

Chapter ILHR 2

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Note: Chapter Ind 69 as it existed on June 30, 1992 was repealed and a new chapter ILHR 2 was created effective July 1, 1992.

**Subchapter I —
Miscellaneous**

ILHR 2.001 Scope. The fees established in this chapter shall be paid to the Wisconsin department of industry, labor and human relations (DILHR) — division of safety and buildings, for providing those services authorized in the Wisconsin Statutes. The division may withhold providing services to individuals who have past due accounts with the division.

Note: All checks or money orders are to be made payable to Wisconsin DILHR — Division of Safety and Buildings.

History: Cr. Register, June, 1992, No. 438, eff. 7-1-92.

ILHR 2.02 Handling, copying and miscellaneous fees. (1) HANDLING FEES. (a) The department may charge a handling fee, determined at \$20.00 per hour, with a minimum fee of \$20.00, in addition to any other fee provided in this chapter, to offset administrative costs.

(b) A handling fee of \$50.00 per plan shall be charged to the submitting party for any plan which is submitted to the department, entered into the department's plan system and, then, requested to be returned by the submitting party prior to review. This fee does not apply to building plan components, other than the original building or heating and ventilation plan noted in s. ILHR 2.31 (1) (a) 2. a. & b., submitted after the original plan submittal.

(2) **PHOTOCOPYING FEES.** A photocopying fee of \$0.25 per page may be charged.

(3) **PLAN REPRODUCTION FEES.** A fee of \$5.00 per plan sheet shall be charged to the submitting party for plan reproduction on plan sheets larger than legal size. Plan sheets at or smaller than legal size may be charged the normal photocopying fee.

(4) **PLAN APPROVAL - ADDITIONAL COPIES.** (a) *Plumbing.* Upon request, additional copies of approved plumbing plans, with code violations cited and bearing the approval stamp, beyond the minimum amount required by administrative code or the department, shall be provided upon receipt of a \$10.00 fee, plus \$5.00 per plan sheet.

(b) *Private sewage.* Upon request, additional copies of approved private sewage plans, with code violations cited and bearing the approval stamp, beyond the minimum amount required by administrative code or the department, shall be provided upon receipt of a \$10.00 fee.

(c) *Building.* Upon request, additional building plans identical to previously approved plans shall be stamped approved upon receipt of a \$20.00 fee per plan.

(5) **MAILING LISTS.** The fee for mailing lists shall be \$25.00 for the first 1,000 names and \$5.00 for each 1,000 names thereafter. This fee shall be doubled, if gummed labels are requested.

(6) **COMPUTER INFORMATION.** Information from computer files is available for the costs incurred in generating the data requested.

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(7) **MICROFILM FEES.** Microfilm prints of approved building and heating plans for the years 1967-1972 are available at the cost of reproduction.

(8) **INSPECTION AND COPYING OF FILES, PLANS AND SPECIFICATIONS.** The department shall allow inspection and copying of all files and plans, specifications and related materials filed with the department, except as follows:

(a) The department may restrict, on a case by case basis, the right of inspection or copying of files and plans, specifications and related materials where the possible harm to the public interest outweighs the benefits of inspection or copying for the following types of buildings and facilities:

1. Banks, savings and loans, credit unions, securities dealers and other types or parts of buildings where large sums of money, negotiable securities or valuables are stored in secured areas;

2. Jails and other correctional institutions;

3. Public facilities regularly used for the storage or evaluation of evidence in criminal proceedings;

4. Armories;

5. Public broadcasting facilities;

6. Power generating facilities;

7. Museums and libraries; and

8. Noncommercial storage tanks which store heating oil for consumptive use on the premises.

(b) The department shall allow inspection or copying of files and plans, specifications and related materials of all buildings in response to lawful subpoena or written requests from law enforcement agencies.

(c) Prior to any inspection or copying of files and plans, specifications and related materials, a written, signed application shall be obtained from the person requesting the inspection or copying. The application shall contain a general description of the files or premises for which inspection or copying is requested and the full name, address and telephone number of the requester. The written request shall contain a statement that any information obtained from the inspection or copying shall not be used for any unlawful purpose or unfair competitive practice, and that the information set out therein is true and correct. The department will consider the information supplied in the request in conjunction with the type of buildings noted in par. (a) in determining whether the request for inspection or copying shall be granted. The department may transmit a copy of this statement to the owner and submitter of the documents being inspected or copied.

(d) The department may charge a reasonable amount to defray its costs in providing copies.

History: Cr. Register, June, 1992, No. 438, eff. 7-1-92.

ILHR 2.03 Special Inspections. (1) FEES. Unless specified otherwise in this chapter, fees for department costs incurred in the performance of special inspections, including inspections for alterations, fabrication, repairs, testing and quality assurance methods, which are either provided on request or to satisfy administrative code requirements, shall be determined in accordance with Table 2.03. An

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additional amount may be charged to cover all expenses, including travel time, mileage, meals and lodging. Travel expenses, however, shall be limited to those allowed under ss. 16.53 and 20.916, Stats., and collective bargaining agreements.

