

Explanation: This Ordinance amends Subsection 8-2.1 entitled "Construction Fees" by repealing and replacing existing fee schedule.

**TOWNSHIP OF WARREN
ORDINANCE NO. 19-32**

AN ORDINANCE AMENDING SECTION 8-2 ENTITLED,
"FEES" BY REPEALING AND REPLACING EXISTING FEE
SCHEDULE IN SUBSECTION 8-2.1 ENTITLED,
"CONSTRUCTION PERMIT FEES".

BE IT ORDAINED by the Township Committee of the Township of Warren, in the County of Somerset and State of New Jersey as follows:

SECTION 1. Section 8-2 entitled, "Fees" is hereby amended by repealing and replacing the existing fee schedule in subsection 8-2.1 entitled, "Construction Permit Fees". The new fee schedule shall read as follows:

8-2 Fees.

8-2.1 *Construction Permit Fee.* The fee for a construction permit shall be the sum of the subcode fees listed hereinafter and shall be paid before the permit is issued. The minimum permit fee for any subcode, excluding private on-site agencies, shall be \$85.00

A. The building subcode fee shall be in accordance with the following schedule, but in no event shall the same be less than \$85.00

1. For new construction and additions, \$.040 through December 31, 2020 and \$.045 thereafter, per cubic foot of building or structure volume.
2. For renovations, alterations and repairs where alterations are involved, and for structures and appurtenances for which specific volumes cannot be calculated, the fee shall be \$39.00 per \$1,000.00 of estimated cost of residential work and \$45.00 per \$1,000.00 of estimated cost of commercial work through December 31, 2020 and \$45.00 per \$1,000.00 of estimated cost of residential work and \$50.00 per \$1,000.00 of estimated cost of commercial work thereafter.

3. Plan review fees shall be assessed at ten percent (10%) of the permit costs
4. An additional fee will be charged for all amendments to already released permits with a minimum fee of \$85.00 being assessed.
 - a) Exception: A separate fee of \$25.00, not in conjunction with the minimum fee, shall be collected for a change of contractor to any subcode.
5. For combinations of renovations, alterations and additions, the sum of the fees, computed separately as renovations, alterations and additions, shall be charged, with a minimum fee of \$85.00 assessed.
6. For the construction or installation of a deck, the fee shall be \$.040 through December 31, 2020 and \$.050 thereafter, per square foot of area.
7. For the construction or installation of a masonry chimney, the fee shall be \$90.00 through December 31, 2020 and \$100.00 thereafter.
8. For the construction or installation of a retaining wall, the fee shall be \$150.00 through December 31, 2020 and \$200.00 thereafter.
9. For the construction or installation of an in-ground pool, the fee shall be \$250.00 through December 31, 2020 and \$300.00 thereafter.
10. For the construction or installation of an above-ground pool, the fee shall be \$125.00 through December 31, 2020 and \$150.00 thereafter.
11. For the construction or installation of a raised patio, the fee shall be \$.040 through December 31, 2020 and \$.050 thereafter, per square foot of area
12. The fee for a permit for the demolition of an accessory residential structure shall be \$75.00; for a principal residential building or structure the fee shall be \$200.00; for an accessory commercial or industrial building or structure the fee shall be \$100.00; for a principal commercial or industrial building or structure the fee shall be \$300.00.
13. The fee for a permit for the removal of the principal building or structure from one lot to another or to a new location on the same lot shall be \$35.00 per \$1,000.00 of the sum of the estimated moving cost. The fee for an accessory building or structure movement shall be \$20.00 per \$1,000.00 of the aforesaid costs.

14. The fee for a permit to construct or erect a sign shall be in the amount of \$3.00 per square foot of surface area of the sign, computed on one side only for double-faced signs.
 15. The fee for the issuance of a code research, informational or other requested letter, shall be \$150.00.
 16. The fee for tents, in excess of 900 square feet or more than 30 feet in any direction, shall be \$250.00
 17. The fee for the demolition of a residential home heating tank shall be \$125.00. All other tank demolitions shall be \$300.00 each. (Fire)
 18. Asbestos Fees.
 - a) A fee of \$85.00 for each construction permit issued for an asbestos hazard abatement project shall be assessed.
 - b) A fee of \$25.00 for each Certificate of Occupancy issued following the completion of an asbestos abatement project shall be assessed.
 19. Lead Hazard Abatement Fees.
 - a) The fee for a permit for lead hazard abatement work shall be \$140.00.
 - b) The fee for a lead abatement Clearance Certificate shall be \$25.00
 20. The fee for a re-inspection, of the same type, of any subcode, after a second failure (third inspection), shall be \$50.00 for each subsequent time. The fee shall be submitted prior to the inspection occurring.
- B. The electric subcode fee shall be in accordance with the following schedule, but in no event shall the same be less than \$85.00
1. For from one to 50 receptacles or fixtures, the fee shall be in the amount of \$75.00; for each 25 receptacles or fixtures, or portion thereof, in addition to this, the fee shall be in amount of \$25.00; for the purpose of computing this fee, receptacles or fixtures shall include lighting outlets, wall switches, fluorescent fixtures, convenience receptacle, smoke and heat detectors, or similar fixture, and motors or devices less than or equal to one (1) horsepower or one (1) kilowatt.

