

**Town of East Lyme  
Notice of Public Hearing  
East Lyme Town Hall  
108 Pennsylvania Avenue  
Niantic, CT 06357**

RECEIVED FOR RECORD  
EAST LYME, CT

2023 APR -6 P 1:36

*Carroll Hill*

**NOTICE IS HEREBY GIVEN**, of a public hearing to be held by the East Lyme Board of Selectmen on Wednesday, April 19, 2023 at the East Lyme Town Hall at 108 Pennsylvania Avenue, Niantic, Connecticut beginning at 7:00 p.m. to receive comments regarding the following ordinance entitled:

**ORDINANCE PRESCRIBING FEES FOR FIRE MARSHAL  
PERMITS AND INSPECTIONS**

Said Ordinance proposes the issuance of permits and the imposition of fees by the Fire Marshal's office when conducting state mandated annual inspections of certain businesses and the review of construction plans and structures within the Town.

Copies of the proposed Ordinance is available for review in the East Lyme Town Clerk's Office and on the Town of East Lyme website [www.eltownhall.com](http://www.eltownhall.com).

Interested persons are invited to attend and be heard.

Dated at East Lyme, Connecticut, on this 5th day of April, 2023.

**EAST LYME BOARD OF SELECTMEN**

Received for Public  
Permit 4/6/23  
Alicia Yulm

## ORDINANCE PRESCRIBING FEES FOR FIRE MARSHAL PERMITS AND INSPECTIONS

### Section 1. Permits

- A.** No building or structure subject to the Connecticut State Fire Safety Code and/or State Fire Prevention Code shall be constructed, used, occupied, enlarged, altered or repaired unless a permit has been granted for said activity by the Fire Marshal.
- B.** No person shall undertake any of the operations or activities described in Section 2C of this article until such person shall have obtained a permit from the Fire Marshal. Said permit shall be valid for 12 months from the date of issue. No continuation, expansion, diminution or modification of said operations shall be undertaken without obtaining a permit from the Fire Marshal.
- C.** No person shall install, enlarge, alter, remove, repair or replace any fire protection system in any building or structure subject to the Connecticut State Fire Safety Code and/or State Fire Prevention Code, until such person shall have obtained a permit from the Fire Marshal.
- D.** The permit(s) required pursuant to this section shall be required in addition to any other permits or licenses required by federal, state or local law.

### Section 2. Schedule of fees.

- A.** The fee for plan reviews for new construction, renovations, additions or modernization of buildings or structures shall be at the following rates. For purposes of this subsection, "fast track" is an expedited plan review which will be conducted in one week or less, subject to staff availability.
- (1)** Fire plan review (not including R-3 occupancies): 65% of the building permit fee or 100% for fast track review.
- (2)** Mechanical plan review (fire protection systems): 100% of the building permit fee or 135% for fast track review.
- (3)** Electrical plan review: 35% of the building permit fee or 70% for fast track review.
- B.** The fee for field inspections, approval and acceptance of new construction, renovations, additions or modernization of multifamily residential (not including R-3 occupancies) and commercial buildings or structures associated with the issuance of a certificate of occupancy shall be at the following rates:

<b>Estimated Construction Cost (From Building Permit Application)</b>	<b>Fee Formula</b>
\$1 to \$500	\$10.41
\$501 to \$2,000	\$10.41 for the first \$500 plus \$0.26 for each additional \$100 or fraction thereof up to and including \$2,000
\$2,001 to \$25,000	\$14.31 for the first \$2,000 plus \$1.04 for each additional \$1,000 or fraction thereof up to and including \$25,000
\$25,001 to \$50,000	\$38.25 for the first \$25,000 plus \$0.78 for each additional \$1,000 or fraction thereof up to and including \$50,000

