

COMMON COUNCIL OF THE CITY OF HOBART, INDIANA
Ordinance No. 2025 - 03

**An Ordinance Adopting a Fire Protection Ordinance to Supplement Those Safety Goals
Currently Adopted by the Indiana Fire Prevention and Building Safety Commission**

WHEREAS, the Common Council (“Council”) of the City of Hobart, Indiana (“City”) has determined that certain additions to ensure adequate maintenance of fire and life safety features are needed in the Hobart Municipal Code (“Code”), CHAPTER 93: FIRE PROTECTION; and

WHEREAS, the purpose of the proposed additional section of the code is to protect life, public safety, environment, health and general welfare of the citizens of the City of Hobart in Lake County, Indiana; and

WHEREAS, through this Ordinance, the Council desires to fulfil the above-referenced fire and life safety goals.

THEREFORE, BE IT ORDAINED by the Common Council of the City of Hobart as follows:

SECTION ONE: The Municipal Code of the City of Hobart (“Code”), in CHAPTER 93, entitled “Fire Protection” is hereby amended by striking out the prior sections and inserting the new sections, language and headings as follows:

FIRE PROTECTION ORDINANCE

Article I. – SCOPE AND ADMINISTRATION

- 93.001 – Title
- 93.002 – Purpose
- 93.003 – Authority
- 93.004 – Applicability
- 93.005 – Conflicting Provisions
- 93.006 – Severability
- 93.007 – Minimum Standards
- 93.008 – Effect of Adoption on Prior Ordinance
- 93.009 – Organization of the Fire Prevention Bureau
- 93.010 – Fire Prevention Bureaus Established; Jurisdiction
- 93.011 – Enforcement Authority
- 93.012 – Authority at Fires and Emergencies
- 93.013 – Emergency Lines and Limits
- 93.014 – Fire Investigations
- 93.015 – Fire and Life Safety Inspections
- 93.016 – Emergency Entry
- 93.017 – Right to Enter Buildings and Premises

- 47 93.018 – Fire and Life Safety Inspections; Fees
- 48 93.019 – Determination of Violation
- 49 93.020 – Notice of Violation
- 50 93.021 – Imminent Danger
- 51 93.022 – Duty to Correct Violations
- 52 93.023 – Time Limit
- 53 93.024 – Right of Appeal
- 54 93.025 – Records and Reports
- 55 93.026 – Legal Assistance
- 56 93.027 – Law Enforcement Assistance.

57

ARTICLE II - DEFINITIONS

- 58 93.101 - Definitions

60

ARTICLE III – GENERAL REQUIREMENTS

- 61 93.201 – Open Burning Provisions

63

ARTICLE IV – EMERGENCY PLANNING

- 64 93.301 – Crowd Manager Training and Qualifications
- 65 93.302 – When Required
- 66 93.303 – Fire Watch

68

ARTICLE V - FIRE SERVICE FEATURES

- 69 93.401 – Addressing
- 70 93.402 – Fire Lane Markings
- 71 93.403 – Gates and Barricades
- 72 93.405 - Marking of Fire Protection Equipment, Fire Hydrants and Apparatus Access Roads
- 73 93.406 – Key Boxes
- 74 93.407 – Water Supply
- 75 93.408 – Fire Flow Requirements
- 76 93.409 – Fire Hydrants
- 77 93.410 – Emergency Communications

79

ARTICLE VI - EMERGENCY AND STANDBY POWER

- 80 93.501 – Emergency Lighting Activation Test
- 81 93.502 – Emergency Lighting Activation Test Record
- 82 93.503 – Emergency Lighting Power Test Record

84

ARTICLE VII - FIREPROTECTION SYSTEMS, PERMITS AND PLAN REVIEW

- 85 93.601 – Plan Review
- 86 93.602 – Existing Building Modifications
- 87 93.603 – Fire Protection Permits
- 88 93.604 – Inspection Fees
- 89 93.605 – Permit Process
- 90 93.606– Acceptance Testing
- 91 93.607 – Appeals Process

92

- 93 93.608 – Validity
- 94 93.609 – Installer Information
- 95 93.610 – Fire Department Connection Requirements
- 96 93.611 – Portable Fire Extinguishers, Where Required
- 97 93.612 – Unlawful Interference with Fire Protection Equipment, Barricades, Devices, Signs and
- 98 Seals
- 99 93.613 – Smoke Alarms and Detectors

100

101 **ARTICLE VIII - FIRE REPORTING SYSTEMS**

- 102 93.701 – Scope of Article
- 103 93.702 – Monitoring of Fire Alarm Systems
- 104 93.703 – Notification Upon Fire Alarm Activation
- 105 93.704 – Faulty Alarms
- 106 93.705 - Life Safety and Fire Protection Reports

107

108 **ARTICLE IX - MISCELLANEOUS PROVISIONS**

- 109 93.801 – Vacant or Abandoned Buildings; Placarding

110

111 **ARTICLE X – PYROTECHNICS DISPLAYS**

- 112 93.901 – Certificate of Insurance Required

113

114 **ARTICLE XI – HAZARDOUS MATERIALS SAFETY**

- 115 93:1001 – Purpose
- 116 93:1002 – Definitions
- 117 93:1003 – Registration of Hazardous Materials
- 118 93:1004 – Reporting Changes in Required Information
- 119 93:1005 – Renewal of Hazardous Materials Registration
- 120 93:1006 – Facility Inspection
- 121 93:1007 – Application for Remote Site Hazardous Materials Registration
- 122 93:1008 – Issuance of Remote Site Hazardous Material Registration
- 123 93:1009 – Revocation of Registration
- 124 93:1010 – Cease and Removal of Materials, Notice and Fines
- 125 93:1011 – Compliance with Applicable Industry Standards
- 126 93:1012 – Reporting Spills, Leaks and Discharges of Hazardous Materials
- 127 93:1013 – Hazardous Materials Response
- 128 93:1014 – Spill Reporting Required Information
- 129 93:1015 – Time Limit for Written Report of Incident
- 130 93:1016 – Dumping
- 131 93:1017 – Hazardous Materials Response and Cleanup Cost Recovery

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133 ***ARTICLE I - SCOPE AND ADMINISTRATION***

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- 135 93.001 – Title.

- 136 A. This Ordinance and all material included herein by reference shall be known as the Fire
- 137 Prevention Ordinance of the City of Hobart, Indiana.

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- 139 93.002 – Purpose.
140 A. The purpose of this Ordinance is to protect life, public safety, environment, health and
141 general welfare of the citizens of the City of Hobart in Lake County, Indiana, and shall be
142 construed in such a manner as to effectuate this purpose.
143
- 144 93.003 – Authority.
145 A. The Bureau is hereby authorized and directed to administer and enforce the following: i)
146 All of the provisions of this Ordinance. ii) Variances granted in accordance with I. C. §
147 22-13-2-11. iii) Orders issued under I. C. § 22-12-7.
148
- 149 93.004 – Applicability.
150 A. The provisions of this Ordinance are supplemental to the Indiana General Administrative
151 Rules (GAR), Indiana Fire Code, Indiana Building Code, Indiana Mechanical Code, and
152 Indiana Fuel Gas Code as adopted by the Indiana Fire Prevention and Building Safety
153 Commission. The provisions of this Ordinance shall apply to maintenance of fire and life
154 safety features as herein described. The provisions of this Ordinance shall apply to
155 existing conditions as well as to the conditions arising after the adoption thereof.
156
- 157 93.005 – Conflicting Provisions.
158 A. If any provision of this Ordinance is found to be in conflict with any building, zoning,
159 safety, health, or other applicable law or ordinance of the City of Hobart, Indiana,
160 whether existing on the effective date of this Ordinance or later adopted, the provision
161 which establishes the higher standard for the promotion and protection of the safety and
162 welfare of the public applies.
163
- 164 93.006 – Severability.
165 A. If any provision of this Ordinance be declared invalid, by a court of competent
166 jurisdiction, for any reason, the remaining provisions shall not be affected, if such
167 remaining provisions can, without the invalid provision or provisions be given their
168 original intended effect in adopting this ordinance. To this end, the provisions of this
169 Ordinance are severable.
170
- 171 93.007 – Minimum Standards.
172 A. All safety rules of the Commission as set out in Articles 12, 13, 18, 22, and 25 of Title
173 675 of the Indiana Administrative Code are hereby incorporated in this Ordinance, and
174 shall include later amendments to that article as published in the Indiana Register or the
175 Indiana Administrative Code with effective dates as fixed therein.
176 i. Any special processes or procedures not addressed in 675 IAC 22 or this
177 Ordinance shall be subject to applications found in the fire safety
178 standards recognized by Indiana Fire Code 675 IAC 22, references
179 standards and as approved by the Bureau.
180 ii. Any special processes or procedures not addressed in this Ordinance shall
181 be subject to applications found in the current editions of the National Fire
182 Protection Association standards or other recognized fire safety standards,
183 subject to the rules of the Commission.

- 184 iii. A current copy of these standards shall be available in the office of the
185 Fire Prevention Bureau for inquiry and review by the public during normal
186 business hours.
187

188 93.008 - Effect of Adoption on Prior Ordinance.

- 189 A. The expressed or implied repeal of amendment by this ordinance of any other ordinance
190 or part of any other ordinance does not affect any rights or liabilities accrued, penalties
191 incurred, or proceedings begun prior to the effective date of this ordinance. Such rights,
192 liabilities and other proceedings are continued, and penalties shall be imposed and
193 enforced under the repealed or amended ordinance as if this ordinance had not been
194 adopted.
195

196 93.009– Organization of the Fire Prevention Bureau.

- 197 A. The Fire Prevention Bureau of the HFD shall be part of the Community Risk Reduction
198 Division under the supervision of the Fire Marshal, appointed pursuant to the applicable
199 personnel rules of the HFD and the Hobart Fire Civil Service Commission.
200

201 93.010- Fire Prevention Bureau Established; Jurisdiction.

- 202 A. As authorized by I. C. § 36-8-17, there is hereby established a local Fire Prevention
203 Bureau within the Community Risk Reduction Division of the HFD and within all
204 jurisdictional boundaries of the HFD.
205

206 93.011– Enforcement Authority.

- 207 A. The Bureau shall possess the authority to enforce the provisions of this Ordinance, the
208 Indiana General Administrative Rules, Indiana Fire Code, Indiana Building Code,
209 Indiana Mechanical Code, Indiana Fuel Gas Code, or any other rule of the Commission
210 within the entirety of its' jurisdiction. Such enforcement shall include, but is not limited
211 to:
- 212 i. The prevention of fires.
 - 213 ii. The handling, storage, sale, and use of flammable liquids, explosives,
214 combustible, and hazardous materials.
 - 215 iii. The adequacy of means of egress from all places in which numbers of
216 people live, work, or congregate from time to time for any purpose.
 - 217 iv. The location, installation, and maintenance of smoke alarms, Fire Alarm
218 Systems, and fire suppression systems.
 - 219 v. The existence of recognized hazardous conditions that present a clear and
220 immediate hazard to life and property.
- 221 B. The Bureau shall have the authority to initiate legal action in accordance with locally
222 prescribed remedies applicable to violations of the Indiana General Administrative Rules,
223 Indiana Fire Code, Indiana Building Code, Indiana Mechanical Code, Indiana Fuel Gas
224 Code, this Ordinance, or any other rule of the Commission. Violators of this Ordinance
225 may be cited into any court having jurisdiction.
- 226 C. The HFD shall have such other powers and duties as may be conferred from time to time
227 by law or ordinance.
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229

230 93.012– Authority at Fires and Emergencies.

