an informal review or administrative review, see below.

#### INFORMAL REVIEW

To request an informal review of your order by the Department, complete the informal review form located at <https://www.in.gov/dhs/4149.htm>. Following receipt of this form, the Department will review your request and 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 administrative review which must be filed to initiate formal administrative proceedings under IC 4-21.5.

#### ADMINISTRATIVE REVIEW

If you desire administrative review of this order by the Fire Prevention and Building Safety Commission, 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 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 must submit your petition by one of the following methods:

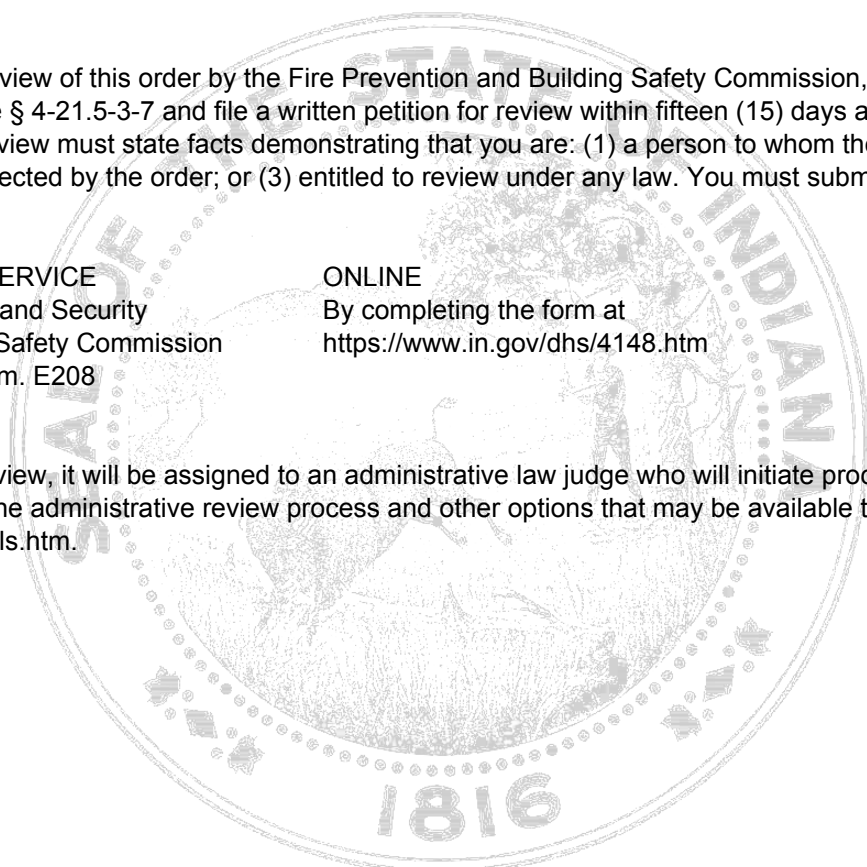
##### U.S. MAIL OR PERSONAL SERVICE

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

##### ONLINE

By completing the form at  
<https://www.in.gov/dhs/4148.htm>

If your petition qualifies for review, it will be assigned to an administrative law judge who will initiate proceedings under IC 4-21.5. For additional information about the administrative review process and other options that may be available to you, visit the following link <https://www.in.gov/dhs/appeals.htm>.



## Report of Inspection

Indiana Department of Homeland Security  
302 W. Washington Street, Room E208 Indianapolis, IN 46204  
Phone: 317-232-2222

State Number	Inspection Number
BU28689C	706784

Visit us at: <http://www.in.gov/dhs>

<b>Date</b>	02/02/2021 11:49AM	<b>Type</b>	Initial
<b>Results</b>	Notice of Violations		
<b>Location</b>		<b>Owner</b>	
Name	Shipleys Tavern	Name	SHIPLEY'S TAVERN
Street	322 West ST	Street	322 WEST STREET
City	Madison	City	MADISON
Zip	47250	Zip	47250
		Contact	MOLLY JONES - (812) 265-4215
<b>Inspector</b>		<b>Item</b>	
Name	Kenneth Cole	State Number	BU28689C
Email	KeCole@dhs.IN.gov	Type	Business
Phone	(317) 417-3720	<b>CDRs</b>	

