## CR 83-178

## **RULES CERTIFICATE**

STATE OF WISCONSIN )  SS DEPT. OF INDUSTRY, ) LABOR & HUMAN RELATIONS)	MAR 7 1984  H: 05 Final Control of Statutes  Bureau
TO ALL TO WIIOM THESE PRESENTS SHALL COME	, GREETINGS:
I,Howard S. Bellman	, Secretary of the Department of
Industry, Labor and Human Relations, and	custodian of the official records
of said department, do hereby certify th	at the annexed rule(s) relating to
Fee Sched	ule were duly
(Subject approved and adopted by this department  I further certify that said copy ha on file in this department and that the	on $\frac{3/7/84}{(Date)}$ .  Is been compared by me with the original
the whole of such original.	
	IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of the department at 10:00 am
	in the city of Madison, this 7th day of March A.D. 19 84.
	1/42012 Bollman
	Secretary

## ORDER OF ADOPTION

AECEWED

MAR 7 1984

Revisor of Statutes Bureau

Pursuant to authority vested	d in the Department of Industry, Labor and 1.02 (1),
	1.19 and 145.02 (3) , Stats., the Depart-
ment of Industry, Labor and Human	n Relations hereby $(X)$ creates; $(X)$ amends;
$\overline{X}$ repeals and recreates; and	X repeals and adopts rules of Wisconsin Admin-
istrative Code chapter(s):	
Ind. 69	Fee Schedule
(Number)	(Title)
The attached rules shall tall publication in the Wisconsin Ad	ke effect on the first day of the month following
227.026, Stats.	ministrative Register , pursuant to section
्र अ	Adopted at Madison, Wisconsin, this 7th
	day of March , A.D., 1984.
	DEPARTMENT OF INDUSTRY, LABOR AND HUMAN RELATIONS
	Secretary

# RULES in FINAL DRAFT FORM

Rule: _	W.A.C.	Chapter Ind 69	_
Relating	to:	Fee Schedule	
9		for the Division of Safety and Buildings	
Clearing	ihou	se Rule No.: 83-178	

Administrative rules to repeal Ind 69.21 (8), Ind 69.23 (1) (e), Ind 69.23 (2) (c); to renumber s. Ind 69.07 (1) (a) 4. to 9., Ind 69.21 (9), Ind 69.23 (1) (f) and (g), Ind 69.23 (2) (d) and (e); to amend ss. Ind 69.03 (1) - Table 69.03-1, Ind 69.03 (2) - Table 69.03-2, Ind 69.06 (2), Ind 69.07 (1) (a) 3., Ind 69.09 (1) (a) (intro.) - Table 69.09-1, Ind 69.09 (1) (a) 1. a., Ind 69.09 (1) (b), Ind 69.09 (1) (c) (intro.), Ind 69.09 (1) (c) 4., Ind 69.09 (1) (d), Ind 69.09 (1) (k), Ind 69.09 (3) (b), Ind 69.09 (3) (c) - Table 69.09-5, Ind 69.09 (3) (d), Ind 69.16 (2) - Table 69.16-1, Ind 69.23 (1) (b) - Table 69.23-1, Ind 69.23 (1) (f), Ind 69.23 (2) (b) - Table 69.23-3, Ind 69.23 (3); to repeal and recreate s. Ind 69.15; and to create ss. Ind 69.02 (5), Ind 69.07 (1) (a) 4., Ind 69.23 (1) (g), Ind 69.23 (1) (h), Ind 69.23 (2) (e), Ind 69.23 (2) (f), Ind 69.23 (4) (title), relating to user fees.