- 231 A. The Fire Chief or such designated officer of the HFD in charge at the scene of a fire or
232 other emergency involving the protection of life or property, or any part thereof, shall
233 have the authority to direct such operation as necessary to extinguish or control any fire,
234 perform any rescue operation, investigate the existence of suspected or reported fires, gas
235 leaks or other hazardous conditions or situations, or take any other action necessary in the
236 reasonable performance of duty.
237 B. In the exercise of such power, the Fire Chief or such designated officer of the HFD is
238 authorized to prohibit any person, vehicle or vessel from approaching the scene, and is
239 authorized to remove, or cause to be removed or kept away from the scene, any person
240 vehicle or vessel which could impede or interfere with the operations of the HFD and,
241 any person not actually and usefully employed in the extinguishing of such fire or in the
242 preservation of property in the vicinity thereof.
243

244 93.013– Emergency Lines and Limits.

- 245 A. Barricades. The Fire Chief or such designated officer of the HFD in charge at the scene
246 of an emergency is authorized to place ropes, guards, barricades or other obstructions
247 across any street, alley, place or private property in the vicinity of such emergency so as
248 to prevent accidents or interference with the lawful efforts of the HFD to manage and
249 control the emergency and to handle fire apparatus.
250 B. Obstructing operations. No person shall obstruct the operations of the HFD in connection
251 with extinguishment or control of any fire, or actions relative to other emergencies, or
252 disobey any lawful command of the Fire Chief or officer of the HFD in charge of the
253 emergency, or any part thereof, or any lawful order of a police officer assisting the HFD.
254 C. Systems and devices. No person shall render a system or device inoperative during an
255 emergency unless by direction of the Fire Chief or HFD official in charge of the incident.
256

257 93.014– Fire Investigations.

- 258 A. The Bureau shall perform fire investigations pursuant to I. C. § 36-8-17-7.
259 B. The Bureau is authorized to conduct an origin and cause investigation of all fires and
260 explosions within the jurisdiction of the HFD.
261 C. It shall be unlawful for any person to impede the Fire Chief, Fire Marshal and/or their
262 designee from conducting an origin and cause investigation.
263

264 93.015 – Fire and Life Safety Inspections.

- 265 A. The Bureau shall conduct fire and life safety inspections in Class 1 Structures pursuant to
266 I. C. §36-8-17-8.
267 B. The Bureau shall inspect Class 1 Structures as often as necessary for the purpose of
268 ascertaining and causing to correct any violation of the Indiana General Assembly Rules,
269 Indiana Fire Code, Indiana Building Code, and Indiana Fuel Gas Code, this Ordinance
270 and/or any other rule of the Commission.
271 C. Information that is collected during the inspection process will be used to create pre-fire
272 plans and the issuance of a Life Safety Certificate to the business owner.
273 D. Fire and Life Safety Inspections are required for a business to operate. Failure to obtain a
274 Fire and Life Safety Inspection will lead to revocation of the Life Safety Certificate or
275 halt the issuance of a Certificate of Occupancy for new businesses.

- 276
277 93.016- Emergency Entry.
278 A. The HFD shall have the right to enter any building or premise without permission or
279 warrant in the event of any emergency constituting a threat to human life, property or
280 public safety for the purpose of eliminating, controlling or abating the dangerous
281 condition or situation.
282 B. At no time will the City of Hobart, HFD or any of its agents be responsible for any
283 damages as a result of an emergency entry. The HFD or the Lake County Dispatch Center
284 will notify the owner / occupant of the event and it will be the responsibility of the owner
285 /occupant to assure that the building is re-secured.
286
287 93.017 – Right to Enter Buildings.
288 A. Authorized personnel of the HFD may, at all reasonable hours, enter any Class 1 structure
289 (one- and two-family dwellings may be entered only with expressed consent) within the
290 jurisdiction of the HFD in Lake County for the purpose of conducting inspections or
291 investigations pursuant to this Ordinance.
292 B. The right to enter shall extend to new structures under construction as well as to existing
293 structures being renovated or remodeled. An inspector or investigator may be required by
294 the owner or occupant to produce satisfactory proof of authority or identity.
295 C. If an inspector or investigator is denied access, the Bureau may apply to a court of
296 competent jurisdiction for an order allowing inspection.
297
298 93.018 - Fire and Life Safety Inspections; Fees.
299 A. The Bureau shall perform fire and life safety inspections in Class 1 Structures under the
300 administrative supervision of the Fire Chief pursuant to I. C. § 36-8-17.
301 B. The Bureau may, as often as may be reasonably necessary inspect every structure,
302 building, place and public way, except the interiors of class 2 Structures, for compliance
303 with fire safety laws adopted by the Commission and this Ordinance.
304 C. Upon the request of an owner or a primary lessee who resides in a private dwelling, the
305 Bureau may inspect the interior of the private dwelling to determine compliance with
306 I. C. § 22-11-18-3.5 and all other applicable law and regulations.
307 D. The fees for HFD inspections performed under this section shall be set out in the fee
308 schedule of this code pursuant to § 93.604.
309 E. Following the issuance of an inspection report that contains a violation of a fire safety
310 law, pursuant to the enforcement as determined in § 93.011 of this ordinance, the Bureau
311 may reinspect a structure, building or place to ensure the violation has been remedied. If
312 a violation cited in the inspection report is not remedied upon the Bureau reinspection,
313 the owner or, if applicable, primary lessee of the structure, building or place shall be
314 subject to the fee provided in the fee schedule of this code for any subsequent re-
315 inspections of such violation.
316
317 93.019 – Determination of Violation.
318 A. Whenever the Bureau determines by inspection that an apparent or actual violation of the
319 Indiana General Administrative Rules, Indiana Fire Code, Indiana Building Code, Indiana
320 Mechanical Code, Indiana Fuel Gas Code, this Fire Prevention Code, any other rule of the
321 Commission or a hazardous condition exists upon any Class 1 Structure within the City of

322 Hobart service area, the person making such determination shall issue such Notice of Violation
323 or order as may be necessary for the enforcement of the Indiana General Administrative Rules,
324 Indiana Fire Code, Indiana Building Code, Indiana Mechanical Code, Indiana Fuel Gas Code,
325 this Fire Prevention Code, or any other rule of the Commission.
326

327 93.020 – Notice of Violation

- 328 A. Under I. C. § 36-8-17-9, an order of enforcement of the Indiana General Administrative
329 Rules, Indiana Fire Code, Indiana Building Code, Indiana Mechanical Code, Indiana Fuel
330 Gas Code, this Ordinance, or any other rule of the Commission, which is within the
331 jurisdiction of the Bureau may seek the correction of any violation or the elimination of
332 any hazardous condition by the methods specified in this Ordinance or by any other
333 appropriate remedy or procedure provided by law.
- 334 B. The failure of the HFD to inspect or to issue a Notice of Violation or order in accordance
335 with this Ordinance shall not constitute approval of any violation or non-compliance.
- 336 C. Any Notice of Violation or order issued pursuant to this section shall be conveyed upon
337 the owner, operator, occupant, or other person responsible for the building or property.
338 Conveyance of such order shall be by one of the following methods: Personal service (by
339 affixing a copy thereof in a conspicuous place at the entrance of said building or
340 premises), by mailing a copy thereof to such responsible person by first-class mail to his
341 or her last known address, by fax, or electronic mail pursuant to I. C. § 4-21.5-3.
342

343 93.021– Imminent Danger.

- 344 A. The Bureau may stop an operation or require the evacuation of any Class 1 Structure or
345 portion thereof under the provisions of I. C. § 36-8-17-9 when it is determined that
346 conduct or conditions of the property:
- 347 a) Present a clear and immediate hazard of death or serious bodily injury to any
348 person other than a trespasser;
 - 349 b) Is prohibited without a permit, registration, certification, authorization,
350 variance, exemption, or other license required under I.C. 22-14, another
351 Indiana statute or rule of the Commission; or
 - 352 c) Will conceal a violation of law.
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355 93.022– Duty to Correct Violations.

- 356 A. The owner or person in control of any premises or building upon which a violation or
357 hazard exists shall:
- 358 a) Cease and correct the violation. ii) Protect persons and property from the hazards of
359 the violation.
360

361 93.023 – Time Limit.

- 362 A. Orders shall set forth a time limit for compliance dependent upon the hazard created by
363 the violation(s).
364

365 93.024 – Right of Appeal. Any person aggrieved by an order issued under this Fire
366 Prevention Ordinance shall have the right to petition for review of any order of the Bureau. The
367 person may file a petition using either, or both, of the following procedures:

- 368 A. Appeal to the Fire Prevention and Building Safety Commission.
369 a) A person aggrieved by an order issued under this Fire Prevention Ordinance may
370 appeal to the Commission, in accordance with I. C. § 36-8-17.
371 b) The Commission may modify or reverse any order issued by the Bureau that covers a
372 subject governed by I. C. §22-12, I. C. § 22-13, I. C. § 22-14, I. C. § 22-15, a fire
373 safety, or a building rule.
374 c) The Commission must review orders that concern a Class 2 structure if the person
375 aggrieved by the order petitions for review under I. C. § 4-21.5-3-7 within 30 days
376 after the issuance of the order.
377 d) The Commission may review all other orders issued under this Fire Prevention
378 Ordinance.
379 e) The review of an order by the Commission does not suspend the running of the time
380 period under any statute in which a person must petition a court for judicial review of
381 the order.
382 B. Appeal to an established local administrative body or court. The City, pursuant to I. C.
383 §36-1-6-9, has established by ordinance that a person shall have the right to appeal the
384 Bureau's decision first through the Board of Public Works and Safety of the City of
385 Hobart.
386

387 93.025 – Records and Reports.

