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STATE OF INDIANA

INDIANA DEPARTMENT OF HOMELAND SECURITY  
302 West Washington Street  
Indianapolis, IN 46204



May 16, 2018  
By U.S. Mail

Vickie Tedder  
Willow Leaves of Hope, LLC  
326 Jackson Street  
Hope, IN 47246

**Re: Petition for Review – Report of Inspection State Number BU28982: Willow Leaves of Hope**

Dear Ms. Tedder:

The Commission is in receipt of your petition for review of Report of Inspection State Number BU28982: Willow Leaves of Hope, LLC, dated 5/9/2018. 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 staff attorney assigned to the matter, Justin Guedel at [JGuedel@dhs.in.gov](mailto:JGuedel@dhs.in.gov) or (317) 234-9515.

Sincerely,

A handwritten signature in black ink, appearing to read "D. J. Boyle".

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](mailto:doboyle@dhs.in.gov)  
(317) 650-7720

cc: Justin Guedel  
ALJ  
File

To: Fire Prevention and Building Safety Committee

My company, Willow Leaves of Hope LLC, wishes to file a petition for review of the violations brought against our establishment by your Enforcement Officer. We wish to seek review of all violations pertaining but not limited to our quantity and sizes of existing exits, our existing kitchen vent hood and fire suppression system along with a subsequent additional vent hood requirement, the need of an automatic sprinkler system, the need of a manual fire alarm system, and the efficiency of our existing emergency lighting system. We would much appreciate your review of these aforementioned violations.

Thank you for your consideration in this matter,

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*Vicki Seddie*  
owner

Willow Leaves of Hope LLC  
Identification # BU28982



# 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 BU28982	Name of the facility WILLOW LEAVES OF HOPE	County BARTHOLOMEW
Address of Property 326 JACKSON ST HOPE 47202	Name of the Contact VICKIE TEDDER	Telephone Number (812) 546-0604
Email willowleavesofhope@gmail.com	Inspection Date 05/01/2018	
Inspection Category BUSINESS/MANUFACTURING	Inspection Type INITIAL	Inspection Status: VIOLATION
Name of the inspector WALTER KNAEPPLER	Phone: 3176953665	
Email: wknaepple@dhs.in.gov		

## Violations

VIO-LATION NUMBER	RULE OR INDIANA CODE SECTION VIOLATED	DESCRIPTION OF VIOLATION	DATE BY WHICH VIOLATION MUST BE CORRECTED
1	IC 22-14-3-5	<p>Operation without permit or special event endorsement; infraction Sec. 5. (a) This section applies to the following:</p> <p style="margin-left: 20px;">(1) Each person who has control over the performance of an amusement or entertainment described in IC 22-12-1-23.</p> <p style="margin-left: 20px;">(2) Each person who has control over a regulated place of entertainment.</p> <p style="margin-left: 20px;">(b) A person described in subsection (a) commits a Class C infraction if:</p> <p style="margin-left: 40px;">(1) a regulated place of amusement or entertainment is used for an amusement or entertainment described in IC 22-12-1-23; and</p> <p style="margin-left: 40px;">(2) no regulated place of amusement or entertainment permit or special event endorsement issued under this chapter covers the conditions at the regulated place of amusement or entertainment that affect fire and explosion safety.</p> <p><u>The establishment is providing live entertainment (plays and music) without an Amusement permit.</u></p>	06/04/2018
2	Sec. 1004.6 2014 Edition IFC 675 IAC 22-2.5	<p>Where a building contains two or more occupancies, the means of egress requirements shall apply to each portion of the building based on the occupancy of that space. Where two or more occupancies utilize portions of the same means of egress system, those egress components shall meet the more stringent requirements of all occupancies that are served.</p> <p><u>This facility has unseparated mixed uses of A2 and M. The occupant load is based upon the more stringent requirement A2 occupancy. The existing means of egress is non-compliant due to door size.</u></p>	06/04/2018
3	Sec. 1008.1.1 2014 Edition IFC 675 IAC 22-2.5	<p>The minimum width of each door opening shall be sufficient for the occupant load thereof and shall provide a clear width of 32 inches (813 mm). Clear openings of doorways with swinging doors shall be measured between the face of the door and the stop, with the door open 90 degrees (1.57 rad). Where this section requires a minimum clear width of 32 inches (813 mm) and a door opening includes two door leaves without a mullion, one leaf shall provide a clear opening</p>	06/04/2018

