

## NOTICE OF PENDING ORDINANCE

### ORDINANCE NO. 10-1293

The ordinance published herewith was introduced and passed upon first reading at a meeting of the Borough Council of the Borough of Tinton Falls, in the County of Monmouth, State of New Jersey, held on May 4, 2010. This Ordinance will be further considered for adoption, after the public hearing is held thereon, at a meeting of the Borough Council to be held on Tuesday, June 1, 2010, located in the Municipal Building, 556 Tinton Avenue, Tinton Falls, New Jersey, beginning at 7:30 o'clock P.M. During the week prior to and up to and including the date of such meeting, copies of said Ordinance will be made available in the Clerk's Office to the members of the general public who shall request the same.

KAREN MOUNT-TAYLOR, RMC, CMC

### **ORDINANCE AMENDING CHAPTER 11 OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF TINTON FALLS AMENDING CERTAIN FEES ASSESSED BY THE BOROUGH'S BUILDING DEPARTMENT**

WHEREAS, the Borough of Tinton Falls has previously established a Uniform Construction Code Agency to enforce the provisions of the Uniform Construction Code as adopted by the State of New Jersey pursuant to N.J.S.A. 52:27D-11 et seq., as amended; and

WHEREAS, certain amendments to the municipal enforcing agency's fees have been recommended by the Borough's building subcode official to cover the actual and/or permissible costs of conducting required inspections and related services.

NOW, THEREFORE, BE IT ORDAINED by the Borough Council of the Borough of Tinton Falls in the County of Monmouth, State of New Jersey that the General Revised Ordinances of the Borough of Tinton Falls be and are hereby amended and supplemented as follows:

#### **11-1.2 Municipal Enforcing Agency Fees.**

- 1.** PLAN REVIEW FEE shall be 20% of the amount to be charged for a new construction permit and shall be paid at the time of application. Plan review fees are not refundable. For projects which do not require plan review for all subcodes, the fee shall be an appropriate percentage (but not less than 5%) of the subcode fee which is applicable.
- 2.** THE BASIC CONSTRUCTION FEE shall be the sum of the parts computed on the basis of the volume or the cost of construction, and the number of plumbing fixtures and devices, and the number of electrical fixtures and devices and the number of sprinklers, standpipes and heat and smoke detectors at the unit rates provided herein plus any special fees
- 3.** THE BUILDING SUBCODE FEE SHALL BE:
  - a.** NEW CONSTRUCTION & ADDITIONS - based on the volume of the structure. Volume shall be computed in accordance with NJAC 5:23-2.28.
    - i.** For buildings and structures in Use Groups B, H, I-1, I-2, I-3, M, E, R-1, R-2, R-3, R-4, R-5, and U the fee shall be **\$.030** per cubic foot of volume.
    - ii.** For buildings and structures in Use Group A-1, A-2, A-3, A-4, A-5, F-1, F-2, S-1, S-2 the fee shall be **\$.027** per cubic foot of volume.
    - iii.** For Commercial Farm Buildings the fee shall be **\$.0008** per cubic foot of volume; maximum fee may not exceed \$1145.
  - b.** RECONSTRUCTION, ALTERATIONS, RENOVATIONS AND REPAIR or site construction associated with pre-engineered systems of commercial farm buildings, pre-manufactured construction and external utility connection for pre-manufactured construction shall be based upon estimated cost of work.
    - i.** The fee for Use Groups R-3, R-4 and R-5 shall be **\$22** per \$1000 for the first \$50,000 of estimated cost; from over \$50,000 to and including \$100,000, the additional fee shall be **\$18** per \$1000 of estimated cost above \$50,000; above \$100,000, the additional fee shall be **\$15** per \$1000 of estimated cost above \$100,000.
    - ii.** The fee for Use Group A-1, A-2, A-3, A-4, A-5, B, E, F-1, F-2, H, I-1, I-2, M, R-1, R-2, S-1 and S-2 shall be **\$28** per \$1000 for the first \$50,000; from over

\$50,000 to and including \$100,000, the additional fee shall be **\$24** per \$1000 of estimated cost above \$50,000; above \$100,000 the additional fee shall be **\$20** per \$1000 of estimated cost above \$100,000.

