

BUSINESS COMMITTEE

IDAPA 07 - DIVISION OF BUILDING SAFETY

07.01.02 - RULES GOVERNING FEES FOR ELECTRICAL INSPECTIONS

DOCKET NO. 07-0102-0801 (FEE RULE)

NOTICE OF RULEMAKING - ADOPTION OF PENDING FEE RULE

EFFECTIVE DATE: This rule has been adopted by the agency and is now pending review by the 2009 Idaho State Legislature for final approval. Pursuant to Section 67-5224(5)(c), Idaho Code, this pending rule will not become final and effective until it has been approved, amended, or modified by concurrent resolution of the legislature because of the fee being imposed or increased through this rulemaking. The rule becomes final and effective upon adoption of the concurrent resolution or upon the date specified in the concurrent resolution.

AUTHORITY: In compliance with Section 67-5224, Idaho Code, notice is hereby given that this agency has adopted a pending rule. The action is authorized pursuant to Section 54-1006(5), Idaho Code.

DESCRIPTIVE SUMMARY: The following is a concise explanatory statement of the reasons for adopting the pending rule and a statement of any change between the text of the proposed rule and the text of the pending rule with an explanation of the reasons for the change:

There are no changes to the pending rule, therefore, it is being adopted as proposed. The complete text of the proposed rule was published in the September 3, 2008 Idaho Administrative Bulletin, Vol. 08-9, pages 19 through 22.

FEE SUMMARY: The following is a specific description of the fee or charge imposed or increased. This fee or charge is being imposed pursuant to Section 54-1006(5), Idaho Code:

This rule change would simplify the calculation of permit fees for larger homes (homes over 4,500 square feet) to include a base fee plus additional fees for every 1,000 feet of square footage beyond 4,500 square feet (or a portion thereof). It also clarifies for the entire fee schedule that the square footage basis for the permits includes living space only.

FISCAL IMPACT: The following is a specific description, if applicable, of any negative fiscal impact on the state general fund greater than ten thousand dollars (\$10,000) during the fiscal year: N/A

ASSISTANCE ON TECHNICAL QUESTIONS: For assistance on technical questions concerning this pending rule, contact Steve Keys, Deputy Administrator - Operations, (208) 332-8986.

DATED this 25th day of September, 2008.

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Steve Keys, Deputy Administrator - Operations
Division of Building Safety
1090 E. Watertower St.
Meridian, ID 83642
Phone: (208) 332-8986
Fax: (208) 855-2164

***THE FOLLOWING NOTICE WAS PUBLISHED WITH
THE TEMPORARY AND PROPOSED RULE***

EFFECTIVE DATE: The effective date of the temporary rule is July 1, 2008.

AUTHORITY: In compliance with Sections 67-5221(1) and 67-5226, Idaho Code, notice is hereby given that this agency has adopted a temporary rule, and proposed rulemaking procedures have been initiated. The action is authorized pursuant to Section 54-1006(5), Idaho Code.

PUBLIC HEARING SCHEDULE: Public hearing(s) concerning this rulemaking will be scheduled if requested in writing by twenty-five (25) persons, a political subdivision, or an agency, not later than September 17, 2008.

The hearing site(s) will be accessible to persons with disabilities. Requests for accommodation must be made not later than five (5) days prior to the hearing, to the agency address below.

DESCRIPTIVE SUMMARY: The following is the required finding and concise statement of its supporting reasons for adopting a temporary rule and a nontechnical explanation of the substance and purpose of the proposed rulemaking:

Contractors feel the fee schedule applicable to new residential dwellings for large homes (homes over 4,500 square feet) is too complicated. Additionally, the basis of the permit fee schedule as square footage of living space only is not clearly stated for all sizes of single family dwellings. This rule change would simplify the calculation of permit fees for larger homes (homes over 4,500 square feet) to include a base fee plus additional fees for every 1,000 feet of square footage beyond 4,500 square feet (or a portion thereof). It also clarifies for the entire fee schedule that the square footage basis for the permits includes living space only.

TEMPORARY RULE JUSTIFICATION: Pursuant to Section 67-5226(1)(a), Idaho Code, the Governor has found that temporary adoption of the rule is appropriate for the following reasons:

This temporary rule is necessary to confer a benefit to affected electrical contractors, general contractors, and property owners doing their own electrical installations by simplifying the calculation of permit fees for larger homes.

FEE SUMMARY: Pursuant to Section 67-5226(2), Idaho Code, the Governor has found that the fee or charge being imposed or increased is justified and necessary to avoid immediate danger and the fee is described herein:

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This proposed rule would simplify the calculation of permit fees for electrical inspections of larger residences.

