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**TITLE 675 FIRE PREVENTION AND BUILDING  
SAFETY COMMISSION**

**Proposed Rule**  
LSA Document #01-250

DIGEST

Amends 675 IAC 12-3 concerning general administrative rules. Amends 675 IAC 15-1-22 concerning the special administrative rules for industrialized building systems and mobile structure systems. Amends 675 IAC 23-1-63 concerning the annual inspection fee schedule for amusement devices to update fees to reflect current expenses and to reflect administrative changes. Effective 30 days after filing with the secretary of state.

- |                       |                        |
|-----------------------|------------------------|
| <b>675 IAC 12-3-2</b> | <b>675 IAC 12-3-8</b>  |
| <b>675 IAC 12-3-3</b> | <b>675 IAC 12-3-10</b> |
| <b>675 IAC 12-3-4</b> | <b>675 IAC 12-3-12</b> |
| <b>675 IAC 12-3-5</b> | <b>675 IAC 15-1-22</b> |
| <b>675 IAC 12-3-6</b> | <b>675 IAC 23-1-63</b> |
| <b>675 IAC 12-3-7</b> |                        |

SECTION 1. 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 state building commissioner 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	<del>\$45</del> <b>\$69</b>
plus	
Processing Fee	<del>\$40</del> <b>\$69</b> minimum*
<b>TOTAL</b>	<del>\$85</del> <b>\$138</b> minimum*

\*The minimum processing fee only applies where the categorical processing fee is less than \$50. [sic.] \$40.

(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, and E. The fee is ~~\$0.035~~ **\$0.040** times the gross square feet of floor area.

Category B (Minimal Occupancy/Area related): Generating plants, livestock sales, hangars, open parking structures, truck freight terminals, warehouses, refrigerated storage, and similar uses. The fee is ~~\$0.015~~ **\$0.020** times the gross square feet of floor area.

Category C (Cost related): Remodeling and renovation (no additions). The fee is ~~\$0.0017~~ **\$0.0020** times the construction cost. Not to exceed fees as specified for Categories A and B, calculated on the basis of the floor area of each affected story.

Category D (Minimal Occupancy/Cost related): Control towers, monuments, dust collectors, smoke stacks, towers, mausoleums, memorials, and similar uses, **grain elevators, concrete or asphalt plants, bulk product processing plants, and other occupied high volume low area structures.** The fee is ~~\$0.001~~ **\$0.0001** times the construction cost.

Category E (Minimal Occupancy/Volume related): ~~Grain elevators, concrete or asphalt plants, bulk product processing plants, Swimming pools, and other occupied high volume low area structures.~~ The fee is ~~\$0.001~~ **\$0.010** 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 Class 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 \$40 each tank.

(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 <sup>project</sup>	<del>\$70</del> <b>\$115</b>
(2) Surcharge for late filing of plans and specifications in accordance with 675 IAC 12-6-8(c) <sup>2</sup>	<del>\$40</del> <b>\$69</b>
(3) Foundation release	<del>\$60</del> <b>\$115</b>
(4) Addenda and revisions, each system modified per submission (other than compliance corrections) <sup>3</sup>	<del>\$20</del> <b>\$35</b>
(5) Fire suppression systems	
<del>Basic system, any type</del>	<del>\$45</del>
Plus each sprinkler head over 400 for water systems	\$0.10
(6) Master plans, each series or structure	<del>\$120</del> <b>\$173</b>
(7) Incomplete project filing (mailed submissions only) <sup>4</sup>	<del>\$10</del> <b>\$12</b>
(8) Returned checks	<del>\$20</del> <b>\$35</b>
(9) Reinstatement or time extension of design release	<del>\$20</del> <b>\$23</b>

Notes:

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

<sup>2</sup>The surcharge fee, if not collected at the time the ACDR is filed, must be paid prior to issuance of any design release.

<sup>3</sup>Systems are architectural, structural, electrical, plumbing, mechanical (HVAC), and fire protection.

<sup>4</sup>Payable when missing documents are subsequently filed.

(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 porches, canopies, and 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 land, interior furnishings, or processing equipment.

(f) The state building commissioner may authorize the refunding of any fee specified in this section which 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)*

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

**675 IAC 12-3-3 Fireworks display permit fee**

**Authority:** IC 22-11-14-2; IC 22-12-6-6

**Affected:** IC 22-12-6

Sec. 3. An application for a permit to conduct a supervised public display of fireworks shall be accompanied by payment to the Fire and Building Services Fund in the amount of ~~zero~~ **sixty-nine** dollars (~~\$0~~) (**\$69**) for each such permit. *(Fire Prevention and Building Safety Commission; 675 IAC 12-3-3; filed Jan 29, 1986, 3:00 p.m.: 9 IR 1364, eff Mar 1, 1986; filed Jul 15, 1991, 5:30 p.m.: 14 IR 2234; filed Apr 22, 1996, 3:00 p.m.: 19 IR 2286)*