- 388 A. The HFD shall keep a record of all fires and the facts concerning them, including
389 statistics as to the extent of fires and the losses sustained.
390 i. Such reports shall be prepared into an annual summary and submitted to
391 the jurisdictional Fire Chief. The annual summary, together with
392 recommendations for change, shall be submitted, when requested, to the
393 City.
394 B. The HFD shall maintain files containing reports of all properties that have been
395 inspected, all orders issued, of all complaints and fires investigated, and the location of
396 all buildings containing hazardous occupancies.
397 C. Companies providing ITM of fire protection systems such as fire sprinklers, fire pumps,
398 fire alarms, kitchen hood suppression or clean agent shall submit a copy of their
399 inspection reporting through a Software as authorized by the HFD.
400 D. Fire investigation reports shall not be distributed to the public when requested under
401 public record law until the fire investigation, including any criminal investigation has
402 been completed.
403 i. A criminal investigation is considered to be complete when either formal
404 criminal charge(s) are filed or a decision declining to do so has been made.
405 E. Persons treated for second- and third-degree chemical, flash and thermal burns to ten
406 percent (10%) or more of the body or any burn to the upper respiratory tract shall be
407 reported to the Office of the State Fire Marshal (the Division) in accordance with I. C.
408 §35-47-7-3.
409

410 93.026 - Legal Assistance.

- 411 A. The Bureau may obtain the services of the City Attorney, the Lake County Prosecutors
412 Office or any other reasonable legal entity within the State of Indiana in connection with

413 the enforcement and/or application of this ordinance and within the scope of State of
414 Indiana law.

415
416 93.027 - Law Enforcement Assistance.

417 A. The chief of the Hobart Police Department may, upon request of the fire chief, assign
418 such available law enforcement officers as may be necessary to assist the HFD in the
419 enforcement and/or the application of this ordinance or within the scope of State law.
420

421 **ARTICLE II - DEFINITIONS**

422 93.101 – Definitions.

423
424 As used in this Ordinance, the following terms shall have the meanings ascribed to them in this
425 section.

426
427 **"Advanced Structural Components"** means lightweight I-joists or lightweight roof trusses
428 that: (1) have less mass cross-sectional area than sawn lumber of equivalent proportions used in
429 an equivalent application; and (2) are assembled from combustible or noncombustible materials,
430 or both. The term does not include a structural assembly, joist, or truss that provides at least one
431 (1) hour of fire resistance when tested in accordance with the ASTM Standard E119."
432

433 **"Alarm System"** or **"Fire Alarm System"** means any device for the detection of an
434 unauthorized entry or attempted entry into a building, Structure, facility or grounds, or for
435 alerting others of the city of an unlawful act or a fire within a building, Structure, facility or
436 grounds, which when activated causes notification to be made directly or indirectly to the Police
437 Department or HFD. For the purposes of this Ordinance, an alarm system shall not include:

- 438 i) An alarm installed on a motor vehicle; or
439 ii) An alarm which signals or alerts only the occupants of the premises protected by
440 the alarm system, including an alarm located on a private residence if the only
441 response on activation of the alarm system is a sounding alarm that automatically
442 stops within 15 minutes after activation.
443

444 **"Approved"** or **"Approval"** means acceptable to the Bureau, with regards to this ordinance
445

446 **ASTM** means the American Society for Testing and Materials.
447

448 **Building Code** means Indiana Building Code (675 IAC 13).
449

450 **Building Commissioner** shall mean the Building Commissioner of the City of Hobart.
451

452 **Bureau** means the Fire Chief or the Fire Chief's designee of the Hobart Fire Department.
453

454 **Class 1 Structure** means buildings and Structures as defined in I. C. §22-12-1-4.
455

456 **Class 2 Structure** means buildings and Structures as defined in Concur 2 SEA 393 I. C. § 22-
457 12-1-5.
458

459 **Code Official** means an inspector of the Fire Prevention Bureau of the Hobart Fire Department
460 or the Hobart Building Department.
461
462 **Commission** means Indiana Fire Prevention and Building Safety Commission as established by
463 I. C. § 22-12-2.
464
465 **Crowd Manager** has the meaning as ascribed in 675 IAC 22.
466
467 **Division of Fire and Building Safety** means Division of Fire and Building Safety of the Indiana
468 Department of Homeland Security created pursuant to I. C. §10-19-7.1.
469 i) May also mean a representative of the Office of the Indiana State Fire Marshal.
470
471 **Fire Chief** means the chief officer of the Hobart Fire Department.
472
473 **Fire Code** means Indiana Fire Code (675 IAC 22).
474
475 **Fire Watch** means a person or persons who are assigned to monitor an area for watching fires or
476 the outbreak of fires in accordance with section 93.403 of this Ordinance.
477
478 **Fire Prevention Bureau** means the Fire Prevention Bureau established by this Ordinance within
479 the Community Risk Reduction Division of the HFD for the City of Hobart.
480
481 **Fire Marshal** means the administrative chief of the Fire Prevention Bureau of the Hobart Fire
482 Department. This individual is appointed pursuant to the applicable personnel rules of the
483 Hobart Fire Civil Service Commission, and who's duties are described in Section II-10.
484
485 **GAR** means General Administrative Rules (675 IAC 12) of the Indiana Fire Prevention and
486 Building Safety Commission.
487
488 **Hazardous Condition** means the presence of a structural condition, equipment, utility
489 connection, or materials which constitutes or poses a recognized threat of fire or other injury to
490 persons or property.
491
492 **HFD** shall mean the Hobart Fire Department
493
494 **IAC** means Indiana Administrative Code.
495
496 **IBC** means Indiana Building Code (675 IAC 13)
497
498 **IC** means Indiana Code of the Indiana General Assembly.
499
500 **IFC** means Indiana Fire Code (675 IAC 22)
501
502 **Inspector** means code official of the Fire Prevention Bureau of the Hobart Fire Department,
503 unless otherwise noted. "ITM" means Inspection, Testing and Maintenance.
504

505 **Mechanical Code** means Indiana Mechanical Code (675 IAC 18).

506

507 **Notice of Violation** means a written notice issued by the HFD usually in the form of an
508 inspection report listing violation(s).

509

510 **Owner** has the meaning ascribed thereto in 675 IAC 22. **Person** has the meaning ascribed
511 thereto in I. C. §22-12-1-18.

512

513 **Qualified Person** means a person who either holds current National Institute for Certification in
514 Engineering Technologies (NICET) certification in the fire protection system being installed,
515 serviced or repaired, or has successfully completed a course of instruction specific to the
516 equipment being installed, serviced or repaired. Such instruction shall have been approved by the
517 manufacturer of the equipment or their authorized representative.

518

519 **Qualifying Property** means any property subject to this Ordinance.

520

521 **Registered Design Professional** shall mean an architect registered under I. C. §25-4-1; or a
522 professional engineer registered under I. C. §25-31. "Reinspection" shall mean any subsequent
523 inspection that is performed after an order has been issued.

524

525 **Software** shall mean any computer applications utilized by the Hobart Fire Department.

526

527 **State Fire Marshal** shall mean any representative of the Division of Fire and Building Safety of
528 the Indiana Department of Homeland Security created pursuant to I. C. §10-19-7.1.

529

530 **Structure** means a Class 1 or Class 2 Structure.

531

532 **Terms not defined** Where terms are not defined in this Ordinance and are defined in the General
533 Administrative Rules, Indiana Building Code, Indiana Fire Code, Indiana Mechanical Code and
534 Indiana Fuel Gas Code, such terms shall have the meanings ascribed to them as in those codes.
535 Where terms are not defined through the methods authorized, such terms shall have ordinarily
536 accepted meanings such as the context implies.

537

538 **ARTICLE III - GENERAL REQUIREMENTS**

539

540 93-201– Open Burning Provisions.

541

A. Residential Burning.

542

a) Indiana Department of Environmental Management is the regulatory agency
543 concerning open burning and under the Indiana State Open Burning
544 Regulations (326 IAC 4-1-4.1 (c)), No approval shall be granted at any time
545 for residential burning in Lake County.

546

b) Non-residential burning 326 IAC 4 is hereby adopted by reference for non-
547 residential burning.

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c) Extinguishment authority.

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i. The Fire Chief or the Fire Chief's designee is hereby
550 authorized to order the extinguishment of any open burning.

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ARTICLE IV - EMERGENCY PLANNING

93.301 – Crowd Manager Training and Qualifications.

- A. Crowd Managers shall receive training as provided for in the Section 604 of the Indiana Fire Code, approved by the Bureau, in crowd management techniques. Crowd Managers shall be:
 - a) At least 21 years of age;
 - b) The owner or operator of the business, or under the direct control and supervision of said owner or operator; and
 - c) Responsible for:
 - i. Maintaining clear paths of egress, assuring that the facility does not exceed its occupant load limit, initiating a fire alarm if necessary, directing occupants to exits;
 - ii. Assuring general fire and life safety awareness of employees and occupants, including assuring that exit announcements are made; and
 - iii. Utilizing portable fire extinguishers as necessary.

93.302 – When Required.

- A. One trained crowd manager or crowd manager supervisor shall be provided for assembly occupancies. In the event the occupant load exceeds 250, additional trained crowd managers or crowd manager supervisors shall be provided at a ratio of 1 crowd manager or crowd manager supervisor for every 250 occupants.
 - a. Exception: For assembly occupancies used exclusively for religious worship with an occupant load not exceeding 2,000, the ratio of trained crowd managers to occupants may be reduced if approved by the Fire Chief or the Fire Chief's designee, when the existence of an approved, supervised automatic sprinkler system and the nature of the event warrant a reduction. Conversely, the Fire Chief, or the Fire Chief's designee, shall require a Fire Watch in accordance with 675 IAC 22 if conditions or the nature of the activity warrant.

93.303 – Fire Watch.

- A. Any time a Fire Watch is required for temporary fire protection, each member of the Fire Watch must be trained by the Fire Prevention Bureau and hold a current certificate of training card from the bureau and signed by the Fire Marshal, which shall also be on file with the Bureau. Every Fire Watch shall have one trained fire watch personnel for every 250 people of occupant load. Fire watch shall be carried out in accordance with 675 IAC 22.

ARTICLE V - FIRE SERVICE FEATURES

93.401 – Addressing.

- 595 A. Buildings shall be provided with approved address numbers, building numbers or
596 approved building identification placed in a position that is plainly legible and visible
597 from the street or road frontage fronting the property.
598 B. These numbers shall contrast with their background. Address numbers shall be Arabic
599 numbers or alphabetical letters.
600 C. Numbers shall be a minimum of 4 inches (101.6 mm) high with a minimum stroke width
601 of .5 inch (12.7mm). Address numbers shall be maintained.
602

603 93.402 – Fire Lane Markings.

- 604 A. The location of fire lanes shall be established by the Bureau. The Bureau can require
605 signage or striping or any combination. Design of the fire lane markings shall be
606 approved by the Bureau.
607 B. The erection of and maintenance of fire lane marking signs and striping shall be the
608 responsibility of the owner of private property upon which such lane marking signs and
609 striping is to be installed.
610 C. All markings shall remain in good visible condition as determined by the Bureau.
611 D. The parking or standing of any obstruction, including motor vehicles, within established
612 fire lane markings on private or public property shall be prohibited.
613

614 93.403 – Gates and Barricades.