FISCAL IMPACT: The following is a specific description, if applicable, of any negative fiscal impact on the state general fund greater than ten thousand dollars (\$10,000) during the fiscal year: None.

NEGOTIATED RULEMAKING: Pursuant to Section 67-5220(2), Idaho Code, negotiated rulemaking was not conducted because of the need for temporary rulemaking.

ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS: For assistance on technical questions concerning the temporary and proposed rule, contact Steve Keys, Deputy Administrator - Operations, (208) 332-8986.

Anyone may submit written comments regarding the proposed rulemaking. All written comments must be directed to the undersigned and must be delivered on or before September 24, 2008.

DATED this 16th day of July 2008.

THE FOLLOWING IS THE TEXT OF THE PENDING FEE RULE

011. FEES FOR ELECTRICAL INSPECTIONS.

Electrical inspection fees are to cover the cost of electrical inspection as provided by Section 54-1005, Idaho Code; any person, partnership, company, firm, association, or corporation making an electrical installation coming under the provisions of Section 54-1001, Idaho Code, shall pay to the Electrical Bureau an inspection fee as provided in the following schedule. (1-14-87)

01. Temporary Construction Services. To be installed for construction purposes only, for a period not to exceed one (1) year: (3-18-99)

a. Two hundred (200) amp or less, one (1) location: sixty-five dollars (\$65). (3-26-08)

b. All others shall be calculated using Subsection 011.06, Other Installations Including Industrial and Commercial, of these rules. (3-18-99)

02. New Residential -- Single Family Dwelling. (Includes all buildings with wiring being constructed on each property.)

New Residential - Single-Family Dwelling	
Up to 1,500 Square feet of construction <u>living space</u>	- \$130 (asterisk removed)

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1,501 to 2,500 Square feet of construction living space	-	\$195 (asterisk removed)
2,501 to 3,500 Square feet of construction living space	-	\$260 (asterisk removed)
3,501 to 4,500 Square feet of construction living space	-	\$325 (asterisk removed)
Over 4,500 Square feet of construction living space	-	Use Subsection 011.06, Other Installations- Including Industrial and Commercial \$325 plus \$65 for each additional 1,000 square feet or portion thereof
* Fee is to include maximum of two (2) inspections up to 1,500 square feet, three (3) inspections 1,501 to 2,500 square feet, four (4) inspections 2,501 to 3,500 square feet, and five (5) inspections 3,501 to 4,500 square feet. Additional inspections charged at requested electrical inspection rate of sixty five dollars (\$65) per hour.		
New Residential - Multi-Family Dwellings		
Duplex Apartment	-	\$260
Three (3) or more multi-family units	-	\$130 per Building plus \$65 per Unit

~~(3-26-08)~~()

a. Existing residential: sixty-five dollars (\$65) plus ten dollars (\$10) for each additional branch circuit up to the maximum of the corresponding square footage of the residential building. (3-26-08)

b. Residential spas, hot tubs, hydro massage tubs, swimming pools: sixty-five dollars (\$65) for each trip to inspect. (Other than residential, use Subsection 011.06, Other Installations Including Industrial and Commercial, of these rules.) (3-26-08)

03. Residential Electric Space Heating and Air Conditioning. When not part of a new residential construction permit, or heat/ventilating/air conditioning permit with no additional wiring: sixty-five dollars (\$65). (3-26-08)

04. Domestic Water Pumps. See Subsection 011.07 - Pumps (Water, Domestic Water, Irrigation, Sewage) -- Each Motor, of these rules. (3-18-99)

05. Mobile/Manufactured Homes. Sixty-five dollars (\$65) basic fee plus ten dollars (\$10) for each additional circuit. (3-26-08)

a. Mobile home and RV parks for distribution wiring including pedestal, service conductors and lot supply to individual units come under Subsection 011.06, Other Installations Including Industrial and Commercial, of these rules. (3-18-99)

06. Other Installations Including Industrial and Commercial. The inspection fees listed in this section shall apply to any and all electrical installations not specifically mentioned elsewhere in this schedule. The electrical cost shall be the cost to the owner of all labor charges and all other costs that are incurred in order to complete the installation of any and all electrical