Table 2.03

Individual Special Inspections	Fee Per Hour Per Inspector
(a) Inspections performed between the hours of 7:45 a.m. and 4:30 p.m. on weekdays, Monday through Friday	\$40.00
(b) Inspections performed on Saturdays, Sundays, holidays and at times other than scheduled in (a)	\$60.00
(c) For supervising the American Society of Mechanical Engineers (ASME) joint review and audit and for conducting shop audits, Monday through Friday	\$60.00

(2) **MINIMUM CHARGE.** In reference to Table 2.03 (a) and (b), a minimum charge of 4 hours shall be assessed for all special inspections required during fabrication and testing of ASME code items.

History: Cr. Register, June, 1992, No. 438, eff. 7-1-92.

ILHR 2.04 Miscellaneous plan reviews, inspections and services. (1) MISCELLANEOUS PLAN REVIEWS. Unless specified otherwise in this chapter, the fee for department costs incurred in performing miscellaneous plan reviews shall be \$40.00 per hour per plan, with a minimum fee of \$40.00 per plan.

(2) **MISCELLANEOUS INSPECTIONS AND INVESTIGATIONS.** Unless specified otherwise in this chapter, the fee for department costs incurred in performing inspections on day care facilities, community-based residential facilities or other miscellaneous inspections or investigations shall be \$40.00 per hour per inspection or investigation, with a minimum fee of \$40.00 per inspection or investigation, plus actual expenses, including travel time, mileage, meals and lodging. Travel expenses, however, shall be limited to those allowed under ss. 16.53 and 20.916, Stats., and collective bargaining agreements.

(3) **MISCELLANEOUS GOODS AND SERVICES.** The department may collect a fee for providing goods and services related to work that has been delegated by the department to authorized agents, municipalities or other state agencies based upon actual cost.

History: Cr. Register, June, 1992, No. 438, eff. 7-1-92.

ILHR 2.05 Certification of certified inspectors and independent inspection agencies. (1) GENERAL. All applicants for certification as a certified inspector or independent inspection agency shall submit, with the application form, fees as specified in this section.

(2) **CERTIFIED INSPECTORS. (a) Application and initial certification.** Persons applying for certification in one or more of the categories specified in par. (b) shall submit a fee of \$35.00.

(b) **Categories of certification.** Persons may be certified in one or more of the following categories:

1. Commercial Building Inspector as defined in s. ILHR 26.05 (3) (e);

- 2. All other rides..... \$40.00 per ride
- (d) Inspection of coin operated kiddie rides with a maximum capacity of 3 children \$35.00 per ride
- (e) Inspection of Class 1 amusement rides .. \$75.00 per ride
- (f) Inspection of Class 2 amusement rides, except amusement rides that the manufacturer estimates require more than 40 work hours for erection \$140.00 per ride
- (g) Inspection of Class 3 amusement rides and amusement rides that the manufacturer estimates require more than 40 work hours for erection \$200.00 per ride
- (h) Inspection of amusement ride tramways ... \$250.00 per tramway
- (i) Inspection of bungee jumping site \$500.00 per site or tower
- (j) Late registration fee for failure to register amusement ride before opening it to the public. \$100.00 per ride
- (k) Reinspection fee to gain compliance with department orders if compliance is not met ... \$150.00 per visit

Note: See ch. ILHR 34 for definitions of ride classes.

(2) FEE ASSESSMENT AND COLLECTION. Registration and inspection fees for amusement rides shall be paid annually before registration is processed by the department.

History: Cr. Register, June, 1992, No. 438, eff. 7-1-92.

ILHR 2.21 Tramways, lifts and towing devices. (1) PLAN EXAMINATION FEE. Fees for the examination of plans for tramways, lifts and towing devices shall be determined in accordance with Table 2.21-1.

Table 2.21-1

Type of Lift or Device	Fee Per Plan
Gondola lifts and rides	\$300.00
Chair lifts and rides	\$225.00
Surface tows, except fiber and wire rope tows*	\$150.00
Fiber and wire rope tows	\$100.00

Note 1: See ch. ILHR 34 for definition of the term "Amusement Ride" as it applies to tramways, lifts and towing devices used as amusement rides.

*Note 2: Surface tows include T-bar, platter and similar devices.

(2) INSPECTION FEES. Fees for the inspection of new installations, annual inspections and other inspections shall be determined in accordance with Table 2.21-2.

Table 2.21-2

Type of Lift or Device	Inspection Fee Per Installation
Gondola lifts and rides	\$205.00
Chair lifts and rides	\$205.00
Surface tows, except fiber and wire rope tows*	\$135.00
Fiber and wire rope tows	\$ 81.00

Note 1: See ch. ILHR 34 for definition of the term "Amusement Ride" as it applies to tramways, lifts and towing devices used as amusement rides.

*Note 2: Surface tows include T-bar, platter and similar devices.

(3) LOAD TEST FEE. The fee for certifying a load test shall be \$135.00 per load test.

(4) CERTIFICATES OF OPERATION. The department shall issue a certificate of operation for each device upon receipt of the inspection report indicating the device satisfies the minimum operating standards specified in ch. ILHR 33. The fee per certificate shall be \$16.00.

History: Cr. Register, June, 1992, No. 438, eff. 7-1-92.

Subchapter III — Buildings

ILHR 2.31 Buildings, structures, heating and ventilation.