		<p>width of 32 inches (813 mm). The maximum width of a swinging door leaf shall be 48 inches (1219 mm) nominal. Means of egress doors in a Group I-2 occupancy used for the movement of beds shall provide a clear width not less than 41 1/2 inches (1054 mm). The height of door openings shall not be less than 80 inches (2032 mm).</p> <p>Exceptions:</p> <ol style="list-style-type: none"> <li>1. The minimum and maximum width shall not apply to door openings that are not part of the required means of egress in Group R-2 and R-3 occupancies.</li> <li>2. Door openings to resident sleeping units in Group I-3 occupancies shall have a clear width of not less than 28 inches (711 mm).</li> <li>3. Door openings to storage closets less than 10 square feet (0.93 m<sup>2</sup>) in area shall not be limited by the minimum width.</li> <li>4. Width of door leaves in revolving doors that comply with Section 1008.1.4.1 shall not be limited.</li> <li>5. Door openings within a dwelling unit or sleeping unit shall not be less than 78 inches (1981 mm) in height.</li> <li>6. Exterior door openings in dwelling units and sleeping units, other than the required exit door, shall not be less than 76 inches (1930 mm) in height.</li> <li>7. In other than Group R-1 occupancies, the minimum widths shall not apply to interior egress doors within a dwelling unit or sleeping unit that is not required to be an Accessible unit, Type A unit or Type B unit.</li> <li>8. Door openings required to be accessible within Type B units shall have a minimum clear width of 31.75 inches (806 mm).</li> </ol> <p><u>The existing exit door at the main entrance is less than 32 inches clear width.</u></p>	
4	<p>Sec. 1008.1.9.3 2014 Edition IFC 675 IAC 22-2.5</p>	<p>Locks and latches shall be permitted to prevent operation of doors where any of the following exists:</p> <ol style="list-style-type: none"> <li>1. Places of detention or restraint.</li> <li>2. In buildings in occupancy Group A having an occupant load of 300 or less, Groups B, F, M and S, and in places of religious worship, the main exterior door or doors are permitted to be equipped with key-operated locking devices from the egress side provided: <ol style="list-style-type: none"> <li>2.1. The locking device is readily distinguishable as locked;</li> <li>2.2. A readily visible durable sign is posted on the egress side on or adjacent to the door stating: THIS DOOR TO REMAIN UNLOCKED WHEN BUILDING IS OCCUPIED. The sign shall be in letters 1-inch (25 mm) high on a contrasting background; and</li> </ol> </li> <li>3. Where egress doors are used in pairs, approved automatic flush bolts shall be permitted to be used, provided that the door leaf having the automatic flush bolts has no doorknob or surface-mounted hardware.</li> <li>4. Doors from individual dwelling or sleeping units of Group R occupancies having an occupant load of 10 or less are permitted to be equipped with a night latch, dead bolt or security chain, provided such devices are openable from the inside without the use of a key or tool.</li> <li>5. Fire doors after the minimum elevated temperature has disabled the unlatching mechanism in accordance with listed fire door test procedures.</li> <li>6. Licensed Health Care Facilities that comply with IC 22-11-17-2.5.</li> </ol> <p><u>The locks on the exit doors do not meet the above requirement.</u></p>	06/04/2018
5	<p>Sec. 507.2 2014 Edition IMC 675 IAC 18-1.6</p>	<p>A Type I or Type II hood shall be installed at or above all commercial cooking appliances in accordance with Sections 507.2.1 and 507.2.2 and Table 507.2. Where any cooking appliance under a single hood requires a Type I hood, a Type I hood shall be installed. Where a Type II hood is required, a Type I or Type II hood shall be installed.</p> <p>Exception: Where cooking appliances are equipped with integral</p>	06/04/2018