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wiring and equipment installed as part of the electrical system, factory assembled industrial machinery to be operated by electrical energy shall not be included in calculating these fees. (3-26-08)

a. Wiring cost not exceeding ten thousand dollars (\$10,000): sixty dollars (\$60) plus two percent (2%) of total wiring cost. (3-26-08)

b. Wiring cost over ten thousand dollars (\$10,000) but not exceeding one hundred thousand dollars (\$100,000): two hundred sixty dollars (\$260) plus one percent (1%) of wiring cost in excess of ten thousand dollars (\$10,000). (3-26-08)

c. Wiring cost over one hundred thousand dollars (\$100,000): one thousand one hundred sixty dollars (\$1,160) plus one-half of one percent (.5%) of the portion of wiring costs exceeding one hundred thousand dollars (\$100,000). (3-26-08)

d. All fees calculated under this schedule must be calculated on the total wiring cost of the job, and this figure must be shown on the permit. The inspection fees listed in this Subsection shall apply to any and all electrical installations not specifically mentioned elsewhere in this schedule. The wiring cost shall be the cost to the owner of all labor charges and all wiring materials and equipment installed as part of the wiring system. When labor is performed by the owner, such labor cost shall be based upon the market value of said labor and used or reused materials shall be based at fifty percent (50%) of the column 3 pricing as published by Trade Service Publication or National Price Service Pricing or the actual cost, whichever is greater. For all owner-supplied, factory assembled electrical infrastructural equipment to be installed, the inspection will be based on one-half of one percent (.5%) of total cost of the equipment OR an hourly rate of one hundred thirty dollars (\$130) for the first hour of each inspection and sixty-five dollars (\$65) for each subsequent hour. Factory assembled machinery to be operated by electrical energy shall not be included when calculating these fees. (3-26-08)

e. Small work not exceeding two hundred dollars (\$200) in cost and not involving a change in service connections: ten dollars (\$10). (3-30-06)

07. Pumps (Water, Domestic Water, Irrigation, Sewage) -- Each Motor.

To 25 HP	-	\$ 65
26 to 200 HP	-	\$ 95
Over 200 HP	-	\$130
Phase inverters and roto phase equipment use Subsection 011.06, in addition to the pump motor fee.		

(3-26-08)

08. Electrically-Driven Irrigation Machine. Center Pivot: sixty-five dollars (\$65) plus ten dollars (\$10) per tower or drive motor. Other types: sixty-five dollars (\$65) plus ten dollars (\$10) per motor. (Note: No additional fee required for underground feeder). (3-26-08)

09. Electric Signs and Outline Lighting. Electric signs: sixty-five dollars (\$65) per

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sign; Outline lighting: sixty-five dollars (\$65) per each occupancy. (3-26-08)

10. Requested Inspections. A base fee of sixty-five dollars (\$65) plus an additional sixty-five dollars (\$65) for each hour, or portion thereof, in excess of one (1) hour including travel time. Out-of-state travel expenses shall be paid by the requesting party. (3-26-08)

11. Additional Fees and Reinspection Fees. A base fee of sixty-five dollars (\$65) plus an additional sixty-five dollars (\$65) for each additional hour, or portion thereof, in excess of one (1) hour including travel time, shall also be paid before approval of the installation if the following services are necessary: (3-26-08)

a. Trips to inspect when the submitter of the permit had given notice to the inspector that the work is ready for inspection when it was not, or if the submitter has not clearly given the location of the installation either by directions or maps, or if the inspector cannot gain access to make the inspection. (1-14-87)

b. Trips to inspect corrections required by the inspector as a result of the submitter improperly responding to a corrective notice. (1-14-87)

c. Each trip necessary to remove a red tag from the jobsite. (1-14-87)

d. When corrections have not been made in the prescribed time, unless an extension has been requested and granted. (1-14-87)

e. No permit -- failure to post or send permit and required fee in the prescribed time will, at the discretion of the Division of Building Safety, result in the assessment of a double fee. (3-18-99)

12. Plan Check Fee. Sixty-five dollars (\$65) minimum for one (1) hour or less. Over one (1) hour: sixty-five dollars (\$65) plus sixty-five dollars (\$65) for each hour, or portion thereof, in excess of one (1) hour. (3-26-08)

13. Fees for Temporary Amusement/Industry Electrical Inspections. Each time a ride, concession, or generator is set up: sixty-five dollars (\$65) base fee plus ten dollars (\$10) for each ride, concession, or generator. (3-26-08)

14. Expiration of Permits. Every permit issued by the Electrical Bureau shall expire by limitation and become null and void if the work authorized by such permit is not commenced within ninety (90) days from the date of issuance of such permit or if the work authorized by such permit is suspended or abandoned at any time after work is commenced for a period of one hundred eighty (180) days. A permit may be renewed for an additional year upon receipt of Bureau approval and sixty-five dollars (\$65) renewal fee. (3-26-08)