

Chapter Comm 2

FEE SCHEDULE

Subchapter I — Miscellaneous

Comm 2.001	Scope.
Comm 2.02	Handling, copying and miscellaneous fees.
Comm 2.04	Miscellaneous plan reviews, inspections and services.
Comm 2.06	Fee assessment and collection.
Comm 2.07	Fee refunds.
Comm 2.08	Waiver of fee assessments.
Comm 2.09	Priority review.
Comm 2.10	Projects without approval.

Subchapter II — Safety Services

Comm 2.11	Boilers and pressure vessels.
Comm 2.12	Anhydrous ammonia systems.
Comm 2.13	Mechanical refrigeration systems.
Comm 2.15	Elevators, power dumbwaiters, escalators, moving walks and ramps, lifts for accessibility and material lifts.
Comm 2.17	Mines, pits and quarries.
Comm 2.18	Explosive materials.
Comm 2.19	Fireworks manufacturing plants.
Comm 2.20	Amusement rides.
Comm 2.21	Passenger ropeways.

Subchapter III — Buildings

Comm 2.31	Buildings, structures, heating, ventilation and fire protection systems.
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Comm 2.33	Manufactured homes.
Comm 2.34	One- and two-family dwellings, multifamily dwellings, manufactured dwellings and manufactured multifamily dwellings.
Comm 2.35	Rental unit energy efficiency program.
Comm 2.36	Erosion and sediment control.

Subchapter IV — Petroleum

Comm 2.43	Storage tanks for flammable and combustible liquids.
Comm 2.44	Storage tanks for gases.

Subchapter V — Material Approvals and Petitions

Comm 2.51	Material approvals.
Comm 2.52	Petitions for variance.

Subchapter VI — Building Water Systems

Comm 2.61	Miscellaneous inspections, reviews and services.
Comm 2.635	Lot restriction waivers.
Comm 2.64	Plumbing systems.
Comm 2.645	Cross connection control assembly registration.
Comm 2.65	Private onsite wastewater treatment systems.
Comm 2.66	Product and standard approvals.
Comm 2.67	Sanitary permits.
Comm 2.675	Privy registrations.
Comm 2.68	Public swimming pool and water attraction plan review and inspection fees.

Note: Chapter Ind 69 as it existed on June 30, 1992 was repealed and a new chapter ILHR 2 was created effective July 1, 1992. Chapter ILHR 2 was renumbered Comm 2 under s. 13.93 (2m) (b) 1., Stats., and corrections made under s. 13.93 (2) (b) 6. and 7., Stats., Register, October, 1996, No. 490. Corrections made under s. 13.93 (2m) (b) 6. and 7., Stats., Register, February, 1997, No. 494; corrections made under s. 13.93 (2m) (b) 7., Stats., Register, February, 1999, No. 518.

Subchapter I — Miscellaneous

Comm 2.001 Scope. The fees established in this chapter shall be paid to the Wisconsin department of commerce, divisions of safety and buildings and environmental and regulatory services, for providing those services authorized in the Wisconsin Statutes. The divisions 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 department of commerce.

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

Comm 2.02 Handling, copying and miscellaneous fees. (1) HANDLING FEES. (a) The department may charge a handling fee, determined at \$25.00 per hour, with a minimum fee of \$25.00, 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. Comm 2.31 (1) (a), 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 SETS. A maximum of 5 sets of plans shall be stamped approved without additional fees being charged. Upon request, additional sets of plans identical to previously approved plans shall be stamped approved upon receipt of a \$20.00 fee per plan.

Note: The 5 sets include the one set retained by the department.

(4m) 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 \$100.00 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.

(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.
9. Buildings that are or are anticipated to be owned by or leased to the state.

(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; am. (1) (a), r. and recr. (4), cr. (4m), Register, July, 2000, No. 535, eff. 9-1-00; correction in (1) (b) made under s. 13.93 (2m) (b) 7., Stats., Register, July, 2000, No. 535; CR 05-038: r. (7), cr. (8) (a) 9. Register October 2005 No. 598, eff. 11-1-05.

Comm 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 \$60.00 per hour per plan, with a minimum fee of \$60.00 per plan.

(2) MISCELLANEOUS INSPECTIONS AND INVESTIGATIONS. Unless specified otherwise in this chapter, fees for department costs incurred in performing miscellaneous inspections or investigations, including special inspections for alterations, fabrication, repairs, testing, electrical construction and quality assurance methods, which are either provided on request or to satisfy administrative code requirements, shall be determined and assessed in accordance with Table 2.04. An additional amount may be charged to cover all expenses, including travel time, mileage, meals and lodging. Travel expenses shall be limited to those allowed under ss. 16.53 and 20.916, Stats., and collective bargaining agreements.

Table 2.04

Miscellaneous Inspections and Investigations Fees

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	\$60.00
(b) Inspections performed on Saturdays, Sundays, holidays and at times other than scheduled in (a)	\$90.00
(c) For supervising the American Society of Mechanical Engineers (ASME) joint review and audit and for conducting shop audits, Monday through Friday	\$90.00

(2m) MINIMUM CHARGE. In reference to Table 2.04 (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.

(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.

(4) INSPECTION ASSESSMENTS. The department may inspect any installation which is also inspected by a certified inspector. When the department inspection confirms that the inspection report is incomplete, invalid or unacceptable, the department shall assess the inspector or his or her employer a fee determined in accordance with sub. (2).

History: Cr. Register, June, 1992, No. 438, eff. 7-1-92; am. (1), r. and recr. (2), cr. (2m), Register, July, 2000, No. 535, eff. 9-1-00; CR 05-025: renum. Comm 2.16 to be (4) and am. Register October 2005 No. 598, eff. 11-1-05.

Comm 2.06 Fee assessment and collection.

(1) ASSESSMENT. Unless specified otherwise in this chapter, registration, inspection and all other fees in this chapter shall be paid annually before registration is processed by the department.

(2) COLLECTION. All fees not paid within 60 calendar days after the first invoice date may be assessed a late payment fee equal to one percent per month of the outstanding balance.

(3) MONTHLY BILLING SERVICE. Upon request and advance approval, the department may bill for services rendered on a monthly basis rather than requiring payment on an individual fee basis. Advance approval shall be obtained from the director in charge of the affected program. The decision to grant the request shall be based on the applicant's past record of paying for the service, the credit rating from a recognized credit organization or a letter of financial reference concerning loan and account information from a financial institution.

(4) CHARGE CARD. The department may accept fee payment by charge card.

History: Cr. Register, June, 1992, No. 438, eff. 7-1-92; am (2), r. Table 2.06, Register, July, 2000, No. 535, eff. 9-1-00.

Comm 2.07 Fee refunds. (1) GENERAL. If a request for a permit, for which a fee is paid and a processing time is specified, is not processed by the department within the time specified, a refund of 50% of the fee paid shall be made to the person who paid for the request for the permit.

(2) DEFINITIONS. The following definitions shall apply in this section:

(a) "Fee" means the amount of money paid for a single permit or request for service, but does not mean the total amount of money which may be submitted with an application covering more than one permit or request for service.

(b) "Permit" includes an examination of plans, initial permit to operate, registration of a device, approval of a material or product, shaft excavation permit, petition for variance, permission to start construction, rental unit certificate of compliance, priority review and petition, and underground tank registration and use permit, but does not include any inspection services.

(3) PROCESSING TIME. (a) *Starting date.* When an appointment process exists for a specific type of permit, the permit processing time shall begin on the appointment date. When an appointment process does not exist for a specific type of permit, the permit processing time shall begin on the day after receipt of the request for the permit whether submitted by mail or in person. When the department finds a permit application has been submitted with inadequate information or fees, the application will be placed on hold and the department will notify the applicant of the information needed to process the application. Upon receipt of the complete information, the department will process the permit, except that the length of the processing time shall start over and the processing time shall begin the day after the receipt of the additional information or fees.

(b) *Ending date.* The ending date which shall be used to assess whether the permit was processed within the time period specified shall be the date the department actually made a determination to approve, deny or withhold the permit, and not the date on the correspondence noting the action or the date the permit was mailed out.

Note: The specific processing times for various permits may be found in the respective chapters where the permits are required.

(4) DETERMINATION. (a) The starting and the ending dates recorded on the computer record or individual file shall be the dates used to assess whether a refund is to be made.

(b) The initial determination as to whether the permit was processed within the time period specified shall be made by the director of the bureau responsible for issuing the permit.