#### ANALYSIS OF RULES

The Division of Safety and Buildings, within the Department of Industry, Labor and Human Relations, is responsible for administering and enforcing a variety of regulatory programs concerning public safety and building standards. The programs of the division are funded from revenue collected through user fees which are specified in chapter Ind 69 of the Wisconsin Administrative Code. Provisions of chapters 101 and 145 of the Statutes grant the department the authority to fix and collect fees that as closely as possible will equal the cost of providing its services. The fees of several of the programs are being amended in order to offset the costs of providing these services. Proposed rule changes in the fees include:

- An increase of the fees for the review of plumbing plans for private sewage systems;
- An increase of the fees for the review of plumbing plans for mobile home parks;
- Adjustments in the fees for the review of petitions for variances;
- The establishment of a fee for the review of revisions to previously examined plumbing plans;
- The establishment of a fee for the processing of projects for which the installation of plumbing has commenced without department approval;
- An adjustment of the minimum fees for the examination and approval of commercial building plans;
- A decrease of the fee for a permit to start the construction of commercial buildings;

- An increase of the fee for the review of revisions to previously examined building plans for commercial buildings;
- An increase of the inspection fees associated with alterations of commercial buildings;
- The establishment of a fee for the review of petitions for modification on a priority basis;
- The establishment of a fee for providing mailing lists upon request;
- An adjustment in the fee schedule for annual safety inspections of mines, pits and quarry operations; and
- A restructuring and decrease for the fees for coin operated kiddle amusement rides.

Pursuant to s. 145.02 (4), Stats., the proposed rule changes in the fees for the administration and enforcement of the state uniform plumbing code have been reviewed by the Plumber's Council.

The proposed fees for plumbing material approvals which was included in s. Ind 69.23 (5) of the public hearing rule package has been separated out of this package and will be processed as a separate rule submittal for legislative committee review.

Pursuant to the authority vested in the state of Wisconsin's Department of Industry, Labor and Human Relations by ss. 101.02 (1), 101.19 and 145.02 (3), Stats., the department proposes to amend, repeal and recreate, and create rules interpreting ss. 101.19 and 145.02 (3), Stats., as follows:

SECTION 1. Ind 69.02 (5) is created to read:

Ind 69.02 (5) MAILING LISTS. Mailing lists may be obtained for a fee of \$20 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.

SECTION 2. Table 69.03-1 and 69.03-2 of s. Ind 69.03 (1) and s. Ind 69.03 (2) are amended to read:

Ind 69.03 (1) BOILER INSPECTION FEES. Inspection fees for boilers shall be determined in accordance with Table 69.03-1.

Table 69.03-1

	Heating	Type of Inspe	ction
Type of Boiler	Surface Area (S.F.)	Internal	External
Miniature	0-20	\$ 11.00	\$ 11.00
Power	21-250 251-1000 1001-10,000 Over 10,000	\$ 27.00 \$ 65.00 \$ 92.00 \$238.00	\$ 27.00 \$ 43.00 \$ 65.00 \$108.00
Heating With Manhole Without Manhole Multiple Boilers at one location	N/A	\$ 54.00 \$ 49.00 Not more than	\$ 38.00 \$ 20.00 \$ 38.00 \$ 20.00 \$108.00 \$100.00

Ind 69.03 (2) PRESSURE VESSEL FEES. Inspection fees for pressure vessels shall be determined in accordance with Table 69.03-2.

Table 69.03-2

Operating Pressure	Type of T	naneation
		External
(ba14)	incernar	EXCELLET
Less than 15 15 or more 15 or more 15 or more 15 or more	No Fee No Fee \$38.00 20.00 \$54.00 \$65.00 Not more tha	No Fee No Fee \$38.00 20.00 \$54.00 \$65.00 an \$108.00
_	Pressure (psig)  Less than 15 15 or more 15 or more 15 or more	Pressure (psig)         Type of I Internal           Less than 15         No Fee           15 or more         No Fee           15 or more         \$38.00 20.00           15 or more         \$54.00

SECTION 3. Ind 69.06 (2) is amended to read:

Ind 69.06 (2) INSPECTION FEES. Inspection fees for new installations, alterations, periodic inspections, and reinspections shall be determined in accordance with Table 69.06-1.