		<p>down-draft exhaust systems and such appliances and exhaust systems are listed and labeled for the application in accordance with NFPA 96, a hood shall not be required at or above them.</p> <p><u>There is no hood installed above the cooking devices located on the South wall of the kitchen.</u></p>	
6	Sec. 903.2.1.2 2014 Edition IBC 675 IAC 13-2.6	<p>An automatic sprinkler system shall be provided for Group A-2 occupancies where one of the following conditions exists:</p> <ol style="list-style-type: none"> <li>1. The fire area exceeds 5,000 square feet (464.5 m<sup>2</sup>);</li> <li>2. The fire area has an occupant load of 100 or more; or</li> <li>3. The fire area is located on a floor other than a level of exit discharge serving such occupancies.</li> </ol> <p><u>The fire area is greater than 5000 sf and the occupant load (calculated on the more restrictive A-2 classification) exceeds 100.</u></p>	06/04/2018
7	2014 Edition IBC 675 IAC 13-2.6	<p>503.1 General. The building height and area shall not exceed the limits specified in Table 503 based on the type of construction as determined by Section 602 and the occupancies as determined by Section 302 except as modified hereafter. Each portion of a building separated by one or more fire walls complying with Section 706 shall be considered to be a separate building.</p> <p><u>Table 503 limits building with A-2 occupancies to 1 story in height and 6000 sf of fire area without being sprinklered. This building is in excess of 6000 sf</u></p>	06/04/2018
8	Sec. 1004.3 2014 Edition IFC 675 IAC 22-2.5	<p>Every room or space that is an assembly occupancy shall have the occupant load of the room or space posted in a conspicuous place, near the main exit or exit access doorway from the room or space. Posted signs shall be of an approved legible permanent design and shall be maintained by the owner or authorized agent.</p> <p><u>The occupant load is not posted.</u></p>	06/04/2018
9	2014 Edition IBC 675 IAC 13-2.6	<p>2902.1 Minimum number of fixtures. Plumbing fixtures shall be provided for the type of occupancy and in the minimum number shown in Table 2902.1. Types of occupancies by the building official. The number of occupants shall be determined by this code. Occupancy classification shall be determined in accordance with Chapter 3.</p> <p>[P] 2902.1.1 Fixture calculations. To determine the occupant load of each sex, the total occupant load shall be divided in half. To determine the required number of fixtures, the fixture ratio or ratios for each fixture type shall be applied to the occupant load of each sex in accordance with Table 2902.1. Fractional numbers resulting from applying the fixture ratios of Table 2902.1 shall be rounded up to the next whole number. For calculations involving multiple occupancies, such fractional numbers</p> <p>2902.1 Minimum number of fixtures. Plumbing fixtures for each occupancy shall first be summed and then rounded up to the next whole number.</p> <p>The total occupant load shall not be required to be divided in half where approved statistical data indicate a distribution of the sexes of other than 50 percent of each sex.</p> <p>not shown in Table 2902.1 shall be considered individually</p> <p>[P] 2902.1.2 Family or assisted-use toilet and bath fixtures. Fixtures located within family or assisted-use toilet and</p>	06/04/2018