(c) Determinations subject to dispute shall be forwarded to the division administrator for a final determination.

(5) PAYMENT OF REFUND FEES. (a) All refunds made by the department shall be forwarded through the United States postal service.

(b) Refunds shall be mailed to the person who paid for the request for the permit at the address of record indicated on the department's request for service forms.

History: Cr. Register, June, 1992, No. 438, eff. 7-1-92; am. (2) (b), Register, October, 1996, No. 490, eff. 11-1-96; am. (2) (b), Register, July, 2000, No. 535, eff. 9-1-00; CR 06-119: am. (3) (a) and (4) (a) Register July 2007 No. 619, eff. 8-1-07.

Comm 2.08 Waiver of fee assessments. All or a portion of any fee may be waived upon a determination of indigency. Waivers under this section may be granted only by the secretary of the department.

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

Comm 2.09 Priority review. A person may request and make an appointment with the department to facilitate the examination of plans, or the review of a product or material for approval, on a priority basis. The fee for examination or review on a priority basis shall be twice the normal rate, based on the appropriate rate specified in this chapter. Scheduling on a priority basis shall be contingent upon the department having sufficient time and staff to accommodate the request.

History: CR 05-038: cr. Register October 2005 No. 598, eff. 11-1-05.

Comm 2.10 Projects without approval. The plan examination fees specified in this chapter shall be doubled for projects where the installation, erection or construction was initiated without the required departmental approval.

History: CR 05-038: cr. Register October 2005 No. 598, eff. 11-1-05.

Subchapter II — Safety Services

Comm 2.11 Boilers and pressure vessels.

(1) BOILER FEES. Inspection fees for boilers shall be determined in accordance with Table 2.11-1.

(2) PRESSURE VESSEL FEES. Inspection fees for pressure vessels shall be determined in accordance with Table 2.11-2.

(3) REINSPECTION FEES. A fee of \$55.00 per inspection shall be assessed for inspections made by the department to gain compliance with ch. Comm 41, after orders have been issued by the department.

**Table 2.11-1
Boiler Inspection Fees**

Type of Boiler	Heating Surface Area (Square Feet)	Type of Inspection	
		Internal	External
Miniature	20 or less	\$20.00	\$20.00
Power	21-250	\$55.00	\$55.00
	251-1,000	\$120.00	\$80.00
	1,001-10,000	\$160.00	\$115.00
	Over 10,000	\$420.00	\$195.00
Heating	N/A		
		—With manhole	\$95.00 \$40.00
		—Without manhole	\$85.00 \$40.00
—Multiple boilers in one building		\$40.00 per boiler or \$240.00 per 4 hour inspection period, whichever is less	

**Table 2.11-2
Pressure Vessel Inspection Fees**

Volume of Pressure Vessels(Cubic Feet)	Operating Pressure (psig)	Type of Inspection
		Internal or External
All sizes	Less than 15	No Fee
11 or less	15 or more	No Fee
12-200	15 or more	\$35.00
201-500	15 or more	\$80.00
Over 500	15 or more	\$95.00
Multiple pressure vessels in one building	—	\$35.00 per vessel or \$240.00 per 4 hour inspection period, whichever is less

(5) FEE FOR FAILURE TO HAVE BOILER OR PRESSURE VESSEL READY FOR INSPECTION. A fee equal to 50% of the applicable inspection fee shall be assessed for failure to have the boiler or pressure vessel ready for inspection on the date specified, unless the department is notified, in writing, 7 business days prior to the specified inspection date.

(6) PERMIT TO OPERATE. The fee for the issuance of a permit to operate for each boiler or pressure vessel shall be \$35.00.

(7) PIPING INVESTIGATION. Fees related to piping investigations performed by the department shall be determined in accordance with s. Comm 2.04 (2).

(8) NATIONAL BOARD EXAM. The fee for the application for and the administration of the national board of boiler and pressure vessel inspectors competency examination shall be \$125.00.

History: Cr. Register, June, 1992, No. 438, eff. 7-1-92; corrections in (3), (4) and (6) made under s. 13.93 (2m) (b) 7., Stats., Register, November, 1999, No. 527; am. (3), (4) and (6) and Tables 2.11-1 and 2.11-2, cr. (7), Register, July, 2000, No. 535, eff. 9-1-00; CR 05-025: am. Tables 2.11-1 and 2.11-2 and (5), r. (4), cr. (8) Register October 2005 No. 598, eff. 11-1-01.

Comm 2.12 Anhydrous ammonia systems. (1) PLAN EXAMINATION AND INSPECTION FEES. A fee of \$450.00 shall be submitted for plan examination and external inspection of each new anhydrous ammonia handling or storage facility.

(2) PERIODIC INSPECTION FEES. (a) *Storage facilities.* Fees for the required periodic inspection of storage facilities shall be \$100.00 per facility.

(b) *Nurse tanks.* Fees for the required periodic inspection of nurse tanks shall be determined in accordance with Table 2.12.

**Table 2.12
Nurse Tank Inspection Fees**

Nurse Tanks Per Site	Fee
10 or less	\$40.00
11-30	\$85.00
31-50	\$135.00
Over 50	\$190.00

(2m) REINSPECTION FEES. A fee in accordance with s. Comm 2.04 (2) shall be assessed for inspections made by the department to gain compliance with ch. Comm 43, after orders directing compliance have been issued by the department.

(3) PERMIT TO OPERATE. The fee for the issuance of a permit to operate for each anhydrous ammonia system shall be \$35.00.

History: Cr. Register, June, 1992, No. 438, eff. 7-1-92; am. (1), (2) (a) and (3) and Table 2.12, Register, July, 2000, No. 535, eff. 9-1-00; CR 05-038: am. (1), cr. (2m) Register October 2005 No. 598, eff. 11-1-05.

Comm 2.13 Mechanical refrigeration systems.
(1) INSPECTION FEES. The inspection fees, based on the aggregate tonnage of the mechanical refrigeration system, shall be determined in accordance with Table 2.13.

**Table 2.13
 Mechanical Refrigeration Inspection Fees**

Capacity in Tons	Inspection Fee
Less than 3	No fee
3–25	\$40.00
26–100	\$65.00
101–250	\$85.00
251–500	\$140.00
501–750	\$190.00
751–1,000	\$230.00
Over 1,000	\$270.00

Note: For the purpose of assessing the inspection fee, the capacity of a mechanical refrigeration system will be determined in tons. One ton of refrigeration capacity is considered to be the equivalent of abstracting heat at the rate of 12,000 Btu per hour.

(1m) REINSPECTION FEES. A fee of \$55.00 per inspection shall be assessed for inspections made by the department to gain compliance with ch. Comm 45, after orders directing compliance have been issued by the department.

(2) PERMIT TO OPERATE. The fee for the issuance of a permit to operate for each mechanical refrigeration system shall be \$35.00.

History: Cr. Register, June, 1992, No. 438, eff. 7–1–92; correction in (3) (c) made under s. 13.93 (2m) (b) 7., Stats., Register, November, 1994, No. 467; r. (3), Register, October, 1996, No. 490, eff. 11–1–96; am. Table 2.13 and (2), Register, July, 2000, No. 535, eff. 9–1–00; CR 05–038: cr. (1m) Register October 2005 No. 598, eff. 11–1–05.

Comm 2.15 Elevators, power dumbwaiters, escalators, moving walks and ramps, lifts for accessibility and material lifts. (1) PLAN EXAMINATION, APPLICATION AND INITIAL INSPECTION FEES. Fees for the initial inspection and for the examination of plans or for an application for installation or alteration, or both, submitted in accordance with the requirements of s. Comm 18.1013, shall be determined in accordance with Table 2.15–1. A reinspection fee as specified in Table 2.15–1 shall be charged for each inspection conducted until the installation or alteration qualifies for a permit to operate.

**Table 2.15–1
 Plan Examination and Inspection Fees
 for Elevators, Escalators and Lift Devices**

Type of Unit or Number of Landings	Plan Examination and Initial Inspection Fee	Reinspection Fee
0–4 landings	\$550.00	\$300.00
5–10 landings	\$600.00	\$400.00
11 or more landings	\$700.00	\$500.00
Escalators	\$500.00	\$300.00
Alteration to elevators, escalators or lift devices	\$400.00	\$300.00

(2) PERIODIC INSPECTION AND REINSPECTION FEES. Fees for periodic inspections and reinspections of all classes of elevators and lifting devices within the scope of ch. Comm 18 shall be determined in accordance with Table 2.15–2. An inspection fee shall also be charged for each reinspection of an elevator in accordance with Table 2.15–2 until the installation or alteration qualifies for a permit to operate.