- 615 A. The Bureau, is authorized to approve the installation of approved gates or other
616 barricades across fire apparatus access roads, trails or other access ways, not including
617 public streets, alleys or highways.
618 B. Approved gates or barricades shall be maintained by the property owner.
619 C. When a property is accessed through a gate or cross arm by means of a key or swipe card,
620 it shall be equipped with a Key switch manufactured by the Knox Company.
621 D. The switch will be keyed to the HFD Knox key.
622 E. The location to be installed will be determined by the Bureau.
623 F. This section shall apply to Class 1 Structures as well.
624

625 93.405 - Marking of Fire Protection Equipment, Fire Hydrants and Apparatus Access Roads.

- 626 A. Fire-protection equipment and fire hydrants shall be clearly identified in a manner
627 approved by the HFD to prevent obstruction by parking and other obstructions.
628 a. Appendix D of 675 IAC 22 is hereby adopted by reference for fire apparatus
629 access roads.
630

631 93:406 – Key Boxes.

- 632 A. Any new Class 1 Structure that is protected by an automatic sprinkler system or Fire
633 Alarm System which sends a local or transmitted signal, and access to, or within such
634 Structure, or an area on that property is unduly difficult because of secure openings, and
635 where immediate access is necessary for lifesaving or firefighting purposes or property
636 preservation, the Bureau, shall require a key box or other rapid entry product to be
637 installed in an approved location(s). All Key boxes shall be purchased from Knox
638 Corporation.
639 a. The key box shall contain:

- 640 i. Keys to locked points of ingress whether on the interior or exterior of such
- 641 buildings.
- 642 ii. Keys to locked mechanical equipment rooms;
- 643 iii. Keys to locked electrical rooms;
- 644 iv. Keys to elevator controls
- 645 v. Keys to other areas as directed by the fire official
- 646 vi. Keys to Post Indicator Valves controlling the water supply for Fire
- 647 Sprinkler Systems.
- 648 vii. Fire Alarm Control Panels

649 B. Alert Decals. Alert decals, approved by the Bureau, to alert fire companies to the
650 presence of security features covered by this ordinance, shall be displayed on any outside
651 doors or windows designated by the fire official.
652

653 93:407 – Automatic External Defibrillators.

- 654 A. AED devices, where required, shall be installed in sufficient numbers and in locations so
- 655 that an AED device shall be accessible, at a minimum, within three (3) minutes or five
- 656 hundred feet (500') maximum travel distance in the event of an emergency in accordance
- 657 with the American Heart Association recommendations.
- 658 B. AED devices, where required, are to be wall mounted and installed so that they are
- 659 clearly visible to staff and visitors.
- 660 C. The Fire Chief, or his designee, shall review and approve the number and installation
- 661 locations for AED devices; and, shall inspect the establishment to confirm the AED
- 662 installation as approved prior to the issuance of a Certificate of Occupancy.
- 663 D. The installation and maintenance of the AED device(s) and periodic training on the use of
- 664 the AED device(s) shall be the responsibility of the owner. A business, institution, or
- 665 other entity which is required to install AED devices shall train one (1) or more persons
- 666 in the use of an AED.
- 667 E. All AED installations shall be subject to annual inspections by the Fire Chief, or his
- 668 designee.
- 669 F. A business, institution, or other entity which is required to install AEDs can appeal to the
- 670 Fire Chief, or his designee, for relief from this section if it can be demonstrated that an
- 671 undue hardship will exist from complying with the conditions of this section.
- 672 G. AED devices shall be installed in newly constructed Class 1 structures as required in this
- 673 Fire Prevention Code. The intent of this Fire Prevention Code is not to require AED
- 674 devices in Class 1 structures in existence prior to the adoption of this Code.
- 675 H. AED PLACEMENT REQUIREMENTS:
 - 676 a. Group A with an occupant load that exceeds three hundred (300).
 - 677 b. Group B with an occupant load that exceeds three hundred (300).
 - 678 c. Group E with an occupant load that exceeds three hundred (300).
 - 679 d. Group H.
 - 680 e. Group I-1 Assisted Living Facilities.
 - 681 f. Group I-2 and I-3.
 - 682 g. Group M with an occupant load that exceeds one thousand (1,000).
 - 683 h. Group R-1, three (3) stories or great in height.
 - 684 i. Covered malls exceeding fifty thousand (50,000) square feet.
 - 685 j. Single-tenant Class 1 structures exceeding sixty thousand (60,000) square feet.

686 k. Class 1 structures where the floor level of the highest story is located more than
687 30 feet (30') above the lowest level of Fire Department vehicle access.

688 I. EXCEPTIONS:

- 689 a. Group A occupancies used exclusively for purposes of religious worship that have
690 an occupant load less than one thousand (1,000) in the sanctuary.
691 b. Self-storage facilities.
692 c. Parking garages and Group U Occupancies.
693

694 93:407 - Water Supply.

- 695 A. A water supply capable of supplying the required fire flow, for firefighting purposes, as
696 determined by Section 93.408 of this ordinance and must be provided to all premises or
697 property upon which a Class 1 Structure, a portion of a Class 1 Structure or a Class 2
698 Structure is hereafter constructed. The water supply shall be provided as follows:
699 a. When a municipal water supply is available and contingent to the premises or
700 property, fire hydrants and mains shall be installed and capable of providing the
701 required fire flow as determined by Section 93.409 of this ordinance.
702 b. When a public water supply is not available to a premises, the water supply shall
703 consist of a pond, stream, river, canal, lake, reservoir, quarry, pressure tank,
704 elevated tank, swimming pool, other fixed systems, or fire department delivered
705 portable system capable of providing the required fire flow. The on-site water
706 supply shall be accessible to the HFD and be located within one hundred fifty
707 (150) feet of the Class 1 building or Structure being protected with an automatic
708 fire extinguishing system. If the on-site water supply is not within one hundred
709 fifty (150) feet of the Structure being protected, the water supply shall be
710 connected to onsite fire hydrants and mains capable of supplying the required fire
711 flow.
712 c. The owner shall verify the water supply requirements with the HFD prior to final
713 design and construction. For buildings under construction. A water source
714 approved by the Bureau, that is capable of supplying the required fire flow, shall
715 be made available prior to allowing combustible material to accumulate at the job
716 site. Fire Hydrants shall be located within 400' of the Structure under
717 construction. Fire hydrants shall be maintained clear and accessible for fire
718 protection during all phases of construction. Water for construction purposes
719 taken from hydrants shall in no way impede the HFD's use of the hydrants in
720 emergencies.
721

722 93:408 – Fire Flow Requirements.

- 723 A. In determining the requirements for fire flow, the Bureau shall utilize 675 IAC 22
724 Appendix B - "Fire Flow Requirements for Buildings" and 675 IAC 22 Appendix C -
725 "Fire Hydrant Locations and Distribution" as a guide. The requirements in Appendix B &
726 C may not be made more stringent by the Bureau.
727

728 93:409 – Fire Hydrants.

- 729 A. All private hydrants and water mains shall be installed and maintained as set forth in
730 current adopted edition of NFPA 24 under the rules of the Commission. The Bureau, in

- 731 determining location and spacing of hydrants shall use the 2014 IFC (675 IAC 22)
732 Appendix C as a guide. Private hydrants shall be painted red in color.
733 B. The proposed location of private fire hydrants to supply the required fire flow shall be
734 approved by the HFD prior to construction of any Class 1 Structures or any addition to a
735 Class 1 Structure
736 C. Fire Hydrant Assemblies shall meet Hobart Utilities specs.
737 D. The installation of private fire service mains shall meet Hobart Utilities specs.
738 E. All hydrants, whether public or private, shall be equipped with a Storz large diameter
739 hose connection.

- 740
741 93-410– Emergency Communications.
742 A. Any time a Class 1 Structure is being built in the City of Hobart the owner of the building
743 shall contact the Fire Marshal for information on emergency communications equipment
744 that may be required to be installed into the building. This equipment is a radio repeater
745 system that is used to assist fire agencies inside the building. It will allow the Lake
746 County Emergency Communications radio system to function properly inside their new
747 building.

748
749 **ARTICLE VI - EMERGENCY AND STANDBY POWER**

- 750
751 93.501 – Emergency Lighting Activation Test.
752 A. An activation test of the emergency lighting equipment shall be completed monthly. The
753 activation test shall ensure the emergency lighting activates automatically upon normal
754 electrical disconnect and stays sufficiently illuminated for a minimum of 30 seconds.
755
756 93.502 – Emergency Lighting Activation Test Record.
757 A. Records for the activation test shall be maintained on the premises for a minimum of
758 three (3) years and submitted to the Bureau, upon request. The record must include the
759 location of the emergency lighting tested, whether the unit passed or failed, the date of
760 the test, and the person completing the test.
761
762 93.503 – Emergency Lighting Power Test Record.
763 A. The annual ninety (90) minute power test shall be maintained on the premises for a
764 minimum of 3 years and submitted to the Bureau, upon request. The record shall include
765 the location of the emergency lighting tested, whether the unit passed or failed, the date
766 of the test, and the person completing the test.

767
768 **ARTICLE VII - FIRE PROTECTION SYSTEMS, PERMITS AND PLAN REVIEW**

- 769
770 93.601 – Plan Review.
771 A. The Bureau shall perform a review of all pertinent site plans, building plans
772 (construction), fire protection system plans and specifications including sprinkler, fire
773 alarm systems and hood suppression systems of any project within the boundaries of the
774 HFD, in order to determine whether such plans and specifications comply with the
775 applicable rules of the Fire Prevention and Building Safety Commission (FPBSC), this
776 Ordinance and any other codes, standards or rules that may apply. Separate review and

777 permits shall be required for fire protection systems based on the Fire Protection Permit
778 standards in this Ordinance.

- 779 B. Plans shall be submitted in traditional 24"x36" paper form.
780 C. In addition to paper form, plans shall be submitted in digital format compatible with
781 current HFD software in order to assist the Department in the pre-fire planning of that
782 structure.
783 D. Fire Department Plan Review shall occur at the following phases: Site Plan, Construction
784 Plan and Fire Protection Systems Plan. This review shall run concurrent to the City plan
785 review and any issues or corrections that need to be made to the plans shall be completed
786 No Hobart Fire Department release or permit shall be given or issued until review as
787 provided herein and compliance has occurred.
788

789 93.602 - Existing Building Modifications.

- 790 A. Plans shall be submitted to the Fire Marshal prior to any alteration, remodel, addition or
791 demolition of any part of a building that is equipped with an Automatic Fire Suppression
792 System and / or Automatic Fire Detection and/or Fire Alarm System.
793

794 93.603- Fire Protection Permits.

- 795 A. Plans and specifications for Class 1 structures containing fire protection systems shall be
796 submitted to the Fire Marshal prior to the system installation for review in accordance
797 with the rules of the FPBSC and this Ordinance. No person shall install a Fire Protection
798 System without first obtaining a Fire Protection Permit from the Fire Marshal. A Fire
799 Protection Permit shall also be required anytime a structure listed is equipped with a fire
800 protection system; including a fire sprinkler system, fire alarm system or a kitchen hood
801 suppression system.

