

## **Title 153 - STATE FIRE MARSHAL**

### **Chapter 21 REVIEW AND APPROVAL OF PLANS AND FEES ASSESSED**

01. Statement of Purpose. This Chapter implements the provisions of Neb. Rev. Stat. 81-505.01 (Supp. 2021) dealing with review and approval of plans and the fees assessed for such review and approval.

02. Definitions. Unless otherwise specified, definitions of words or terms contained in this Chapter match those set forth in Chapter 3 of this Title.

02.01 State Fire Marshal also means appropriate State Fire Marshal delegated authority.

02.02 Plans means all information necessary to determine compliance with rules and regulations of the State Fire Marshal.

03. Review and Approval of Plans.

03.01 Scope and Application. No person, partnership or corporation will erect, construct, enlarge, alter, repair, improve, or convert, any building or structure or cause the same to be done without first submitting plans for review and approval by the State Fire Marshal.

03.01A Each Fire Protection Feature (fire alarm, fire sprinkler, fire main, or specifications) plan must be individually submitted to and reviewed by the State Fire Marshal.

03.01B Exempted Work. A building plans review will not be required for apartment buildings with less than three dwelling units.

03.01C The State Fire Marshal may waive the submission of plans if it is found that the nature of the work is such that a review of plans is not necessary to obtain compliance with the rules and regulations of the State Fire Marshal.

03.01D Such waiver does not grant authorization for any work to be done or systems to be operated, in any manner, in violation of the provisions of the State Fire Marshal or any other applicable laws, rules, regulations or ordinances.

03.02 Procedure for Plans Review.

03.02A Application Process. To submit plans for review, the applicant will complete and submit a Plan Submittal Application that includes:

03.02A1 Plans of sufficient clarity to indicate the location, nature, and extent of the work proposed. These plans will show in detail that the proposed work will conform to the rules and regulations of the State Fire Marshal Agency.

03.02A2 Any other data and/or information necessary to complete the review.

03.02A3 Appropriate fees as determined by Section 4.

### 03.03 Plans Approval Issuance.

03.03A. Issuance If the State Fire Marshal finds that the work described in a Plan Submittal Application conforms to the rules and regulations of the State Fire Marshal and that the fees specified in Section 004 of this Chapter have been paid, a plans approval will be issued to the applicant.

03.03A1 When conditional items are noted on the plans review approval, satisfactory correction of such items will be required to be addressed or corrected prior to final inspection by the State Fire Marshal.

03.03A2 When the State Fire Marshal issues the plans review approval, the plans will be endorsed by written notification and /or stamped "APPROVED". Such approved plans, including the plans review approval, will not be changed, modified, or altered by the submitting party. All work will be done in accordance with the approved plans and plans review approval. Separate changes, if needed, will be submitted to the State Fire Marshal as an addendum or revision.

03.03A3 Validity of Plans Approval The issuance of plans review approval does not prevent the State Fire Marshal from thereafter requiring the correction of errors in said plans, or from preventing building operations carried on thereunder, when in violation of any rule or regulation of the State Fire Marshal.

03.03A4. Expiration of Plans Approval Every plans approval issued by the State Fire Marshal will expire if the building or work authorized by such approval is not commenced within 180 days from the date of such plans review approval, unless extended by the State Fire Marshal.

03.03A5 Disapproval of Plans Where the State Fire Marshal has not issued a plans review approval, the applicant will be notified in writing of the reasons for such disapproval.

03.03A6 Suspension or Revocation. The State Fire Marshal may, in writing to the owner or owner's authorized representative, suspend or revoke a plans review approval issued in error or on the basis of incorrect information supplied, or for violation of any regulation or provision of the State Fire Marshal.

#### 04. Fees for Review and Approval of Plans

04.01 Fees to be assessed A review fee of \$2.50 will be assessed for every \$10,000.00 of total value of the proposed structure or improvement, up to a maximum review fee of \$500.00.

04.02 "Total Value of Proposed Structure or Improvement" is the actual cost, contract price, or bid construction cost. For the purposes of a timely plan review, cost estimates may be used to assess the fee prior to actual bidding and construction. Significant increased changes in the actual cost as compared to the cost estimate submitted will result in a modified fee being assessed to the submitting party. When considering bid estimates, all bid alternates increasing the cost of the contract price will be included for determining the fee whether the alternates are accepted or not.

04.03 An additional plans review fee will be assessed at the full rate set forth in Section 04.01 of this Chapter for all plans resubmitted, whether as a result of: 1) a disapproval; 2) incompleteness; 3) or because of major revision by the owner/designated representative.

04.04 State agencies and state colleges will be billed on an IBT. All other fees are to be paid via check or on-line electronic payment.

04.05 Fee Refunds. The State Fire Marshal may authorize the refunding of that portion of any fee paid hereunder which was erroneously paid or collected.