(1) PLAN SUBMITTAL. Fees relating to the submittal of all plans, submitted in accordance with the requirements of chs. ILHR 50 to 64, shall be determined in accordance with the following:

(a) *Building, heating and ventilation.* 1. General. Fees relating to the submittal of all building and heating, ventilation and air conditioning (HVAC) plans shall be computed on the basis of the total gross floor area of each building and shall be determined in accordance with Table 2.31-1. The fees in Table 2.31-1 shall be submitted to the department for buildings not located in municipalities that have assumed building inspection responsibilities.

Table 2.31-1

Area (Square Feet)	Fees		
	Building & HVAC	Building Area Only	HVAC Area Only
Less than 2,500	\$ 320	\$ 270	\$ 190
2,501 - 5,000	430	320	240
5,001 - 10,000	580	480	270
10,001 - 20,000	900	630	370
20,001 - 30,000	1,280	900	480
30,001 - 40,000	1,690	1,220	690
40,001 - 50,000	2,280	1,590	900
50,001 - 75,000	3,080	2,120	1,220
75,001 - 100,000	3,880	2,600	1,690
100,001 - 200,000	5,940	4,240	2,120
200,001 - 300,000	12,200	7,430	4,770
300,001 - 400,000	17,190	11,140	6,900
400,001 - 500,000	21,220	13,790	9,020
Over 500,000	22,810	14,850	10,080

Type of Submittal	
Miscellaneous plans (see subd. 3.)	\$250
Permissions to start (see par. (c))	\$ 80
Revisions (see par. (d))	\$100

2. Scope. The fees indicated in Table 2.31-1, relating to building and heating and ventilation plans, include the plan review and inspection fees for all components, whether submitted with the original submittal or at a later date. Components included with the initial fee are:

- a. Building plans;
- b. Heating, ventilation and air conditioning (HVAC) plans;
- c. Bleacher plans for interior bleachers only;
- d. Fire escapes;
- e. Footing and foundations plans (see subd. 3.a.); and
- f. Structural component plans, such as floor and roof trusses, precast concrete, laminated wood, metal buildings, solariums and other similar parts of the building.

3. Miscellaneous plans. Miscellaneous plans are plans which have no building or HVAC plan submissions and for which no area may be associated. The fee indicated in Table 2.31-1 relating to miscellaneous plans includes the plan review and inspection fees. Miscellaneous plans include, but are not limited to:

- a. Footing and foundation plans submitted prior to the submission of the building plans;
- b. Industrial exhaust systems for dust, fumes, vapors and gases, for government-owned buildings only;
- c. Spray booth plans, for government-owned buildings only;

d. Stadium, grandstand and bleacher plans, and interior bleacher plans submitted as independent projects;

e. Structural plans submitted as independent projects, such as docks, piers, antennae, outdoor movie screens and observation towers; and

f. Any building component, other than building and HVAC, submitted following the final inspection by a deputy of the department or, in the case of an agent municipality or county, the inspector having jurisdiction.

4. Exceptions. a. The fees outlined in this subparagraph may be applied to a project which contains multiple identical buildings. In order to qualify for the multiple identical building fee, plans for all building shall be submitted at the same time. The fees for the submittal of building and heating and ventilation plans for the first building shall be determined in accordance with Table 2.31-1 on the basis of the total gross area of one building. The fee for each of the remaining identical buildings shall be computed on the basis of an area of less than 2,500 square feet.

b. A plan review fee shall be submitted to the department in accordance with Table 2.31-2 for buildings located in agent municipalities and counties that have assumed those building inspection responsibilities relative to s. 101.12 (3) (g), Stats., and ch. ILHR 50.

Table 2.31-2

Area (Square Feet)	Fees		
	Building & HVAC	Building Area Only	HVAC Area Only
Less than 2,500	\$ 290	\$ 240	\$ 170
2,501 - 5,000	390	290	220
5,001 - 10,000	520	430	240
10,001 - 20,000	810	570	330
20,001 - 30,000	1,150	810	430
30,001 - 40,000	1,530	1,100	630
40,001 - 50,000	2,060	1,440	810
50,001 - 75,000	2,780	1,910	1,100
75,001 - 100,000	3,500	2,350	1,530
100,001 - 200,000	5,350	3,830	1,910
200,001 - 300,000	11,000	6,700	4,310
300,001 - 400,000	15,500	10,050	6,220
400,001 - 500,000	19,140	12,440	8,130
Over 500,000	20,570	13,400	9,090

(b) *Building alterations.* 1. The examination fees for alteration plans of existing buildings and structures undergoing remodeling or review of tenant space layouts shall be determined in accordance with Table 2.31-1 or Table 2.31-2 on the basis of the floor area, roof areas and external wall surfaces undergoing remodeling.

2. The fee specified in subd. 1. shall be based on the actual gross square footage of the area being remodeled. When the remodeling of an individual building element affects code compliance for a larger area, the fee shall be computed on the basis of the total square footage of the affected area.

(c) *Permission to start construction.* The fee for a permission to start construction shall be as specified in Table 2.31-1.

(d) *Revisions.* The fee for revisions to previously approved plans shall be as specified in Table 2.31-1. This paragraph applies when plans are revised for reasons other than those which were requested by the department. No revision fee will be charged for plans requested by the department as a condition of original plan approval.

(2) **FEE FOR EXTENSION OF PLAN APPROVAL.** The examination fee for a plan previously approved by the department for which an approval extension is requested shall be \$75.00 per plan.