**Table 2.15–2
 Periodic Inspection and Reinspection Fees
 for Elevators, Escalators and Lift Devices**

Type of Unit or Number of Landings	Inspection Fee
0–4 landings	\$90.00
5–10 landings	\$120.00
11 or more landings	\$150.00
Escalators	\$150.00

(2m) FEE FOR FAILURE TO HAVE EQUIPMENT READY FOR INSPECTION. A fee equal to 50% of the applicable inspection fee shall be assessed for failure to have the elevator or lifting device ready for inspection on the date specified, unless the department is notified, in writing, 7 business days prior to the specified inspection date.

(3) PERMIT TO OPERATE. The fee for the issuance of a permit to operate for each elevator shall be \$35.00.

History: Cr. Register, June, 1992, No. 438, eff. 7–1–92; am. (3) and r. Table 2.15–2, Register, October, 1996, No. 490, eff. 11–1–96; emerg. r. and recr., eff. 6–1–97; r. and recr., Register, January, 1998, No. 505, eff. 2–1–98; am. (1) and (3), Register, November, 1999, No. 527, eff. 12–1–99; am. (1) to (3), cr. (2m), Register, July, 2000, No. 535, eff. 9–1–00; correction in (1) made under s. 13.93 (2m) (b) 7., Stats., Register November 2004 No. 587; CR 05–038: am. Table 2.15–1, Table 2.15–2, and (2m) Register October 2005 No. 598, eff. 11–1–05.

Comm 2.17 Mines, pits and quarries. (1) SUBMITTAL REQUIREMENTS. The person or firm operating the crushing, screening or washing equipment shall submit, with the fee specified in sub. (2), the name of the mine, pit or quarry; the name of the company; the mailing address; the telephone number; and the type of product to be mined, such as ore, stone, clay, lime or aggregate.

(2) SAFETY SERVICE. The annual safety 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 2.17. This fee does not apply to mines, pits or quarries used for private domestic use.

Note: The department intends to review the fees in Table 2.17 with the Mines, Pits and Quarries Advisory Council by June 1, 2001, and annually thereafter.

**Table 2.17
 Annual Production Safety Service Fee**

Annual Production (Tons Per Year)	Annual Safety Service Fee
Less than 50,000	\$70.00
50,000–100,000	\$140.00
100,001–200,000	\$280.00
200,001–300,000	\$420.00
300,001–400,000	\$560.00
400,001–500,000	\$700.00
Over 500,000	\$1,120.00

(3) SHAFT EXCAVATION PERMIT. The fee for obtaining a shaft excavation permit shall be \$400.00 per permit.

(4) MISCELLANEOUS INSPECTIONS. The fee for miscellaneous consultation inspections provided on request shall be in accordance with s. Comm 2.04 (2).

(5) TRAINING. The fee for annual refresher training provided by the department and required by the federal mine safety and health administration shall be \$330.00 per course.

History: Cr. Register, June, 1992, No. 438, eff. 7–1–92; am. (1) and (2) and Table 2.17, renum. (3) (a) and (c) to be (3) and (4) and am., r. (3) (b) and (4), Register, July, 2000, No. 535, eff. 9–1–00; CR 02–042: am. Table 2.17 and (5), Register October 2002 No. 562, eff. 11–1–02.

Comm 2.18 Explosive materials. (1) USE. Fees for conducting a safety inspection of the use of explosive materials

shall be assessed in accordance with s. Comm 2.04 (2). Use of explosive materials shall include the storage of daily supplies.

(2) **PERMANENT STORAGE.** Fees for conducting a safety inspection of a permanent explosive materials storage facility shall be determined in accordance with Table 2.18. The fees are based on the combined volume of one or more magazines at any given site. This inspection fee applies to blasters and explosive materials contractors working independently of mine, pit or quarry operations.

Table 2.18
Explosive Materials Storage Facility Inspection Fees

Quantity of Explosives	Fee
Storage Per Site	
Less than 100 cubic feet	\$80.00
100–500 cubic feet	\$120.00
Over 500 cubic feet	\$160.00

(3) **TEMPORARY STORAGE IN A COMMUNITY.** Fees for department costs incurred in the performance of safety inspections of temporary explosive materials storage magazines in a community shall be \$80.00 per magazine.

History: Cr. Register, June, 1992, No. 438, eff. 7–1–92; r. (1) and Table 2.18–1, Register, October, 1996, No. 490, eff. 11–1–96; renum. (2) to be (1) to (3) and am., Table 2.18, Register, July, 2000, No. 535, eff. 9–1–00.

Comm 2.19 Fireworks manufacturing plants. Fees for department costs incurred in the performance of inspection of fireworks manufacturing plants shall be determined in accordance with s. Comm 2.04 (2).

History: Cr. Register, June, 1992, No. 438, eff. 7–1–92; r. (2), Register, October, 1996, No. 490, eff. 11–1–96; am. Register, July, 2000, No. 535, eff. 9–1–00.

Comm 2.20 Amusement rides. (1) PLAN EXAMINATION, DATA REVIEW, REGISTRATION AND INSPECTIONS. Fees for amusement rides shall be determined in accordance with the following schedule:

- (a) Plan examination for new amusement ride tramways \$220.00 per plan submittal
 - Note:** See ch. Comm 33 for definitions of tramways.
 - (b) Review of engineering analysis and test data associated with the acceptance of amusement rides and bungee jumping sites \$220.00 per review
 - (c) Annual registration for all amusement rides . \$50.00 per ride
 - (d) Inspection of coin operated kiddie rides with a maximum capacity of 3 children \$60.00 per ride
 - (e) Inspection of Class 1 amusement rides . \$120.00 per ride
 - (f) Inspection of Class 2 amusement rides, except amusement rides that the manufacturer estimates require more than 40 work hours for erection \$225.00 per ride
 - (g) Inspection of Class 3 amusement rides and amusement rides that the manufacturer estimates require more than 40 work hours for erection \$325.00 per ride
 - (h) Inspection of amusement ride tramways \$400.00 per tramway
 - (i) Inspection of bungee jumping site \$800.00 per site or tower
 - (j) Late registration fee for failure to register amusement ride before opening it to the public \$160.00 per ride
 - (k) Reinspection fee to gain compliance with department orders if compliance is not met \$225.00 per visit
- Note:** See ch. Comm 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; am. (1), Register, July, 2000, No. 535, eff. 9–1–00.

Comm 2.21 Passenger ropeways. (1) PLAN EXAMINATION FEE. Fees for the examination of plans for passenger ropeways shall be determined in accordance with Table 2.21–1.

Table 2.21–1
Plan Examination Fees for Passenger Ropeways

Type of Passenger Ropeway	Fee Per Plan
Gondola lifts and rides	\$780.00
Chair lifts and rides	\$580.00
Surface tows, except fiber and wire rope tows	\$390.00
Fiber and wire rope tows, and conveyors	\$260.00

Note: See ch. Comm 34 for definition of the term “Amusement Ride” as it applies to passenger ropeways used as amusement rides.

Note: Surface tows include T–bar, platter and similar devices.

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

Table 2.21–2
Inspection Fees for Passenger Ropeways

Type of Passenger Ropeway	Inspection Fee Per Installation
Gondola lifts and rides	\$530.00
Chair lifts and rides	\$530.00
Surface tows, except fiber and wire rope tows	\$350.00
Fiber and wire rope tows, and conveyors	\$210.00

Note: See ch. Comm 34 for definition of the term “Amusement Ride” as it applies to passenger ropeways used as amusement rides.

Note: Surface tows include T–bar, platter and similar devices.

(3) **LOAD TEST FEE.** The fee for certifying a load test of a passenger ropeway shall be \$350.00 per load test.

(4) **PERMIT TO OPERATE.** The fee for the issuance of a permit to operate for each passenger ropeway shall be \$35.00.

History: Cr. Register, June, 1992, No. 438, eff. 7–1–92; am. (3), (4), Tables 2.21–1 and 2.21–2, Register, July, 2000, No. 535, eff. 9–1–00; CR 00–132; am. Register August 2001 No. 548, eff. 9–1–01.

Subchapter III — Buildings

Comm 2.31 Buildings, structures, heating, ventilation and fire protection systems. (1) PLAN SUBMITTAL. (a) *General.* Fees relating to the submittal of all plans, submitted in accordance with the requirements of chs. Comm 60 to 66, shall be determined in accordance with this section.