#### Table 69.06-1

Type of Inspection	Fee
Initial Inspection of New Installation	
Class 1, 2, 3, 6, and 7 and 8 (4 landings or less Each additional landing	\$70.00 \$ 5.00 \$38.00
Class 2A and 5	\$38.00
Class 4 $\frac{8}{1}$ (see fees for special inspections specified in s. Ind 69.14)	
Reinspection of New Installations to Determine Compliance	
Class 1, 2, 3, 4, 6, 7 and 8	\$38.00
Class 2A and 5	\$22.00
Inspection of Alterations	
Class 1, 2, 3, 6, 7 and 8 (4 landings or less)  Each additional landing	\$27.00 \$ 5.00
Class 2A and 5	\$22.00
Class 4 (see fees for special inspections specified in s. Ind 69.14)	
Periodic Inspection	
Class 1, 2, 3, 6, and 7 and 8 (4 landings or less Each additional landing	\$27.00 \$ 5.00
Class 2A and 5	\$22.00
Class 4 $\frac{8}{1}$ (see fees for special inspections specified in s. Ind 69.14)	
Reinspection of Alterations and Periodic Inspections to Determine Compliance	\$22.00

Note #1: The following is an identification of the various classes used in Table 69.06-1.

- Class 1- Freight elevators (single belt, double belt and cable controlled elevators) sidewalk elevators, sidewalk type elevators and grade level elevators;
- Class 2- Passenger and all other freight elevators not in Class 1;
- Class 2A- Lifting devices used by the physically disabled;
- Class 3- Material lifts;
- Class 4- Personnel hoists;
- Class 5- Hand power elevators;
- Class 6- Dumbwaiters (power);
- Class 7- Escalators, moving walks and moving ramps per unit. A single section having a travel of one floor defines an escalator unit;
- Class 8- Special purpose personnel elevators.
- Note #2: Any elevator or dumbwaiter classification may be identified by number of landings. Example: A 6-landing passenger elevator would be classified as class 2-6.
- SECTION 4. Ind 69.07 (1) (a) 3. is amended to read:
- - b. All other rides . . . . . . . . . . . . . . \$35.00 per ride
- SECTION 5. Ind 69.07 (1) (a) 4. to 9. is renumbered Ind 69.07 (1) (a) 5. to 10.
- SECTION 6. Ind 69.07 (1) (a) 4. is created to read:
- Ind 69.07 (1) (a) 4. Inspection of coin operated kiddle rides with a maximum capacity of 3 children . . . . . . . . . . . . . \$35.00 per ride

SECTION 7. Ind 69.09 (1) (a) (intro.) and Table Ind 69.09-1 are amended to read:

Ind 69.09 (1) (a) <u>Building</u>, <u>heating</u> and <u>ventilating</u>. Fees for the examination and approval of all building and heating and ventilating plans shall be computed on the basis of the total volume of the building and shall be determined in accordance with Table 69.09-1.

Note: See s. Ind 51.01 (139a) for the definition of the term "Volume".

Table 69.09-1

	Building	Heat & Vent	Illumination
Total Volume	Plans	Plans	Plans
0-1,000,000 cubic feet	\$1.10 per 1,000 cubic feet.	\$0.81 per 1,000 cubic feet.	\$16.00 when submitted with building or heating and ventilating plans.
	Minimum fee - \$75.00 per plan.	Minimum fee- <del>\$70.00</del> <u>\$75.00</u> per plan.	
Over 1,000,000 cubic feet	\$1,103 plus \$.81 per 1,000 cubic feet in excess of 1,000,000 cubic feet	\$811.00 plus \$.49 per 1,000 cubic feet in excess of 1,000,000 cubic feet	\$49.00 when submitted separate.

SECTION 8. Section Ind 69.09 (1) (a) 1. a. is amended to read:

Ind 69.09 (1) (a) 1. a. Warehouses. The fees for plan examination and approval of warehouses shall be determined in accordance with par. (a) (intro.) except that the fee may be reduced by 30%. The minimum fee shall be \$70.00 \$75.00.

SECTION 9. Section Ind 69.09 (1) (b) is amended to read:

Ind 69.09 (1) (b) Permit to start construction. The fee for a permit to start construction shall be \$81.00 \$75.00 per permit.

SECTION 10. Ind 69.09 (1) (c) (intro.) is amended to read:

Ind 69.09 (1) (c) <u>Building alterations</u>. The examination fees for alteration plans of existing buildings and structures undergoing remodeling or review of tenant space layouts shall be computed on the basis of 2 cents per gross square foot of the floor area, roof areas and external wall surfaces undergoing remodeling. The minimum fee shall be \$70.00.