- 802 a. An application for a Fire Protection Permit shall be submitted on the fire
803 department's prescribed forms and include all documentation required by the
804 applicable NFPA standard adopted by the FPBSC, but shall not be less than
805 the following:

- 806 i. Sprinkler / Standpipe Systems:
807 ii. One (1) Full Set of Sprinkler I Standpipe Plans.
808 iii. One (1) Full Set of Sprinkler I Standpipe Calculations.
809 iv. One (1) Copy of the Sprinkler Construction Design Release
810 (CDR).
811 v. One (1) Set of Manufacturer's Cut-Sheets for all sprinkler
812 heads in the design.

- 813 b. Fire Alarm Systems:
814 i. One (1) Full Set of Fire Alarm Plans.
815 ii. One (1) Set of Battery Calculations.
816 iii. One (1) Copy of the Fire Alarm Construction Design Release
817 (CDR).

- 818 c. One (1) Set of Manufacturer's Cut-Sheets for the Fire Alarm Control Panel
819 (FACP) and Fire Alarm Components.

- 820 i. One (1) Fire Alarm Sequence of Operation Matrix.

- 821 d. Special Hazard Fire Protection Systems:

- 822 i. One (1) Set of Plans (if applicable).

- 823 ii. One (1) Set of Engineering Data (if applicable).
- 824 iii. One (1) Copy of the Construction Design Release (if
- 825 applicable). (iv)One (1) Set of Manufacturer's Cut-Sheets for
- 826 System Components.
- 827 e. Fire Pumps:
- 828 i. One (1) Copy of the Manufacturer's Fire Pump specifications.
- 829 ii. One (1) Copy of the Manufacturer's Certified Pump Test
- 830 Characteristic Curve
- 831 f. Firestop Systems:
- 832 i. Through-Penetration Firestop Systems.
- 833 ii. Membrane-Penetration Firestop Systems.
- 834 iii. Fire-Resistant Joint Systems.
- 835 iv. Perimeter Fire Barrier Systems.
- 836 v. Fire-Rated Duct and Air-Transfer Openings.
- 837

838 93.604 - Inspection Fees.

839 All Fees shall be as set out in the Fee Schedule of this code and if not otherwise allocated
840 herein shall be for the benefit of the General Fund of the City.

841
842 93.605– Permit Process.

- 843 A. The Bureau shall review the system plans and process the application within 10 days of
- 844 receiving a completed permit application and all applicable fees.
- 845 a. A Fire Protection Permit issued pursuant to this Article shall not be transferable,
- 846 and any change in use or occupancy prior to the acceptance test shall require a
- 847 new permit.
- 848 b. A Fire Protection Permit may be issued for individual portions of a structure
- 849 based on need and items submitted to the Fire Marshal. Examples:
- 850 i. New construction on a structure requiring a sprinkler system, fire alarm
- 851 system and a kitchen hood suppression system.
- 852 ii. Items for construction may be submitted at the same time. Fire Protection
- 853 Permits may be granted for the sprinkler systems without the attachment
- 854 of the fire alarm system and a kitchen hood suppression system.
- 855 iii. Applicable fees would apply but work may only be done on the area with
- 856 the issued permit.
- 857

858 93.606– Acceptance Testing.

- 859 A. An acceptance test according to NFPA standards of the system shall be conducted and
- 860 witnessed by the Bureau prior to occupancy of the building or use of the protected area.
- 861 a. All systems must completely pass to obtain occupancy of the building or
- 862 protected area.
- 863 b. If during the initial acceptance test, deficiencies are discovered that require the
- 864 system to be tested at a later date to ensure code compliance, a reinspection fee as
- 865 determined by the referenced standard shall be paid prior to each reinspection.
- 866 c. The installer shall contact the Bureau, at least 48 hours prior to schedule an
- 867 acceptance test.

868 d. Once acceptance tests are satisfactorily completed, a Certificate of Completion
869 shall be given to the Bureau for their records.
870

871 93.607– Appeals Process.

872 A. When the Bureau fails to grant a permit required by this Article, or when it is claimed that
873 provisions of this Article or articles of the Fire Protection Ordinance do not apply, the person
874 may appeal the decision according to § 93.024 of this Ordinance.
875

876 93.608– Validity.

877 A. Each permit granted under the provisions of this Article shall be valid for 1 (one) year if the
878 installed system remains as designed. If the system is modified, the new design must be
879 approved by the Bureau, and new items submitted as required by this Article.

880 B. A permit issued pursuant to this Article shall at all times be posted in a conspicuous place on
881 the premises as designated in the permit and shall at all times be subject to inspection by the
882 Bureau.
883

884 93.609– Installer Information.

885 A. All installers must be qualified professionals and registered with the City of Hobart.

886 B. Installers must notify the Bureau at least forty-eight (48) hours in advance of the system being
887 completed for system testing. C. Any items and/or personnel needed for acceptance testing shall
888 be provided by the installing company.
889

890 93.610 – Fire Department Connection Requirements. The location of the fire department
891 connections shall be approved by the Bureau, with respect to fire hydrants, fire department
892 access roads, fire apparatus water supply lines, buildings, utilities and landscaping. Immediate
893 access to fire department connections shall always be maintained and not hindered by
894 obstructions including fences, bushes, trees, walls or other fixed or removable objects.
895

896 93.611 – Portable Fire Extinguishers; Where Required.

897 A. Except for private dwellings, portable fire extinguishers shall be installed and maintained in
898 all occupancies and follow NFPA 10-Standard for Portable Fire Extinguishers. A minimum of a
899 5lb - 3A, 40BC shall be installed in all small commercial Structures or suites.

900 B. Notwithstanding other provisions of this Ordinance, portable fire extinguisher equipment
901 required for Class 1 residential apartment buildings shall be as follows: i) A minimum 2-A, 10-
902 BC rated dry chemical extinguisher shall be placed within seventy-five (75) feet maximum travel
903 distance on each floor level in all common areas of all apartments. ii) Each laundry room and/or
904 storage area shall have a minimum 2-A, 10BC rated dry chemical extinguisher.
905

906 93.612 – Unlawful Interference with Fire Protection Equipment, Barricades, Devices, Signs and
907 Seals.

908 A. It shall be unlawful for a person to do or permit to be done any of the following acts:
909 a. Key box access and fire equipment keys. To make or cause or permit to be made
910 or have in his or her possession any key for any key box emergency access
911 system, HFD equipment, house or building used by the HFD, except upon the
912 written order of the Fire Chief, or to fail or refuse to surrender possession of any
913 such key upon demand of the Fire Chief;

- 914 b. Tampering with fire protection systems or equipment. To tamper, molest, remove
915 or in any manner interfere with, damage or disturb any part of a fire protection
916 system, apparatus, fire equipment, secured gates, barricades, devices, signs and
917 seals in use in the county;
- 918 c. Injuring fire hose. To drive any motor vehicle or railroad locomotive over any fire
919 hose laid in any street or HFD access road in the vicinity of any fire or while in
920 use for any other purpose, or in any other way interfere with the use of such hose;
921 or
- 922 d. Opening fire hydrants. To use or operate any public or private hydrants or valves
923 connected to a water system intended for fire suppression purposes without
924 written permission from the water utility or the HFD. Notwithstanding the
925 provisions of this subsection, employees of the water utility who are authorized,
926 members of the HFD, owners of private hydrants, and members of a duly
927 recognized facility fire brigade may operate hydrants and valves as part of their
928 assigned duties.

929
930 93.613 - Smoke Alarms and Detectors.

- 931 A. Smoke detectors or smoke alarms required by 675 IAC 13 or 675 IAC 14 shall have a
932 power supply as specified by the respective code. All other residential smoke detectors or
933 smoke alarms may be powered by an AC power source or a battery. If the smoke detector
934 or smoke alarm is solely AC powered and the manufacturer does not supply installation
935 specifications, it shall be directly attached to a junction box with power supplied either
936 from a dedicated branch circuit or the unswitched portion of a branch circuit also used for
937 power and lighting, such installation shall be in accordance with 675 IAC 17. If the
938 smoke detector or smoke alarm is solely powered by a battery, such battery shall be a
939 non-removable, non-replaceable battery capable of powering the smoke detector or
940 smoke alarm for a minimum of ten (10) years. For any dwelling unit requiring a non-
941 removable, non-replaceable battery capable of powering the smoke detector or smoke
942 alarm for a minimum of ten (10) years as provided in this subsection, it shall satisfy the
943 requirements of this subsection that any non-compliant smoke detector or smoke alarm
944 installed in such dwelling unit prior to August 1, 2014, be replaced with a compliant
945 smoke detector or smoke alarm at such time such non-compliant smoke detector or
946 smoke alarm is replaced for any reason. Smoke detectors and fire alarm devices that are
947 connected to a panel as part of a monitored Fire Alarm System, or other devices that use a
948 low-power radio frequency wireless communication signal are exempt from the battery
949 requirements of this section.
- 950 B. It shall be unlawful for any person to tamper with or remove any smoke detector or
951 smoke alarm, except when it is necessary for maintenance or inspection purposes. Any
952 smoke detector or smoke alarm removed for repair, replacement or local remodeling shall
953 be reinstalled or replaced so that it is in place and operable.
 - 954 a. Rental dwelling units. Each owner or manager or rental agent of the owner is
955 responsible for the installation of required smoke detectors or smoke alarms and
956 the repair or replacement of a required smoke detector or smoke alarm within
957 seven (7) business days after the owner, manager or rental agent is given written
958 notification of the need to repair or replace the smoke detector or smoke alarm.

- 959 Residents shall inspect and test the smoke detector or smoke alarm in accordance
960 with manufacturer's instructions at least monthly.
961 b. Owner dwelling units. Each owner is responsible for the installation of required
962 smoke detectors or smoke alarms and the repair or replacement of a required
963 smoke detector or smoke alarm within seven (7) business days of finding it
964 inoperable. An owner shall inspect and test the smoke detector or smoke alarm for
965 power in accordance with manufacturer's instructions at least monthly.
966 C. A person, company, or corporation violating I. C. § 22-11-18-3, -I. C. § 22-11-18-3.5 and
967 provisions of this article shall be subject to penalties as specified in I. C. § 22-11-18-5.
968

969 **ARTICLE VIII - FIRE REPORTING SYSTEMS**

970 93.701 – Scope of Article.

- 971 A. This article is applicable to the installation and maintenance of all manual and automatic
972 Fire Alarm Systems in new and existing Structures.
973

974 93.702 – Monitoring of Fire Alarm Systems.

