



**STATE OF TENNESSEE
DEPARTMENT OF COMMERCE AND INSURANCE**

Fire Prevention Division
Codes Enforcement Section
500 James Robertson Parkway
Nashville, Tennessee 37243-1162
(615) 741-7190 FAX: (615) 253-3267

August 28, 2012

SENT VIA U.S. MAIL

Horace Burgess
P.O. Box 1165
Crossville, TN 38557

Re: "The Treehouse – The Way"

Dear Mr. Burgess,

After receiving a complaint that the building at 364 Beehive Lane in Crossville (known as: "The Treehouse-The Way") is unsafe, I along with several co-workers from the State Fire Marshal's office visited the above-referenced location on Tuesday August 7th. The purpose of our meeting was not a code inspection but an initial visit to learn about the building. Your friendly and cooperative attitude was very much appreciated.

The State Fire Marshal's office found that "The Treehouse" is open to the public, receives donations for maintenance, provides advertisement brochures, and sells souvenirs to visitors of the site. It has become an area attraction, and therefore, is required to comply with adopted building codes pursuant to T.C.A. §§ 68-120-101 and 68-120-102 and Tenn. R. & Regs. 0780-02-02 [Codes and Standards].

The building has been built over the course of eleven (11) years. It is constructed of used lumber that is scabbed together in a haphazard manner and held together only with nails. There are no lag bolts, support structures, or other acceptable devices to maintain the building's structural integrity. There is also no apparent building plan. "The Treehouse" appears to be a random piecing together of rooms and floor levels around several tree. There has been no pre-emergency planning with the local fire department. If the building happened to

catch fire, it is questionable if the fire department's apparatus would be able to reach the upper levels for rescue and firefighting. You informed us that regular church services are held, at least once a week, in the sanctuary. Sleeping bags were found on the upper level floors indicating that visitors routinely sleep there.

Some of the obvious code violations our office found are:

1. The building is over the code allowable height by sixty (60') feet and is eight (8) stories over the allowable number of stories.
2. There has been no registered design professional involved in its construction.
3. There does not appear to be a systematic load distribution system. The structural stability of the building is questionable. Floors are severely sloped; joist spans and spacing have created floors that deflect when stepping on them. Joists and studs are scabbed together with nails.
4. Floor decking is uneven in places and presents a tripping hazard.
5. In many places, the step rise is too high and the step run is too short. At least two (2) ladders have missing rungs.
6. There are many fall hazards resulting from areas with no guard rails and no hand rails.
7. Exits are not obvious or marked and navigating the building is difficult. The building is maze-like in design, and we overheard several people asking how to get down to the next floor level.
8. There is no fire alarm, fire sprinkler system, or fire extinguisher apparatus present.

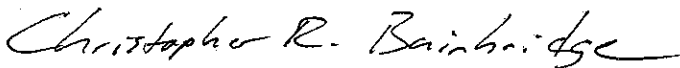
The State Fire Marshal's office has determined that the building presents an imminent safety hazard to the public. **You must close the building to the public IMMEDIATELY.** If you wish to work toward a resolution to open the building to the public, you must first hire a state registered design professional (an architect or engineer) to assess the building's structural stability and building and fire code compliance. Then, a plan to remedy the findings should be submitted to our office for review and approval. Our office is willing to meet with your designated professional designers and assist with suggested remedies. Nevertheless, until such plan has been submitted, assessed, and approved by the State Fire Marshal's office, you will be required to close the building to the public and make it unavailable for public visitation, church services, or other events.

If you choose not to hire a design professional to perform the assessment, you must cease opening the building to the public and end all activities which make it an attraction. You can accomplish this by not allowing public visitors to the building, by not allowing church services to be performed there, by gating off the access road and parking lot, by posting *No Trespassing* signs, by ceasing to provide brochures, by removing the souvenir area, and by discontinuing other advertisement activities.

Please respond to our office within **seven (7) days** of receiving this letter regarding your intended plan of action. This letter shall serve as notice from the State Fire Marshal's office, pursuant to T.C.A. § 68-120-107, "directing discontinuance of such illegal action and the remedying of the condition that is in violation of the provisions or requirements of this chapter."

Our office wishes to continue having a cooperative relationship with you. If you would like to meet with us and discuss the options, please contact me immediately at 615.741.6246 or christopher.bainbridge@tn.gov.

Sincerely,



Christopher R. Bainbridge
Director of Codes Enforcement

Cc: Gary L. West, Assistant Commissioner
Joseph Underwood, Chief Counsel for Fire Prevention & Law Enforcement
Al Hancock, Assistant Director of Codes Enforcement
Fred Garbler, Fire Safety Specialist Manger
Jimmy Sanders, Middle Tennessee Fire Safety Specialist Supervisor
George Smith, Fire Safety Specialist

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DEPARTMENT OF COMMERCE AND INSURANCE
DIVISION OF FIRE PREVENTION
500 JAMES ROBERTSON PARKWAY
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NASHVILLE, TN 37243

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