(b) *Plan review fees.* Fees relating to the submittal of all building plans, heating, ventilating and air conditioning (HVAC) plans, and fire protection system plans shall be computed on the basis of the total gross square footage of each building or affected area. The fees shall be determined in accordance with Table 2.31–1 for buildings not located in municipalities that have assumed building inspection responsibilities. The fees shall be determined in accordance with Table 2.31–2 for buildings located in agent municipalities and counties that have assumed the building inspection responsibilities specified under s. 101.12 (3) (g), Stats., and ch. Comm 61.

Note: See ch. Comm 61 for the types of buildings and components that must be submitted for review. Fees for component plans that are an integral part of the building project are included in the “Building Plans” or “HVAC Plans” fees provided they are submitted prior to final inspection. Also, see the Safety and Buildings Division’s Plan Submittal Kit (SBD–8927) for detailed information on all submittal processes relating to component plans such as lighting and pre–engineered structural components.

Table 2.31-1
Plan Review Fees for Buildings Not Located in Municipalities That Perform Inspections

Area (Square Feet)	Fees			
	Building Plans	HVAC Plans	Fire Alarm System Plans	Fire Suppression System Plans
Less than 2,500	\$260	\$160	\$30	\$30
2,500- 5,000	330	220	60	60
5,001-10,000	550	260	80	80
10,001-20,000	750	400	150	150
20,001-30,000	1,100	540	220	220
30,001-40,000	1,500	830	360	360
40,001-50,000	2,000	1,100	500	500
50,001-75,000	2,700	1,500	720	720
75,001-100,000	3,400	2,100	1,000	1,000
100,001-200,000	5,600	2,700	1,300	1,300
200,001-300,000	9,900	6,300	3,100	3,100
300,001-400,000	15,000	9,200	4,500	4,500
400,001-500,000	18,500	12,000	5,900	5,900
Over 500,000	20,000	13,500	6,700	6,700

Table 2.31-2
Plan Review Fees for Buildings Located in Municipalities That Perform Inspections

Area (Square Feet)	Fees			
	Building Plans	HVAC Plans	Fire Alarm System Plans	Fire Suppression System Plans
Less than 2,500	\$220	\$130	\$15	\$15
2,500- 5,000	290	200	50	50
5,001-10,000	480	220	60	60
10,001-20,000	670	340	120	120
20,001-30,000	990	480	190	190
30,001-40,000	1,300	750	320	320
40,001-50,000	1,800	1,000	450	450
50,001-75,000	2,400	1,300	600	600
75,001-100,000	3,000	1,900	900	900
100,001-200,000	5,000	2,400	1,150	1,150
200,001-300,000	8,900	5,700	2,800	2,800
300,001-400,000	13,400	8,300	4,100	4,100
400,001-500,000	16,700	10,800	5,300	5,300
Over 500,000	18,000	12,100	6,000	6,000

(c) *Multiple identical buildings.* The fees set forth in this paragraph may be applied to a project which contains multiple identical buildings. In order to qualify for the multiple identical building fee, plans for all buildings shall be submitted at the same time. The fees for the submittal of plans for the first building shall be determined in accordance with Table 2.31-1 or 2.31-2 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.

(d) *Miscellaneous plans.* The fee for miscellaneous plans shall be \$200 per plan. Miscellaneous plans are plans which have no building, HVAC or fire protection system plan submissions and those plans for which no area may be associated. Miscellaneous plans include, but are not limited to, all of the following:

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

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

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

6. Any building component, other than building, HVAC and fire protection systems, 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.

7. Building, HVAC and fire protection system plans submitted following denial of plan approval, if the submission is within 8 months of the denial.

(e) *Permission to start construction.* The fee for a permission to start construction shall be \$50.00.

(f) *Revisions.* The fee for revisions to previously approved plans and plans that have been previously reviewed but not denied shall be \$50.00.

(g) *Second class city.* A second class city that is certified to perform the expanded plan examinations specified in s. Comm

61.60 (5) (b) shall submit to the department the fee specified in Table 2.31-3 for each building or structure reviewed which exceeds the limits specified in s. Comm 61.60 (5) (c).

(h) *Appointed agent.* An agent that is appointed by the department under s. Comm 61.61 to perform plan examinations shall submit to the department the fees specified in Table 2.31-3 for each building or structure reviewed under s. Comm 61.61.

(i) *Notice fee.* The fee for notifying the department of electing to use a registered individual for building design and supervision in lieu of departmental plan approval, under s. Comm 61.30 (1) (b) 3., shall be \$20.00 for the building plans and related components, \$20.00 for the heating, ventilating and air conditioning plans and related components, \$20.00 for the fire alarm system plans and \$20.00 for the fire suppression system plans.

**Table 2.31-3
Fees to be Forwarded to the Department
for Reviews Performed by Second Class Cities and Appointed Agents**

Area (Square Feet)	Fees			
	Building Plans	HVAC Plans	Fire Alarm System Plans	Fire Suppression System Plans
Less than 2,500	\$35	\$20	\$5	\$5
2,500- 5,000	45	30	8	8
5,001- 10,000	75	35	10	10
10,001- 20,000	100	55	20	20
20,001- 30,000	150	75	30	30
30,001- 40,000	195	115	50	50
40,001- 50,000	270	150	70	70
50,001- 75,000	360	195	90	90
75,001-100,000	450	285	135	135
100,001-200,000	750	360	175	175
200,001-300,000	1,335	855	420	420
300,001-400,000	2,010	1,245	615	615
400,001-500,000	2,505	1,620	795	795
Over 500,000	2,700	1,815	900	900

(2) FEE FOR PLAN ENTRY. In addition to the plan review and inspection fees for a project, each separate submission of plans for the project shall be accompanied by a \$100.00 plan entry fee. When plans for multiple projects are submitted together, each project shall constitute a separate submission and requires a \$100.00 plan entry fee.

Note: For example, the total fee to be submitted under Table 2.31-1 for a 15,000 square foot building that includes building plans, HVAC plans, fire alarm plans and fire suppression plans would be \$750 + \$400 + \$150 + \$150 + \$100 = \$1,550.

(2m) FEE FOR MISSING A PLAN REVIEW APPOINTMENT. A fee of \$50.00 may be charged for missing a plan review appointment that was processed and scheduled by the department.

(4) REINSPECTION FEE. A fee as specified in s. Comm 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. Comm 61.50.

(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; am. (1) (intro.), Register, March, 1995, No. 471, eff. 4-1-95; cr. (1) (a) 2. g.; r. and recr. Table 2.31-1 and 2.31-2, Register, February, 1997, No. 494, eff. 4-1-97; correction in (1) (intro.) made under s. 13.93 (2m) (b) 7., Stats., Register, November, 1999, No. 527; r. and recr. (1), (2) and Tables 2.31-1 and 2.31-2; cr. Table 2.31-3, Register, July, 2000, No. 535, eff. 9-1-00; CR 01-139; am. (1) (a), (b), (g), (h), (i), (3) and (5) Register June 2002 No. 558, eff. 7-1-02; corrections in (1) (g) and (h) made under s. 13.93 (2m) b) 7., Stats., Register January 2005 No. 589; CR 05-038; r. and recr. (2), cr. (2m), r. (3) Register October 2005 No. 598, eff. 11-1-05; CR 06-119; am. tables 2.31-1 to 2.31-3 Register July 2007 No. 619, eff. 8-1-07; CR 06-120; am. (1) (a), Register February 2008 No. 626, eff. 3-1-08.

Comm 2.33 Manufactured homes. (1) CERTIFICATION AND INSPECTION FEES. Fees for certification and inspection relative to the manufacture of manufactured homes shall be determined in accordance with Table 2.33.

**Table 2.33
Certification and Inspection Fees
for Manufactured Homes**

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

(2) FORMALDEHYDE INVESTIGATION AND TESTING. To offset the department cost of conducting formaldehyde testing and complaint investigation related to formaldehyde in manufactured homes, a fee shall be assessed in accordance with s. Comm 2.04 (2), or \$120 per test, whichever is greater.

(3) COMMUNITY INSPECTIONS. The department shall assess a fee of \$100 for each inspection of a new manufactured home community or community expansion or for investigation of a complaint.

(4) COMMUNITY PERMITS. (a) Manufactured home community permit fees are as follows:

1. For a community with 1 to 20 sites, \$250.
2. For a community with 21 to 50 sites, \$450.

- 3. For a community with 51 to 100 sites, \$700.
- 4. For a community with 101 to 175 sites, \$900.
- 5. For a community with more than 175 sites, \$1000.

