

TOWNSHIP OF NEW HANOVER

ORDINANCE 2020 -05

AN ORDINANCE OF THE TOWNSHIP OF NEW HANOVER
TO AMEND CHAPTER 82, CONSTRUCTION CODES, UNIFORM,
SECTION 3: FEES
OF THE CODE OF THE
TOWNSHIP OF NEW HANOVER TO ESTABLISH UNIFORM
CONSTRUCTION CODE FEES AS REQUIRED BY THE DEPARTMENT
OF COMMUNITY AFFAIRS

WHEREAS, the Township Committee of the Township of New Hanover has entered into a shared service agreement with Plumsted Township, Ocean County, New Jersey for the administration of the Township of New Hanover's Uniform Construction Code enforcement; and

WHEREAS, the administration of the Township of New Hanover's Uniform Construction Code enforcement will permit greater access by residents of New Hanover Township to these services; and

WHEREAS, the Township committee of the Township of New Hanover seeks to reconcile the Township's Construction Code Fees with those of Plumsted Township for the efficiency of administration.

NOW THEREFORE BE IT ORDAINED AND ENACTED, by the Township Committee of the Township of New Hanover as follows:

SECTION 1

The Township Committee, for the aforementioned reasons, hereby repeals Chapter 82, Section 1, Paragraph C of the Code of the Township of New Hanover and substitutes the following new section therefore, and adopts the provisions set forth herein:

C. The public shall have the right to do business with the enforcing agency at the New Hanover Township Municipal Building, Cookstown, New Hanover Township, New Jersey except for:

- (1) emergency and unforeseen or unavoidable circumstances; or
- (2) where the Township enters into a shared service agreement for the administration of the enforcing agency by a neighboring municipality, in which case business with the enforcing agency may be at the administrative offices of the neighboring municipality.

SECTION 11

The Township Committee, for the aforementioned reasons, hereby repeals Chapter 82, Section 3 of the Code of the Township of New Hanover and substitutes the following new section therefore, and adopts the provisions set forth herein:

Section 82-3 Fees

A. General.

(1) The fee for plan review shall be paid at the time of submission of an application for a permit. The amount of this fee shall be deducted from the amount of the fee due for a construction permit, when and if the permit is issued. Plan review fees are not refundable.

(2) The fee to be charged for a construction permit will be the sum of the basic construction fee computed in accordance with C below, plus any applicable special fees, such as elevator or sign fees. This fee shall be paid before a permit is issued.

(3) The fee to be charged for a Certificate of Occupancy shall be paid before a certificate is issued. This fee shall be in addition to the construction permit fee.

(4) The fee to be charged for an annual construction permit shall be charged annually. This fee shall be administered in accordance with N.J.A.C. 5:23-4.18(a)4 and 5:23-4.18(a)5.

(5) No person shall be charged a construction permit surcharge fee or enforcing agency fee for any construction, reconstruction, alteration or improvement designed and undertaken solely to promote accessibility by disabled persons to an existing private structure or any of the facilities. A disabled person or a parent or sibling of a disabled person shall not be required to pay any municipal fee or charge in order to secure a construction permit for any construction, reconstruction alteration or improvement which promotes accessibility to his own living unit. For the purpose of this section "disabled person" means a person who has the total and permanent inability to engage in any substantial gainful activity by reason of any medically determinable physical or mental impairment, including blindness and shall include, but not be limited to, any resident of the State of New Jersey who is disabled pursuant to the federal Social Security and as outlined in N.J.A.C. 53:27D-126e.

B. Plan review fees. Plan review fees are computed as a percentage of the amount to be charged for a construction permit.

C. Basic construction fee. The basic construction fee is computed on the basis of the volume of a building, in accordance with N.J.A.C. 5:23-2.28, or in the case of alterations, the estimated construction cost, and the number and type of plumbing, electrical and fire protection fixtures or devices as herein provided.

(1) Volume or cost. Fees for new construction or alterations shall be as follows:

(a) Fees for renovations, alterations, reroofing and repairs, and for the installation and foundation systems of premanufactured construction and the external utility connections for pre-manufactured construction, shall be based upon the estimated cost of the work. The fee is computed as a unit rate per one thousand dollars (\$1,000) of estimated cost.

(b) Fees for renovations, alterations and repairs are based upon the estimated cost of the work. The fee is computed as a unit rate per one thousand dollars (\$1,000) of estimated cost.

(c) Fees for additions are computed on the same basis as for new construction for the added portion.

(d) Fees for combination renovations and additions shall be computed as the sum of the fees for the addition and alteration computed separately in accordance with (b) and (c) above.