- iii.** The fee for Use Group U shall be **\$15** per \$1000 for the first \$50,000 of estimated cost; from over \$50,000 to and including \$100,000, the additional fee shall be **\$12** per \$1000 of estimated cost above \$50,000; above \$100,000 the additional fees shall be **\$8** per \$1000 of estimated cost above \$100,000.

For the purpose of determining estimated cost, the applicant shall submit to the Construction Official such data as may be available, produced by the architect of engineer of record, or by a recognized estimating firm or be the contractor. A bona fide contractor's bid, if available, shall be submitted. The Construction Official shall make the final decision regarding estimated cost.

- c.** COMBINATION FEE FOR RENOVATIONS OR ADDITIONS shall be computed as the sum of the fees computed separately in accordance with items 2a and 2b.
- d.** ROOFING OR SIDING shall be a flat fee of \$50 for Use Groups R-3, R-4 & R-5 and \$75 for both if applied for on the same application. The fee for all other Use Groups shall be in accordance with items b ii. and b iii. 1
- e.** THE MINIMUM FEE FOR RESIDENTIAL uses shall be **\$40**.
- f.** THE MINIMUM FEE FOR NON-RESIDENTIAL uses shall be **\$60**.

**4.** PLUMBING FEES SHALL BE:

- a.** The fee shall be in the amount of \$15 per fixture connected to the plumbing system for all fixtures and appliances except as otherwise indicated.
- b.** The fee shall be in the amount of \$15 per appliance connected to the gas piping except as listed below.
- c.** The fee shall be \$40 per special device for the following: grease traps, oil separators, water cooled air conditioning units, refrigeration units, utility service connections, backflow preventers equipped with test ports (double check valve assembly, reduced pressure zone and pressure vacuum breaker backflow preventers), steam boilers, hot water boilers (excluding those for domestic water heating), active solar systems, sewer pumps, interceptors and fuel oil piping. There shall be no inspection fee charged for gas service entrances.
- d.** The fee for cross connections and back flow preventers that are subject to testing requiring re-inspection annually shall be \$45 for each device when they are tested.
- e.** The fee shall be \$20 for each domestic water heater installed.
- f.** THE MINIMUM FEE FOR RESIDENTIAL uses shall be **\$40**.
- g.** THE MINIMUM FEE FOR NON-RESIDENTIAL uses shall be **\$60**.

**5.** THE FIRE PROTECTION FEES SHALL BE:

- a.** For 5 or fewer Smoke Detectors or Devices the fee shall be \$35.  
For each additional 15 (or part thereof) the fee shall be \$ 20.
- b.** For 5 or fewer Alarm Devices (heat, pulls, water flow, etc) the fee shall be \$35.  
For each additional 15 (or part thereof) the fee shall be \$20.
- c.** For Supervisory Devices (i.e. tampers, low/high air or signaling devices (ie horns/strobes, bells) the fee shall be \$3 each.
- d.** The fee for Sprinkler Heads (Wet & Dry) shall be:  
For 10 heads or fewer the fee shall be \$75; for 11 to and including 100 heads the fee shall be \$150; for 101 heads to and including 200 heads the fee shall be \$250; for 201 heads to and including 400 heads the fee shall be \$600; for 401 to and including 600 heads the fee shall be \$1000; for 601 heads and up, the fee shall be \$1500.

- e. The fee for each Standpipe shall be \$250.
- f. The fee for each Kitchen Exhaust System shall be \$100.
- g. The fee for Independent pre-engineered systems (CO<sub>2</sub> , Halon, Foam, Wet or Dry Chemical, etc) shall be \$100.
- h. The fee for Gas & Oil Fired Appliances which is not connected to the plumbing system shall be \$45.
- i. The fee for installation of tanks up to 550 gallons in water capacity shall be \$50. The fee for installation of tanks over 550 gallons in water capacity shall be \$150.
- j. The fee for each Incinerator shall be \$260.
- k. The fee for each Crematorium shall be \$260.
- l. The fee for each Alarm Panel shall be \$50.
- m. The fee for each Fire Pump shall be \$250.
- n. The fee for each Pre-Action Valves shall be \$50.
- o. The fee for each Dry Pipe/Alarm Valve shall be \$50.
- p. The fee for each Smoke Control System shall be \$250.
- q. The minimum fire fee for Residential shall be \$40.
- r. The minimum fire fee for Non-Residential shall be \$60.

