

IC 22-13-4

Chapter 4. Standards for Building Rules; Exemption From Design Release Requirement

IC 22-13-4-1

Conditions to be promoted by rules

Sec. 1. (a) The building rules adopted by the commission to govern new construction must promote the following:

- (1) Safety.
- (2) Sanitary conditions.
- (3) Energy conservation.
- (4) Access by a person with a physical disability to Class 1 structures.

(b) Rules that:

- (1) are adopted by the commission or the rules board under this article; and
- (2) are not covered by subsection (a);

must promote safety.

As added by P.L.245-1987, SEC.2. Amended by P.L.23-1993, SEC.151.

IC 22-13-4-1.5

Compliance with Americans with Disabilities Act

Sec. 1.5. (a) The commission shall adopt building rules for the purpose of complying with and implementing the Americans with Disabilities Act (42 U.S.C. 12181 et seq.) and any amendments and regulations relating to the Act, to be consistent with the Americans with Disabilities Act Accessibility Guidelines (28 CFR 36.101 et seq.).

(b) The rules adopted under this section must:

- (1) require that new construction must be readily accessible to and usable by individuals with disabilities, unless it is structurally impracticable to meet the accessibility requirements according to the standards established by the Americans with Disabilities Act Accessibility Guidelines (28 CFR 36.101 et seq.);
- (2) require that an alteration of an existing facility must be made so that the alteration complies with the readily achievable barrier removal provisions of the Americans with Disabilities Act Accessibility Guidelines (28 CFR 36.101 et seq.); and
- (3) allow the use of reasonable and cost-effective alternative means of public access or service if the alternative means are consistent with the Americans with Disabilities Act (42 U.S.C. 12181 et seq.).

As added by P.L.118-1994, SEC.3. Amended by P.L.168-1997, SEC.1.

IC 22-13-4-2

Industrialized building systems and mobile structures

Sec. 2. The commission shall adopt building rules to govern the construction of industrialized building systems and mobile structures. In these rules, industrialized building systems and mobile structures may be exempted from requirements that otherwise apply to buildings or other structures.

As added by P.L.245-1987, SEC.2.

IC 22-13-4-3

Models or offices for sale of family dwellings; buildings used primarily as dwellings; exemption from rules and design release requirement

Sec. 3. (a) This section applies to a building or other structure that is:

- (1) temporarily used as a model or office for the sale of a one (1) or two (2) family dwelling; or
- (2) used for an occupation that is compatible, as determined by criteria established by the commission, with its primary use as a dwelling.

(b) The commission may adopt building rules that exempt a building or other structure described in subsection (a) from:

- (1) building rules that otherwise apply to Class 1 structures; and
- (2) the design release requirement under IC 22-15-3.

As added by P.L.245-1987, SEC.2.

IC 22-13-4-4

Minor construction; exemptions

Sec. 4. The commission may adopt building rules that exempt minor construction (as defined in the rules adopted by the commission) from the design release requirement under IC 22-15-3 and the regulated lifting device installation or alteration permit requirement under IC 22-15-5.

As added by P.L.245-1987, SEC.2.

IC 22-13-4-5

Conversion of buildings; exemption from rules

Sec. 5. (a) The commission shall adopt building rules that allow a person to convert a building or other structure, in whole or in part, from one (1) class of occupancy and use established under the commission's rules to another without complying with all of the commission's rules governing new construction.

(b) The rules adopted under this section must protect the public from significant health hazards and safety hazards.

(c) Subject to subsection (b), the rules must promote the following:

- (1) The preservation of architecturally significant and historically significant parts of buildings and other structures.
- (2) The economically efficient reuse of buildings and other structures.

(d) The rules adopted under this section may condition an exemption upon:

- (1) passing an inspection conducted by the department; and
- (2) paying the fee set under IC 22-12-6-6.

As added by P.L.245-1987, SEC.2.

IC 22-13-4-6

Class 1 structures within seismic zone 2A; structural resistance to earthquakes

Sec. 6. (a) This section applies to Class 1 structures that are partially or entirely located within the geographic area included in seismic zone 2A.

(b) As used in this section, "seismic zone 2A" refers to the geographic boundaries that comprise seismic zone 2A as established in the rules adopted by the commission.

(c) The commission shall adopt building rules under IC 4-22-2 that prohibit or limit occupancy or use of Class 1 structures that do not comply with the commission's rules governing structural resistance to earthquakes.

(d) The rules adopted under this section must cover essential buildings and public utility services:

- (1) designated by the department of homeland security; and
- (2) needed for disaster recovery operations.

(e) The rules adopted under this section may not apply to a Class 1 structure if construction of the structure began before July 1, 1993.
As added by P.L.204-1993, SEC.1. Amended by P.L.1-2006, SEC.361.

IC 22-13-4-7

Visitability standards

Sec. 7. (a) This section applies only to new construction of the following dwellings:

- (1) A detached one (1) or two (2) family dwelling.
- (2) A townhouse.

(b) This section does not apply to a mobile structure or an industrialized building system.

(c) As used in this section, "environmental controls" means switches or devices that control or regulate lights, temperature, fuses, fans, doors, security system features, or other features.

(d) As used in this section, "new construction" means the construction of a new dwelling on a vacant lot. The term does not include an addition to or remodeling of an existing building.

(e) As used in this section, "townhouse" means a single family dwelling unit constructed in a row of attached units separated by property lines and with open space on at least two (2) sides.

(f) As used in this section, "visitability feature" means a design feature of a dwelling that allows a person with a mobility impairment to enter and comfortably stay in a dwelling for a duration of time. The term includes features that allow a person with a mobility

impairment to get in and out through one (1) exterior door of the dwelling without any steps and to pass through all main floor interior doors, including a bathroom door.

(g) If a person contracts with a designer and a builder for construction of a visitability feature in the new construction of a dwelling, the designer and builder shall comply with the standards adopted by the commission under this section for the construction and design of the visitability feature. The standards adopted under this section:

- (1) shall be enforced by a political subdivision that enforces the commission's standards with respect to Class 2 structures; and
- (2) may not be enforced by the department.

(h) The commission shall adopt minimum standards by rule under IC 4-22-2 for visitability features in the new construction of a dwelling. The rules shall include minimum standards for the following:

- (1) Entrances to the dwelling, including paths from the dwelling to the street.
- (2) Room dimensions.
- (3) The width of exterior and interior doors.
- (4) The width of interior hallways.
- (5) The grade of interior thresholds and hallways.
- (6) The height and location of environmental controls.
- (7) The reinforcement of bathroom walls sufficient to attach grab bars.

As added by P.L.112-2003, SEC.1. Amended by P.L.97-2004, SEC.85.