(3) **PRIORITY PLAN REVIEW.** An appointment may be made with the department to facilitate the examination of plans. The plans shall comply with the provisions of s. ILHR 50.12. The fee for this type of plan submittal shall be determined at twice the normal rate, based on the appropriate category of plan specified under this section.

(4) **REINSPECTION FEE.** A fee as specified in s. ILHR 2.04 (2) shall be assessed for inspections made by the department to gain compliance with rules after orders have been issued by the department.

(5) **COMPLETION STATEMENT.** A fee of \$10.00 shall be assessed for any project where the department has issued orders for a completion statement to be submitted as required by s. ILHR 50.10.

(6) **FEE REFUNDS.** The department may refund the difference in fees between Tables 2.31-1 and 2.31-2 for projects that are abandoned prior to construction.

(7) **COLLECTION OF FEES.** Fees shall be remitted at the time the plans are submitted. No plan examinations, approvals or inspections shall be made until fees are received.

History: Cr. Register, June, 1992, No. 438, eff. 7-1-92.

ILHR 2.32 Electrical examination and certification. (1) COMMERCIAL ELECTRICAL INSPECTOR EXAMINATION AND CERTIFICATION FEES. Fees for examination and certification of commercial electrical inspectors and restricted commercial electrical inspectors shall be determined in accordance with s. ILHR 2.05.

(2) **INDEPENDENT INSPECTION AGENCY CERTIFICATION FEES.** Fees for the certification of independent inspection agencies offering to perform electrical inspections of public buildings and places of employment shall be determined in accordance with s. ILHR 2.05.

(3) **MASTER ELECTRICIAN EXAMINATION AND CERTIFICATION FEES. (a) Application.** 1. Persons applying for certification as a master electrician shall submit a fee of \$35.00.

2. Persons applying for certification as a restricted master electrician shall submit a fee of \$150.00.

(b) *Examination.* Fees shall be submitted for examination and reexamination as follows:

1. Initial examination..... \$30.00
2. Re-examination \$30.00 per examination

(c) *Initial certification.* Upon successfully passing the written examination, the applicant for master electrician certification shall submit a fee of \$120.00.

(d) *Recertification.* The 3-year recertification fee shall be \$150.00.

(4) **JOURNEYMAN ELECTRICIAN EXAMINATION AND CERTIFICATION FEES. (a) Application.** Persons applying for certification as a journeyman electrician shall submit a fee of \$35.00.

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(b) *Examination.* Fees shall be submitted for examination and re-examination as follows:

- 1. Initial examination \$30.00
- 2. Re-examination \$30.00 per examination

(c) *Initial certification.* Upon successfully passing the written examination or upon determination of eligibility without examination, the applicant for journeyman electrician certification shall submit a fee of \$50.00.

(d) *Recertification.* The 3-year recertification fee shall be \$75.00.

(5) **BEGINNING ELECTRICIAN CERTIFICATION FEES.** (a) *Application.* Persons applying for certification as a beginning electrician shall submit a fee of \$35.00.

(b) *Initial certification.* Upon determination of eligibility, the applicant for beginning electrician certification shall submit a fee of \$50.00.

(c) *Recertification.* The 3-year recertification fee shall be \$75.00.

(6) **ELECTRICAL CONTRACTOR CERTIFICATION FEES.** (a) *Application.* Persons applying for certification as an electrical contractor shall submit a fee of \$35.00.

(b) *Initial certification.* Upon determination of eligibility, the applicant for electrical contractor certification shall submit a fee of \$150.00

(c) *Recertification.* The 3-year recertification fee shall be \$150.00

(7) **RENEWAL OF EXPIRED CERTIFICATES.** Late renewal fees for certification renewals submitted following certification expiration shall be determined as follows:

- (a) Less than 2 months late \$10.00
- (b) 2 to 6 months late \$25.00
- (c) More than 6 months late examination retake

History: Cr. Register, June, 1992, No. 438, eff. 7-1-92; renum. (4) to be (7), cr. (4) to (6), Register, November, 1994, No. 467, eff. 12-1-94.

ILHR 2.33 Mobile homes. (1) **CERTIFICATION AND INSPECTION FEES.** Fees for certification and inspection relative to the manufacture of mobile homes shall be determined in accordance with Table 2.33.

Table 2.33

Type of Approval	Fee
Manufactured home inspection	Established by Contract
Manufacturer license	\$225.00 per year
Plant inspection and certification	See s. ILHR 2.04 (2)
Required inspection not included in the fee distribution system described in 24 CFR 3282.204(a)	See s. ILHR 2.04 (2)
Warranty-related inspections, reinspections or investigative actions conducted as a result of consumer complaints	See s. ILHR 2.04 (2)

(2) **FORMALDEHYDE INVESTIGATION AND TESTING.** To offset the department cost of conducting formaldehyde testing and complaint investigation related to formaldehyde in accordance with ch. ILHR 27, a fee shall be assessed in

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accordance with s. ILHR 2.04 (2), or \$100 per test, whichever is greater.

History: Cr. Register, June, 1992, No. 438, eff. 7-1-92.