Note: The community permit fees cover the department's costs for plan examination.

(b) A late fee of \$30 shall be required for each permit if the renewal fee is not paid before the permit expires.

(c) Agents issuing permits shall reimburse the department 37% of the permit fees specified in par. (a).

(5) CERTIFICATE OF TITLE FEES. Fees for a certificate of title for a manufactured home shall be determined in accordance with the following schedule:

- (a) For filing an application for the first certificate of title \$8.50
- (b) A manufactured housing rehabilitation and recycling fee upon filing an application under par. (a) or (d) \$7.00
- (c) For the original notation and subsequent release of each security interest noted upon a certificate of title \$4.00
- (d) For a certificate of title after a transfer \$8.50
- (e) A supplemental title fee upon filing an application under par. (a) or (d), except that this fee shall be waived with respect to an application under par. (d) for transfer of a decedent's interest in a manufactured home to his or her surviving spouse \$7.50
- (f) For each assignment of a security interest noted upon a certificate of title \$1.00
- (g) For a replacement certificate of title \$8.00
- (h) For processing applications for certificates of title that have special handling requests for fast service \$15.00
- (i) For the reinstatement of a certificate of title previously suspended or revoked \$25.00
- (j) For conducting a file search of manufactured home title records \$3.00
- (k) For each notification under s. 101.9213 (8), Stats., that a security interest has not been satisfied \$4.00

History: Cr. Register, June, 1992, No. 438, eff. 7-1-92; am. Table 2.33, Register, October, 1996, No. 490, eff. 11-1-96; am. (2), Register, July, 2000, No. 535, eff. 9-1-00; CR 05-038: am. (1) and (2) Register October 2005 No. 598, eff. 11-1-05; emerg. cr. (5), eff. 2-1-05; CR 04-135: cr. (3), (4) and (5) Register February 2006 No. 602, eff. 3-1-06.

Comm 2.34 One- and two-family dwellings, multifamily dwellings, manufactured dwellings and manufactured multifamily dwellings. (1) UNIFORM BUILDING PERMIT SEAL. A fee of \$25.00 shall be remitted to the department at the time of application for a Wisconsin Uniform Building Permit Seal. Municipalities or UDC inspection agencies administering the Uniform Dwelling Code shall purchase one \$25.00 permit seal for each new dwelling.

(2) DEPARTMENTAL INSPECTIONS. Where an employee of the department performs an on-site inspection related to the enforcement of the Uniform Dwelling Code as a result of a consumer complaint or a request by an individual in a municipality where permits are not issued and inspections are not performed, a fee may be assessed to the individual requesting the inspection determined in accordance with s. Comm 2.04 (2), with a minimum fee of \$120.00 per inspection, payable in advance to the department.

(3) MULTIFAMILY DWELLINGS. Fees related to plan examination and field inspections for multifamily dwellings shall be determined in accordance with s. Comm 2.31.

(4) MANUFACTURED DWELLINGS. (a) Except as provided in pars. (b) and (c), where employees 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. Comm 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 MULTIFAMILY DWELLINGS. (a) Fees related to plan examination and field inspections for manufactured multifamily dwellings shall be determined in accordance with s. Comm 2.31.

(b) Fees related to in-plant inspections for manufactured multifamily dwellings performed by the department shall be assessed and determined in accordance with s. Comm 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; renum. (4) to (7) to be (5) to (8), cr. (4), Register, March, 1995, No. 471, eff. 4-1-95; CR 00-159: am. (1), r. and recr. (2), r. (3), Register September 2001 No. 549 eff. 12-1-01; CR 05-038: am. (3) and (5) Register October 2005 No. 598, eff. 11-1-05.

Comm 2.35 Rental unit energy efficiency program.

(1) CERTIFICATION STAMPS. A fee of \$30.00 shall be remitted to the department for each certification transfer authorization stamp used to validate certificates of compliance. Only certified rental unit energy efficiency inspectors may purchase certification stamps from the department.

(2) SATISFACTION OF COMPLIANCE. a fee of \$50.00 shall be remitted to the department for each satisfaction of compliance issued as specified in s. Comm 67.06 (5).

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

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

(b) *Scope of fee.* 1. 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 of 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.

2. The evaluation and certification fee shall cover the cost of preparing necessary forms, the cost of the certification stamp and preparation of the certificate. If the building performance is determined by calculation from fuel use data, the fee shall cover the cost of collecting and verifying the fuel use and building size information and performing necessary calculations. The fee does not cover field measurement of the building performance.

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

History: Cr. Register, June, 1992, No. 438, eff. 7-1-92; am. (5) (a) (intro.), renum. (5) (b) to be (5) (b) 1., cr. (5) (b) 2., Register, February, 1999, No. 518, eff. 3-1-99; CR 07-008: r. and recr. Register April 2008 No. 628, eff. 5-1-08.

Comm 2.36 Erosion and sediment control. The filing fee for a notice of intent required under s. Comm 60.12 (1) shall be \$25.00.

History: CR 05-113: cr. Register December 2006 No. 612, eff. 4-1-07.

Subchapter IV — Petroleum

Comm 2.43 Storage tanks for flammable and combustible liquids. (1) PLAN EXAMINATION AND INSPECTION FEES.

Fees for the examination of plans, site inspections and reinspections for tanks used for the storage of flammable and combustible liquids shall be determined in accordance with Table 2.43.

**Table 2.43
Plan Examination and Inspection Fees for Liquid Storage Tanks**

Tank System Category	Plan Review Fee*	Installation Inspection Fee	Plan Revision Fee	Reinspection Fee
Aggregate capacity of aboveground storage tanks equal to or less than 1,100 gallons installed on a farm premises with inspection in 5 days or less	\$0	\$75	\$0	\$0
Aggregate capacity of aboveground storage tanks equal to or less than 1,100 gallons installed on a farm premises with inspection in 2 days or less	\$0	\$100	\$0	\$0
Aggregate capacity equal to or less than 1,100 gallons	\$60	\$100	\$100	\$100
Aggregate capacity 1,101 gallons through 48,000 gallons capacity	\$125	\$250	\$100	\$100
Aggregate capacity 48,001 gallons through 80,000 gallons capacity	\$150	\$300	\$100	\$100
Aggregate capacity 80,001 gallons through 120,000 gallons capacity	\$180	\$450	\$120	\$150
Aggregate capacity 120,001 gallons capacity or greater	\$360	\$600	\$150	\$200
Addition of corrosion protection to an existing system	\$35	\$100	\$100	\$100
Conversion of existing system to a point of sale type of dispensing system**	\$35	\$100	\$100	\$100
Underground storage tank pre-lining inspection	Aggregate as above	\$50/tank	\$100	\$100
Upgrade or install Stage II vapor recovery on existing system	Aggregate as above	Aggregate as above	\$100	\$100

Note: *If the department is conducting plan review in the absence of an assigned local program operator, the appropriate Table 2.43 fees must be submitted.

Note: **A point of sale system is any dispensing system that will authorize fuel dispensing by means of key, card, cash or code activation.

(2) GROUNDWATER FEE. Pursuant to s. 101.14 (5), Stats., in addition to any fee charged by the department by rule for plan review 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 flammable, combustible or hazardous liquids, the department shall collect a groundwater fee of \$100 for each plan review submittal. The moneys collected under this subsection shall be credited to the environmental fund for environmental management.

Note: In accordance with s. 101.14 (5) (b), Stats., an installation that has a capacity of less than 1,000 gallons is not subject to the groundwater fee.

(3) REINSPECTION FEE. The contractor, when performing activities covered under ss. Comm 5.84 to 5.87, shall pay the reinspection fee to the authorized agent if the authorized agent is required to make a return trip due to any of the following, or is required to reschedule a trip on less than 24 hours notice of any of the following:

- (a) Failure to have the tank system accessible for inspection on the date and time specified for inspection.
- (b) Installation inspection points that are incomplete on the date and time specified for inspection.
- (c) Failure to correct deficiencies by the date and time specified for inspection.

Note: Section Comm 5.84 covers aboveground tank system installation certification requirements. Comm 5.85 covers underground tank system installation certification requirements. Comm 5.86 covers tank system lining certification requirements. Comm 5.87 covers tank system removing and cleaning certification requirements.

