

APA-1
11/96

TRANSMITTAL SHEET FOR NOTICE OF INTENDED ACTION

Control 420 Alabama Department of Public Health

Rule Number 420-5-21-.02

Rule Title Fees Required

New Amend Repeal Adopt by Reference

Would the absence of the proposed rule significantly harm or endanger the public health, welfare or safety? Yes

Is there a reasonable relationship between the state's police power and the protection of the public health, safety or welfare? Yes

Is there another, less restrictive method of regulation available that could adequately protect the public? No

Does the proposed rule have the effect of directly or indirectly increasing the costs of any goods or services involved and, if so, to what degree? No

Is the increase in cost, if any, more harmful to the public than the harm that might result from the absence of the proposed rule? n/a

Are all facts of the rulemaking process designed solely for the purpose of and so they have as their primary effect, the protection of the public? Yes

Does the proposed rule have an economic impact? No

If the proposed rule has an economic impact, the proposed rule is required to be accompanied by a fiscal note prepared in accordance with subsection (f) of §41-22-23, Code of Alabama, 1975.

Certification of Authorized Official

I certify that the attached proposed rule has been in full compliance with the requirements of Chapter 22, Title 41, Code of Alabama, 1975, and that it conforms to all applicable filing requirements of the Administrative Procedure Division of the Legislative Reference Service.

Signature of Certifying Officer [Signature] Date 10/20/16

REC'D & FILED

OCT 20 2016

LEGISLATIVE REF SERVICE

FORM APA2
11/96

STATE BOARD OF HEALTH
NOTICE OF INTENDED ACTION

AGENCY NAME: Alabama Department of Public Health

RULE NUMBER AND TITLE: 420-5-21-.02 Fees Required

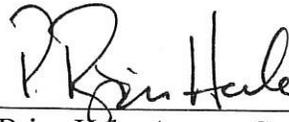
INTENDED ACTION: To amend the current rule

SUBSTANCE OF PROPOSED ACTION: This amendment will clarify the collection of plan review fees.

TIME, PLACE, AND MANNER OF PRESENTING VIEWS: A public hearing will be held on November 8, 2016, at 9:00 a.m., at the RSA Tower, Suite 1540, 201 Monroe Street, Montgomery, AL 36104.

FINAL DATE FOR COMMENTS AND COMPLETION OF NOTICE: Written or oral comments will be received until the close of the record at 5:00 p.m. on Monday, December 5, 2016. All comments and requests for copies of the proposed amendments should be addressed to the contact person listed below.

CONTACT PERSON AT AGENCY: Victor Hunt, Office of Facilities Management, Alabama Department of Public Health, P.O. Box 303017, Montgomery, Alabama 36130-3017, Telephone number: (334) 206-5218.



P. Brian Hale, Agency Secretary

420-5-21-.02 FEES REQUIRED

(1) FEE SCHEDULE: Fees are based on a percentage of the cost of construction of each project. The fee schedule is set out in Alabama Administrative Code Rule 420-1-5-.08, "State Level Fees," and is available online at www.adph.org/facmgmt.

(12) INITIAL FEE: The first submittal of each new project shall be accompanied by an initial \$500.00 fee payment. This includes projects consisting only of fire alarm or fire sprinkler work. Submittals sent in without this initial fee will not be logged in until the fee payment is received.

(23) FINAL STAGE DRAWING APPROVAL FEE: Upon receipt by the architect or owner of the Department's written notice of approval of the final drawings and specifications, payment shall be due for 75 percent of the total fee. The following conditions apply:

(a) Written review comments must be sent by the Alabama Department of Public Health to the project architect within 60 calendar days of the Department's receipt of each submittal (120 calendar days on projects costing more than \$15,000,000). If the Alabama Department of Public Health does not meet this time limitation, the Drawing Approval fee payment is waived.

(b) Final Inspection will not be scheduled prior to receipt of Final Stage Drawing Approval fee payment.

(34) FINAL INSPECTION FEE: Upon the project having a requested preliminary inspection or the final inspection performed by the Alabama Department of Public Health, payment shall be due immediately for the remainder of the total fee. The following conditions apply:

(a) The inspection must be performed within 30 calendar days of the Alabama Department of Public Health's receipt of a written request for inspection from the project architect, or by the date requested by the architect (whichever is later). Requests for preliminary or final inspections must occur after Final Stage Drawing Approval. If the Department does not meet this time limitation, the Final Inspection fee payment is waived.

(b) Certificate of Completion (COC) will not be issued prior to receipt of Final Inspection fee.

(45) REVIEWS AND INSPECTIONS COVERED BY FEES: Up to four separate plan review submittals, prior to final approval, are included in the Final Stage Drawing Approval Fee. One ~~final~~ building inspection is included in the Final Inspection Fee.

(56) ADDITIONAL FEES:

(a) If additional submittals or inspections are required, an additional fee, equal to 15 percent of the total fee, shall be paid for each additional submittal or inspection. The time

restrictions and conditions which apply to routine submittals and final inspections shall apply to additional submittals and inspections.

(b) When sprinkler or fire alarm drawings are submitted as part of a larger project, they will not be counted as additional submittals requiring the additional fee.

Author: Victor C. Hunt

Statutory Authority: Code of Alabama, 1975, 22-21-40, et. seq.

History: Original rule filed: November 20, 2000; effective January 5, 2001. **Amended:** Filed July 23, 2012; effective August 27, 2012.