		<p><u>One public stool and lavatory and one employee restroom is provided. Table 2902.1 requires 1 water closet (urinal) per 75 occupants and 1 lavatory per 200 occupants. Based upon rough occupant load calculation of 454, 6 water closets (urinals)- 3 each sex, and 4 lavatories -2 each sex are required.</u></p>	
10	2014 Edition IFC 675 IAC 22-2.5	<p>1014.2 Egress through intervening spaces. Egress through intervening spaces shall comply with this section.</p> <p>4. Egress shall not pass through kitchens, storage rooms, closets or spaces used for similar purposes.</p> <p><u>Exit signs and emergency lighting are installed showing egress through the kitchen</u></p>	06/04/2018
11	Sec. 507.9 2014 Edition IMC 675 IAC 18-1.6	<p>A Type I hood shall be installed with a clearance to combustibles of not less than 18 inches (457 mm). Exception: Clearance shall not be required from gypsum wallboard or 1/2-inch (12.7 mm) or thicker cementitious wallboard attached to noncombustible structures provided that a smooth, cleanable, nonabsorbent and noncombustible material is installed between the hood and the gypsum or cementitious wallboard over an area extending not less than 18 inches (457 mm) in all directions from the hood.</p> <p><u>The hood is installed over painted dry wall on wooden framing.</u></p>	06/04/2018
12	2014 Edition IMC 675 IAC 18-1.6	<p>308.2 Listed appliances and equipment. The reduction of the required clearances to combustibles for listed and labeled appliances and equipment shall be in accordance with the requirements of this section except that such clearances shall not be reduced where reduction is specifically prohibited by the terms of the appliance or equipment listing.</p> <p><u>Provide documentation for the required clearance from combustibles for all cooking equipment.</u></p>	06/04/2018
13	2014 Edition IMC 675 IAC 18-1.6	<p>506.3.13.3 Termination location. Exhaust outlets shall be located not less than 10 feet (3048 mm) horizontally from parts of the same or contiguous buildings, adjacent buildings and adjacent property lines and shall be located not less than 10 feet (3048 mm) above the adjoining grade level. Exhaust outlets shall be located not less than 10 feet (3048 mm) horizontally from or not less than 3 feet (914 mm) above air intake openings into any building.</p> <p><u>The through wall exhaust terminates within 10' of the property line/ alley and closer to grade level than 10'</u></p>	06/04/2018
14	Sec. 604.5.2 2014 Edition IFC 675 IAC 22-2.5	<p>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.</p> <p><u>Provide documentation that all Exit and emergency lights are operable and have been tested to the above requirement.</u></p>	06/04/2018
15	675 IAC 12-6-3(a)	<p>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.</p> <p><u>A Type I kitchen hood was installed without a Construction Design</u></p>	06/04/2018

		<u>Release.</u>	
16	Sec. 904.11.6.2 2014 Edition IFC 675 IAC 22-2.5	Automatic fire-extinguishing systems shall be serviced at least every six months and after activation of the system. Inspection shall be by qualified individuals, and a certificate of inspection shall be forwarded to the fire code official upon completion.  <u>Provide documentation that the suppression system has been installed by a technician trained by the manufacture (Ansul).</u>	06/04/2018
17	Sec. 906.9.1 2014 Edition IFC 675 IAC 22-2.5	Portable fire extinguishers having a gross weight not exceeding 40 pounds (18 kg) shall be installed so that their tops are not more than 5 feet (1524 mm) above the floor.  <u>The Type "K" extinguisher in the kitchen is mounted at a height greater than 5 feet from the floor.</u>	06/04/2018
18	Sec. 807.1 2014 Edition IFC 675 IAC 22-2.5	In occupancies in Groups A, E, I and R-1, and dormitories in Group R-2, curtains, draperies, hangings and other decorative materials suspended from walls or ceilings shall meet the flame propagation performance criteria of NFPA 701 in accordance with Section 807.2 or be noncombustible. Exceptions: 1. Curtains, draperies, hangings and other decorative materials suspended from walls of sleeping units and dwelling units in dormitories in Group R-2 protected by an approved automatic sprinkler system installed in accordance with Section 903.3.1 and such materials are limited to not more than 50 percent of the aggregate area of walls. 2. Decorative materials, including, but not limited to, photographs and paintings in dormitories in Group R-2 where such materials are of limited quantities such that a hazard of fire development or spread is not present. In Groups I-1 and I-2, combustible decorative materials shall meet the flame propagation criteria of NFPA 701 unless the decorative materials, including, but not limited to, photographs and paintings, are of such limited quantities that a hazard of fire development or spread is not present. In Group I-3, combustible decorative materials are prohibited. Fixed or movable walls and partitions, paneling, wall pads and crash pads, applied structurally or for decoration, acoustical correction, surface insulation or other purposes, shall be considered interior finish if they cover 10 percent or more of the wall or of the ceiling area, and shall not be considered decorative materials or furnishings. In Group B and M occupancies, fabric partitions suspended from the ceiling and not supported by the floor shall meet the flame propagation performance criteria in accordance with Section 807.2 and NFPA 701 or shall be noncombustible. <u>Curtains / backdrop drapes are not labeled for NFPA 701 compliance.</u>	06/04/2018
19	Sec. 907.2.1 2014 Edition IBC 675 IAC 13-2.6	A manual fire alarm system that activates the occupant notification system in accordance with Section 907.5 shall be installed in Group A occupancies where the occupant load due to the assembly occupancy is 300 or more. Group A occupancies not separated from one by at least 1-hour rated fire barriers shall be considered as a single occupancy for the purposes of applying this section. Portions of Group E occupancies occupied for assembly purposes shall be provided with a fire alarm system as required for the Group E occupancy. Exception: Manual fire alarm boxes are not required where the building is equipped throughout with an automatic sprinkler system installed in accordance with Section 903.3.1.1 and the occupant	06/04/2018