6. ELECTRICAL FEES SHALL BE:

a. Receptacles & Fixtures

For the purpose of computing this fee, receptacles or fixtures shall include lighting outlets, wall switches, florescent fixtures, convenience receptacles or similar fixtures, sensors, dimmers, alarm devices, smoke and heat detectors, communication outlets, light standard 8 ft or less in height including luminaries, emergency lights, electric signs, exit lights or similar fixtures and devices related 20 amps or less including motors or equipment rated less than 1 hp or 1 kw.

For the first 15 receptacles or fixtures, the fee shall be in the amount of \$25. For each additional 25 (or part thereof) receptacles or fixtures, the fee shall be in the amount of \$25.

b. Motors, Generators, Transformers (over 1 hp/kw)

For the purpose of computing this fee, all motors except those in plug in appliances shall be counted including control equipment, generators, transformers and all heating, cooking and other devices consuming or generating electrical current.

The permit fee for motors and electrical devices over 1 horsepower and less than or equal to 10 horsepower shall be \$25; Greater than 10 horsepower and equal to or less than 50 horsepower shall be \$35; Greater than 50 horsepower and less than or equal to 100 horsepower shall be \$75; Greater than 100 horsepower shall be \$325.

- i. The permit fee for each transformer and generator over 1 kilowatt and less than or equal to 10 kilowatts shall be \$25; Greater than 10 kilowatts and equal to or less than 50 kilowatts shall be \$35; Greater than 50 kilowatts and less than or equal to 112.5 kilowatts shall be \$75; Greater than 112.5 kilowatts shall be \$325.

c. The fee for electrical Service of 200 amps or less shall be \$ 40; for service over 200 but not greater than 400 amps the fee shall be \$ 75; for service over 400 but not greater than 600 amps the fee shall be \$125; for service over 400 but not greater than 600 amps the fee shall be \$175, for service over 600 but not greater than 800 amps the fee shall be \$225; for service over 1000 but not greater than 1200 amps the fee shall be \$300; for service over 1200 amps the fee shall be \$400.

d. Annual Electrical Pool Certification The fee for annual electrical inspection of swimming pools, spas or hot tubs shall be \$50.

e. THE MINIMUM FEE FOR RESIDENTIAL uses shall be \$40.

**f.** THE MINIMUM FEE FOR NON-RESIDENTIAL uses shall be **\$60**.

**7. SPECIAL FEES**

**a.** DECKS - The fee to construct a deck shall be based on square footage as follows:

Up to and including 200 sq. ft	\$ 35
Over 200 sq. ft to and including 400 sq. ft	\$ 50
Over 400 sq. ft to and including 1000 sq. ft	\$ 75
Over 1000 sq. ft	\$100

**b.** SWIMMING POOLS

**i.** The fee for installation of an above-ground pool, more than 18 inches in depth or more than 750 gallons in capacity for Use Group R3, R4 and R5 shall be \$50.

**ii.** The fee for installation of a private in-ground pool more than 18 inches in depth or more than 750 gallons in capacity for Use Groups R3 and R4 shall be \$ 100.

**iii.** The fee for installation of a public pool (in-ground or above ground) shall be \$200.

**c.** WOOD/COAL BURNING STOVES AND CHIMNEYS

**i.** The fee for installation of wood/coal burning stove, fireplaces, heatolators, like devices and/or chimney shall be \$45.

**d.** ACCESSORY AND STORAGE STRUCTURES

**i.** The permit fee for construction or installation of a pool cabana or similar accessory structure up to 100 sq. ft shall be \$35.

**ii.** The permit fee for construction or installation of accessory storage shed, pool cabana or similar accessory structures over 100 sq. ft and less than 200 sq ft shall be \$50.

**e.** DEMOLITION & REMOVAL

**i.** The permit fee for demolition or removal for a structure of less than 5000 sq. ft in area and less than 30 ft in height for one or two family residences (Use Group R3) and structures on farms included under NJAC 5:23-3.2(d) shall be \$50.