- 975 A. Fire Alarm Systems required by 675 IAC 13 and 675 IAC 22 or this Ordinance shall be
976 monitored as set forth in 675 IAC 13, 675 IAC 22, 675 IAC 28-1-28, by an approved
977 central, proprietary or remote station service or a local alarm which gives audible and
978 visual signals at a constantly attended location.
979

980 93.703 – Notification Upon Fire Alarm Activation.

- 981 A. The HFD shall be notified immediately upon the activation of any fire alarm, except in
982 the case of a supervised fire drill, periodic testing or maintenance of a system.
983 B. Notwithstanding subsection (i) of this section, such notice shall be required if the alarm is
984 directly transmitted by private line i) The monitoring company shall notify Lake County
985 911 Communications Center immediately when the alarm is always received except as
986 stated in subsection (a) of this section.
987 C. Upon the receipt of a supervisory signal from a fire alarm or fire suppression system, the
988 central station shall perform the requirements of "Disposition of Signals" as set forth in
989 675 IAC 28-1-28.
990 D. Upon the receipt of a trouble signal from a fire alarm or fire suppression system, the
991 central station shall perform the requirements of "Disposition of Signals" as set forth in
992 675 IAC 28-1-28.
993

994 93.704 – Faulty Alarms.

- 995 A. False Alarms. The willful and knowing initiation or transmission of a signal, message or
996 other notification of an event of fire when no such danger exists.
997
998 B. Excessive False Alarms. It shall be unlawful for any person or entity who owns or
999 controls property in the city on which an Alarm System is installed to issue, cause to be
1000 issued, or permit the issuance of more than three false alarms in a calendar year. A person
1001 or entity who owns or controls property on which the Alarm System is installed shall
1002 receive a warning from the city for each false alarm. There shall be no distinction
1003 between fire and security false alarms.
1004

1005 C. Penalty. The person or entity who violates section B of this Ordinance shall pay as a
1006 penalty as indicated in §10.99.
1007

1008 **93.705- Life Safety and Fire Protection Reports.**

1009 A. It shall be the responsibility of any person or firm providing or conducting tests or
1010 inspections of the fire protection system within the city to submit a copy of the results of
1011 the aforementioned tests or inspections within 30 days to the fire code officials approved
1012 and designated online reporting vendor.
1013

1014 B. **Web-based reporting requirements.** The City of Hobart Fire Inspectors Bureau will
1015 utilize a web-based inspection reporting program which connect and engages the key
1016 stakeholders involved in Fire Prevention and Community Risk Reduction: Authorities
1017 Having Jurisdiction (AHJ), Service Providers (SP), and Property Owners (PO). Third
1018 Party Inspection Reports must be uploaded to a web-based inspection reporting system
1019 designated by the AHJ. The web-based inspection reporting provider shall transmit said
1020 inspection reports to the AHJ.
1021

1022 C. **Itemized Records.** Itemized records for inspections, testing, maintenance, repair, or
1023 replacement of any and all life safety or fire protection systems, including but not limited
1024 to, fire sprinklers systems, standpipe systems, fire pumps, BDA systems, fire alarms,
1025 smoke detection, monitoring systems, fire extinguishing hood systems, fire extinguishers,
1026 fire escape systems, private hydrants, private water main systems, back flow preventers
1027 and other extinguishing systems shall document the individual and company performing
1028 the inspection, testing maintenance, repair, or replacement, a description of the
1029 inspection, testing, maintenance, repair, or replacement, when and where the inspection,
1030 testing, maintenance, repair, or replacement took place and the result of the inspection,
1031 testing, maintenance, repair, or replacement. All itemized records of the inspection,
1032 testing, maintenance, repair, or replacement shall be submitted to the approved City of
1033 Hobart online report vendor.
1034

1035 D. **Technicians.** All Fire Protection Systems shall be performed by qualified technicians
1036 (certified) who are licensed to perform work in the City of Hobart
1037

1038 E. **Rejection of Reports.** The Fire Code Official may reject reports provided pursuant to
1039 subsection (A) of this section unless the person or firm providing the reports also has
1040 provided the Fire Code Official the documentation or current certification and
1041 qualifications to conduct such test or inspections in accordance with the appropriate
1042 National Fire Protections Association Standard.
1043

1044 F. **Failure to report.** If the fire protection contractor, entity or company or individual
1045 performing the services fails to submit a detailed report upon completion of an
1046 inspection, maintenance, or repair performed on any and all life safety protection
1047 appliances and systems including but not limited to fire sprinkler systems, standpipe
1048 systems, fire pumps, BDA systems, fire alarms, smoke detection, monitoring systems,
1049 fire extinguishing hood systems, private fire hydrants, private water main systems, back
1050 flow preventers, fire extinguishers, fire escape systems, and other extinguishing systems

as required they are in violation of (Sec. A of LIFE SAFETY AND FIRE PROTECTION REPORTS) and the penalty shall be set out in the fee schedule of this code pursuant to Section 93.604. Notice of the violation shall be left with the contractor, entity, company, individual or other agent in charge. If the violator fails to appear in response to a notice issued after 30 calendar days from the date and time shown the penalty shall be set out in the fee schedule of this code pursuant to § 93.604.

ARTICLE IX - MISCELLANEOUS PROVISIONS

93.801– Vacant or Abandoned Buildings; Placarding.

- A. The Bureau may implement a program for identifying and placarding vacant or abandoned Class 1 Structures that pose an unreasonable risk hazard to firefighters who forcibly enter a building or Structure for controlling or extinguishing a fire. Unreasonable risk hazards shall include but not be limited to Structure deficiencies such as open roof(s), missing steps or stair(s), holes in floor(s), open wall(s) or shaft(s) or the illegal removal of Structure components of a building or Structure that may cause an entanglement or premature collapse hazard for firefighters.

ARTICLE X- PYROTECHNICS DISPLAYS

93.901 – Certificate of Insurance Required.

- A. Fireworks and temporary storage, use, handling of pyrotechnic special effects material used in motion pictures, television, and theatrical and group entertainment productions shall be in accordance with §I. C. 22-11- 14,675 IAC 13 and 675 IAC 22.
- B. A certificate of insurance conditioned for the payment of all damages which may be caused either to a person or persons in an amount of not less than one hundred thousand dollars (\$100,000.00) and to property in an amount of not less than one hundred thousand dollars (\$100,000.00), by reason of the license display, arising from any acts of the licensee, his agents, employees or subcontractors.

ARTICLE XI – HAZARDOUS MATERIALS SAFETY

93:1001 - Purpose.

- A. The purposes of this chapter are:
 - a. To protect the public from potential problems of leaks, spills, discharges, or fires in areas where dangerous, hazardous, and toxic substances are stored, used, handled, disposed, or transported.
 - b. To protect the environment from the potentially harmful effects of hazardous chemicals and substances.
 - c. To require special information from persons, partnerships, or corporations that use, store, handle, or dispose of hazardous, dangerous, or toxic materials in order to limit the potential discharges of these materials into the air, water, or onto the land within the Hobart city limits.
 - d. Recover special costs that go above and beyond the usual public safety costs associated with a hazardous material spill.

- 1097
1098 93:1002 - Definitions.
1099 **Biomedical hazard** shall mean any item, property, or substance that has the potential to transmit
1100 any infectious disease or etiologic agent to another item, person, or property.
1101
1102 **CERCLA** shall mean the Comprehensive Environmental Response, Compensation, and Liability
1103 Act of 1980, and any amendments to the act, inclusive.
1104
1105 **Consumer** shall mean the person or facility who shall purchase an item for use by that person or
1106 facility. The product shall not be resold or distributed by the purchaser.
1107
1108 **Environment** shall mean any surface water, groundwater, drinking water supply, land surface or
1109 subsurface strata, or ambient air, within the City of Hobart, and the interrelationship which exists
1110 among and between the water, air, and land and all living things.
1111
1112 **EPCRA** shall mean the Emergency Planning and Community Right-to-Know Act of 1986, and
1113 any amendments to the act, inclusive.
1114
1115 **Etiologic agent** shall mean a viable microorganism, or its toxin, which causes or may cause
1116 human disease, limited to those agents listed in 42 CFR 72.25(c) of the regulations of the
1117 Department of Health and Human Services.
1118
1119 **Facility** shall mean:
1120 1. Any piece of equipment, buildings, installations, pipe or pipeline, well, pit, pond, lagoon,
1121 impoundment, ditch landfill, storage container, structures, any other stationary items
1122 which are on a single site or on contiguous or adjacent sites and which are owned, or
1123 operated by the same person (or by any person which controls, is controlled by, or under
1124 common control with, such person); or
1125 2. Any site or area where a hazardous substance or material has been deposited, stored,
1126 disposed of, placed, or otherwise come to be located; but does not include any consumer
1127 product in consumer use; or
1128 3. Any motor vehicle, rolling stock, boat, or airplane.
1129
1130
1131 **Hazardous material and hazardous substance** shall be interchangeable and shall mean:
1132 1. Any substance listed in the latest edition of the U.S. Department of Transportation
1133 "Guidebook for Hazardous Material Incidents";
1134 2. Any substance listed in the latest edition of "Dangerous Properties of Industrial
1135 Materials" by N. Irving Sax and contain the terms dangerous, hazardous or toxic in the
1136 toxic and hazard reviews (THR) statement, the disaster hazard statement, the fire hazard
1137 statement, the explosion hazard statement, or the acute toxicity statement;
1138 3. Any substance listed in the latest edition of the "Condensed Chemical Dictionary" by
1139 Gessner G. Hauley and the words dangerous, hazardous, or toxic are used in the hazard
1140 explanation used to categorize the substance;

- 1141 4. Any substance that is required to have a material safety data sheet by OSHA; or is listed
1142 on a material safety data sheet which contains the terms dangerous, hazardous, or toxic in
1143 the fire and explosion hazard statement, the reactivity statement, the health hazard
1144 statement, or special precautions statement, of the material safety data sheet for that
1145 substance; or
1146 5. Any substance that is listed by the U.S. EPA or the state emergency response commission
1147 as an extremely hazardous substance designated under EPCRA, listed in CERCLA or the
1148 Clean Air Act as hazardous, dangerous, or toxic.

1149 **Immediately** shall mean within five (5) minutes after discovery of the spill, leak, discharge, or
1150 release of the dangerous, hazardous, or toxic substance.

1151
1152 **Industry standard** shall mean any nationally recognized agency, governmental or private, that
1153 issues or writes suggested standards for fire and hazardous materials safety.

1154
1155 **Infectious disease** shall mean a disease likely to cause or transmit infection to others.

1156
1157 **Infectious waste** shall mean products, items, or property which have been discarded and are
1158 potentially contaminated with disease-producing organisms or matter.

1159
1160 **Material safety data sheet** shall mean the sheet required to be developed under section
1161 1910.1200 (g) of title 29 of the Code of Federal Regulations, as that section may be amended
1162 from time to time.

