

obtain or review each study, all data underlying each study, and any analysis of each study and other supporting material:

The Office of the State Fire Marshal conducted an internal study to determine the amount of time required to review various kinds of submitted plans, issue permits, and conduct re-inspections. The Office used the time estimates to calculate the cost of providing the services and established fees based on the calculations. A copy of the study may be obtained by contacting the individual listed in item 4.

7. A showing of good cause why the rules are necessary to promote a statewide interest if the rules will diminish a previous grant of authority of a political subdivision of this state:

Not applicable

8. The preliminary summary of the economic, small business, and consumer impact:

In 2005 the legislature changed A.R.S. § 41-2146(D) to allow the State Fire Safety Committee to adopt a schedule for fees a permit, plan submission, plan review, and re-inspection. The Office of the State Fire Marshal previously had authority to charge certain fees but never did so. The work of the State Fire Marshal was funded by the state general fund. With this rulemaking, certain activities of the State Fire Marshal will be performed on a cost-recovery basis. There will be an economic impact on those who are required to submit a plan and obtain a permit from the State Fire Marshal. This fee is a cost of doing business, which may be passed to the consumer.

9. The name and address of agency personnel with whom persons may communicate regarding the accuracy of the economic, small business, and consumer impact statement:

Name: Phil Mele
Address: Department of Fire, Building and Life Safety
1110 West Washington Street, Ste. 100
Phoenix, AZ 85007
Telephone: (602) 364-1081
Fax: (602) 364-1084
E-mail: Phil.mele@dfbls.az.gov

10. The time, place, and nature of the proceedings for the making, amendment, or repeal of the rules or, if no proceeding is scheduled, where, when, and how persons may request an oral proceeding on the proposed rules:

An oral proceeding regarding the proposed rules will be held as follows:

Date: Monday, May 12, 2008

Time: 9:00 a.m.

Location: Department of Fire, Building and Life Safety
1110 West Washington Street, Room 250
Phoenix, AZ 85007

The rulemaking record will close at 5:00 p.m. on Friday, May 16, 2008.

11. Any other matters prescribed by statute that are applicable to the specific agency or to any specific rule or class of rules:

None

12. Incorporations by reference and their location in the rules:

None

13. The full text of the rules follows:

TITLE 4. PROFESSIONS AND OCCUPATIONS

CHAPTER 36. DEPARTMENT OF FIRE, BUILDING AND LIFE SAFETY

ARTICLE 2. ARIZONA STATE FIRE CODE

Section

R4-36-202. Fees

ARTICLE 3. INTERNATIONAL FIRE CODE MODIFICATIONS

R4-36-303. ~~Fees and~~ Permits

ARTICLE 2. ARIZONA STATE FIRE CODE

R4-36-202. Fees

A. Under the authority provided by A.R.S. § 41-2146(D), the State Fire Safety Committee establishes the following schedule of fees:

1. Plan submission fees:
 - a. Each plan submitted: \$210; and
 - b. Each plan supplement submitted: \$30;
2. Plan review fees. A separate fee is charged for each system reviewed even if the systems are included in one submitted plan:
 - a. New installation of an automatic fire sprinkler system.
 - i. Servicing less than 10,000 square feet: \$375;
 - ii. Servicing between 10,000 and 50,0000 square feet: \$450;
 - iii. For each 50,000 square feet or portion of 50,000 square feet serviced in excess of 50,000 square feet: \$450; and
 - iv. For each floor level serviced above or below the ground-level floor: \$200;
 - b. Modification of an existing automatic fire sprinkler system.
 - i. System consisting of 1 to 20 sprinkler heads: \$75;
 - ii. System consisting of 21 to 50 sprinkler heads: \$100;
 - iii. System consisting of 51 to 100 sprinkler heads: \$250;
 - iv. System consisting of 101 to 500 sprinkler heads: \$300;
 - v. For each additional 100 sprinkler heads or portion of 100 sprinkler heads in excess of 500: \$100; and
 - vi. For each floor level serviced above or below the ground-level floor: \$200;
 - c. New installation or modification of an extinguishing system using clean agent, halon, dry chemical, carbon dioxide, or other extinguishing material:
 - i. Servicing up to 5,000 square feet: \$200; and
 - ii. For each 5,000 square feet or portion of 5,000 square feet serviced in excess of 5,000 square feet: \$50;
 - d. New installation of one automatic hood extinguishing system: \$150;
 - e. Modification of one existing automatic hood extinguishing system: \$75;
 - f. New installation of a fire pump:

- i. For the first fire pump: \$250; and
 - ii. For each fire pump in excess of one: \$150;
 - g. Modification of one existing fire pump: \$100;
 - h. New installation or modification of underground fire line and hydrants:
 - i. System consisting of up to 500 lineal feet: \$300; and
 - ii. For each 500 lineal feet or portion of 500 lineal feet in excess of 500 lineal feet: \$175;
 - i. New installation of standpipe system:
 - i. System consisting of up to four standpipes: \$200; and
 - ii. For each four standpipes or portion of four standpipes in excess of four: \$100;
 - j. Modification of standpipe system: \$50;
 - k. New installation of a fire alarm system:
 - i. Servicing up to 1,000 square feet: \$225;
 - ii. Servicing between 1,001 and 2,000 square feet: \$300;
 - iii. Servicing between 2,001 and 10,000 square feet: \$450;
 - iv. Servicing between 10,001 and 50,000 square feet: \$500;
 - v. For each 50,000 square feet or portion of 50,000 square feet serviced in excess of 50,000 square feet: \$200;
 - vi. For each floor level serviced above or below the ground-level floor: \$200; and
 - vii. For smoke detection throughout serviced area: 50% increase in fee; and
 - l. Modification of a fire alarm system:
 - i. One to five fire alarm devices: \$100; and
 - ii. Six or more fire alarm devices: \$150.
- 3. Permit issuance fees:
 - a. Fire protection permit: \$30 per system permitted;
 - b. Underground liquid fuel storage tank: \$164;
 - c. Tire storage: \$82;
 - d. Above-ground liquid fuel storage tank: \$164;
 - e. Pyrotechnics: \$164;
 - f. Special-event tent: \$164;
 - g. Hydrogen fuel cell: \$164;
 - h. Fair or trade show: \$164;
 - i. Explosives or blasting storage: \$164;
 - j. Compressed gases: \$164;

~~F.~~ The State Fire Marshal may authorize the refunding of any fee paid in accordance with this Section that was erroneously paid or collected if the permittee applies for the refund on a form furnished by the State Fire Marshal not later than 180 days after the date of fee payment.

~~G.C.~~ No change

1. No change

2. No change

~~H.D.~~ No change

~~I.E.~~ No change

~~J.F.~~ No change

~~K.G.~~ No change

~~L.H.~~ No change

~~M.I.~~ No change

~~N.J.~~ No change

~~O.K.~~ No change

~~P.L.~~ No change

~~Q.M.~~ No change

~~R.N.~~ No change

~~S.O.~~ No change