

SECTION 6. 675 IAC 12-3-2 IS AMENDED TO READ AS FOLLOWS:

675 IAC 12-3-2 Schedule of fees for site built construction

Authority: IC 22-12-6-6

Affected: IC 22-12-6-4; IC 22-15-3-2

Sec. 2. (a) Every application for construction design release (ACDR) required by 675 IAC 12-6 shall be accompanied by payment to the fire and building services fund in an amount prescribed in this section.

(b) The design release fees shall be as follows:

<u>All Projects</u>	<u>Amount</u>
Filing Fee	\$75
	plus
Processing Fee	\$75 minimum*
TOTAL	\$150 minimum*

*The minimum processing fee only applies where the categorical processing fee is less than \$75.

(c) The categorical processing fees shall be as follows:

Category A (Normal Occupancy): All buildings and structures not specifically listed in Categories B, C, D, E, **G, H, and I**. The fee is **\$0.050** times the gross square feet of floor area.

Category B (Minimal Occupancy—Area related): Livestock sales, hangars, open parking structures, truck freight terminals, warehouses, refrigerated storage, **bulk product processing plants**, and similar uses. The fee is **\$0.030** times the gross square feet of floor area.

Category C (Cost related): Remodeling and renovation (no additions). The fee is **\$0.0030** times the **total square footage of the remodeling and renovation**.

Category D (Minimal Occupancy—Cost related): Control towers, **generating plants**, dust collectors, mausoleums, grain elevators, concrete or asphalt plants, and other occupied high volume low area structures. The fee is **\$0.0002** times the construction cost.

Category E Swimming pools. The fee is **\$0.020** times the gross cubic feet.

Category F (Flammable Liquid or Gas Facilities): Each initial installation of one (1) or more bulk storage tanks, piping or dispensing equipment for **Classes I, II, IIIA, and IIIB** liquids, liquefied petroleum (LP) gas, or liquefied natural gas (LNG) or replacement of such tanks or piping at the same location. The fee is **eighty dollars (\$80)** for each tank.

Category G (Replicated floor plan buildings, such as apartment buildings, hotels, or motels): If a project consists of one (1) or more buildings with replicated floor plans, the filing fee shall be \$0.040 per square foot for one (1) example of each replicated floor plan, plus sixty-nine dollars (\$69) per building.

Category H (Shell building⁵ and initial tenant build-out): The fee for the shell building is \$0.040 times the gross square feet of floor area. The fee for the initial tenant build-out is \$0.020 times the gross square feet of floor area that is the subject of the build-out.

Category I (Expedited plan review): Expedited plan review is available for the following occupancies: B, F, M, S, and U. All required drawings, applications, and fees shall be received by plan review not later than 9:00 a.m. on the day that the project is submitted. If the project qualifies for expedited plan review and the issuance of a design release, the project will be released not later than 4:30 p.m. on the next following business day that the division is open. The fee for expedited submittal is five thousand dollars (\$5,000), plus the applicable fee or fees from Categories A through H.

(d) The special processing fees shall be as follows:

<u>Special Processing Fees</u>	<u>Amount</u>
(1) Each additional submission for a partially filed project	\$250
(2) Surcharge for late filing of plans and specifications in accordance with 675 IAC 12-6-8(c) ²	\$300
(3) Foundation release	\$80
(4) Addenda and revisions, each system modified per submission (other than compliance corrections) ³	\$35
(5) Master plans, each series or structure	\$173
(6) Incomplete project filing (mailed submissions only) ⁴	\$12
(7) Returned checks	\$35
(8) Reinstatement or time extension of design release	\$50

Notes:

¹The regular filing and processing fees are paid with the initial submission of the ACDR.

²The surcharge fee, if not collected at the time the ACDR is filed, **shall** be paid **before** issuance of any design release.

³Systems are architectural, structural, electrical, plumbing, mechanical (HVAC), **alarm, and fire suppression.**

⁴Payable when missing documents are subsequently filed.

⁵**“Shell building” means a Class 1 structure for which a design release is required before further construction is performed to accommodate the occupancy of one or more initial tenants.**

(e) The explanation of terms shall be as follows:

(1) Square footage (floor area) shall be determined by the outside dimensions of the building or structure. This shall include usable area under the horizontal projection of the roof or floor above such as **the following:**

- (A) Porches.
- (B) Canopies.
- (C) Balconies.

(2) Cubic footage (volume) shall be the gross volume of the building or structure as determined by the outside dimensions of the building or structure.

(3) Costs (construction) shall be the cost of the labor and materials required to perform the stated scope of construction. It need not include the cost of the **following:**

- (A) Land.
- (B) Interior furnishings. ☐
- (C) Processing equipment.