SECTION 3. 675 IAC 12-3-4 IS AMENDED TO READ AS FOLLOWS:

**675 IAC 12-3-4 Variance application fees**

**Authority:** IC 22-12-6-6

**Affected:** IC 22-13-2-11

Sec. 4. (a) Every application for a variance from the rules of the commission shall be accompanied by payment to the Fire and Building Services Fund in an amount as follows:

Variance application filing fee:	<del>\$70</del> <b>\$138</b>
plus	
Plan examination and processing fee:	
Single code provision	<del>\$70</del> <b>\$138</b>
Each additional unrelated code provision	<del>\$40</del> <b>\$69</b>

(b) As used in this section, “unrelated code provision” means a provision of an adopted code or standard that covers subject matter that is not contingent upon or directly affecting the requirements of a different code provision for which a variance is being sought by the same applicant at the same time. *(Fire Prevention and Building Safety Commission; 675 IAC 12-3-4; filed Jul 17, 1987, 2:45 p.m.: 10 IR 2701, 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 3556, eff Aug 1, 1988; filed Jul 15, 1991, 5:30 p.m.: 14 IR 2234; filed Apr 22, 1996, 3:00 p.m.: 19 IR 2286)*

SECTION 4. 675 IAC 12-3-5 IS AMENDED TO READ AS FOLLOWS:

**675 IAC 12-3-5 Explosive magazine permit fee**

**Authority:** IC 22-12-6-6

**Affected:** IC 22-14-4-4; IC 22-14-4-5

Sec. 5. (a) An application for issuance of a regulated explosive magazine permit shall be accompanied by payment to the Fire and Building Services Fund in an amount as follows:

Type 1, 4, or 5	each <del>\$0</del> <b>\$138</b>
Type 2, 3, or indoor	each <del>\$0</del> <b>\$69</b>

(b) An application to annually renew a regulated explosive magazine permit shall be accompanied by payment to the Fire and Building Services Fund in an amount as follows:

Type 1, 4, or 5	each \$0 \$69
Type 2, 3, or indoor	each \$0 \$35

*(Fire Prevention and Building Safety Commission; 675 IAC 12-3-5; filed Feb 1, 1988, 2:16 p.m.: 11 IR 1789; filed Jul 15, 1991, 5:30 p.m.: 14 IR 2235; filed Apr 22, 1996, 3:00 p.m.: 19 IR 2286)*

SECTION 5. 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, for which a design release is required under 675 IAC 12-6, and 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 one (1) of the following amounts, whichever is greater:

(1) ~~Forty-five~~ **Eighty** dollars (~~\$45~~): (**\$80**).

(2) One-half (½) of the categorical processing fee, but not more than ~~six seven~~ hundred **fifty** dollars (~~\$600~~): **for the twelve (12) month period after the start of construction: (\$750)**.

(c) ~~The construction inspection fee shall be collected with the design release fee prescribed in section 2 of this rule. If the construction continues beyond twelve (12) months after the start of construction, the office of the state building commissioner shall collect an additional inspection fee of fifty dollars (\$50) for each additional month or portion thereof in which construction continues. For purposes of this subsection, the start of construction shall be deemed to be the date of the first inspection by the office of the state building commissioner after the commencement of construction as defined in IC 22-12-1-7. (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)~~

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

**675 IAC 12-3-7 Statewide fire and building safety education fund**

Authority: IC 22-12-6-6

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

Sec. 7. ~~(a)~~ This section applies to design release fees as established in section 2 of this rule. For each design release issued, ~~five twelve~~ dollars (~~\$5~~) (**\$12**) of the filing fee is designated for deposit in the statewide fire and building safety education fund established in IC 22-12-6-3.

~~(b) If, during the first twelve (12) month period after the effective date of this section and for each successive twelve (12) month period, the statewide fire and building safety education fund has on deposit an amount equal to forty thousand dollars (\$40,000), subsection (a) is suspended for the remainder of that twelve (12) month period. (Fire Prevention and Building Safety Commission; 675 IAC 12-3-7; filed Sep 27, 1989, 4:30 p.m.: 13 IR 295)~~

SECTION 7. 675 IAC 12-3-8 IS AMENDED TO READ AS FOLLOWS:

**675 IAC 12-3-8 Amusement and entertainment permit and inspection fees**

Authority: IC 22-12-6-7

Affected: IC 22-12-6; IC 22-14-3-4

Sec. 8. (a) An application for issuance of a permit for a regulated place of amusement or entertainment shall be accompanied by payment to the fire and building services fund in an amount as follows:

(1) Category A: Places where the occupant load is based entirely on fixed seating capacity and all planned amusement

or entertainment activity utilizes a single floor plan described in 675 IAC 12-9-3(a)(2). Examples are theaters and auditoriums.