ILHR 2.34 One- and two-family dwellings, manufactured dwellings and manufactured multi-family dwellings. (1) **UNIFORM BUILDING PERMIT SEAL.** A fee of \$25.00 shall be remitted to the department or its agent at the time of application for a Wisconsin Uniform Building Permit Seal. Municipalities administering the Uniform Dwelling Code shall purchase one \$25.00 permit seal for each new dwelling falling within the scope of the Uniform Dwelling Code.

(2) **DEPARTMENTAL PLAN REVIEW.** The following fees for plan review of dwellings or their alterations or additions shall apply where the department administers and enforces the Uniform Dwelling Code, and may be applied when the department is requested by a municipality to assist in the administration and enforcement of the Uniform Dwelling Code:

(a) Where employes of the department review plans, the fee shall be determined in accordance with s. ILHR 2.04 (1) or \$80.00 per plan, whichever is greater.

(b) Where an independent inspector or inspection agency under contract to the department reviews plans, the fees established in the contract shall defray the actual cost of the service.

(3) **DEPARTMENTAL INSPECTIONS.** The following fees for on-site inspections shall apply where the department administers and enforces the Uniform Dwelling Code, and may be applied when the department is requested by a municipality to assist in the administration and enforcement of the Uniform Dwelling Code:

(a) Where employes of the department perform on-site inspections, the fee shall be determined in accordance with s. ILHR 2.04 (2), with a minimum fee of \$120.00 per inspection, payable in advance of issuing the building permit.

(b) Where employes of the department perform on-site enforcement-related inspections as a result of consumer complaints, contractor requests or requests by any individuals in municipalities where permits are not issued and inspections are not performed, a fee shall be assessed to the individual requesting the inspection determined in accordance with s. ILHR 2.04 (2), with a minimum fee of \$120.00 per inspection, payable in advance of the inspection.

(c) Where an independent inspector or inspection agency under contract to the department performs inspections, the fees established in the contract shall defray the actual cost of the service.

(4) **MANUFACTURED DWELLINGS.** (a) Except as provided in pars. (b) and (c), where employes of the department perform plan reviews, plant evaluations, consumer complaint investigations or any other type of enforcement-related activity for manufactured dwellings, the manufacturer shall be assessed at the rates determined in accordance with s. ILHR 2.04.

(b) The minimum fee for plan review shall be \$80.00 per plan.

(c) The minimum fee for inspections shall be \$120.00 per inspection.

(5) **MANUFACTURED MULTI-FAMILY DWELLINGS.** (a) Fees related to plan examination and field inspections shall be determined in accordance with s. ILHR 2.31.

(b) Fees related to in-plant inspections performed by the department shall be assessed and determined in accordance with s. ILHR 2.04 (2).

(6) **WISCONSIN INSIGNIAS.** Fees for Wisconsin insignias shall be assessed and computed on the basis of \$25.00 for each dwelling unit.

(7) **MISCELLANEOUS FEES.** When the department provides goods or services not specifically covered by the fees in subs. (1) to (6), fees may be charged to persons or organizations requesting the goods and services based upon actual cost.

History: Cr. Register, June, 1992, No. 438, eff. 7-1-92.

ILHR 2.35 Rental unit energy efficiency program. Pursuant to s. 101.19 (1) (i), Stats., the fees to administer and enforce s. 101.122, Stats., are as follows:

(1) **APPLICATIONS FOR EXEMPTION.** A fee of \$25.00 shall be remitted to the department when an application for exemption is submitted to the department.

(2) **APPLICATIONS FOR STIPULATION.** A fee of \$50.00 shall be remitted to the department when an application for stipulation is submitted to the department.

(3) **APPLICATIONS FOR WAIVER.** A fee of \$50.00 shall be remitted to the department when an application for waiver is submitted to the department.

(4) **CERTIFICATION STAMPS.** A fee of \$20.00 shall be remitted to the department for each DILHR certification transfer authorization stamp used to authorize certificates of compliance. Only certified rental unit energy efficiency inspectors and authorized municipalities may purchase certification stamps from the department.

(5) **FEES FOR INSPECTION AND CERTIFICATION.** (a) *Maximum fee.* The maximum fee for inspection and certification of rental units by the department, authorizing municipality or any certified inspector, shall be as follows:

1. Up to 2 Rental Units \$200.00
2. Three to 8 Rental Units \$200 plus \$50 for each additional rental unit over 2 rental units
3. Over 8 Rental Units \$500 plus \$25 for each additional rental unit over 8 rental units

(b) *Scope of fee.* The inspection and certification fee shall cover the cost of performing an initial inspection, which includes issuing a field inspection report explaining items of noncompliance and a final inspection, which includes the cost of the certification stamp and preparation of the certificate. If additional inspections are required due to noncompliant items not being corrected, an additional fee, based upon an actual cost basis, including salary and actual travel expenses, may be charged to offset the cost of further inspections. If, after an initial inspection, a notice of noncompliance is issued and, upon reinspection, all the required energy measures were installed,

no additional charges may be made for any further inspections. Further inspections may be necessary to assure that the proper energy measures are installed in response to any additional points of noncompliance.

(c) *Fees for requested inspections.* Inspections the department is requested to perform will be charged the maximum fee.