### Notice Of Violations

#	Code	Description	Order	Correct By	Fee
1	Sec. 405.5 2014 Edition IFC 675 IAC 22-2.5	Records shall be maintained of required emergency evacuation drills and include the following information: 1. Identity of the person conducting the drill. 2. Date and time of the drill. 3. Notification method used. 4. Staff members on duty and participating. 5. Number of occupants evacuated. 6. Special conditions simulated. 7. Problems encountered. 8. Weather conditions when occupants were evacuated. 9. Time required to accomplish complete evacuation.	Current quarterly, employee only, evacuation drill documentation shall be available for review at time of inspection.	03/01/2021	n/a
2	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.	Current emergency lighting annual 90 minute power test documentation shall be available for review at time of inspection.	03/01/2021	n/a

3	<p>Sec. 906.2 2014 Edition IFC 675 IAC 22-2.5</p>	<p>Portable fire extinguishers shall be selected, installed and maintained in accordance with this section and NFPA 10. Exceptions: 1. The travel distance to reach an extinguisher shall not apply to the spectator seating portions of Group A-5 occupancies. 2. Thirty-day inspections shall not be required and maintenance shall be allowed to be once every three years for dry-chemical or halogenated agent portable fire extinguishers that are supervised by a listed and approved electronic monitoring device, provided that all of the following conditions are met: 2.1. Electronic monitoring shall confirm that extinguishers are properly positioned, properly charged and unobstructed. 2.2. Loss of power or circuit continuity to the electronic monitoring device shall initiate a trouble signal. 2.3. The extinguishers shall be installed inside of a building or cabinet in a noncorrosive environment. 2.4. Electronic monitoring devices and supervisory circuits shall be tested every three years when extinguisher maintenance is performed. 2.5. A written log of required hydrostatic test dates for extinguishers shall be maintained by the owner to verify that hydrostatic tests are conducted at the frequency required by NFPA 10. 3. In Group I-3, portable fire extinguishers shall be permitted to be located at staff locations.</p>	<p>* Current 30 day fire extinguisher inspection documentation shall be available for review at time of inspection. ** Front door fire extinguisher is missing the inspection service tag and documentation of current inspection shall be available for review at time of inspection.</p>	<p>03/01/2021</p>	<p>n/a</p>
4	<p>Sec. 5303.5 2014 Edition IFC 675 IAC 22-2.5</p>	<p>Compressed gas containers, cylinders, tanks and systems shall be secured against accidental dislodgement and against access by unauthorized personnel in accordance with Sections 5303.5.1 through 5303.5.3.</p>	<p>Compressed gas cylinders in basement shall be secured.</p>	<p>03/01/2021</p>	<p>n/a</p>
5	<p>Sec. 605.1 2014 Edition IFC 675 IAC 22-2.5</p>	<p>Identified electrical hazards shall be abated. Electrical wiring, devices, appliances and other equipment that is modified or damaged and constitutes an electrical shock or fire hazard shall not be used.</p>	<p>Electrical wire is exposed outside of junction box, basement ceiling.</p>	<p>03/01/2021</p>	<p>n/a</p>

6	<p>Sec. 605.9 2014 Edition IFC 675 IAC 22-2.5</p>	<p>Temporary wiring for electrical power and lighting installations is allowed for a period not to exceed 90 days. Temporary wiring methods shall meet the applicable provisions of NFPA 70. Exception: Temporary wiring for electrical power and lighting installations is allowed during periods of construction, remodeling, repair or demolition of buildings, structures, equipment or similar activities.</p>	<p>Front window Christmas style lights shall be rated for permanent use.</p>	03/01/2021	n/a
7	<p>Sec. 1030.2 2014 Edition IFC 675 IAC 22-2.5</p>	<p>Required exit accesses, exits and exit discharges shall be continuously maintained free from obstructions or impediments to full instant use in the case of fire or other emergency when the building area served by the means of egress is occupied. An exit or exit passageway shall not be used for any purpose that interferes with a means of egress.</p>	<p>Rear building required exit shall not be obstructed and area shall not be used for any other purpose that interferes with means of egress.</p>	03/01/2021	n/a