<u>Occupant Load</u>	<u>Fee</u>
1-99	\$ <del>45</del> <b>\$69</b>
100-499	\$ <del>65</del> <b>104</b>
500-999	\$ <del>85</del> <b>\$138</b>
1,000-4,999	\$ <del>100</del> <b>\$173</b>
5,000-9,999	\$ <del>125</del> <b>\$207</b>
10,000 or more	\$ <del>150</del> <b>\$242</b>

(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 indoor stadiums, arenas, gymnasiums, halls, nightclubs, and other assembly type buildings or portions thereof. The application fee is calculated from the same schedule as Category A plus an additional ~~forty six~~ **forty six** dollars (~~\$40~~) (**\$69**) 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 ~~forty five~~ **forty six** dollars (~~\$45~~) (**\$69**) 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*)

SECTION 8. 675 IAC 12-3-10 IS AMENDED TO READ AS FOLLOWS:

**675 IAC 12-3-10 Fireworks retail stand permit fees**

**Authority:** IC 22-12-6-8  
**Affected:** IC 22-12-5

Sec. 10. An application for a fireworks retail stand permit shall be accompanied by payment to the Fire and Building Services Fund as follows:

(1) 1 to 4 retail stands	<del>\$0</del> <b>\$276</b>
(2) 5 to 10 retail stands	<del>\$0</del> <b>\$552</b>
(3) 11 to 20 retail stands	<del>\$0</del> <b>\$966</b>
(4) 21 to 50 retail stands	<del>\$0</del> <b>\$1,380</b>

plus ~~\$0~~ **\$35** for each stand more than 50. (*Fire Prevention and Building Safety Commission; 675 IAC 12-3-10; filed Jul 15, 1991, 5:30 p.m.: 14 IR 2235; filed Apr 22, 1996, 3:00 p.m.: 19 IR 2287*)

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

**675 IAC 12-3-12 Returned check fee**

**Authority:** IC 22-12-6-6  
**Affected:** IC 22-12-6

Sec. 12. This section is applicable to all fees prescribed in this rule. There will be an additional surcharge of ~~twenty~~ **thirty-five** dollars (~~\$20~~) (**\$35**) for any returned check. (*Fire Prevention and Building Safety Commission; 675 IAC 12-3-12; filed Aug 10, 1994, 10:40 a.m.: 17 IR 2859; filed Jan 30, 1998, 4:00 p.m.: 21 IR 2082*)

SECTION 10. 675 IAC 15-1-22, AS AMENDED AT 24 IR 1023, SECTION 18, IS AMENDED TO READ AS FOLLOWS:

**675 IAC 15-1-22 Fees**

**Authority:** IC 22-13-2-2; IC 22-13-2-13; IC 22-13-4-2  
**Affected:** IC 22-12; IC 22-13; IC 22-14; IC 22-15

Sec. 22. (a) The design release fees for manufacture shall be as follows:

(1) System plan review:	
(A) filing fee	\$15 <del>\$30</del>
(B) residential, add-a-room or duplex	\$185 <sup>1</sup> <del>\$320</del> <sup>1</sup>
(C) commercial	\$200 <sup>2</sup> <del>\$505</del> <sup>2</sup>
(2) System plan review (late filing):	
(A) filing fee	\$30 <del>\$55</del>
(B) residential, add-a-room or duplex	\$325 <del>\$525</del>
(C) commercial	\$370 <del>\$552</del>
(3) Addenda:	
(A) filing fee	\$15 <del>\$30</del>
(B) residential, add-a-room or duplex	\$50 <sup>1</sup> <del>\$85</del> <sup>1</sup>
(C) commercial	\$65 <sup>2</sup> <del>\$105</del> <sup>2</sup>
(4) Addenda (late filing):	
(A) filing fee	\$35 <del>\$55</del>
(B) residential, add-a-room or duplex	\$85 <del>\$140</del>
(C) commercial	\$100 <del>\$165</del>

Notes:

<sup>1</sup>Includes only the original floor plan. A ~~ten~~ **fifty** dollar (~~\$10~~) (**\$50**) fee is charged for each additional floor plan. Crawl space or basement plans are considered to be floor plans.

<sup>2</sup>Includes not more than two (2) module units as a completed structure. A ~~ten~~ **fifty** dollar (~~\$10~~) (**\$50**) fee is charged for each additional module unit.

(b) The system prototype inspection fees (without a design release) shall be as follows:

(1) First module unit	\$40 <del>\$70</del>
(2) Second module unit	\$50 <del>\$85</del>
(3) Third module unit and each additional module unit thereafter	\$65 <del>\$105</del>

For the purposes of this subsection, "module unit" means a structure, or other entity, regarded as an elementary structural or functional constituent of a whole industrialized building system or mobile structure.