(e) The unit rates vary for different occupancy groups.

(f) Temporary structures and all structures for which volume cannot be computed, such as swimming pools and open structural towers, are charged a flat rate.

(g) Fees for minor construction work are based upon the estimated cost of the work. The fee is computed as a unit rate per one thousand dollars (\$1,000) of estimated cost or fraction thereof.

(2) Plumbing fixtures and appurtenances. Fees are based upon the number of plumbing fixtures, devices, plumbing stacks and utility service connections to be installed. Utility service connections include sewer, water and gas service connections. The fee is a unit per device, stack and utility service connection. The unit rate varies for different types of fixtures and utility service connections.

(3) Electrical fixtures and devices. Fees are based upon the number of electrical fixtures and devices to be installed. The fee is a unit rate per fixture and device. The unit rate varies for different types of fixtures.

(4) Fire fees are based upon the number of sprinkler heads, standpipes and detectors (smoke and heat). Fees are also charged for the inspection of premanufactured fire suppression systems, for gas and oil fired appliances not connected to the plumbing system, for kitchen exhaust systems and for incinerators and crematoriums.

D. Demolition permit fees. Permit fees for demolition of or the removal of a building or structure is a flat fee. This fee varies according to type of structure and whether or not there has been a condemnation as set forth herein. This fee may be waived if the owner makes the structure available to the local fire department for training purposes and thereafter within forty-eight (48) hours of termination of use of the structure by the local fire department has the structure razed. The local fire department shall indemnify and hold harmless the Township and the owner from any liability. No building debris or demolition material shall be permanently deposited on-site

but all demolition material and debris shall be disposed of in accordance with applicable solid waste disposal laws and regulations.

E. Sign permit fees. The fee for a permit to construct a sign is a flat fee per sign.

F. Certificate of Occupancy fees.

(1) The fee for a Certificate of Occupancy for new construction is computed as a percentage of the fee to be charged for the construction permit.

(2) The fees for Certificates of Continued Occupancy, Certificates of Occupancy granted pursuant to a change of use, and for multiple Certificates of Occupancy are a flat fee.

(3) R-5 dwellings on permanent foundation systems shall submit proof that a private licensed home inspector has been retained and inspection completed. Such proof shall be completed and submitted to the Technical Assistant with the Smoke Detector application and fee of seventy-five dollars (\$75). For properties that no licensed home inspector has been retained and has been vacant for over ninety (90) days a fee of one hundred twenty-five dollars (\$125) will be charged for a continued Certificate of Occupancy inspection. There will be a twenty-five dollar (\$25) fee charged for reinspections on both Certificate of Occupancy and Continued Certificates of Occupancy.

G. Elevator fees. The fee for a permit to install an elevator or to inspect an elevator is a flat fee. The elevator subcode fees shall be the departmental fees as set forth in N.J.A.C. 5:23-12-6 for test and inspections; and N.J.A.C. 5:23-4.20(c) 6 and 7 for plan review of elevator devices.

H. Whenever a permit is received based on an approved prototype plan, the permit shall be reduced by the amount of the plan review fee.

I. A surcharge fee in the amount of \$0.00265 per cubic foot of volume shall be charged for all new buildings and additions. Volume shall be computed in accordance with N.J.A.C. 5:23-2.28. The surcharge fee for all other construction shall be \$1.35 per one thousand dollars (\$1,000) of value of construction. The surcharge fee is a charge pursuant to N.J.A.C. 5:23-4.19.

J. All computed fees, which would normally contain cents, shall be rounded to the next highest even dollar amount.

K. Enforcing agency fees.

(1) Plan review fee. The fee for plan review shall be twenty percent (20%) of the amount to be charged for a new construction permit.

(2) The minimum fee for a basic construction permit, covering any, or all building, plumbing electrical or fire protection work is eighty-five dollars (\$85).

(3) New structure fees:

(a) Use groups B, H, I-1, I-2, I-3, M, E, R-1, R-2, R-3, R-4, R-5, U: \$0.040 per cubic foot.

(b) Use groups A-1, A-2, A-3, A-4, F-1, F-2, S-1: \$0.030 per cubic foot.

(c) Use groups S-2 and commercial farm buildings: \$0.010 per cubic foot, maximum fee not to exceed \$1,000.

(4) Renovations, alterations, repair and minor work fees. The applicant shall submit cost data by the architect or engineer of record, a recognized estimating firm or by contractor bid. The Construction Official will review the construction costs for acceptability. The fees shall be:

(a) Estimated costs up to and including \$50,000: \$25 per \$1,000 — residential; \$30 per \$1,000 commercial.