(4) SPECIAL INSPECTION FEE. The owner or operator shall pay the miscellaneous inspection fee specified in s. Comm 2.04 (2) to the authorized agent for any of the following reasons:

(a) Replacement of identical equipment where the department or local program operator has waived the plan submittal requirement.

(b) Pre-operational inspection required by the department as a result of compliance orders where plan submittal is not required.

History: Cr. Register, June, 1992, No. 438, eff. 7-1-92; am. Table, Register, March, 1996, No. 483, eff. 4-1-96; correction in Table 2.43 made under s. 13.93 (2m) (b) 7., Stats., Register, November, 1999, No. 527; am. Table 2.43, Register, July, 2000, No. 535, eff. 9-1-00; CR 05-038: r. and recr. Register October 2005 No. 598, eff. 11-1-05.

Comm 2.44 Storage tanks for gases. Fees for the examination of plans, site inspections and reinspections for tanks used for the storage of liquefied petroleum gas, liquefied natural gas, compressed natural gas, gaseous hydrogen and liquefied hydrogen shall be determined in accordance with Table 2.44.

Table 2.44
Plan Examination and Inspection Fees for Gas Storage Tanks

Type of Examination or Inspection	Fee
Liquefied Petroleum Gas Systems	
125 to 1,999 Gallon Water Capacity Tank	(No state examination or inspection fee required.)
2000 Gallon Water Capacity and Above or Where the Aggregate Water Capacity will be 4000 Gallons or Larger	
Plan Examination Fee	\$200.00 per site
Site Inspection Fee	\$250.00 per site
Liquefied Natural Gas Systems	
125 to 1,999 Gallon Water Capacity Tank	(No state examination or inspection fee required.)
2000 Gallon Water Capacity and Above or Where the Aggregate Water Capacity will be 4000 Gallons or Larger	
Plan Examination Fee	\$200.00 per site
Site Inspection Fee	\$250.00 per site
Compressed Natural Gas Systems	
Vehicle Fueling Sites	
Plan Examination Fee	\$200.00 per site
Site Inspection Fee	\$250.00 per site
Gaseous Hydrogen Systems	
Plan Examination Fee	\$200.00 per site
Site Inspection Fee	\$250.00 per site
Liquefied Hydrogen Systems	
125 to 1,999 Gallon Water Capacity Tank	(No state examination or inspection fee required.) *
2000 Gallon Water Capacity and Above or Where the Aggregate Water Capacity will be 4000 Gallons or Larger	
Plan Examination Fee	\$200.00 per site
Site Inspection Fee	\$250.00 per site
Plan Revisions and Reinspections	
Plan Revision Examination Fee	\$100.00 per revised plan
Reinspection Fee	As specified in s. Comm 2.04 (2)

Note: Some tanks may be required to be inspected as pressure vessels under the scope of ch. Comm 41.

History: CR 05-038: cr. Register October 2005 No. 598, eff. 11-1-05.

Subchapter V — Material Approvals and Petitions

Comm 2.51 Material approvals. (1) The fee for department review of an application for the approval of a material, equipment or product, other than a plumbing product, or for approval of an alternate standard, shall be determined in accordance with Table 2.51.

(2) The fee for a special inspection of an installation of a material, equipment or product for which an experimental approval has been issued in accordance with s. Comm 20.18 or 61.60 shall be determined in accordance with s. Comm 2.04 (2).

Table 2.51
Material Review Fees

Action	Fee per Review			
	Chapter Comm 10 and Voluntary	Alternate Product	Experimental	Alternate Standard
New approval	\$1,000	\$1,200	\$2,000	\$1,200
Renewal of approval with no changes	\$ 750	\$ 900	\$1,500	NA*
Renewal of approval with changes	\$1,000	\$1,200	\$2,000	NA*
Manufacturer's request for minor revision (no extension of approval period)	\$ 200	\$ 200	\$ 200	NA*
Manufacturer's request for major revision (new approval period)	\$1,000	\$1,200	\$2,000	NA*

*NA means not applicable

History: Cr. Register, June, 1992, No. 438, eff. 7-1-92; am. Register, July, 2000, No. 535, eff. 9-1-00; CR 01-139: am. (2) Register June 2002 No. 558, eff. 7-1-02; CR 05-038: am. Table 2.51 Register October 2005 No. 598, eff. 11-1-05.

Comm 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. COMM 20 TO 25, UNIFORM DWELLING CODE, AND CH. COMM 67, RENTAL UNIT ENERGY EFFICIENCY CODE. The fee for reviewing petitions for variance on rules under chs. Comm 20 to 25 and Comm 67 shall be \$125.00 per petition.

(3) PETITIONS FOR VARIANCE ON RULES UNDER CHS. COMM 60 TO 66, WISCONSIN COMMERCIAL BUILDING CODE. (a) Except as provided under sub. (4), the fee for reviewing petitions for variance on rules under chs. Comm 60 to 66 shall be \$500.00 per petition.

(b) Except as provided in par. (d), 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 \$500.00 and the fee for each subsequent building shall be submitted in accordance with sub. (10) (b) for precedent petitions.

(d) Where an identical variance is sought for identical buildings with a common owner in a single municipality, and all of the buildings are listed on one submitted petition, the fee for the first building shall be \$500.00, and the fee for each subsequent building shall be \$50.

(4) PETITIONS FOR VARIANCE ON HISTORIC BUILDINGS. The fee for reviewing petitions for variance on rules for historic buildings shall be \$300.00 per petition.

(5) PETITIONS FOR VARIANCE ON RULES UNDER CHS. COMM 81 TO 87, UNIFORM PLUMBING CODE. The fee per petition for processing petitions for variance to rules under chs. Comm 81 to 87 shall be \$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 \$300.00 per petition.

(7) PETITIONS FOR VARIANCE, OTHER RULES. Except as provided in ch. Comm 5, the fee for reviewing petitions for variance on rules of the department, administered by the division of safety and buildings and the division of environmental and regulatory services and not specifically mentioned under this section, shall be \$250.00 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 on rules for historic buildings, pursuant to s. 101.121 (3) (b), Stats., 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.

(10) ADDITIONAL AND REDUCED FEES. (a) For complex petitions for variance which require more than 8 hours to review and process, an additional fee may be charged at the rate of \$60.00 per hour for each hour in excess of 8 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 \$60.00 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 \$60.00 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; am. (3) (a), Register, March, 1995, No. 471, eff. 4-1-95; correction in (2) made under s. 13.93 (2m) (b) 7, Stats., Register, November, 1999, No. 527; r. and recr. (5), Register, April, 2000, No. 532, eff. 7-1-00; am. (3) (a), (c), (6), (7), (10) (a) and (b) 2., r. (6m), Register, July, 2000, No. 535, eff. 9-1-00; am. (3) (b), cr. (3) (d), Register, September, 2000, No. 537, eff. 10-1-00; CR 01-139; am. (3) (a) Register June 2002 No. 558, eff. 7-1-02; CR 05-038; am. (3) (d), (5) and (7) Register October 2005 No. 598, eff. 11-1-05; CR 06-120; am. (3) (title) and (a), (4) and (8) (b), Register February 2008 No. 626, eff. 3-1-08.

Subchapter VI — Building Water Systems

Comm 2.61 Miscellaneous inspections, reviews and services. (1) SPECIAL PLUMBING INSPECTIONS.

(a) The fees for plumbing inspections for sanitary districts or other special purpose districts shall be determined in accordance with s. Comm 2.04 (2).

(b) The department may assess a fee determined in accordance with s. Comm 2.04 (2) for a field inspection for a department representative to conduct a soil evaluation.

(2) REVISIONS. The fee for revisions to previously approved plumbing and private sewage plans shall be \$75.00 per plan. This fee shall apply when plans are revised for reasons other than those which were requested by the department.

(5) 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.

History: Cr. Register, June, 1992, No. 438, eff. 7-1-92; r. and recr. (3), Register, April, 2000, No. 532, eff. 7-1-00; am. (1) and (2), Register, July, 2000, No. 535, eff. 9-1-00; CR 05-038; am. (1) (a), r. (3) and (4) Register October 2005 No. 598, eff. 11-1-05.

Comm 2.635 Lot restriction waivers. The fee for any lot restriction waiver issued by the department shall be \$80.00 per lot.

History: Cr. Register, July, 2000, No. 535, eff. 9-1-00.

Comm 2.64 Plumbing systems. (1) GENERAL.

Plan examination fees for preliminary or complete plans shall accompany the plans and specifications when submitted. If the department determines, upon review of the plans, that inadequate fees were provided, the necessary additional fees shall be provided prior to departmental approval.