1163
1164 **NFPA 704 hazard communication system** shall mean the identification system defined in
1165 section 704 of the National Fire Protection Association National Fire Code. It is a system that
1166 identifies the hazards of a material(s) in terms of three (3) principal categories: "Health,"
1167 "Flammability," and "Reactivity." It indicates a degree of severity by a numerical rating that
1168 ranges from 4 (most severe) to 0 (no hazard). A special hazard section is also provided to
1169 indicate unusual reactions with water, or to further define the type of hazard.

1170
1171 **Nonoperational storage tank** shall mean any underground storage tank in which regulated
1172 substances will not be deposited or from which regulated substances will not be dispensed after
1173 November 8, 1984. (IC 13-7-20-2).

1174
1175 **Owner or operator** shall mean:

- 1176 1. The person holding deed or title to the property, equipment, vehicle, or facility in
1177 question;
1178 2. Any person in control of, or having responsibility for, the daily operation of any facility,
1179 business, vehicle, or underground storage tank;
1180 3. The person who owns the underground storage tank that was in use on November 8,
1181 1984, or brought into use after that date for the storage, use, dispensing of a regulated
1182 substance;
1183 4. Any person who owned an underground storage tank immediately before the
1184 discontinuation of its use which had been in service before November 8, 1984, but is no
1185 longer in use after November 8, 1984; or

1186 5. Any person who owned, operated, or otherwise controlled activities of any facility
1187 immediately before title or control was conveyed due to bankruptcy, foreclosure, tax
1188 delinquency, abandonment, or similar means to a unit of state or local government.

1189 The term "owner or operator" does not include a unit of state or local government which
1190 acquired ownership or control involuntarily through bankruptcy, tax delinquency,
1191 abandonment, or other circumstances in which it involuntarily acquired title by virtue of
1192 its function as sovereign.

1193
1194 **Person** shall mean individual, partnership, cooperative, firm, joint stock company, company,
1195 corporation, association, trust, estate, government entity, or any other legal entity or their legal
1196 representatives, agents, or assigns.

1197
1198 **Petroleum** shall mean petroleum and crude oil or any part of petroleum or crude oil that is liquid
1199 at standard conditions of temperature and pressure (sixty (60) degrees Fahrenheit and fourteen
1200 and seven-tenths (14.7) pounds per square inch absolute (I.C. § 13-7-20-6)).

1201 **Program** shall mean an underground storage tank release detection, prevention, and correction
1202 program created with the requirements of I.C. § 13-7-20.

1203
1204 **Regulated substance** shall mean:

- 1205 1. A hazardous material or substance but excluding any substance regulated as a hazardous
1206 waste under subtitle C of the Solid Waste Disposal Act, as amended (42 U.S.C. 6921
1207 through 6936(a)) or I.C. § 13-7-8.5-3;
1208 2. Petroleum; and
1209 3. Any substance designated by rules adopted by the board under IC 13-7-20-13.

1210 **Release** shall mean any spilling, leaking, emitting, discharging, escaping, leaching, pumping,
1211 pouring, emptying, injecting, dumping, or disposing in the environment (including the
1212 abandonment or discarding of barrels, containers, and other closed or open receptacles) of any
1213 hazardous chemical, extremely hazardous substances, or toxic materials from any type of
1214 container, vehicle, or tank into the environment.

1215
1216 **Underground storage tank** shall mean a tank or a combination of tanks, including underground
1217 pipes connected to the tank or combination of tanks:

- 1218 1. That is used to contain an accumulation of regulated substances; and
1219 2. The volume of which (including the volume of the underground connected pipes) is ten
1220 (10) percent or more beneath the surface of the ground.

1221 The term does not include:

- 1222 1. A farm or residential tank with a capacity of less than one thousand one hundred (1,100)
1223 gallons that is used for storing motor fuel for noncommercial purposes;
1224 2. A tank which is used for storing heating oil for consumptive use on the premises on
1225 which it is stored;
1226 3. A septic tank;
1227 4. A pipeline facility (including gathering lines) that:

- 1228 a. Is regulated under the Natural Gas Pipeline Safety Act of 1968 (49 U.S.C. 1971 et
1229 seq.);
- 1230 b. Is regulated under the Hazardous Liquid Pipeline Safety Act of 1979 (49 U.S.C.
1231 2801 et seq.); or
- 1232 c. Is an intrastate pipeline facility regulated under state laws comparable to the laws
1233 identified in clauses a. through b.;
- 1234 5. A surface impoundment, pit, pond, or lagoon;
- 1235 6. A storm water or wastewater collection system;
- 1236 7. A flow-through process tank;
- 1237 8. A liquid trap or associated gathering lines directly related to oil or gas production and
1238 gathering operations;
- 1239 9. A storage tank situated in an underground area (such as a basement or cellar) if the
1240 storage tank is situated upon or above the surface of the floor;
- 1241 10. Any other tank exempted by rules adopted by the board in accordance with the
1242 regulations adopted by the Administrator of the United States Environmental Protection
1243 Agency; or
- 1244 11. Any pipeline connected to a tank described in subdivisions (1) through (10). (IC 13-7-20-
1245 11)

1246 **User** shall mean any person, individual, owner, operator, partnership, cooperative, firm,
1247 company, corporation, association, trust, estate, or any other legal entity or their legal
1248 representatives, agents, or assignees, or facility that uses, stores, handles, or disposes of
1249 hazardous materials in excess of forty (40) gallons or two hundred (200) pounds on site at any
1250 one time.

1251 Hazardous Materials and Underground Storage Tank Fees

1252
1253

1254 93:1003 - REGISTRATION OF HAZARDOUS MATERIALS

1255 A. Applicability.

1256 Any hazardous materials user must secure a hazardous materials registration certificate from
1257 the City of Hobart Fire Department prior to acceptance of any material deemed hazardous at a
1258 business or the opening of a new business which requires the use, storage, handling, or
1259 disposal of a hazardous material.

1260

1261 B. Exceptions.

1262 No party shall be responsible for reporting gasoline or diesel fuel used in their vehicles and the
1263 storage of gasoline or diesel fuel shall not be reported until the quantity of the substance is
1264 greater than one hundred (100) gallons at any one time. No home owner shall be responsible
1265 for reporting fuel oil used for heating of their home until the quantity exceeds five hundred
1266 fifty (550) gallons at any one time.

1267

1268 C. Application for hazardous materials registration and fees.

1269

1270 Any person or facility required to obtain a hazardous materials registration may do so by
1271 requesting an application from the Hobart Fire Department. Upon submission of the completed

1272 application, a facility inspection shall be conducted by the Fire Marshal. Once the application
1273 has been reviewed by the Fire Marshal the applicant shall be issued a registration through the
1274 office of the Hobart Clerk-Treasurer. The hazardous materials registration fee shall be paid as
1275 provided in ¶ 93.604 of this chapter.
1276

1277 D. Required application information.
1278

1279 Any user of a hazardous material shall provide a list of business information, a list of all
1280 hazardous materials, quantities, location of each material on a facility diagram, and the
1281 material safety data sheet for each chemical, to the Hobart Fire Department. The required
1282 information shall include the following:

- 1283 a. The business name, address, and business telephone number, number of
1284 employees at the business and normal hours of operation, the owner's name,
1285 address, and telephone number, and emergency contact names and phone
1286 numbers. In addition, the name and address of the insurance company handling
1287 the insurance on the facility, the name of the hazardous waste removal company
1288 handling the removal of the waste (if such is required) and the name of any
1289 clean-up contractors to be contacted shall be provided.
- 1290 b. The chemical list shall provide the proper chemical names for all chemicals
1291 onsite regardless of quantity. The chemical family, the chemical formula, the
1292 chemical concentration, the Chemical Abstract Service registry number (CAS),
1293 a material safety data sheet, and the physical state of the chemical shall also be
1294 required for all chemicals.
- 1295 c. The quantity requirement shall state the onsite yearly maximum, the onsite daily
1296 maximum and the daily average amount used for each hazardous material. In
1297 addition, the type of storage container normally used for storage, and the
1298 maximum amount of product the container will hold in pounds, or in gallons
1299 where applicable, for each chemical.
- 1300 d. A floor plan for every floor or building occupied by the business. This plan shall
1301 indicate all interior and exterior walls, doors, and windows, location of heating
1302 and air conditioning units (and shut-offs), electrical panel(s), building
1303 construction materials, roofing materials, fences or other type of security
1304 barriers, and the location of the following items:
 - 1305 i. All aboveground tanks and types.
 - 1306 ii. Products contained in each tank.
 - 1307 iii. Other storage areas: Loading and unloading areas.
 - 1308 iv. Roads.
 - 1309 v. Water distribution systems: Gary-Hobart Water Corporation and private.
 - 1310 vi. All compressed gas storage areas.
 - 1311 vii. Drains to sanitary sewer system.
 - 1312 viii. Gas and electrical shutoffs: Municipal water shutoffs.
 - 1313 ix. Main and auxiliary product shutoffs (when piped).
 - 1314 x. Location and type of any firefighting equipment or spill clean-up items.
 - 1315 xi. Location of chemical(s) stored, quantity, and container type.
 - 1316 xii. Location of lock box.

1317 xiii. Nearest fire hydrant, and fire department hook-up locations for sprinkler
1318 system. Included should also be sprinkler system type, control system
1319 location, and standpipe locations.
1320

1321 93:1004 - Reporting changes in required information.

1322 The Hobart Fire Department shall be notified in writing within ten (10) working days of any
1323 changes in the required information previously reported.
1324

1325 93:1005 - Renewal of hazardous materials registration.

1326 The hazardous materials registration shall be valid for a term of one (1) year commencing
1327 January 1 and ending December 31. The registration shall be renewed prior to the expiration
1328 date specified on the registration. Applications for registration renewal shall be made available
1329 from the Hobart Fire Department and must be submitted to the Fire Marshal's Office no sooner
1330 than ninety (90) days and not later than sixty (60) days prior to the expiration date of the
1331 registration. Required in the renewal application will be the business information, chemical
1332 data, and the quantity requirements as specified in § 93:1003. A hazardous materials
1333 registration renewal shall be issued after the requirements established in this article are met.
1334 However, a police department background check shall not be required for renewals.
1335

1336 93:1006 - Facility inspection.

1337 Upon presentation of proper credentials, the Fire Chief or his designee may enter at reasonable
1338 times any building, structure or premises in the city to perform any duty imposed upon them by
1339 this chapter. The Hobart Fire Department shall inspect for violations of the City of Hobart
1340 municipal code and inspect for violations of the Indiana state fire code and improper handling
1341 of chemicals.
1342

1343 93:1007 - Application for remote site hazardous materials registration.

1344 Any person or company wishing to use any material defined as hazardous at a site other than
1345 their registered place of business, shall submit an application for a remote site hazardous
1346 materials registration. The applications may be obtained from the Hobart Fire Department Fire
1347 Marshal's Office and must be submitted twenty-five (25) days prior to the scheduled date for
1348 usage of the material in the city limits. Applications must contain business information,
1349 chemical data, quantity of product being used and storage container type as required in
1350 93:1003. The location of the material to be used, the purpose for the use, length of expected
1351 use, and the insurance company providing liability insurance for the user shall also be required.
1352

1353 93-1008 - Issuance of remote site hazardous materials registration.