(b) Portions of costs from \$50,001 up to and including \$100,000: additional fee of \$20 per \$1,000 — residential; \$25 per \$1,000 commercial.

(c) Portion of costs above \$100,000: additional fee of \$15 — residential; \$20 — commercial.

(5) Plumbing fees:

(a) The fee shall be \$25 per fixture, vent or stack. For the purpose of computing this fee, fixture vents or stacks shall include, but are not limited to, water closets, urinals, bidets, lavatories, sinks, showers, floor drains, washing machines, dishwashers, residential water heaters, hose bibs, residential central air conditioning, indirect connections, residential solar systems, roof drains, storm drains, entrapment avoidance, leaders and gutters, non-testable backflows and appurtenances.

(b) The fee shall be \$90 per special device. For purpose of computing this fee, special device shall include, but not limited to, sewer injectors, grease traps, oil interceptors, backflow devices, pumps, boilers or furnaces, reduced pressure backflow devices, commercial-industrial water heaters, commercial-industrial water cooled air conditioning units, commercial-industrial refrigeration systems and commercial-industrial solar systems and appurtenances.

(c) Cross connections and backflow preventers that are subject to testing, requiring inspection annually: \$75.

(d) The minimum fee for an inspection is \$85.

(e) Lawn sprinkler flat fee: \$55. (Residential non-testable backflows and appurtenances)

(f) The fee shall be \$75 for single boiler hydronic piping for a single-family residence. For all other structures, the fee shall be \$35 per floor of each structure.

(g) The fee shall be \$60 per unit for commercial-industrial refrigeration piping.

(h) The fee shall be \$85 per unit for commercial-industrial water cooled air conditioning.

(i) The fee shall be \$135 for installation of piping on a commercial-industrial fuel oil tank.

(j) LP gas tanks shall be \$85 (residential), minimum fee all others \$125 (commercial LPG tanks).

(k) The fee shall be \$75 each sewer/septic and water utility connection.

(1) Mechanical fees shall be as follows: The fee shall be \$85 for each fuel oil, steam boiler, hot water boiler, hot air furnace, oil tank and LPG tank. The fee shall be \$45 for each gas piping.

(6) Electrical fees:

(a) Electrical fixtures and devices.

[1] From 1 to 40 receptacles, fixtures, or switches: \$75.

[2] Each additional 25 receptacles, fixtures, or switches: \$50.

[3] Receptacles, fixtures, or switches shall include lighting outlets, smoke detectors, heat detectors, fluorescent fixtures, light standards (8 feet or less) rain sensor, burglar alarm devices, intercom devices, thermostats, telephone outlets, garbage disposals and CRT outlets.

[4] Fee for residential solar projects shall be \$195.

(b) Any similar device or motor of one horsepower or one kilowatt or less:

[1] Motors:

1 HP to 10 HP \$15.00

10.1 HP to 50 HP \$65.00

50.1 HP to 100 HP \$130.00

Larger than 100 HP \$665.00

[2] Electrical devices (includes solar inverters and combiner boxes):

1 kW to 10 kW \$15.00

10.1 kW to 45 kW \$65.00

45.1 kW to 112.5 kW \$130.00

Greater than 112.5 kW \$1,200.00

Note: kW ratings must be noted on application in order to assess proper fees.

[3] Transformers and generators:

1 kW to 10 kW \$15.00

10.1 kW to 45 kW \$65.00

45.1 kW to 112.5 kW \$130.00

Larger than 112.5 kW \$665.00

(c) Service equipment including:

Service Panel Service Entrances Sub-Panels

0 to 200 AMP \$130.00

201 to 600 AMP \$300.00

601 to 1000 AMP \$800.00

Larger than 1000 AMP \$1,200.00

(d) Pools:

[1] Residential permanently installed pools, inground or above ground, including hot tubs/spa, fountains (each) \$125.00

[2] Public: for fees, apply Subsections 1(a) (b) (c), 2 (a) (b) & 3

[3] Annual pool inspection: \$150.00

(e) Light standards exceeding 8 feet in height (each): \$75.00

(f) Commercial alarm control unit: \$150.00

[1] Note: price does not include devices; refer to item in Subsection (a) (b) & (c)

[2] Communication closet: \$150.00

(g) The minimum fee for an inspection is: \$85.00

(7) Fire protection fees:

(a) Sprinkler heads or detectors:

1-20 heads or detectors	\$100.00
21-100 heads or detectors	\$150.00
101-200 heads or detectors	\$300.00
201-400 heads or detectors	\$800.00
401-1000 heads or detectors	\$1,600.00
Over 1000 heads or detectors	\$1,600.00

(b) Independent pre-engineered systems (each): \$130.00

(c) Standpipe fees: \$330.00

(d) Gas or oil fired appliances not connected to a plumbing system: \$85.00

(e) Kitchen exhaust systems (each): \$65.00

(f) Smoke control systems (each): \$65.00

(g) Incinerator: \$450.00

(h) Crematorium: \$450.00

(i) Installation of above or underground fuel tank: \$200.00

(j) Installation of above or underground fuel tank for R-5 use only: \$65.00

(8) Elevators. The fee for a permit to install an elevator shall be two hundred sixty dollars (\$260).