(2) EXAMINATION FEES. The plan examination fee shall be determined in accordance with Table 2.64-1. The minimum fee shall be \$60.00 per plan.

**Table 2.64-1
Plan Examination Fees for Plumbing Systems**

Plan Type	Fee
1. Sanitary drain and vent system	\$40.00 per inch diameter of each bldg. sewer, or for multiple sewer connections serving a single building the fee may be calculated per sub. (3) (a)
2. Sanitary building sewer only, no drain and vent	\$25.00 per inch diameter of each bldg. sewer
3. Building water distribution system	\$40.00 per inch diameter of each water service, or for multiple water service connections serving a single building the fee may be calculated per sub. (3) (b)
4. Building water service only, no water distribution system	\$25.00 per inch diameter of each water service
*5. Car wash interceptor	\$70.00 per interceptor
*6. Clearwater drain system	\$10.00 per inch diameter of each clearwater drain system
*7. Garage catch basin	\$70.00 per basin
*8. Grease interceptor	\$70.00 per interceptor
*9. Oil interceptor	\$70.00 per interceptor
*10. Sanitary dump station	\$70.00 per station
*11. Chemical waste system	\$70.00 per system
13. Alternate plumbing system	\$400 per system
14. Mobile home parks and campground/recreational vehicle parks:	
1-25 sites	\$300.00
26-50 sites	\$350.00
51-125 sites	\$400.00
Over 125 sites	\$500.00
15. Private water main	\$25.00 per inch diameter
16. Cross connection control devices:	
Reduced pressure principle backflow preventer	\$125.00 per device
Reduced pressure detector backflow preventer	\$125.00 per device
Pressure vacuum breaker assembly	\$125.00 per device
Back siphonage backflow vacuum breaker	\$125.00 per device
17. Sanitary private interceptor main sewers, determined on the largest diameter of each interceptor main sewer	\$25.00 per inch diameter
18. Stormwater systems:	
Less than or equal to one acre drainage area	\$10.00 per inch of largest diameter storm sewer, or for multiple sewer discharge points for a single site the fee may be calculated per sub. (3) (c)
> one or equal to 5 acres drainage area	\$350.00
> 5 acres to < or equal to 15 acres drainage area	\$400.00
> 15 acres drainage area	\$500.00
19. Experimental plumbing system	\$500.00 per system
20. Water or wastewater treatment systems, other than POWTS, designed to achieve compliance with Table 82.70-1	Amount as specified in s. Comm 2.04 (1)
21. Stormwater and clearwater infiltration systems for public buildings or facilities	\$100.00 per system**

* For table entries 5. to 11., no additional fee would be required if submitted with the respective drain and vent system.

** This fee is in addition to building stormwater and clearwater plumbing systems.

(3) EXAMINATION FEES FOR ADDITIONS AND REMODELING. When new or relocated fixtures or both are connected to the existing piping inside a building, the fee shall be determined in accordance with the following procedures:

- (a) *Sanitary building sewer, drain and vent.* 1. Total all of the drainage fixture units which are being added or relocated.
- 2. Refer to s. Comm 82.30 Table 82.30-2, and determine the horizontal drain size which would be required if all new or relocated fixtures discharged through one pipe.

Note: Disregard the asterisk limitation regarding water closets. This pipe size is used for determining the fee only and does not necessarily mean this pipe size is used in actual design or installation.

- 3. Determine the fee based on pipe diameter in Table 2.64-1, entry 1.
- (b) *Building water distribution system.* 1. Total all of the water supply fixture units which are being added or relocated, using s. Comm 82.40 Tables 82.40-1 and 2, and convert to gallons per minute (GPM) in accordance with s. Comm 82.40 Table 82.40-3.

2. The fees shall be determined in accordance with GPM demand of the new or relocated fixtures as specified in Table 2.64-2.

**Table 2.64-2
Plan Examination Fees for Building Water
Distribution Systems**

GPM	Fee
1- 6	\$20.00
7- 12	\$30.00
13- 21	\$40.00
22- 31	\$50.00
32- 46	\$60.00
47- 77	\$80.00
78-119	\$100.00
120-170	\$120.00
171-298	\$140.00

(c) *Building storm sewer and drainage system.* 1. Total each different type of area which the new or relocated drains serve and convert to GPM using ch. Comm 82 Tables 82.36-1, 2 and 3. To this, add the GPM discharge from any added or relocated clear water drains located inside the building.

2. Refer to ch. Comm 82 Table 82.36-4, using the column for 1/4 inch per foot pitch, to determine the horizontal drain size which would be required if all new or relocated fixtures discharged through one pipe. Use this pipe size for determining the fee.

3. Determine the fee based on pipe diameter in Table 2.64-1, entry 5.

History: Cr. Register, June, 1992, No. 438, eff. 7-1-92; am. Table 2.64-1, Register, February, 1994, No. 458, eff. 3-1-94; am. Table 2.64-1; Register, February, 1997, No. 494, eff. 3-1-97; am. (3) (a) 3. and (c) 3. and Tables 2.64-1 and 2.64-2, Register, July, 2000, No. 535, eff. 9-1-00; CR 02-002: am. Table 2.64-1 Register April 2003 No. 568, eff. 5-1-03; CR 04-035: am Table 2.64-1 Register November 2004 No. 587, eff. 12-1-04.

Comm 2.645 Cross connection control assembly registration. A registration fee of \$125.00 per assembly shall be submitted to the department in accordance with s. Comm 82.20 (1) (c).

History: CR 02-002: cr. Register April 2003 No. 568, eff. 5-1-03; CR 02-129, am. Register January 2004 No. 577, eff. 2-1-04.

Comm 2.65 Private onsite wastewater treatment systems. (1) **GENERAL.** The plan examination fee as determined under this section shall accompany the plans and specifications for the proposed design of a private onsite wastewater treatment system at a specific site. If the department determines, upon review of the plans, that inadequate fees were provided, the department will not make a final determination on the plans until the appropriate fees are received.

(2) **EXAMINATION FEES.** The plan examination fee for a private onsite wastewater treatment system submitted to the department for review shall be determined in accordance with Table 2.65, rounded to the nearest dollar.

**Table 2.65
Plan Review
Private Onsite Wastewater Treatment Systems**

Type of Project	Fee
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1. All treatment components are approved under s. Comm 84.10 (2) or (3):

Design wastewater flow of the proposed system:	
1,000 gpd or less	\$175.00
1,001-2,000 gpd	\$225.00
2,001-5,000 gpd	\$275.00
greater than 5,000 gpd	\$300.00 plus \$0.05 for each gpd over 5,000

2. One or more treatment components are not approved under s. Comm 84.10 (2) or (3):

Design wastewater flow of the proposed system:	
1,000 gpd or less	\$300.00
1,001-2,000 gpd	\$400.00
2,001-5,000 gpd	\$500.00
greater than 5,000 gpd	\$600.00 plus \$0.05 for each gpd over 5,000

3. Holding tanks approved under s. Comm 84.10 (2) or (3):

Design wastewater flow of the proposed system:	
5,000 gpd or less	\$ 60.00
5,001-10,000 gpd	\$100.00
greater than 10,000 gpd	\$150.00

4. Holding tanks not approved under s. Comm 84.10 (2) or (3):

Design wastewater flow of the proposed system:	
5,000 gpd or less	\$120.00
5,001-10,000 gpd	\$200.00
greater than 10,000 gpd	\$300.00

(3) **DATA REVIEW.** The fee to review soil saturation monitoring studies or reports in accordance with s. Comm 85.60 (2) or (3) shall be \$100.00 per site.

History: Cr. Register, June, 1992, No. 438, eff. 7-1-92; r. and recr., Register, April, 2000, No. 532, eff. 7-1-00; CR 02-129: am. (table) Register January 2004 No. 577, eff. 2-1-04.

Comm 2.66 Product and standard approvals.

(1) **APPROVALS.** (a) Except as provided in par. (b), the fee for the request of a review by the department for a plumbing product under s. Comm 84.10 (2) or for an alternate standard under s. Comm 81.20 (2) shall be determined in accordance with Table 2.66.