(f) The state **fire marshal or the building law compliance officer** may authorize the refunding of any fee specified in this section **that** was paid or collected in error. *(Fire Prevention and Building Safety Commission; 675 IAC 12-3-2; filed Jan 29, 1986, 3:00 p.m.: 9 IR 1363, eff Mar 1, 1986; filed Feb 17, 1987, 3:15 p.m.: 10 IR 1386, eff Mar 1, 1987 [IC 4-22-2-36 suspends the effectiveness of a rule document for 30 days after filing with the Secretary of State. LSA Document #86-152 was filed Feb 17, 1987.]; filed Jul 17, 1987, 2:45 p.m.: 10 IR 2700, eff Aug 1, 1987 [IC 4-22-2-36 suspends the effectiveness of a rule document for 30 days after filing with the Secretary of State. LSA Document #87-54 was filed Jul 17, 1987.]; filed Jun 3, 1988, 2:15 p.m.: 11 IR 3555, eff Aug 1, 1988; filed Sep 27, 1989, 4:30 p.m.: 13 IR 294; filed Apr 22, 1996, 3:00 p.m.: 19 IR 2285; readopted filed Sep 11, 2001, 2:49 p.m.: 25 IR 530; filed Apr 16, 2002, 9:05 a.m.: 25 IR 2731)*

SECTION 7. 675 IAC 12-3-6 IS AMENDED TO READ AS FOLLOWS:

675 IAC 12-3-6 Construction inspection fees

Authority: IC 22-12-6-6; IC 22-13-2-13

Affected: IC 22-15-2-6

Sec. 6. (a) This section applies to any Class 1 building or structure:

(1) for which a design release is required under 675 IAC 12-6; and

(2) **that** is located within the jurisdiction of a political subdivision that has not established a program to periodically inspect, or cause to be inspected, construction as determined under 675 IAC 12-10-9.

(b) The fees collected under section 2 of this rule for a design release shall be increased by **the greater** of the following amounts:

(1) **two hundred dollars (\$200).**

(2) **\$0.10 per square foot**, but not more than seven **thousand five hundred dollars (\$7,500).**

(Fire Prevention and Building Safety Commission; 675 IAC 12-3-6; filed Feb 1, 1988, 2:18 p.m.: 11 IR 1795, eff Apr 1, 1988; filed Apr 22, 1996, 3:00 p.m.: 19 IR 2287; filed Jan 30, 1998, 4:00 p.m.: 21 IR 2081; readopted filed Sep 11, 2001, 2:49 p.m.: 25 IR 530; filed Apr 16, 2002, 9:05 a.m.: 25 IR 2733)

(2) Category B: Places where the maximum occupant load is calculated under the method prescribed in the Indiana Building Code, 675 IAC 13. The occupant load may include persons seated in moveable seats or bleachers, fixed seating, persons standing, and combinations thereof. Examples include **the following:**

- (A) Indoor stadiums.
- (B) Arenas.
- (C) Gymnasiums.
- (D) Halls.
- (E) Nightclubs.
- (F) Other assembly type buildings or portions thereof.

The application fee is calculated from the same schedule as Category A plus an additional **ninety-nine dollars (\$99)** for each seating configuration or arrangement described in the floor or site plans submitted with the application under 675 IAC 12-9-3(a).

(b) An application for issuance of a special event endorsement under IC 22-14-3-4 shall be accompanied by payment to the fire and building services fund in an amount of **ninety-nine dollars (\$99)** for inspection of the place of amusement or entertainment. *(Fire Prevention and Building Safety Commission; 675 IAC 12-3-8; filed Jul 15, 1991, 5:30 p.m.: 14 IR 2235; filed Apr 22, 1996, 3:00 p.m.: 19 IR 2287; readopted filed Sep 11, 2001, 2:49 p.m.: 25 IR 530; filed Apr 16, 2002, 9:05 a.m.: 25 IR 2733)*

SECTION 9. 675 IAC 12-3-11 IS AMENDED TO READ AS FOLLOWS:

675 IAC 12-3-11 Inspection fee for existing buildings

Authority: IC 22-12-6-6

Affected: IC 22-12-6-1; IC 22-13-4-5

Sec. 11. If a design release for rehabilitation work to **or conversion of** an existing building, issued under 675 IAC 12-8-3(a) **or 675 IAC 12-13-2(a)**, requires passing an on-site inspection conducted by the **division**, an inspection fee in the amount of **one hundred fifty dollars (\$150)** shall be paid by the applicant for the design release. The fee shall be paid to the fire and building services fund. *(Fire Prevention and Building Safety Commission; 675 IAC 12-3-11; filed Jul 15, 1991, 5:30 p.m.: 14 IR 2236; readopted filed Sep 11, 2001, 2:49 p.m.: 25 IR 530)*