SECTION 11. Ind 69.09 (1) (c) 4. is amended to read:

Ind 69.09 (1) (c) 4. Where heating, ventilating and air conditioning alteration plans are submitted separately from the building alteration plans, the examination fees shall be computed on the basis of \$3.24 per \$1,000 cost of the alteration. The minimum fee shall be \$70.00 \$75.00.

SECTION 12. Ind 69.09 (1) (d) is amended to read:

Ind 69.09 (1) (d) Revisions. The fee for revisions to previously examined plans is \$65.00 \$75.00 per plan. This paragraph applies when plans are revised for reasons other than those that were requested by the department.

SECTION 13. Ind 69.09 (1) (k) is amended to read:

Ind 69.09 (1) (k) <u>Miscellaneous plans</u>. The fee for miscellaneous plans such as canopies, a building's structure for "fast track" construction, and approval requests for structures cited in s. Ind 50.12 (1) (a) 1., is \$70.00 \$75.00 per plan.

SECTION 14. Ind 69.09 (3) (b) is amended to read:

Ind 69.09 (3) (b) Heating and ventilating inspection fees. The heating and ventilating inspection fee, when plans are submitted separately from building plans, is \$70.00 \$75.00.

SECTION 15. Table 69.09-5 of s. Ind 69.03 (3) (c) is amended to read:

Ind 69.09 (3) (c) <u>Inspection fees for alterations to existing buildings</u>. Inspection fees for alterations to existing buildings shall be determined in accordance with Table 69.09-5.

Alteration (Gross Area in Sq. Ft.) 2,500 · · · · · · · · · · · · · · · \$ <del>65.00</del> 75.00 2,501 to 5,000 · · · · · · · · · · · · · · · \$ 97.00 108.00 5,001 to 10,000 · · · · · · · · · · · · \$141.00 156.00 10,001 to 50,000 . . . . . . . . . . . . . . . . . . . \$178.00 194.00 50,001 to 100,000 · · · · · · · · · · · · . . . \$<del>222.00</del> 243.00 200,001 to 400,000 · · · · · · · · · · · · · · \$503.00\* 545.00 over 400,000 

Table 69.09-5

\*Building with no interior partitions (e.g., factory, warehouses) maximum \$324.00 \$346.00.

SECTION 16. Ind 69.09 (3) (d) is amended to read:

Ind 69.09 (3) (d) <u>Miscellaneous inspection fees</u>. The fee for miscellaneous inspections such as inspections for fire escapes, stadia and grandstands, exhaust systems, spray booths, heating and ventilating alterations, revisions to previously examined plans and other structures for which plan submission is required shall be \$70.00 \$75.00.

#### SECTION 17. Ind 69.15 is repealed and recreated to read:

- Ind 69.15 PETITION FOR VARIANCE. 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.
- (1) PETITION FOR VARIANCE FOR RULES UNDER CH. IND 10, PETROLEUM PRODUCTS. The fee for reviewing petitions for variances on rules under ch. Ind 10 shall be \$270.
- (2) PETITION FOR VARIANCE ON RULES UNDER CHS. IND 20 TO 25, UNIFORM DWELLING CODE. The fee for reviewing petitions for variance on rules under chs. Ind 20 to 25 shall be \$100.
- (3) PETITIONS FOR VARIANCE ON RULES UNDER CHS. ILHR 50 TO 64, BUILDING AND HEATING, VENTILATING AND AIR CONDITIONING CODE. The fee for reviewing petitions for variance on rules under chs. ILHR 50 TO 64 shall be \$270.
- (a) Additional Fees. 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 \$27.00 per hour for each hour in excess of 10 hours.
- (b) <u>Refund</u>. A refund may be returned when the department's cost for processing the petition for variance are less than \$270. The amount of the refund will be determined by the department and will be based on the following schedule:

1.	Petition for variance returned without decision before assignment for staff review	\$250
2.	Petition for variance returned without decision after staff review	\$150 to \$200
3.	Petition for variance returned without decision after staff report	\$100 to \$150
4.	Petition for variance approved based on precedent	\$100 to \$150

- (4) PETITION FOR VARIANCE ON RULES UNDER CHS. ILHR 82, 83 AND 85, UNIFORM PLUMBING CODE. The fee for processing petitions for variance on rules under chs. ILHR 82, 83 and 85 shall be as follows:
- (5) PETITION 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 \$150.