1354 A remote site hazardous materials registration may be issued by the Hobart Fire Department
1355 after notification of the location at which the material will be used. The remote site hazardous
1356 materials registration fee shall be paid as provided in § 93.604.
1357

1358 93:1009 - Revocation of registration.

1359 A hazardous materials registration may be revoked if any of the following occur:

- 1360 a. A hazardous materials release occurs at the facility due to negligence.
1361 b. During any inspection, a violation of the state fire code or mishandling of
1362 chemicals is observed or detected.

- 1363 c. Violation of any condition set forth for the issuance of the permit or falsifying
- 1364 any information on the application.
- 1365 d. Violation of any section of this chapter.
- 1366

1367 93:1010 - Cease and removal of materials, notice, fines.

1368 If no current registration is held and materials defined as hazardous material are in the
1369 possession of a facility, the facility shall, upon written notice from the City of Hobart Fire
1370 Department, remove that substance within twenty-four (24) hours or as otherwise specified by
1371 the Fire Department. The removal of the product must comply with local, state, and federal
1372 laws regarding transportation of that product.

1373
1374 93:1011 - Compliance with applicable industry standards.

1375 Any user or facility, whether established or new, shall comply with all applicable industry
1376 standards which shall include but not be limited to: requirements of special fire extinguishing
1377 or detection devices; special storage, containment, or use devices or procedures, and special
1378 training for employees.

1379
1380 93:1012- Reporting spills, leaks and discharges of hazardous materials

1381 A. Immediate reporting of incidents.

1382 Any spill, leak, discharge, or release of a dangerous, hazardous, or toxic substance into
1383 the environment shall be immediately reported by the owner or operator to the Hobart
1384 Fire Department by telephone, or in person, as provided below:

- 1385 1. Any spill, leak, discharge, or release of a dangerous, hazardous, or toxic
1386 substance into the environment in excess of a reportable quantity (RQ)
1387 established by any state or federal statute shall be immediately reported to the
1388 Hobart Fire Department via 911.
- 1389 2. Any spill, leak, discharge, or release of a hazardous substance into the
1390 environment not in excess of any reportable quantity (RQ) established by any
1391 state or federal statute which does not remain on the grounds of a facility shall
1392 be immediately reported to the Hobart Fire Department.
- 1393 3. Any spill, leak, discharge, or release of a hazardous substance into the
1394 environment not in excess of a reportable quantity (RQ) established by any state
1395 or federal statute which remains on the grounds of a facility shall not require
1396 reporting.
- 1397 4. Any spill, leak, discharge, or release of a hazardous substance into the
1398 environment involving any mode of transportation on public rights-of-way,
1399 highways, railways, etc. shall be immediately reported to the Hobart Fire
1400 Department via a 911 telephone call.

1401
1402
1403 93:1013 - Hazardous Materials Response

1404 The Hobart Fire Department, upon notification of a spill, shall immediately respond to and
1405 assess the scene to determine if additional resources are needed

1406
1407 93:1014 - Spill reporting required information.

1408 The following information shall be supplied at the time of the notification:

- 1409 1. Company and/or person's name reporting the incident.
- 1410 2. The chemical name or identity of the substance.
- 1411 3. An estimate of the quantity of the substance released into the environment.
- 1412 4. An estimate of the time and duration of the occurrence.
- 1413 5. The medium or media into which the spill, leak, discharge or release occurred.
- 1414 6. Any known or anticipated acute or chronic health risks associated with the emergency
- 1415 and appropriate advice regarding medical attention referenced on the material safety
- 1416 data sheets.
- 1417 7. Recommended precautions, if any, to take as a result of occurrence, including the need
- 1418 for the special response team.
- 1419 8. The name and telephone number of the person or persons to be contacted for further
- 1420 information.
- 1421

1422 93:1015- Time limit for written report of incidents.

1423 Within ninety-six (96) hours, excluding Saturdays, Sundays, and legal holidays, after a spill,
1424 leak, discharge or release of a dangerous, hazardous or toxic substance (that was required to be
1425 reported) has been terminated, the person and/or company reporting or responsible for the spill,
1426 leak, discharge or release shall submit the following written information to the Hobart Fire
1427 Department:

- 1428 1. The actual quantity of the substance involved in the incident and the method used to
- 1429 determine that quantity.
- 1430 2. The circumstances leading to the occurrence of the incident.
- 1431 3. The action to be taken to prevent similar incidents.
- 1432 4. The method, extent and duration of any cleanup actively required or undertaken.
- 1433

1434 93:1016 - Dumping.

- 1435 1. No party may discharge, emit, cause, allow, or threatened to discharge, emit, cause, or
- 1436 allow any contaminant or waste including any noxious odor, either alone or in
- 1437 combination with contaminants from other sources, into the environment or into any
- 1438 publicly owned treatment works in any form which causes or would cause pollution.
- 1439 2. No party may discharge, apply, or allow the application of used oil (as defined in IC
- 1440 13-7-1-25.5) to any ground surface, except for the purpose of treatment in accordance
- 1441 with a permit issued by the Indiana Department of Environmental Management under
- 1442 IC 13-7-10.
- 1443

1444 93:1017 Hazardous materials response and cleanup cost recovery

1445

1446 A. Scope of Article

- 1447 1. The Hobart Fire Department is occasionally required to participate in the cleanup
- 1448 and/or abatement of hazardous material spills.
- 1449 2. When responding to and participating in hazardous material incidents, the city incurs
- 1450 special costs above and beyond the usual public safety costs. These special costs
- 1451 should be rightfully charged to the party responsible for the hazardous material.
- 1452

1453 B. Definitions

1454 1. The definitions set forth in I. C. § 36-8-12.2 are hereby incorporated into this
1455 ordinance as if fully set forth herein.

1456

1457 C. Fees and Charges Imposed

1458 1. The City of Hobart hereby imposes the fees and charges authorized by I. C. § 36-8-
1459 12.2 upon any and all responsible parties.

1460 2. Pursuant to said statute, the specific fees and charges to be charged are contained in
1461 the state fire marshal's schedule of service charges issued under I.C. §. 36-8-12-16E, as
1462 may be amended from time to time.

1463 3. Said schedule of service charges, as may be amended from time to time, is hereby
1464 incorporated into this ordinance as if fully set forth herein.

1465 4. The billing and collection of the fees and charges shall likewise be done pursuant to
1466 the procedures set forth in I.C. § 36-8-12.2.

1467 5. As required by I. C. § 26-8-12.2, monies collected pursuant to this ordinance shall be
1468 deposited in the Hazardous Materials Response Fund of the City.

1469

1470 *SECTION TWO:* This ordinance shall become effective upon its
1471 adoption in the manner required by law, and upon publication thereof pursuant to
1472 I.C. §36- 3-4-6-14(b) in two newspapers of general circulation published within
1473 the City pursuant to I.C. §5-3-1-4 (a).

1474

1475 *SECTION THREE:* All ordinances or portions thereof in effect prior to the
1476 effective date and in conflict with the provisions of this ordinance are hereby repealed.

1477

1478 ALL OF WHICH is PASSED and ADOPTED by the Common Council of the City of
1479 Hobart, Indiana on this 5th day of FEBRUARY, 2024.

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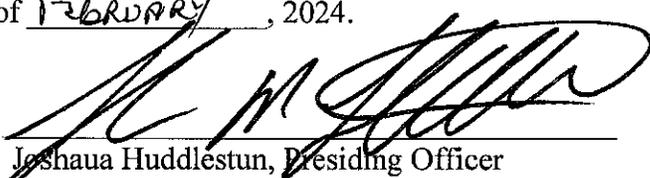
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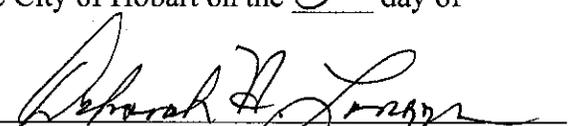
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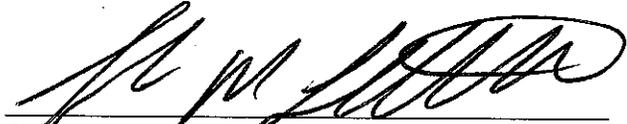

Joshua Huddleston, Presiding Officer

ATTEST: 
Deborah A. Longer, Clerk-Treasurer

PRESENTED by me to the Mayor of the City of Hobart on the 5th day of
FEBRUARY, 2025 at the hour of 7:00 p.m.

Deborah A. Longer, Clerk-Treasurer

APPROVED, EXECUTED and RETURNED by me to the Common Council of the City
of Hobart on this 5th day of FEBRUARY, 2025.

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1507



Joshua Huddleston, Mayor

ATTEST:



Deborah A. Longer, Clerk-Treasurer



Hobart Fire Department

Enrique Lopez - Chief

401 E 10th ST

Hobart IN 46342

Phone: (219)-942-5184

Fax: (219)-942-4426



Fire Prevention Fees & Fines

Description	Amount
Fire Inspection Tier 1	\$25
Fire Inspection Tier 2	\$50
Fire Inspection Tier 3	\$100
Fire Inspection Tier 4	\$200
Fire Inspection Tier 5	\$500
Fire Alarm / Sprinkler Initial Acceptance Test	\$100
Hood Suppression System Initial Acceptance Test	\$50
All subsequent Acceptance Tests- All Types	\$75
Fire Department Occupancy Permit	\$50
Construction / Building Plan Review	\$0.03 per SF / \$20 Minimum
Automatic Sprinkler System	Number of Risers x \$100
Fire Alarm System	Number of Fire Alarm Zones x \$100
Special Hazard System (Hood Suppression System)	Number of Systems x \$100
Modification to an existing system	Item being modified (Riser etc...) X \$50
Construction or Installation w/o a Fire Protection Permit	Stop Work Order + Citation up to \$2500 per violation
Hazardous Materials Registration fee	\$25
Failure to register hazardous materials	Citation up to \$2500 per violation
Failure to Implement a Required Fire Watch	Citation up to \$2500 per violation – IDHS Notified
Failure to report	\$100
Occupancy without Occupancy Permit	Citation up to \$2500 per violation
False / faulty Alarms (4+ alarms in a Calendar Year)	Citation up to \$2500 per violation
Tampering with a Life Safety System	Citation up to \$2500 per violation
Damage to Life Safety Component- (Exit sign, Sprinkler, etc.)	Citation up to \$2500 per violation
Fire Watch (Required when Life Safety System is down for more than 8 hours)	\$60 Per hour / Per Firefighter

Note: A fine accrues each day a violation or failure remains uncorrected.

*Exceptions may be given by the Fire Chief or Fire Marshal depending on the violation cited.

Smoke Detectors Save Lives!