(6) **TRANSFER AUTHORIZATION STAMPS.** Any authorized municipality shall remit to the department the following fees for each transfer authorization stamp:

- (a) Certificate \$10.00
- (b) Stipulation \$10.00
- (c) Waiver \$10.00

History: Cr. Register, June, 1992, No. 438, eff. 7-1-92.

Subchapter IV — Petroleum

ILHR 2.41 Petroleum product fund. (1) GENERAL. The department shall collect an inspection fee for each gallon of petroleum product from which a sample is taken. The inspection fee and the distribution of the fee shall be as specified in s. 168.12, Stats.

(2) **SPECIFIED FEES AS LIENS ON PRODUCT INSPECTED.** The fees specified in this section shall be a lien on the products inspected.

(3) **PENALTIES FOR VIOLATION OF S. 168.05, STATS.** In addition to the penalties specified under s. 168.15, Stats., when the department identifies a violation of the statutory provisions of s. 168.05, Stats., it shall charge a fee based upon the following schedule:

(a) 1. For the first violation identified during the calendar year, a fee equal to the total inspection fee collected under this section;

2. For the second violation identified during the calendar year, twice the inspection fee specified in subd. 1; and

3. For the third and subsequent violations identified during the calendar year, three times the inspection fee specified in subd. 1.

(b) If the department is notified within 60 days of the violation of s. 168.05, Stats., by the person who imported or received the petroleum product, a fee equal to the total inspection fee collected under this section shall be charged.

(4) **CERTIFICATION FEES FOR PETROLEUM PRODUCT USERS.** (a) Persons applying for certification or recertification as a petroleum product user shall submit with the application for certification or recertification an annual fee, determined from the date of certification, of \$270.00 for each separate storage location.

(b) Certified petroleum product users are exempt from the payment of the fee segment which is used to fund the administration of the petroleum inspection program. The certified petroleum product user shall remit to the department the remaining segment of the total fee. The amount

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of the total fee determined to be the funding for the petroleum inspection program is \$0.035.

History: Cr. Register, June, 1992, No. 438, eff. 7-1-92; r. and recr. (1), r. (1m), Register, December, 1992, No. 444, eff. 1-1-93.

ILHR 2.42 Self-service stations or stations using key, card or code operated dispensing devices. Fees for the examination of plans and site inspections for self-service stations or stations using key, card or code operated dispensing devices shall be determined in accordance with Table 2.42. Tank installation fees for such stations shall be in accordance with Table 2.43.

Table 2.42

Type of Examination or Inspection	Fee
Self-Service Stations or Stations Converting to Key, Card or Code Operations	
Plan examination fee	\$22.00
Site inspection fee	\$43.00

History: Cr. Register, June, 1992, No. 438, eff. 7-1-92.

ILHR 2.43 Storage tanks: flammable and combustible liquids, liquefied petroleum gas, liquefied natural gas and compressed natural gas. (1) PLAN EXAMINATION AND INSPECTION FEE. Fees for the examination of plans and site inspections for tanks used for the storage of flammable and combustible liquids, liquefied petroleum gas, liquefied natural gas and compressed natural gas shall be determined in accordance with Table 2.43.

Table 2.43

Type of Registration, Renewal, Examination or Inspection	Fee
FLAMMABLE LIQUID TANK SYSTEMS OR COMBUSTIBLE LIQUID TANK SYSTEMS OR COMPONENTS OF TANK SYSTEMS	
Plan Examination	
All Tanks Under 5000 Gallon Capacity	(No state plan examination fee required; local authorized agent will charge a fee which must be at least equal to the state fee minus the groundwater surcharge.)
All Tank Systems within Scope of Subch. VI of ch. ILHR 10 and Aboveground Tank Systems within the Scope of Subch. VI and Having a 5000 Gallon Capacity or Larger	
Plans With 10 or Fewer Tank Systems or Components of Tank Systems	\$35.00 for the first tank system or component of a tank system plus \$10.00 for each additional tank system or component of a tank system.
Plans With 11 or More Tank Systems or Components of Tank Systems	\$150.00
Site Inspection Fees	
Installations With Only One Tank System or Component of a Tank System	\$100.00
Installations With Two or More Tank Systems or Components of Tank Systems	\$ 50.00 for each tank or component of a tank system up to \$1700.00.
Miscellaneous Plan Review and Inspection	
Addition of Spill or Overflow Protection Only	\$22.00
Addition of Leak Detection	\$22.00
Addition of Corrosion Protection	\$22.00
Lining	\$22.00
Conversion of Full-Service Stations to Self-Service or Conversion to Key, Card or Code	\$35.00
Site Inspection for Plan Reviews in This Section	\$43.00
LIQUEFIED PETROLEUM GAS, NATURAL GAS OR COMPRESSED NATURAL GAS	
125 to 1,999 gallon water capacity tank	(No state examination or inspection fee required; local fire department shall be provided with a Compliance Certification Form at time of installation.)
2000 Gallon Water Capacity and Above	
Plan Examination Fee	\$43.00 per tank
Site Inspection Fee	\$43.00 per tank
PLAN REVISIONS	
Plan Revision Examination Fee	\$22.00 per revised plan

(2) GROUNDWATER FEE. Pursuant to s. 101.14 (5), Stats., the department shall, in addition to any other fee charged for plan examination and approval for the construction of a new or additional installation or change in operation of a previously approved installation for the storage, handling or use of combustible or flammable liquids as specified in sub. (1), collect a groundwater fee of \$100.00.