(9) Certificates and other permits.

(a) The fee for a demolition or removal permit shall be as follows: Class I — two hundred dollars (\$200); Class II — one hundred fifty dollars (\$150); Class III — one hundred dollars (\$100) for one- or two-family residence (use group R-3 and R-4 of the Building Subcode) and structure on farms including commercial farm buildings under N.J.A.C. 5:23-3.2D(2) used exclusively for storage of food or grain or sheltering of livestock, and one hundred dollars (\$100) for all other use

groups (per structure). For buildings where there has been a condemnation, the fee shall be three hundred dollars (\$300). The fee for abandonment removal or closure of an underground fuel storage tank is seventy-five dollars (\$75) per residential tank and one hundred fifty dollars (\$150) per for all other classifications.

(b) The fee to construct a sign shall be fifty dollars (\$50) per sign in addition to electrical fee, if required.

(c) The fee to construct a swimming pool shall be (this fee is in addition to any fees associated with a required electrical inspection): Residential — fifty dollars (\$50) for an above-ground pool and one hundred dollars (\$100) for an in-ground pool. Public — one hundred dollars (\$100) for an above-ground pool and two hundred dollars (\$200) for an in-ground pool.

(d) The fee to construct a fence shall be thirty-five dollars (\$35).

(1)

Fences six (6) feet and under must be approved by the Zoning Officer pursuant to the Zoning Ordinance.

(e) (Reserved)

(f) (Reserved)

(g) The fee to construct an open structural tower shall be one hundred fifty dollars (\$150) each.

(h) The fee to construct a roof mounted antenna structure more than twelve (12) feet above the roof shall be one hundred fifty dollars (\$150) each.

(i) The fee to construct a spray booth or room shall be three hundred dollars (\$300) each.

(j) (Reserved)

(k) The fee to erect a tent or membrane structure shall be one hundred fifty dollars (\$150) each (applied to tents and membrane structures larger than nine hundred (900) square feet or exceeding thirty (30) feet in any dimension and containing platforms and/or special electrical equipment covering an area in excess of one hundred twenty (120) square feet, including all connecting areas or spaces with a common means of egress or entrance and used or intended to be used for gathering together of ten (10) or more persons).

(l) The fee for a Certificate of Occupancy shall be in the amount of ten percent (10%) of the new construction permit. The minimum fee shall be eighty-five dollars (\$85), except for one or two-family (use group R-3 of the Building Subcode) structures of less than five thousand (5,000) square feet in area and less than thirty (30) feet in height, and structures on farms, including commercial farm buildings subject to N.J.A.C. 5:23.2D(2), used exclusively for storage of food or

grain, or sheltering of livestock, for which the minimum fee shall be fifty dollars (\$50). The fee for a shed-type structure two hundred (200) square feet or less that is an accessory to a single family dwelling shall be zero dollars (\$0).

(m) The fee for a Certificate of Occupancy granted pursuant to a change of use group shall be one hundred fifty dollars (\$150).

(n) The fee for a Certificate of Continued Occupancy shall be one hundred fifty dollars (\$150).

(o) There is no fee for a Temporary Certificate of Occupancy.

(p) There shall be no fee for a Certificate of Approval certifying that work done under a construction permit has been satisfactorily completed.

(q) (Reserved)

(r) The fee for an application for a variation in accordance with N.J.A.C. 5:23-2.10 shall be five hundred dollars (\$500) for Class I structures and fifty dollars (\$50) for Class II and Class III structures.

(s) The fee to inspect a fireplace and chimney is fifty dollars (\$50).

(t) The fee to install a fuel tank is one hundred dollars (\$100).

(10) Periodic inspections. Fees for the periodic reinspection of equipment and facilities granted a certificate of approval for a specified duration in accordance with N.J.A.C. 5:23-2.23 shall be as follows:

(a) For elevators, escalators and moving walks requiring reinspection every six (6) months, the fee shall be eighty-five dollars (\$85), elevator subcode fees shall be the departmental fees as set forth by N.J.A.C. 5:23-12-6 for test and inspections; and N.J.A.C. 5:23-4.20(c) 6 and 7 for plan review of elevator devices, except for each five (5) year inspection and witnessing of test on elevators for which the fee shall be two hundred eight dollars (\$208).

