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**IDAPA 16
TITLE 05
Chapter 05**

16.05.05 - RULES GOVERNING FEES FOR HEALTH AND ENVIRONMENTAL OPERATING PERMITS, LICENSES, AND INSPECTION SERVICES

000. LEGAL AUTHORITY.

Pursuant to Section 39-119, Idaho Code, the Board of Health and Welfare is authorized to establish reasonable fees to be charged and collected for any service rendered by the Department of Health and Welfare. (2-15-82)

001. TITLE AND SCOPE.

These rules establish reasonable fees for health and environmental operating permits, licenses, inspection services and waiver application processing rendered by the Department of Health and Welfare or its designees. The rules are to be cited in full as Idaho Department of Health and Welfare Rules, IDAPA 16.05.05, "Rules Governing Fees for Health and Environmental Operating Permits, Licenses, and Inspection Services". (5-7-93)

002. APPLICABILITY.

In those Health Districts where the fee has already been assessed and paid, that fee will be the only fee assessed for that service for the period of the fee. (2-15-82)

003. DEFINITIONS.

01. Board. The Idaho Board of Health and Welfare. (10-22-92)

02. Department. The Idaho Department of Health and Welfare. (10-22-92)

03. Director. The Director of the Idaho Department of Health and Welfare. (10-22-92)

004. -- 099. (RESERVED).

100. ENVIRONMENTAL FEES.

The fees specified in Sections 101 through 199 shall be charged for the following environmental services rendered by the Department or its designees. The fees are to be paid by the party receiving the services described therein to the department or designee performing this service, in the time, place and manner specified by the performing agency. (10-22-92)

101. -- 109. (RESERVED).

110. INDIVIDUAL AND SUBSURFACE SEWAGE DISPOSAL SYSTEM PERMIT.

For those services rendered in the process of issuing installation permits for individual and subsurface sewage disposal systems (see Idaho Department of Health and Welfare Rules, IDAPA 16.01.03, Section 003 through Subsection 005.08, "Rules Governing Individual and Subsurface Sewage Disposal Systems"), the following fees apply: (5-7-93)

01. Individual Households Or Buildings. For individual households or buildings, if the individual and subsurface sewage disposal system is: (2-15-82)

a. A new installation, the fee shall be ninety dollars (\$90); or (10-22-92)

b. A replacement or expansion of an existing system, the fee shall be ninety dollars (\$90). (10-22-92)

02. Multiple Households Or Buildings. For individual and subsurface sewage disposal systems serving more than one (1) household or building in any combination, the fee shall be ninety dollars (\$90) plus ten dollars (\$10) per each household or each two hundred fifty (250) gallons of flow. (10-22-92)

111. -- 114. (RESERVED).

115. INDIVIDUAL AND SUBSURFACE SEWAGE DISPOSAL SYSTEM PUMPER PERMIT.

For those services rendered in the process of issuing permits to persons operating individual and subsurface sewage disposal system pumping equipment (see Idaho Department of Health and Welfare Rules, IDAPA 16.01.15, Section 004 through Subsection 004.04, "Rules Governing the Cleaning of Septic Tanks"), the fee shall be forty dollars (\$40) plus ten dollars (\$10) for each tank truck or tank per annum. (5-7-93)

116. -- 119. (RESERVED).

120. SUBSURFACE SEWAGE DISPOSAL SYSTEM INSTALLER'S REGISTRATION PERMIT.

For those services rendered in the process of issuing Installer's Registration Permits (see Idaho Department of Health and Welfare Rules, IDAPA 16.01.03, Sections 006 through Subsection 006.06, "Rules For Individual and Subsurface Sewage Disposal Systems"), the fee shall be fifty dollars (\$50) per annum for a standard and basic alternative system installer's registration permit and one hundred dollars (\$100) per annum for a standard, basic and complex alternative system installer's registration permit. (5-7-93)

121. -- 129. (RESERVED).

130. SWIMMING POOL PERMITS.

For those services rendered in the process of issuing swimming pool permits (see Idaho Department of Health and Welfare Rules, IDAPA 16.01.07, Section 006 through Subsection 006.03, "Rules for Construction and Operation of Public Swimming Pools in Idaho"), the fee shall be fifty dollars (\$50) per annum for each swimming pool. In addition, a plan review fee per unit for each swimming pool should be one hundred dollars (\$100). (5-7-93)

131. -- 149. (RESERVED).

150. PARCEL SURVEY.

For those services rendered in evaluating existing water supply or sewage disposal systems when such evaluation is a condition for the sale of real property, the fee shall be sixty dollars (\$60) excluding laboratory services. (10-22-92)

151. -- 159. (RESERVED).

160. SANITARY RESTRICTION ADMINISTRATION.

For those services rendered in the administration of sanitary restrictions, pursuant to Section 50-1326, Idaho Code, the following fees apply: (2-15-82)

01. Subdivisions Or Plats Proposing Individual And Subsurface Sewage Disposal System Discharge To Subsurface. For subdivisions or plats for which sewage treatment and disposal systems are designed to discharge to the subsurface, the fee shall be one hundred dollars (\$100) plus twenty dollars (\$20) per lot. (5-7-93)

02. Subdivisions Or Plats Proposing Other Than Individual And Subsurface Sewage Disposal System Discharge To Subsurface. For subdivisions or plats for which sewage treatment and disposal systems are not designed to discharge to the subsurface, the fee shall be twenty-five dollars (\$25). (2-15-82)

161. -- 201. (RESERVED).

202. CLEAN INDOOR AIR ACT REGULATION WAIVERS.

For those services rendered in the processing of applications for waivers of the rules implementing the Clean Indoor Air Act (see Idaho Department of Health and Welfare Rules, IDAPA 16.02.23, "Rules Governing Indoor Smoking"), the fee shall be ten dollars (\$10) per waiver application. (5-7-93)

203. -- 899. (RESERVED).

900. WAIVER OF FEES.

Upon written application to the Director of the Department of Health and Welfare, a waiver of a specific fee may be granted to an applicant who is required by these rules to pay such a fee. (2-15-82)

01. Determination Of Good Cause. Good cause for such a waiver must be shown before it shall be granted by the Director. Good cause may include hardship or extenuating circumstances, as determined by the Director. (2-15-82)

02. Duration Of Waiver. If the fee sought to be waived becomes due periodically, the fee may be waived for a designated period of time. (2-15-82)

03. Limitations. Granting of a waiver shall not be considered as precedent or be given any force or effect in any other proceeding. (2-15-82)

901. -- 995. (RESERVED).

996. ADMINISTRATIVE PROVISIONS.

Hearings and appeals shall be governed according to the provisions of Idaho Department of Health and Welfare Rules, IDAPA 16.05.03, Sections 000, et seq., "Rules Governing Contested Cases and Declaratory Rulings". (5-7-93)

997. CONFIDENTIALITY OF RECORDS.

Any disclosure of information obtained by the Department is subject to the restrictions contained in Idaho Department of Health and Welfare Rules, IDAPA 16.05.01, "Rules Governing the Protection and Disclosure of Department Records". (5-7-93)

998. INCLUSIVE GENDER AND NUMBER.

For the purposes of these rules, words used in the masculine gender include the feminine, or vice versa, where appropriate. (12-31-91)

999. SEVERABILITY.

The rules contained in Idaho Department of Health and Welfare Rules, IDAPA 16.05.05, are severable. If any rule, or part thereof, or the application of such rule to any person or circumstance is declared invalid, that invalidity does not affect the validity of any remaining portion of this Chapter. (5-7-93)

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