**Estimated Construction Cost (From Building Permit Application)**

**Fee Formula**

\$50,001 to \$100,000	\$57.77 for the first \$50,000 plus \$0.52 for each additional \$1,000 or fraction thereof up to and including \$100,000
\$100,001 to \$500,000	\$83.80 for the first \$100,000 plus \$0.46 for each additional \$1,000 or fraction thereof up to and including \$500,000
\$500,001 to \$1,000,000	\$271.18 for the first \$500,000 plus \$0.42 for each additional \$1,000
\$1,000,001 and up	\$479.38 for the first \$1,000,000 plus \$0.26 for each additional \$1,000 or fraction thereof
Manufactured structures setup fee	\$10.41 per section, with a minimum fee of \$20.82 per permit

**C.** Any person engaged in any of the following operations and/or occupancies shall obtain periodic inspection thereof according to the schedule set forth in C.G.S. § 29-305 as that section may be amended or recodified from time to time. Single-use inspections shall be valid only for a one-time event at a single venue. Multi-use inspections shall be valid for 12 months from date of issue and shall apply to multiple venues if the inspected configuration or process does not change. All inspections include both fire permit and fire inspection. The fee(s) for the annual permit required pursuant to Section 1B, including such inspection(s), shall be as follows:

**Operation Permit Fee Table**

<b>Operations and Materials</b>	<b>Permit Required</b>	<b>Permit Fee</b>
Aircraft hangars	For servicing or repairing aircraft	\$100 per year
Airport terminal buildings	For operation	\$100 per year
Ambulatory health care occupancy	To operate an ambulatory health care occupancy	See Occupancy Permit Fee Table
Ammonium nitrate	For storage	\$250 per year
Apartment buildings and dormitories	To operate an apartment building or dormitory	See Occupancy Permit Fee Table
Automobile wrecking yards	To operate automobile wrecking yards	\$100 per year

### Operation Permit Fee Table

Operations and Materials	Permit Required	Permit Fee
Battery system	To operate stationary lead-acid battery systems having an electrolyte capacity of more than 100 gallon (379 liters) in sprinklered buildings or 50 gallon (189 liters) in nonsprinklered buildings	\$75 per year
Business occupancies	To operate a business occupancy	See Occupancy Permit Fee Table
Candles, open flames, and portable cooking	To use in connection with assembly areas, dining areas of restaurants, or drinking establishments	\$30; single use; \$60 multi-use
Cellulose nitrate film	For storage, handling, or use	\$100 per year
Cleanrooms	For operation	\$150 per year
Combustible material storage	To store more than 2,500 ft <sup>3</sup> (70.8 m <sup>3</sup> ) gross volume	\$250 per year
Commercial rubbish-handling operation	To operate	\$150 per year
Consumer fireworks (1.4G)	For the sale, on-site handling, manufacture, and storage of consumer fireworks (1.4G)	\$150 per year
Covered mall buildings	Annual requirement for facilities that utilize mall area for exhibits or displays with 4 conditions	\$250 per year
Cutting and welding operation	For operations within a jurisdiction	\$30; single use; \$60; multi-use
Day-care occupancies	To operate a day-care occupancy	See Occupancy Permit Fee Table
Dry-cleaning plants	To engage in business of dry cleaning or to change to a more hazardous cleaning solvent	\$180 per year
Dust-producing operations	To operate a grain elevator, flour mill, starch mill, feed mill, or plant pulverizing aluminum, coal, cocoa, magnesium, spices, or sugar, etc.	\$250 per year
Educational occupancy	To operate an educational occupancy	See Occupancy Permit Fee Table