8	Sec. 1014.2 2014 Edition IFC 675 IAC 22-2.5	<p>Egress through intervening spaces shall comply with this section. 1. Egress from a room or space shall not pass through adjoining or intervening rooms or areas, except where such adjoining rooms or areas and the area served are accessory to one or the other, are not a Group H occupancy and provide a discernible path of egress travel to an exit.</p> <p>Exception: Means of egress are not prohibited through adjoining or intervening rooms or spaces in a Group H, S or F occupancy when the adjoining or intervening rooms or spaces are the same or a lesser hazard occupancy group. 2. An exit access shall not pass through a room that can be locked to prevent egress. 3. Means of egress from dwelling units or sleeping areas shall not lead through other sleeping areas, toilet rooms or bathrooms. 4. Egress shall not pass through kitchens, storage rooms, closets or spaces used for similar purposes. Exceptions: 1. Means of egress are not prohibited through a kitchen area serving adjoining rooms constituting part of the same dwelling unit or sleeping unit. 2. Means of egress are not prohibited through stockrooms in Group M occupancies when all of the following are met: 2.1. The stock is of the same hazard classification as that found in the main retail area; 2.2. Not more than 50 percent of the exit access is through the stockroom; 2.3. The stockroom is not subject to locking from the egress side; and 2.4. There is a demarcated, minimum 44-inch-wide (1118 mm) aisle defined by full- or partial-height fixed walls or similar construction that will maintain the required width and lead directly from the retail area to the exit without obstructions.</p>	Egress shall not pass through a closet, back exit.	03/01/2021	n/a
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If you are receiving this document, property that you own or have control over, has been, or was attempted to be, inspected by the Indiana Department of Homeland Security (Department). Depending on the outcome of this inspection, one of five different **RESULTS** was notated. See the first page for the **RESULT** of this inspection. The following describes what each **RESULT** means:

**1. INSPECTION NOT POSSIBLE**

This report is to notify you that the Department attempted to perform an inspection of your property, but was unable to for some reason. If you have not already spoken with your inspector regarding this, please contact him or her immediately.

**2. NO VIOLATIONS FOUND**

This report is to notify you that the Department performed an inspection of your property, and no violations were found to exist. However, please be aware that obtaining a **RESULT** of “no violations found” does not mean that no violations exist on your property or may be found during a later inspection.

**3. EMERGENCY OR TEMPORARY ORDER**

This report is to notify you that the Department has determined that conduct or a condition of property:



1. presents a clear and immediate hazard of death or serious bodily injury to any person other than a trespasser;
2. is prohibited without a permit, registration, certification, release, authorization, variance, exemption, or other license and the license has not been issued; or
3. will conceal a violation of law.

This order must immediately be complied with, up to and until such time that: (1) it expires; (2) an order is issued by an administrative law judge voiding, terminating, modifying, or staying its effectiveness; or (3) the Department terminates its effectiveness. If you desire administrative review of this order, you must submit your request by one of the methods provided for in the **administrative review** section mentioned below.

#### 4. 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, you must notify your inspector, in writing, 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 \$250 per day per violation.
3. I understand no extensions of time are permitted unless they are granted in writing by the 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.

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 a stay in writing. To request an **informal review** or **administrative review** of this report, you must comply with the information provided below.

#### 5. SANCTIONS

This report is to notify you that sanctions are being imposed due to violation(s) of the law. For information on how to request an **informal review** or **administrative review**, see below.

## INFORMAL REVIEW

To request an informal review of your order by the **Department**, complete the informal review form located at <https://www.in.gov/dhs/4149.htm>. Following receipt of this form, the **Department** will review your request and 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 administrative review which must be filed to initiate formal administrative proceedings under IC 4-21.5.

## ADMINISTRATIVE REVIEW

If you desire administrative review of this order by the **Fire Prevention and Building Safety Commission**, 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 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 must submit your petition by one of the following methods:

### U.S. MAIL OR PERSONAL SERVICE

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

### ONLINE

By completing the form at  
<https://www.in.gov/dhs/4148.htm>

If your petition qualifies for review, it will be assigned to an administrative law judge who will initiate proceedings under IC 4-21.5. For additional information about the administrative review process and other options that may be available to you, visit the following link <https://www.in.gov/dhs/appeals.htm>.