		<p>notification appliances will activate throughout the notification zones upon sprinkler waterflow.</p> <p><u>The rough calculated occupant load for the facility is 454, exceeding the 300 listed above. This requires the facility to have a smoke alarm system.</u></p>	
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<b>Facility Id</b> BU28982	<b>Received By Name</b>	<b>Signature and Date</b>
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**APPEAL RIGHTS**

Please be advised that if you desire administrative review of this Order and **this Order was delivered by hand**, you must file a written petition for review with the Fire Prevention and Building Safety Commission at 302 West Washington Street, Rm. W246, Indianapolis, IN 46204, identifying the violations for which you seek review no later than 15 calendar days from the hand delivery date of this Order unless such date is a Saturday, Sunday, legal holiday under state statute, or day that the Department of Homeland Security's offices are closed during regular business hours, in which case the deadline would be the first calendar day thereafter that is not a Saturday, Sunday, legal holiday under state statute, or day that the Department of Homeland Security's offices are closed during regular business hours. If you do so, your petition for review will be granted and an administrative proceeding will be conducted by an administrative law judge appointed by the Fire Prevention and Building Safety Commission. If you do not file a petition for review, this Order will be **FINAL** and you **MUST** comply with its requirements.

Please be advised that if you desire administrative review of **this Order and this Order was delivered by first class U.S. mail**, you must file a written petition for review with the Fire Prevention and Building Safety Commission at 302 West Washington Street, Rm. W246, Indianapolis, IN 46204, identifying the violations for which you seek review no later than 18 calendar days from the mailing date of this Order unless such date is a Saturday, Sunday, legal holiday under state statute, or day that the Department of Homeland Security's offices are closed during regular business hours, in which case the deadline would be the first calendar day thereafter that is not a Saturday, Sunday, legal holiday under state statute, or day that the Department of Homeland Security's offices are closed during regular business hours. If you do so, your petition for review will be granted and an administrative proceeding will be conducted by an administrative law judge appointed by the Fire Prevention and Building Safety Commission. If you do not file a petition for review, this Order will be **FINAL** and you **MUST** comply with its requirements.

Please be further advised that you may request an opportunity to informally discuss this Order prior to filing a



petition for review. Such informal discussion, or a request therefor, does not extend the deadline for filing a petition for review and, therefore, any request for an informal discussion should be made promptly, preferably by telephone, upon receipt of this Order.

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Indiana Department Of Homeland Security  
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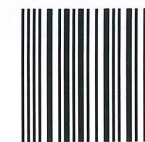
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