

ARTICLE 33 SUBSTITUTE A AS AMENDED

RELATING TO FIRE SAFETY FEES

SECTION 1. Chapter 23-28.2 of the General Laws entitled “Division of Fire Safety” is hereby amended by adding thereto the following section:

23-28.2-27. Inspection Fees. – (a) The state fire marshal’s office shall assess an inspection fee of one-hundred dollars (\$100.00) per inspection for any inspection performed by that office pursuant to chapter 23-28.1 of the Rhode Island General Laws, or any other provisions of the state fire code, including any rule or regulation promulgated by either the fire safety code board of appeal and review or the state fire marshal. The inspection fee shall be assessed for each required inspection. Initial inspections and any required subsequent re-inspection shall constitute separate visits for which separate inspection fees will be payable.

(b) In the case of an inspection involving residential use, the fee shall be paid by the property owner.

(c) In the case of any inspection involving any assembly, industrial, mercantile, business educational, health care, ambulatory health care, day care or municipal government use, the fee shall be paid by one of the following parties:

(1) The occupant/tenant of the property if the occupant/tenant holds any license issued by the State of Rhode Island that requires fire code compliance; or

(2) The lessee of the property if the lessee is the sole tenant; or

(3) If neither (1) nor (2) apply, the owner of the property will be responsible for payment of the inspection fee.

(d) The fee shall be waived for a specific inspection in the event that no violation of any provision of the state fire code including any rule or regulation is found.

(e) No inspection fee shall be assessed against any municipality or municipal agency or the State of Rhode Island, or any department, board, or commission thereof. No inspection fee shall be assessed for any inspection conducted for the purpose of updating the compliance status of a building in preparation for a hearing before the fire safety code board of appeal and review or before any court.

(f) All fees collected pursuant to this section shall be deposited as general revenue.

SECTION 2. Section 23-28.11-3 of the General Laws in Chapter 23-28.11 entitled

1 “Fireworks and Pyrotechnics” is hereby amended to read as follows:

2 **23-28.11-3. Permits for storage, handling, transportation and display of fireworks**
3 **and pyrotechnics.** – (a) All storage, handling, transportation and display of fireworks shall be in

4 accordance with the National Fire Protection Association (NFPA) Standard 1123 entitled "Code
5 for Fireworks Display", and NFPA Standard 1124 entitled "Code for the Manufacture,
6 Transportation, Storage, and Retail Sales of Fireworks and Pyrotechnic Articles" 2003 Edition,
7 and the requirements of this chapter.

8 (b) All storage, handling, transportation and display of pyrotechnics shall be in
9 accordance with the National Fire Protection Association (NFPA) Standard 1126 entitled
10 "Standard for the Use of Pyrotechnics before a Proximate Audience", and NFPA Standard 1124
11 entitled "Code for the Manufacture, Transportation, Storage, and Retail Sales of Fireworks and
12 Pyrotechnic Articles" 2003 Edition, and the requirements of this chapter.

13 (c) Permits to possess and display commercial fireworks or pyrotechnics shall be issued
14 by the local fire authority on forms provided by the state fire marshal. No permit shall be issued
15 until the applicant’s certificate of competency and insurance coverage is verified as being current
16 and the applicant has submitted a fifty dollar (\$50.00) fee. Verification will be determined by the
17 state fire marshal office.

18 (d) No permit to possess and display fireworks or pyrotechnics shall be issued by the
19 local fire authority until the applicant has first obtained a valid certificate of competency from the
20 state fire marshal. For the purposes of this chapter, "pyrotechnics" means a chemical mixture,
21 including pyrotech-compositions, intended to produce a visible and/or audible effect by
22 combustion, deflagration or detonation before a proximate audience closer than allowed for
23 outdoor fireworks displays as permitted under this chapter. All pyrotechnics shall be in
24 accordance with the requirements of the National Fire Protection Association Standard 1126,
25 entitled "Use of Pyrotechnics Before A Proximate Audience", 1992 Edition, and the requirements
26 of this chapter.

27 (e) All fees collected pursuant to this section shall be deposited as general revenue.

28 SECTION 3. Section 23-28.28-10 of the General Laws in Chapter 23-28.28 entitled
29 “Explosives” is hereby amended to read as follows:

30 **23-28.28-10. Permit fees.** – (a) Each application for a license under this chapter shall be
31 accompanied by the fee prescribed in this section, which fee shall be returned in the event the
32 application is denied. The permit fee shall be as follows:

33	Manufacturer's permit	\$50.00 <u>\$85.00</u> annually
34	Dealer's permit	\$35.00 <u>\$50.00</u> annually

1	Possessor's permit	\$50.00 annually
2	User's permit based on estimated	
3	job cost	\$25.00
4		per increment of \$1000.00
5	Quarry or project permit based on	
6	estimated cost not more than	
7	\$99,000	\$100.00
8	over \$99,000	\$100.00 plus \$50.00
9		per \$100,000
10		or fraction thereof over
11		\$99,000.
12	<u>User's permit based on estimated project costs</u>	<u>\$50.00</u>
13		<u>per \$10,000.00</u>
14		<u>or fraction thereof.</u>

15 (b) All fees collected pursuant to this section shall be deposited as general revenue.

16 SECTION 4. Chapter 23-28.28 of the General Laws entitled "Explosives" is hereby
17 amended by adding thereto the following section:

18 **23-28.28-38. Transportation of Explosives. – (a) All vehicles and associated equipment**
19 **used for the transportation of Class A or Class B explosives shall be subject to annual inspection**
20 **by the state fire marshal's office and a permit issued stating that the vehicle and associated**
21 **equipment meets the requirements of N.F.P.A. 495. There shall be a one hundred dollars**
22 **(\$100.00) permit fee.**

23 **(b) All fees collected pursuant to this section shall be deposited as general revenue.**

24 SECTION 5. This article shall take effect as of July 1, 2007.