(b) For dumbwaiters requiring reinspection every twelve (12) months, the fee shall be twenty-six dollars (\$26).

(c) For cross connections and back-flow preventers that are subject to testing, requiring reinspection every twelve (12) months, the fee shall be thirty-three dollars (\$33) for each device when they are tested.

(11) Annual permits. The fee to be charged for an annual construction permit shall be charged annually. The fee shall be a net fee based upon the number of maintenance workers who are employed by the facility, and who are primarily engaged in work that is governed by a subcode. Managers, engineers and clericals shall not be considered maintenance workers for the purpose of establishing the annual construction permit fee. Annual permits may be issued for building/fire protection, electrical and plumbing. Fees shall be as follows:

(a) One (1) to twenty-five (25) workers (including foreman), five hundred dollars (\$500) per worker, each additional worker over twenty-five (25), two hundred dollars (\$200) per worker.

(b) Prior to the issuance of the annual permit, a training registration fee of one hundred and forty dollars (\$140) per subcode shall be submitted by the applicant to the Department of Community Affairs, Construction Code Element, Training Section, along with a copy of the construction permit. Checks shall be made payable to "Treasurer, State of New Jersey."

(12) Administrative fees.

(a) For each construction permit issued for an asbestos hazard abatement: seventy dollars (\$70).

(b) For each Certificate of Occupancy issued following the successful completion of an asbestos abatement project: fourteen dollars (\$14).

L. Surcharge fee.

(1.) In order to provide for the training, certification, and technical support programs required by the Uniform Construction Code Act and the regulations, the enforcing agency shall collect, in addition to the fees specified above, a surcharge fee of \$.00265 per cubic foot of volume of new construction. A state training surcharge fee for other structures, which is one dollar and thirty five cents (\$1.35) per one thousand dollars (\$1,000) of value of construction, shall be collected. The surcharge fee shall be remitted to the Bureau of Housing Inspection, Department of Community Affairs, on a quarterly basis for the fiscal quarter ending September 20, December 31, March 31 and June 30, and no later than one (1) month next succeeding the end of the quarter for which it is due. In the fiscal year in which the regulations first become effective, said fee shall be collected and remitted for the third and fourth quarters only.

(2.) The enforcing agency shall report at the end of each fiscal year to the Bureau of Housing Inspection, and not later than July 31, the total amount of the surcharge fee collected in the fiscal year. In the fiscal year in which the regulations first become effective, said report shall be for the third and fourth quarters only.

M. Fees for Zoning Permit Application are as follows:

- (1) Fence Application is \$20.00
- (2) In-ground Pool is \$50.00
- (3) Above Ground Pool is \$20.00
- (4) Garage is \$50.00
- (5) Barn / Pole barn / Shed is \$50.00
- (6) Patio / Deck is \$20.00
- (7) Home Addition is \$50.00

- (8) New House is \$100.00
- (9) Commercial Buildings is \$100
- (10) Sign is \$50

SECTION III

This Ordinance shall take effect upon final passage and publication according to law.

SECTION IV

All ordinances or parts of ordinances inconsistent with this ordinance are hereby repealed to the extent of such inconsistency.

SECTION V

If any section, paragraph, subdivision, clause or provision of this ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision and the remainder of this Ordinance shall be deemed valid and effective.

RECORD OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that an ordinance entitled “An Ordinance of the Township of New Hanover to Amend Chapter 82, Construction Codes, Uniform, Section 3, Fees of the Code of the Township of New Hanover to Establish Uniform Construction Code Fees as Required by the Department of Community Affairs” was passed on first reading by the New Hanover Township Committee at their duly advertised Committee Meeting held on September 8, 2020 at the New Hanover Township Municipal Building.

FURTHER NOTICE IS HEREBY GIVEN that said ordinance will be considered for Second Reading and Final Adoption at a Committee Meeting to be held on November 10, 2020 at 6:00 P.M. at which time and place any person desiring to be heard upon the same will be given the opportunity to be so heard. Members of the public who wish to participate in the public hearing may do so by calling **305-848-8888** and following by meeting number **7577570714** at 6:00 pm. Individuals calling into this number will be able to fully participate in the public hearing, including providing public comment.

Copies of this ordinance will be made available at the Municipal Clerk's office to members of the general public who request same during normal operating hours, and will be available on the Township Website www.newhanovertwp.com or by emailing to clerk@newhanovertwp.com .

Adel Gianaris
Township Deputy Clerk