History: Cr. Register, June, 1992, No. 438, eff. 7-1-92.

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ILHR 2.44 Certification of tank system specialties. (1) GENERAL. All applicants for certification as a storage tank system installer, tightness tester, or remover, cleaner, reliner, inspector or site assessment provider shall submit, with the application form, fees as specified in this section.

(2) APPLICATION AND INITIAL CERTIFICATION. Persons applying for certification in one or more of the categories specified in sub. (3), shall submit a fee of \$100.00 for each 2 categories for which certification is requested.

(3) CATEGORIES OF CERTIFICATION. Persons may be certified in one or more of the following categories:

- (a) Installer;
- (b) Remover;
- (c) Tightness tester;
- (d) Cleaner;
- (e) Liner;
- (f) Inspector; or
- (g) Site assessment provider.

(4) EXAMINATION. Upon determination of eligibility for examination for certification, fees shall be submitted for examination and reexamination as follows:

- (a) Initial examination\$10.00 per category
- (b) Examination retakes .. \$10.00 per examination per category

(5) EXAMINATION AND TRAINING SEMINARS. Fees shall be assessed on an individual basis from education and training programs the department sponsors or participates in.

(6) RECERTIFICATION. The recertification fee for 2 categories of certification shall be \$100.00 per person.

History: Cr. Register, June, 1992, No. 438, eff. 7-1-92.

Subchapter V — Material Approvals and Petitions

ILHR 2.51 Material approvals. The fee for approval numbers issued by the department for the approval of materials, equipment, devices and methods of construction, other than plumbing products, shall be determined in accordance with Table 2.51.

Table 2.51

Type of Approval	Fee Per Approval
New approval	\$800.00
Renewal of approval with no changes	\$600.00
Renewal with changes	\$800.00
Manufacturer's request for minor revision (no extension of approval period)	\$200.00
Manufacturer's request for major revision (new 5-year period)	\$800.00

History: Cr. Register, June, 1992, No. 438, eff. 7-1-92.

ILHR 2.52 Petitions for variance. (1) GENERAL. The department shall consider and may grant a variance from an administrative rule upon receipt of a fee, a completed petition for variance form from the owner, and a position statement from the fire department where applicable, provided an equivalency is established which meets the intent of the rule being petitioned.

(2) PETITIONS FOR VARIANCE ON RULES UNDER CHS. ILHR 20 TO 25, UNIFORM DWELLING CODE, AND CHS. ILHR 67 TO 68, RENTAL UNIT ENERGY EFFICIENCY CODE. The fee for reviewing petitions for variance on rules under chs. ILHR 20 to 25 and chs. ILHR 67 to 68 shall be \$125.00 per petition.

(3) PETITIONS FOR VARIANCE ON RULES UNDER CHS. ILHR 50 TO 64, BUILDING AND HEATING, VENTILATING AND AIR

CONDITIONING CODE. (a) The fee for reviewing petitions for variance on rules under chs. ILHR 50 to 64 shall be \$490.00 per petition.

(b) A separate petition shall be submitted for each building, even if the buildings are similar. If, after review, it is determined that some or all of the petitions may be processed using a precedent, a portion of the variance fee may be refunded in accordance with sub. (10) (b).

(c) Where identical petitions are submitted for identical buildings with a common owner on a single piece of property, the fee for the first building shall be \$490.00 and the fee for each subsequent building shall be submitted in accordance with sub. (10) (b) for precedent petitions.

(4) PETITIONS FOR VARIANCE ON RULES UNDER CH. ILHR 70, HISTORIC BUILDING CODE. The fee for reviewing petitions for variance on rules under ch. ILHR 70 shall be \$300.00 per petition.

(5) PETITIONS FOR VARIANCE ON RULES UNDER CHS. ILHR 81, 82, 83 AND 85, UNIFORM PLUMBING CODE. The fee per petition for processing petitions for variance on rules under chs. ILHR 81, 82, 83 and 85 shall be as follows:

- (a) Plumbing variance \$225.00
- (b) Setback variance \$100.00
- (c) Site evaluation variance \$225.00

(6) PETITIONS FOR VARIANCE UNDER S. 101.055 (4), STATS. The fee for reviewing petitions for temporary, experimental and permanent variances under s. 101.055 (4), Stats., shall be \$200.00 per petition.

(6m) PETITIONS FOR VARIANCE ON RULES UNDER CH. ILHR 90. The fee for processing petitions for variance on rules under ch. ILHR 90 shall be \$225.00 per petition.

(7) PETITIONS FOR VARIANCE, OTHER RULES. The fee for reviewing petitions for variance on rules of the department, administered by the division of safety and buildings and not specifically mentioned under this section, shall be \$200.00 per petition.

(8) PRIORITY PETITIONS. (a) Upon request, the department will process petitions for variance on a priority basis. Except as specified in par. (b), the fees for processing these petitions shall be double the amounts specified in subs. (2), (3), (5) to (7) and (9).

(b) The fees for processing petitions for variance under ch. ILHR 70 shall be as specified in sub. (4).