- (6) 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, not specifically mentioned under this section shall be \$150.
- (7) PRIORITY PETITIONS. Upon request, the department will process petitions for variance on a priority basis. The fees for processing these petitions shall be double the amounts specified in subs. (1) to (6).

SECTION 17A. Table 69.16-1 of s. Ind 69.16 (2) is amended to read:

Ind 69.16 (2) ANNUAL SAFETY INSPECTION SERVICE. The annual safety inspection service fee for each metal or nonmetal mine, pit or quarry shall be based on the size of the respective operation for the calendar year. Production records shall be made available upon request. The fee shall be determined in accordance with Table 69.16-1.

Table 69.16-1

Duran Dan Justine (Mars Dan Vara)	Annual Safety
Annual Production (Tons Per Year)	Inspection Fee
0 - 5,000 1,000	
$5,000 1,001 - 50,000 \dots$	. \$ 70.00
50,001 - 100,000	. \$ 135.00
100,001 - 200,000	. \$ 270.00
201,000 - 300,000	. \$ 405.00
300,001 - 400,000	\$ 540.00
400,001 - 500,000	. \$ 676.00
Over 500,000	

Note: This fee does not apply to mines, pits or quarries used for private domestic use.

SECTION 18. Ind 69.21 (8) is repealed.

SECTION 19. Ind 69.21 (9) is renumbered Ind 69.21 (8).

SECTION 20. Table 69.23-1 of s. Ind 69.23 (1) (b) is amended to read:

Ind 69.23 (1) (b) Examination fees. The plan examination fee shall be determined in accordance with Table 69.23-1.

#### Table 69.23-1

Type of Approval Review	Fee
1. Sanitary building sewer, drain, waste and vent	<b>6</b> 20 00
drain and vent system	\$ 20.00 per inch diameter of each bldg. sewer
2. Sanitary building sewer only, (no drain, waste and vent)	\$ 10.00 per inch diameter of each bldg. sewer
3. Building water distribution system	\$ 20.00 per inch diameter of each water service
4. Building water service only, fno water distribution system	\$ 10.00 per inch diameter of each water service
5. Building storm <del>sewer</del> and <u>clear water</u>	\$ 4.00 per inch diameter of each bldg. storm sewer
6. Sanitary private interceptor main sewers, sanitary or storm or both (determined on the largest diameter of each interceptor main sewer)	\$ 8.00 per inch diameter
7. Private water main	\$ 35.00 \$ 30.00
9. Acid waste piping system (1-10 fixtures)	\$ 30.00 \$ 1.00 per fixture
40 9. Reduced pressure zone principle type backflow preventer	\$ 35.00
11 10. Turf sprinkler system	\$ 30.00
1-25 sites	\$ \frac{40.00}{75.00} \text{ \frac{155.00}{210.00}} \text{ \frac{210.00}{270.00}} \text{ \frac{160.00}{335.00}} \text{ \frac{60.00}{250.00}} \text{ \frac{250.00}{250.00}}  \frac{25

- SECTION 21. Section Ind 69.23 (1) (e) is repealed.
- SECTION 22. Ind 69.23 (1) (f) and (g) is renumbered Ind 69.23 (1) (e) and (f).
- SECTION 23. Ind 69.23 (1) (f) is amended to read:
- Ind 69.23 (1) (f) Plan approval additional copies. Approval for sets of plans in addition to the required excess of 3 sets shall be provided upon receipt of a fee of \$10.00 plus \$3.50 per plan sheet.
- SECTION 24. Section Ind 69.23 (1) (g) is created to read:
- Ind 69.23 (1) (g) Revisions. The fee for revisions to previously examined plans shall be \$20.00 per plan. This fee applies when plans are revised for reasons other than those that were requested by the department.
- SECTION 25. Section Ind 69.23 (1) (h) is created to read:
- Ind 69.23 (1) (h) Projects without approval. The fees specified in pars. (b) to (g) shall be doubled for those projects for which the installation of plumbing has started without department approval.
- SECTION 26. Table 69.23-3 of s. Ind 69.23 (2) (b) is amended to read:
- Ind 69.23 (2) (b) Examination fees. The plan examination fee shall be determined in accordance with Table 69.23-3.