**Table 2.66
Plumbing Product and Alternate Standard Review Fees**

Product or Standard	Fee	
	New Review	Revision or Renewal
1. Alternate standards	\$400*	\$200*
2. Chemical or biochemical treatment for POWTs	\$200	\$100
3. Health care plumbing appliance	\$200	\$100
4. Physical restoration processes for POWTs	\$200	\$100
5. Prefabricated holding or treatment components for POWTs	\$200	\$100
6. Prefabricated plumbing	\$200	\$100
7. Water treatment device	\$200	\$100
8. Wastewater treatment device	\$200	\$100
9. Commercial water vending or dispensing machines	\$200	\$100
10. Exterior grease interceptors	\$200	\$100

* Per standard.

(b) The fee for a minor revision to a previously issued approval for an exterior grease interceptor, holding or septic tank may be \$45.00 plus \$5.00 for each approval affected in lieu of the fee specified in Table 2.66. For the purpose of this subdivision, a minor revision shall be considered a modification that does not affect the function, retention capacity, basic shape or size of the tank. The expiration date of the original approval shall not be extended if the minor revision is approved.

(c) 1. The fee for the request of an alternate approval to be issued by the department for a plumbing product shall be \$300.00.

2. a. Except as provided in subd. 2. b., the fee for the request of a revision or renewal of an alternate approval to be issued by the department for a plumbing product shall be \$150.00.

b. The fee for a minor revision to a previously issued alternate approval for an exterior grease interceptor, holding, septic or other sewage treatment tank may be \$45.00 plus \$5.00 for each approval affected in lieu of the fee specified in subd. 2. a. For the purpose of this subparagraph, a minor revision shall be considered a modification that does not affect the function, retention capacity, basic shape or size of the tank, or the basis of the approval being classified as an alternate. The expiration date of the original approval shall not be extended if the minor revision is approved.

(d) 1. The fee for the request of an experimental approval to be issued by the department for a plumbing product shall be \$500.00.

2. The fee for the request of a revision or renewal of an experimental approval to be issued by the department for a plumbing material or product shall be \$250.00.

(e) The fee for a special inspection of an installation of a product, for which an experimental approval has been issued in accordance with s. Comm 84.50, shall be determined in accordance with s. Comm 2.04 (2).

(2) POWTS APPROVALS AND MANUFACTURER CHANGES. (a) The fee for the request to have a method or technology reviewed as a POWTS holding, treatment or dispersal component or site constructed private onsite wastewater treatment system component by the department, in accordance with s. Comm 84.10 (3), shall be \$300.00 per method, technology, or site constructed component.

(b) The fee for the request of a change of manufacturer's name or address on an approval issued by the department for a plumbing product shall be \$15.00. The expiration date of the original approval shall not be extended.

History: Cr. Register, June, 1992, No. 438, eff. 7-1-92; emerg. am. Table 2.66 and (1) (b) 1., eff. 5-12-94; am. Table 2.66, (1) (b) 1., Register, October, 1994, No. 466, eff. 11-1-94; am. Table 2.66, (1) (d) 2. and r. and recr. (2) (a), Register, April, 2000, No. 532, eff. 7-1-00; am. (1) (e) and Table 2.66, Register, July, 2000, No. 535, eff. 9-1-00; CR 02-002: am. Table Register April 2003 No. 568, eff. 5-1-03; CR 02-129: am. (1) (a) Register January 2004 No. 577, eff. 2-1-04; CR 04-035: am. Table 2.66, r. (1) (b) 1., renum. (1) (b) 2. to be (1) (b) Register November 2004 No. 587, eff. 12-1-04.

Comm 2.67 Sanitary permits. (1) FEE. (a) Pursuant to s. 145.19 (5), Stats., the fee for a sanitary permit issued by a governmental unit shall be at least \$116.00.

Note: The sanitary permit fee includes a \$25.00 groundwater fee, required by s. 145.19 (6), Stats., that is forwarded by the department of commerce to the department of natural resources.

(b) The fee for a sanitary permit issued by the department under s. Comm 83.21 shall be \$200.00.

(2) PORTION FORWARDED TO THE DEPARTMENT. The governmental unit responsible for the regulation of private onsite wastewater treatment systems shall forward to the department \$75.00 of each sanitary permit fee, determined in accord with s. 145.19, Stats.

Note: The \$75.00 includes the \$25.00 groundwater fee, required by s. 145.19 (6), Stats., that is forwarded to the department of natural resources.

History: Cr. Register, June, 1992, No. 438, eff. 7-1-92; renum. and am. (1) to be (1) (a), cr. (1) (b) and am. (2), Register, April, 2000, No. 532, eff. 7-1-00.

Comm 2.675 Privy registrations. (1) VAULT PRIVY. The fee for registering a vault privy that is to serve a state-owned facility shall be \$40.00.

(2) PIT PRIVY. The fee for registering a pit privy that is to serve a state-owned facility shall be \$60.00.

History: CR 02-129: cr. Register January 2004 No. 577, eff. 2-1-04.

Comm 2.68 Public swimming pool and water attraction plan review and inspection fees. (1) Plan examination and inspection fees for public swimming pools, water attractions and associated slides shall accompany plans and specifications when submitted to the department for review. If the department determines, upon review of the plans, that inadequate fees were received, the necessary additional fees shall be received by the department prior to plan review and determination.

(2) Except as provided in sub. (3), plan examination and inspection fees for the construction or modification of public swimming pools, water attractions and associated slides shall be as listed in Tables 2.68-1 and 2.68-2.

(3) (b) Alternate and experimental system design review. Fees for the review and approval of alternate and experimental system designs shall be as specified in Table 2.68-1. A fee for the minor revision to a previously approved alternate or experimental system design may be assessed. The expiration date of the original approval may not be extended if a minor revision is approved.

(d) Reinspection fee. A fee of \$150.00 may be assessed for a second or subsequent final inspection where the initial final inspection is scheduled and partially conducted by the inspector, and the pool installation is found to be incomplete.

History: Emerg. cr. eff. 10-1-93; cr. Register, March, 1994, No. 459, eff. 4-1-94; r. and recr., Register, November, 2000, No. 539, eff. 12-1-00; CR 02-002: am. (1), (2) and Table 2.68-1, cr. Table 2.68-2 Register April 2003 No. 568, eff. 5-1-03; CR 04-052: am. (1) and (2) and Tables 2.68-1 and 2.68-2, cr. (3) (d) Register January 2005 No. 589, eff. 2-1-05; CR 05-038: r. (3) (a) and (c) Register October 2005 No. 598, eff. 11-1-05.

Table 2.68-1

Plan Review and Inspection Fees for Public Swimming Pools, Water Attractions and Associated Slides Not Located in Municipalities that Perform Construction Inspections

Pool Type or Water Attraction	Fee Type		
	Initial Construction	Modification	Revision to Previously Approved Plans
Pool Slide, Drop Slide or Water Slide, functional requirements ^{a, b}	\$270.00	\$120.00	\$120.00
Pool Slide, Drop Slide or Water Slide, structural requirements ^c	\$300.00	\$120.00	\$120.00
Public Swimming Pool, gutter type	\$900.00	\$500.00	\$120.00
Public Swimming Pool, skimmer type	\$750.00	\$500.00	\$120.00
Water Attraction (including interactive play attractions)	\$900.00	\$500.00	\$120.00
Public Whirlpool	\$750.00	\$500.00	\$120.00
Alternate and Experimental Design	\$1050.00	\$675.00	\$150.00

a No additional fee required if submitted with public swimming pool or water attraction.

b Fee required per submittal of pool slides or drop slides.

c Applies to pool slides over 6 feet (1.8 m) in height measured from the slide entrance to the deck of the pool or water attraction.

**Table 2.68-2
Plan Review Fees For Public Swimming Pools, Water Attractions and Associated Slides
Located in Municipalities That Perform Construction Inspections**

Pool Type or Water Attraction	Fee Type		
	Initial Construction	Modification	Revision to Previously Approved Plans
Pool Slide, Drop Slide or Water Slide, functional requirements ^{a, b}	\$270.00	\$120.00	\$120.00
Pool Slide, Drop Slide or Water Slide, structural requirements ^c	\$300.00	\$120.00	\$120.00
Public Swimming Pool, gutter type	\$600.00	\$200.00	\$120.00
Public Swimming Pool, skimmer type	\$450.00	\$200.00	\$120.00
Water Attraction	\$600.00	\$200.00	\$120.00
Public Whirlpool	\$450.00	\$200.00	\$120.00
Alternate and Experimental Design	\$750.00	\$375.00	\$150.00

a No additional fee required if submitted with public swimming pool or water attraction.

b Fee required per submittal of pool slides or drop slides.

c Applies to pool slides over 6 feet (1.8 m) in height measured from the slide entrance to the deck of the pool or water attraction.