### Operation Permit Fee Table

Operations and Materials	Permit Required	Permit Fee
Exhibit and trade shows	For operation of all exhibits and trade shows held within a jurisdiction	\$250 per event
Fairs, no rides	To conduct the events	\$50 per event
Flame effects	Use of flame effects before an audience	\$180 per event
Health care facility	To operate a health care occupancy	See Occupancy Permit Fee Table
High-piled combustible storage	To use any building or portion thereof as a high-piled storage area exceeding 500 ft <sup>2</sup> (46.45 m <sup>2</sup> )	\$250 per year
Hot work operations	For hot work; for additional permit requirements for hot work operations, see 41.1.5 <i>Editor's Note: See Uniform Fire Code.</i>	\$30, single use; \$60, multi-use
Hotels and bed-and-breakfast establishment	To operate a hotel, motel or bed and breakfast establishment	See Occupancy Permit Fee Table
Industrial occupancies	To operate an industrial occupancy	See Occupancy Permit Fee Table
Industrial ovens and furnaces	For operation of industrial ovens and furnaces covered by Chapter 51 <i>Editor's Note: See Uniform Fire Code.</i>	\$100 per year
Lumberyards and woodworking plants	For storage of lumber exceeding 100,000 board feet	\$250 per year
Membrane structures, tents, and canopies - permanent	For construction, location, erection, or placement	\$100 per structure
Membrane structures, tents, and canopies - temporary	To operate an air-supported temporary membrane structure or tent having an area in excess of 200 ft <sup>2</sup> (18.6 m <sup>2</sup> ) or a canopy in excess of 400 ft <sup>2</sup> (37.2 m <sup>2</sup> ). Exception: temporary membrane structures, tents, or canopy structures used exclusively for camping	\$50, single use; \$100, multi-use
Mercantile occupancies	To operate a mercantile occupancy	See Occupancy

### Operation Permit Fee Table

Operations and Materials	Permit Required	Permit Fee
		Permit Fee Table
Organic coatings	For operation and maintenance of a facility that manufactures organic coatings	\$150 per year
Places of assembly, including special amusement buildings	To operate a place of assembly	See Occupancy Permit Fee Table
Pyrotechnics before a proximate audience	For the display and use of pyrotechnic materials before a proximate audience	\$150 per event
Propane filling station	Where cylinder refilling takes place	\$50 per year
Propane tank installation	Inspection of all propane installation, residential and commercial	\$20 for permit
Propane tank use at events	Tanks used at events or fairs	\$20 per tank
Refrigeration equipment	To operate a mechanical refrigeration unit or system	\$50 per year
Repair garages and service stations	For operation of service stations and repair garages	\$50 per year
Residential board and care occupancies	To operate a residential board and care occupancy	See Occupancy Permit Fee Table
Rocketry manufacturing	For the manufacturing of model rocket motors	\$250 per year
Rooftop heliports	For operation of a rooftop heliport	\$250 per year
Special outdoor events, carnivals, and fairs	For the location and operation of special outdoor events, carnivals, and fairs	\$60 per event
Special structures and high-rise buildings	To operate special structures and high-rise buildings	See Occupancy Permit Fee Table
Storage occupancies	To operate a storage occupancy	See Occupancy

### Operation Permit Fee Table

Operations and Materials	Permit Required	Permit Fee
		Permit Fee Table
Tar kettles	For placement of a tar kettle, placement shall be obtained prior to the placement of a tar kettle	\$30, single use; \$60, multi-use
Tire-rebuilding plants	For operation and maintenance of a tire-rebuilding plant	\$150 per year
Tire storage	To use an open area or portion thereof to store tires in excess of 1,000 ft <sup>3</sup> (28.3 m <sup>3</sup> )	\$150 per year
Torch-applied roofing operation	For the use of a torch for application of roofing materials	\$30, single use; \$60, multi-use
Wildland fire-prone areas	For use of hazardous areas within fire-prone areas.	\$x per year
Wood products	To store chips, hogged material, lumber, or plywood in excess of 200 ft <sup>3</sup> (5.7 m <sup>3</sup> )	\$150 per year

### Occupancy Permit Fee Table

	Occupancy Group 1 Annual Renewal A, E, H-1, I-1 and R (Not Including R-3 Occupancies)	Occupancy Group 2 Biannual Renewal H-2, I-3, I-4, B-Medical and B-College	Occupancy Group 3 Triennial Renewal B, H-3, M, S-1	Occupancy Group 4 Quadrennial Renewal F-1, F-2, H-4, H-5, S-2 and U
0 to 3,000 square feet	\$60	\$60	\$60	\$60
3,001 to 5,000 square feet	\$95	\$95	\$95	\$95
5,001 to 7,500 square feet	\$125	\$125	\$125	\$125
7,501 to 10,000 square feet	\$135	\$135	\$135	\$135