Table 69.23-3

Type of <del>Inspection</del> <u>Review</u>	Fee
Septic Tank	
1,501 - 2,500 gallon septic tank	\$ \frac{30.00}{40.00}\$ \$\frac{50.00}{60.00}\$ \$\frac{55.00}{80.00}\$ \$\frac{70.00}{100.00}\$ \$\frac{85.00}{150.00}\$ \$\frac{150.00}{250.00}\$
Pump Chamber  500 - 1,000 gallon pump dosing chamber	\$ 35.00 \$ 50.00 \$ 65.00 \$ 80.00 \$ 110.00
Holding Tank  500 - 5,000 gallon holding tank	\$ <del>40.00</del> 55.00 \$ <del>50.00</del> 100.00

SECTION 27. Ind 69.23 (2) (c) is repealed.

SECTION 28. Ind 69.23 (2) (d) and (e) is renumbered Ind 69.23 (c) and (d).

SECTION 29. Ind 69.23 (2) (e) is created to read:

Ind 69.23 (2) (e) Revisions. The fee for revisions to previously examined plans shall be \$20.00 per plan. This fee applies when plans are revised for reasons other than those that were requested by the department.

SECTION 30. Ind 69.23 (2) (f) is created to read:

Ind 69.23 (2) (f) Projects without approvals. The fees specified in pars. (b) to (e) shall be doubled for those projects for which the installation of plumbing has started without department approval.

- SECTION 31. Section Ind 69.23 (3) is amended to read:
- Ind 69.23 (3) SPECIAL PLUMBING INSPECTIONS. (a) Plumbing inspections for sanitary districts or other special purpose districts shall be determined in accordance with s. Ind 69.14.
- (b) The department may assess a fee of \$50.00 for a field inspection for a department soil scientist to conduct a soil evaluation in lieu of the fee specified in s. Ind 69.14.
- SECTION 32. Ind 69.23 (4) "title" is created to read:
- Ind 69.23 (4) MISCELLANEOUS SERVICES. When the department provides goods or services not specifically covered in this section, fees may be charged to organizations requesting such goods and services.

#### EFFECTIVE DATE

Pursuant to s. 227.026 (1), Intro. Stats., these rules shall take effect on the first day of the month following publication in the Wis. Adm. Register.

## Working with WISC NSIN

### The Wisconsin Department of Industry, Labor and Human Relations

Office of the Secretary 201 E. Washington Avenue P.O. Box 7946 Madison, Wisconsin 53707 Telephone 608/266-7552

Assistant Revisor of Statutes for Administrative Rules 411 West, State Capitol Madison, Wisconsin

Douglas LaFollette Secretary of State Room 271, GEF-1 201 East Washington Avenue Madison, Wisconsin

Dear Messrs. Poulson and LaFollette:

TRANSMITTAL OF RULE ADOPTION

MAR 7 1984

Revisor of Statutes Bureau

CLEARINGHOUSE RULE NO.	83-178	Bureau
RULE NO. W.A.C. Ch. Ind	69	
RELATING TO: Fees		

Pursuant to section 227.023, Stats., agencies are required to file a certified copy of every rule adopted by the agency in the offices of the Secretary of State and the Revisor of Statutes.

At this time, the following material is being submitted to you.

- 1. Order of Adoption.
- 2. Rules Certificate Form.
- 3. Rules in Final Draft Form.

Pursuant to section 227.016 (6), Stats., a summary of the final regulatory flexibility analysis is also included.

Respectfully submitted,

Howard S. Bellman

Secretary

cc: Agency Contact Person