**ii.** The permit fee for demolition of farm out-buildings and minor accessory structures (Use Group U) shall be \$30.

**iii.** The permit fee for demolition of all other buildings, structures or Use Groups shall be \$150.

**iv.** Removal of buildings and structures from one lot to another lot or to a new locations on the same lot, the fee shall be \$20 for the first \$1000 of estimated cost plus \$15 for each additional \$1000 of cost or part thereof. Estimated cost shall be the sum of the following: The estimated cost of moving, plus the cost of the new foundations and all work necessary to place the building or structure in its completed condition in the new location.

**v.** The permit fee for Demolition of Tanks shall be \$35 per tank.

**f.** SATELLITE DISHES & RADIO TRANSCEIVER EQUIPMENT

**i.** The fee to install a satellite dish, radio, television or other transceiver equipment to be installed for residential use shall be \$35.

**ii.** The fee to install a satellite dish, radio, television or other transceiver equipment to be installed for non-residential or commercial use shall be \$100.

**g.** FENCE

**i.** The fee to erect a fence in Use Groups R2, R3, R4, R5 and U, which acts as a barrier for a private pool or is in excess of 6 ft in height, shall be \$25.

**ii.** The fee to erect a fence (not to exceed 8 ft in height) for all other Use Groups and which acts as a barrier for a public pool shall be \$100.

- h. The permit fee for Asbestos Hazard Abatement shall be \$70 for each construction permit issued. A Certificate of Occupancy must be issued following the successful completion of an asbestos hazard abatement project. The Certificate fee shall be \$14.
- i. The permit fee for Lead Hazard Abatement shall be \$70 for each construction permit issued. A Certificate of Clearance must be issued following the successful completion of a lead hazard abatement project. The Certificate fee shall be \$14.00.
- j. The permit fee Tents in excess of 900 sq. ft or more than 30 ft in any dimension, shall be \$ 75.
- k. The fee to construct a Sign shall be in the amount of \$1 per sq. ft surface area of the sign, computed on one side only for double-faced signs.
- l. The permit fee for a Temporary Structure, used in the course of construction of other activities whose life is limited to not more than one year shall be \$75.

**8. CERTIFICATE OF OCCUPANCY**

- a. The fee for a Certificate of Occupancy for Residential Additions and Interior Alterations shall be \$28.
- b. The fee for a Certificate of Occupancy for Residential New Construction (homes, townhouses, condo, apartments etc) shall be \$50
- c. **The fee for the first issuance and the renewal of a Temporary Certificate of Occupancy shall be \$30.**
  - i. **Exception: There shall be no fee for the first issuance of the Temporary Certificate of Occupancy provided the Certificate of Occupancy fee is paid at that time.**
- d. The fee for a Certificate of Occupancy for a Commercial Tenant Fit-Up shall be \$50.
- e. The fee for a Certificate of Occupancy for Commercial New Construction shall be \$100.
- f. The fee for a Certificate of Occupancy granted pursuant to a Change in Use Group shall be \$100.
- g. The fee for a Certificate of Continued Occupancy issued under NJAC 5:23-2.23(c) shall be \$120

9. The fee for an application for VARIATION in accordance with NJAC 5:23-2.10 shall be \$450 for Class 1 structures and \$75 for Class 2 and Class 3 structures. The fee for resubmission of an application for a variation shall be \$229 for Class 1 structures and \$45 for Class 2 and Class 3 structures.

**10. ANNUAL PERMITS**

Fees for annual construction permits shall be as follows:

- 1 — 25 workers (including foremen) - \$667 per worker;
- Each additional worker over 25 - \$232 per worker

Note: Prior to issuance of the annual permit, a training registration fee of \$140 per subcode and a list of not more than 3 individuals to be trained per subcode must be submitted by the applicant to the Department of Community Affairs, Bureau of Code Services, Training Section along with a copy of construction permit (form F170). check shall be made payable to “Treasurer of State of NJ”.

**11. NJ State Training Fees (DCA fee Revised 03/02/2009)**

- 1. For New Construction and Additions the fee shall be in the amount of \$.00334 per cubic foot of volume. Volume shall be computed in accordance with NJAC 5:23-2.28.
- 2. The fee for all other construction (except pre-engineered systems of commercial farm buildings) shall be .00170 per dollar of cost of construction.

**3.** Minimum DCA fee is \$1.00

No fee shall be collected for pre-engineered systems of commercial farm buildings.