

BUSINESS COMMITTEE

IDAPA 07 - DIVISION OF BUILDING SAFETY

07.02.03 - RULES GOVERNING PERMIT FEE SCHEDULE

DOCKET NO. 07-0203-0801 (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 Sections 54-2605(1), 54-2606, and 54-2623, 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 24 through 27.

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 54-2606 and 54-2623, Idaho Code:

This rulemaking would simplify the calculation of plumbing inspection fees for larger homes.

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.

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

BUSINESS COMMITTEE

***DIVISION OF BUILDING SAFETY
Rules Governing Permit Fee Schedule***

***Docket No. 07-0203-0801
PENDING FEE RULE***

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 Sections 54-2605(1) and 54-2623, 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 rulemaking is necessary to confer a benefit to affected Plumbing contractors, general contractors, and property owners doing their own plumbing 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:

This proposed rule would simplify the calculation of permit fees for plumbing 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:

BUSINESS COMMITTEE

DIVISION OF BUILDING SAFETY
Rules Governing Permit Fee Schedule

Docket No. 07-0203-0801
PENDING FEE RULE

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. FEE SCHEDULE.

01. New Residential - Single Family Dwelling. Includes all buildings with plumbing systems being constructed on each property.

New Residential - Single-Family Dwelling	
Up to 1,500 Square feet of construction living space	- \$130
1,501 to 2,500 Square feet of construction living space	- \$195
2,501 to 3,500 Square feet of construction living space	- \$260
3,501 to 4,500 Square feet of construction living space	- \$325
Over 4,500 Square feet of construction living space	- <i>Use Subsection 011.04, Other Installations Including Industrial and Commercial \$325 plus \$65 for each additional 1,000 square feet or portion thereof</i>

(3-26-08)()

02. New Residential - Multi-Family Dwellings.

New Residential - Multi-Family Dwellings	
Duplex Apartment	- \$260

BUSINESS COMMITTEE

***DIVISION OF BUILDING SAFETY
Rules Governing Permit Fee Schedule***

***Docket No. 07-0203-0801
PENDING FEE RULE***

Three (3) or more Multi-family Units - \$130 per Building plus \$65 per Unit
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(3-26-08)

03. Existing Residential. Sixty-five dollars (\$65) plus ten dollars (\$10) for each additional plumbing fixture being installed up to a maximum of the corresponding square footage of the residential building. (3-26-08)

04. Other Installations Including Industrial and Commercial. The inspection fees listed in this Section shall apply to any and all plumbing installations not specifically mentioned elsewhere in this schedule. The plumbing 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 plumbing equipment and materials installed as part of the plumbing system. (3-26-08)

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

b. Plumbing system 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 the plumbing system cost exceeding ten thousand dollars (\$10,000). (3-26-08)

c. Plumbing system 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 plumbing system cost exceeding one hundred thousand dollars (\$100,000). (3-26-08)

d. All fees calculated under this schedule must be calculated on the total plumbing cost of the job and this figure must be shown on the permit. (3-26-08)

05. Requested Inspections. A fee of sixty-five dollars (\$65) per hour or portion of an hour shall apply, with the requesting party responsible for all costs incurred in out-of-state travel. (3-26-08)

06. Additional Fees and Re-Inspection Fees. A fee of sixty-five dollars (\$65) per hour or portion of an hour shall apply to: (3-26-08)

a. Trips to inspect when: (3-26-08)

i. The submitter of the permit has given notice to the Division of Building Safety that the work is ready for inspection and it is not; or (3-26-08)

ii. If the submitter has not accurately identified the work location; or (3-26-08)

iii. If the inspector cannot gain access to make the inspection. (3-26-08)

b. Trips to inspect corrections required by the inspector as a result of the submitter improperly responding to a corrective notice. (3-26-08)

c. Each trip necessary to remove a red tag from the jobsite. (3-26-08)

BUSINESS COMMITTEE

***DIVISION OF BUILDING SAFETY
Rules Governing Permit Fee Schedule***

***Docket No. 07-0203-0801
PENDING FEE RULE***

- d. When corrections have not been made in the prescribed time, unless an extension has been requested and granted. (3-26-08)
- e. No permit - failure to post or send permit and required fee in the prescribed time will, at the discretion of the Division, result in the assessment of a double fee. (3-26-08)
07. **Plan Checking Fee.** Sixty-five dollars (\$65) per hour or portion thereof. (3-26-08)
08. **Mobile Homes.** Each connection or re-connection to existing sewer and water stubs shall be sixty-five dollars (\$65). (3-26-08)
09. **Mobile Home Parks and/or RV Parks.** Sewer and water service lines in mobile home parks and RV parks shall be classed as commercial. NOTE: This does not include or permit the connection of the mobile home. See Subsection 011.04, of these rules. (7-11-89)
10. **Residential.** Lawn sprinklers shall be sixty-five dollars (\$65). (3-26-08)
11. **Water Conditioners.** Water conditioners shall be sixty-five dollars (\$65). (3-26-08)
12. **Sewer and Water Permit Fees.** Residential sewer and water service line fees shall apply to all new construction, installations, and replacements. (3-30-06)
- a. Sewer and water permit fees for excavators or property owners shall be assessed at the same rate as residential or nonresidential based on the classification of the construction project. (3-30-06)
- b. Residential sewer and water service lines installation permit fees will be assessed at the rate of thirty-eight dollars (\$38) each or sixty-five dollars (\$65) for a combination of both if only one (1) inspection is required and the work is done by the same individual. (3-26-08)
13. **Non-residential.** Lawn sprinkler permit fees shall be calculated at the same rate as industrial and commercial plumbing installations. (3-26-08)
14. **Nonresidential Sewer and Water Service Lines Permit Fees.** If installed by someone other than the plumbing contractor of the building, fees shall be calculated at the same rate as industrial and commercial plumbing installations. (3-26-08)
15. **Technical Service Fee.** Sixty-five dollars (\$65) per hour for each hour or portion thereof. (3-26-08)
16. **Multipurpose Residential Fire Sprinkler and Domestic Water Supply System Fee.** The inspection fee for the installation of the fire sprinkler portion of a multipurpose residential fire sprinkler and domestic water supply system in a one (1)-family or two (2)-family residence shall be a minimum of sixty-five dollars (\$65) or four dollars (\$4) per fire sprinkler head, whichever is greater. (3-26-08)