(9) REVISIONS. (a) Statements or conditions in a petition for variance may be revised within one year of the date of the written decision. The fee per petition for revisions to previously determined petitions for variance shall be as follows:

- 1. Petitions on rules under sub. (2) \$ 50.00
- 2. Petitions on rules under sub. (5) 75.00
- 3. All other petitions \$100.00

(b) For revisions requested after one year from the date of the written decision, a new petition for variance shall be submitted.

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(10) **ADDITIONAL AND REDUCED FEES.** (a) For complex petitions for variance which require more than 10 hours to review and process, an additional fee may be charged at the rate of \$40.00 per hour for each hour in excess of 10 hours. For precedent petitions for variance which require more than 3 hours to review and process, an additional fee may be charged at the rate of \$40.00 per hour for each hour in excess of 3 hours.

(b) For petitions processed under sub. (3) or (4), a refund may be returned. The minimum fee per petition charged by the department shall be based on the following schedule:

1. The minimum fee for a petition for variance that is returned without decision before assignment for staff review shall be 25% of the required fee.

2. The minimum fee for a petition for variance that is returned without decision after staff review shall be 25% of the required fee plus \$40.00 per hour of review and processing time.

3. The minimum fee for a non-priority petition for variance based on precedence shall be 50% of the required fee.

4. The minimum fee for a priority petition for variance based on precedence shall be 75% of the required fee.

History: Cr. Register, June, 1992, No. 438, eff. 7-1-92; emerg. cr. (6m), eff. 10-1-93; cr. (6m), Register, March, 1994, No. 459, eff. 4-1-94.

Subchapter VI — Building Water Systems

ILHR 2.61 Miscellaneous inspections, reviews and services. (1) **SPECIAL PLUMBING INSPECTIONS.** (a) Plumbing inspections for sanitary districts or other special purpose districts shall be determined in accordance with s. ILHR 2.03.

(b) The department may assess a fee determined in accordance with s. ILHR 2.03 for a field inspection for a department soil scientist to conduct a soil evaluation.

(2) **REVISIONS.** The fee for revisions to previously approved plumbing and private sewage plans shall be \$60.00 per plan. This fee shall apply when plans are revised for reasons other than those which were requested by the department.

(3) **PRIORITY PLAN REVIEW.** An appointment may be made with the department to facilitate the examination of plans. The plans shall comply with the provisions of s. ILHR 82.20, for plumbing, and s. ILHR 83.08, for private sewage. Scheduling of the plans for priority plan review shall be determined in accordance with s. ILHR 82.20, for plumbing, and by appointment for private sewage. The fee for this type of plan examination shall be determined at twice the normal rate.

(4) **PROJECTS WITHOUT APPROVALS.** The fees specified in this subchapter shall be doubled for those projects for which the installation of plumbing has started without departmental approval.

(5) **MISCELLANEOUS SERVICES.** When the department provides goods or services not specifically covered in this Register, November, 1994, No. 467

section, fees may be charged to organizations requesting such goods and services.

History: Cr. Register, June, 1992, No. 438, eff. 7-1-92.

ILHR 2.62 Apprenticeships, licensures, registrations and certifications. (1) **APPRENTICESHIP, LICENSURE AND REGISTRATION FEES.** (a) *Master plumber.* The fees shall be as follows for master plumber:

1. Examination fee. Master plumber examination, \$50.00. Each subsequent examination, \$30.00.

2. License fee. Master plumber license, \$250.00 and \$250.00 for each renewal of license, if application is made prior to April 1; after that date an additional fee of \$20.00.

3. Temporary permit fee. Temporary permit pending examination and issuance of license for master plumber, \$400.00. The fee shall cover the examination fee prescribed and the license fee for the 2-year period in which issued.

(b) *Journeyman plumber.* The fees shall be as follows for journeyman plumber:

1. Examination fee. Journeyman plumber examination, \$30.00. Each subsequent examination, \$20.00.

2. License fee. Journeyman plumber license, \$90.00 and \$90.00 for each renewal of license, if application is made prior to April 1; after that date an additional fee of \$10.00.

3. Temporary permit fee. Temporary permit pending examination and issuance of license for journeyman plumber, \$150.00. The fee shall cover the examination fee prescribed and the license fee for the 2-year period issued.

(c) *Plumbing apprentice.* A \$15.00 registration fee shall be paid at the time of registration and for each subsequent calendar year during which the apprentice is engaged in the plumbing apprenticeship.

(d) *Master plumber-restricted.* The fees shall be as follows for master plumber-restricted:

1. Examination fee. Master plumber-restricted examination, \$50.00. Each subsequent examination, \$30.00.

2. License fee. Master plumber-restricted license, \$250.00 and \$250.00 for each renewal of license, if application is made prior to April 1; after that date an additional fee of \$20.00.

3. Temporary permit fee. Temporary permit pending examination and issuance of license for master plumber-restricted, \$400.00. The fee shall cover the examination fee prescribed and the license fee for the 2-year period in which issued.

(e) *Journeyman plumber-restricted.* The fees shall be as follows for journeyman plumber-restricted:

1. Examination fee. Journeyman plumber-restricted examination, \$30.00. Each subsequent examination, \$20.00.

2. License fee. Journeyman plumber-restricted, \$90.00 and \$90.00 for each renewal of license, if application is made prior to April 1; after that date an additional fee of \$10.00.

3. Temporary permit fee. Temporary permit pending examination and issuance of license for journeyman