### Occupancy Permit Fee Table

	<b>Occupancy Group 1 Annual Renewal A, E, H-1, I-1 and R (Not Including R-3 Occupancies)</b>	<b>Occupancy Group 2 Biannual Renewal H-2, I-3, I-4, B-Medical and B-College</b>	<b>Occupancy Group 3 Triennial Renewal B, H-3, M, S-1</b>	<b>Occupancy Group 4 Quadrennial Renewal F-1, F-2, H-4, H-5, S-2 and U</b>
10,001 to 12,500 square feet	\$150	\$150	\$150	\$150
12,501 to 15,000 square feet	\$170	\$170	\$170	\$170
15,001 to 17,500 square feet	\$180	\$180	\$180	\$180
17,501 to 20,000 square feet	\$190	\$190	\$190	\$190
20,001 to 30,000 square feet	\$205	\$205	\$205	\$205
30,001 to 40,000 square feet	\$230	\$230	\$230	\$230
40,001 to 50,000 square feet	\$245	\$245	\$245	\$245
50,001 to 60,000 square feet	\$260	\$260	\$260	\$260
60,001 to 70,000 square feet	\$275	\$275	\$275	\$275



**Occupancy Permit Fee Table**

	<b>Occupancy Group 1 Annual Renewal A, E, H-1, I-1 and R (Not Including R-3 Occupancies)</b>	<b>Occupancy Group 2 Biannual Renewal H-2, I-3, I-4, B-Medical and B-College</b>	<b>Occupancy Group 3 Triennial Renewal B, H-3, M, S-1</b>	<b>Occupancy Group 4 Quadrennial Renewal F-1, F-2, H-4, H-5, S-2 and U</b>
70,001 to 100,000 square feet	\$285	\$285	\$285	\$285
100,001 to 150,000 square feet	\$305	\$305	\$305	\$305
150,001 to 200,000 square feet	\$340	\$340	\$340	\$340

**D.** All permit fees established pursuant to this section are due when an application is submitted to the Fire Marshal.

**Section 3. Penalties for offenses.**

- A.** Any person who commences any work which is subject to the permit requirements of Section 1A or 1B without first obtaining a permit shall be required to pay a penalty of \$500 in addition to the permit fee otherwise applicable. No such penalty shall be imposed upon a person who commences emergency repair work without a permit, provided that a permit is sought promptly thereafter.
- B.** Any person who conducts any operation which is subject to the permit requirements of Section 1B without first obtaining a permit shall be required to pay a penalty equal to the amount of the permit fee otherwise applicable. Said penalty shall be payable in addition to the required permit fee. No such penalty shall be imposed upon a person who commences emergency repair work without a permit provided that a permit is sought promptly thereafter.

**Section 4. Penalties for nonpayment.**

Failure to pay fees as prescribed in this Ordinance may result in an injunction to cease and desist and a penalty of interest on delinquent bills will be charged at the rate of 1 1/2% per month from the due date (18% per annum). For purposes of this Ordinance the "due date" shall be 15 days from the date the Fire Marshal issues a bill. No additional permits will be issued regarding any property until the fees are paid in full. Emergency work will be considered if it poses a threat to life safety. The Fire Marshal may choose to write infractions for operating without a Town permit in accordance with the Fire Prevention Code.

**Section 5. Agencies exempt from fees; exception.**

Agencies of the Town of East Lyme and the East Lyme Board of Education shall be required to obtain all permits and/or inspections required pursuant to this article but all fees associated therewith shall be waived. The First Selectman may waive any permit fee, in whole or in part, for any work to be done by or for a non-profit organization, when the First Selectman deems it in the public interest to do so.

William J. Bundy  
Fire Marshal Town of East Lyme