(c) The third party inspection authorization fees shall be as follows:

(1) Original application for Indiana third party inspection authorization (if the original application for authorization is not granted, three hundred dollars (\$300) of the fee will be refunded)	\$500 <del>\$830</del>
(2) Yearly third party inspection renewal	\$340 <del>\$550</del>

(d) Indiana seal of acceptance fees shall be as follows:

(1) All applications for the Indiana seal of acceptance shall be accompanied by the proper fee which includes in-state inspection and monitoring.	
(2) Indiana seal of acceptance	\$40 <del>\$65</del> per seal

(e) Fees for travel shall be as follows:

(1) In-state or out-of-state reinspection	\$25 <del>\$45</del> per hour
(2) Out-of-state inspection or monitoring	\$25 <del>\$45</del> per hour plus the actual expense incurred for the purpose of inspection or monitoring
(3) Mileage for out-of-state inspection/reinspection or monitoring from base station to inspection site and return	\$0.28 per mile

*(Fire Prevention and Building Safety Commission; 675 IAC 15-1-22; filed Mar 25, 1986, 1:44 p.m.: 9 IR 1979, eff Jun*

15, 1986; filed Sep 13, 1988, 2:33 p.m.: 12 IR 319; filed Dec 22, 1988, 3:50 p.m.: 12 IR 1207; filed Sep 27, 1989, 4:30 p.m.: 13 IR 295; filed Apr 22, 1996, 3:00 p.m.: 19 IR 2288; filed Dec 11, 2000, 2:15 p.m.: 24 IR 1023)

SECTION 11. 675 IAC 23-1-63 IS AMENDED TO READ AS FOLLOWS:

**675 IAC 23-1-63 Annual inspection fees**

**Authority:** IC 22-12-6-6; IC 22-13-2-9; IC 22-15-2-6; IC 22-15-7

**Affected:** IC 22-13-2-3; IC 22-15-2-7; IC 36-7-2-9

Sec. 63. (a) The fee for an annual inspection of permanent and portable amusement devices except for those covered in subsection (b) shall be based on the size and complexity of the device as follows:

FEE	TYPE OF DEVICE	DESCRIPTION
<del>\$45</del> <b>\$144</b>	Kiddie	An amusement device designed for seventy-five pounds (75#) or less per passenger unit intended for use by children age twelve (12) and under.
<del>\$90</del> <b>\$144</b>	Major	An amusement device designed for seventy-five pounds (75#) or more intended for use by children above age twelve (12) and not listed as a spectacular amusement device.
<del>\$135</del> <b>\$144</b>	Spectacular	Includes the following list of amusement devices and any similar amusement device. <div style="margin-left: 40px;">                     Himalayas-Flying Bobs                      Sky Wheels                      Sky Divers                      Falling Stars                      High Rise, Roller Coaster                      Enterprise                      Log Flume                      Hang 10                 </div>

(b) The fee for an annual inspection of passenger tramways, aerial tramways and lifts, surface lifts and tows shall be based on mode of transportation of passengers uphill, on the surface or above the surface.

MODE OF TRANSPORTATION	FEE PER DRIVING MECHANISM
On Surface	<del>\$55</del> <b>\$144</b>
Above Surface	<del>\$110</del> <b>\$288</b>

(c) Reinspection fees shall be one-half (1/2) of the annual inspection fee.

(d) Subsequent inspection fee shall be ~~twenty one hundred~~ **dollars (\$20) (\$100)** per device. (*Fire Prevention and Building Safety Commission; 675 IAC 23-1-63; filed Sep 19, 1986, 9:15 a.m.: 10 IR 251, eff Nov 1, 1986; filed Sep 13, 1988, 2:32 p.m.: 12 IR 318*)

**Notice of Public Hearing**

*Under IC 4-22-2-24, notice is hereby given that on January 15, 2002 at 9:00 a.m., at the Indiana Government Center-South, 402 West Washington Street, Conference Center Room 12, Indianapolis, Indiana; AND on March 5, 2002 at*

*10:00 a.m., at the Indiana Government Center-South, 402 West Washington Street, Conference Center Room B, Indianapolis, Indiana the Fire Prevention and Building Safety Commission will hold a public hearing on proposed amendments to sections of the general administrative rules (675 IAC 12-3), the special administrative rules for industrialized building systems and mobile structure systems (675 IAC 15-1-22), and the annual inspection fee schedule for amusement devices (675 IAC 23-1-63) to update fees to reflect current expenses and to reflect administrative changes. Copies of these rules are now on file at the Indiana Government Center-South, 402 West Washington Street, Room W246 and Legislative Services Agency, One North Capitol, Suite 325, Indianapolis, Indiana and are open for public inspection.*

Patrick Ralston  
Executive Director  
Fire Prevention and Building Safety Commission