2. For each motor or electrical device greater than one (1) horsepower and less than or equal to ten (10) horsepower; and for transformer and generators greater than one (1) kilowatt and less than or equal to ten (10) kilowatts, the fee shall be \$25.00.
3. For each motor or electrical device greater than ten (10) horsepower and less than or equal to fifty (50) horsepower; for each service panel, service entrance or sub-panel less than or equal to 200 amperes; for each transformer and generator greater than ten (10) kilowatts and less than or equal to forty five (45) kilowatts; and for each utility load management device, the fee shall be \$85.00.
4. For each motor or electrical device greater than fifty (50) horsepower and less than or equal to one hundred (100) horsepower, for each service panel, service entrance or sub-panel greater than 200 amperes and less than or equal to 1,000 amperes; and for transformers and generators greater than forty five (45) kilowatts and less than or equal to one hundred twelve and one half (112.5) kilowatts, the fee shall be \$195.00.
5. For each motor or electrical device greater than one hundred (100) horsepower; for each service panel, service entrance or sub-panel greater than 1,000 amperes; and for each transformer or generator greater than one hundred twelve and one half (112.5) kilowatts, the fee shall be \$800.00.
6. The fee for single and multiple station smoke or heat detectors in a single family dwelling shall be \$35.00 in addition to other fees.
7. For the purpose of computing these fees, all motors except those in plug-in appliances shall be counted, including control equipment, generators, transformers and all heating, cooking or other devices consuming or generating electrical current.
8. The fee for an above ground pool shall be \$125.00.
9. The fee for an in-ground pool shall be \$250.00
10. The fee for the required annual inspection of a swimming pool, hot tub or spa shall be \$100.00 each.

C. The plumbing subcode fee shall be in accordance with the following schedule, but in no event shall the same be less than \$85.00.

1. The fee shall be in the amount of \$25.00 per fixture, appliance or piece of equipment connected to a plumbing system and for each fixture, appliance or piece of equipment connected to a gas or oil piping system. The fuel system supply shall be a single separate cost of \$25.00
2. The fee shall be in the amount of \$150.00 for any item not under 1. above and the following: grease traps, oil separators, backflow preventers equipped with test ports, steam boilers, hot water boilers (excluding those used for domestic heating), utility service connections, water-cooled air conditioning units, refrigeration units, active solar systems, sewer pumps, pressure reducing valves and interceptors.
3. Sewer capping shall be \$100.00.
4. For cross-connections and backflow preventers that are subject to testing, the fee shall be \$15.00 for each device when they are broken down and tested (once annually).

D. The fire subcode fee shall be in accordance with the following schedule, but in no event shall the same be less than \$85.00.

1. Sprinkler heads

- a) The fee for 20 or fewer heads shall be \$100.00.
- b) The fee for 21 to and including 100 heads the fee shall be \$150.00.
- c) For 101 to and including 200 heads the fee shall be \$275.00.
- d) For 201 to and including 400 heads the fee shall be \$800.00.
- e) For 401 to and including 1,000 heads the fee shall be \$1,000.00.
- f) For over 1,000 heads the fee shall be \$1,500.00.

2. Detection and alarm systems.

- a) The fee for 12 or fewer components shall be \$75.00.
- b) For each additional 25 components or portion thereof the fee is an additional \$25.00.

3. The fee for each standpipe or fire main shall be \$250.00. Fire hydrants shall be an additional cost of \$50.00 each.

4. The fee for installation of residential home heating oil tanks shall be \$150.00
5. The fee for a chimney liner is \$75.00.
6. The fee for installation of fuel and/or diesel tanks, other than residential home heating oil tanks, shall be \$600.00.
7. The fee for each independent pre-engineered system shall be \$125.00.
8. The fee for each gas or oil fired appliance that is not connected to the plumbing system shall be \$75.00.
9. The fee for each kitchen exhaust system shall be \$75.00 for residential and \$200.00 for commercial.
10. The fee for each fuel venting system shall be \$50.00.

E. Mechanical fees

1. The fee for a mechanical permit in an R-3 and R-5 use shall be \$85.00 for the first device and \$20.00 for each additional device.

F. Elevator fees

1. The fee for a permit for the installation of an elevator shall be the fee established by the State Uniform Construction Code, Section 5:23-12.6. In addition to the said fee, the township will be paid a thirty percent (30%) administration fee.
2. The fee for the re-inspection of an elevator shall be the fee established by the State Uniform Construction Code, Section 5:23-12.6. In addition to the said fee, the township will be paid a thirty percent (30%) administration fee.

G. In the event that the township has contracted with a third party inspection agency to perform the said subcode functions, the subcode fees to be utilized shall be those established by the State of New Jersey and the percentage based on the third party bid. In addition to the fee established by the third party inspection agency the township shall be paid a thirty percent (30%) administration fee.

H. The fee for certificates of occupancy shall be as follows:

1. The fee for a certificate of occupancy shall be ten percent of the construction permit, provided the minimum shall be \$85.00 except as specifically provided for in paragraphs h2, h3, and h.4 below.

2. The fee for a certificate of continued occupancy shall be \$340.00
 3. The fee for a certificate of occupancy granted pursuant to a change of use, without the need for permits, shall be \$340.00.
 4. Temporary Certificates of Occupancy. No fee shall be charged for the issuance of the first Temporary Certificate. The fee for the first extension of a Temporary Certificate shall be \$125.00. The fee for a second extension shall be \$175.00 through December 31, 2020 and \$250.00 thereafter. The fee for a third extension and any additional extension thereafter shall be \$600.00.
- I. The fee for reinstatement of a construction permit that has become invalid in accordance with the UCC shall be \$340.00.
- J. No refund will be given after 45 days of issuance of a permit. Prior to the 45 days of issuance, a ten percent (10%) plan review cost of the permit will be held from the refund, along with any DCA costs.
- K. As a result of practical difficulties encountered in complying with the requirements of a certain subcode and where an alternative to the subcode requirements exist which still protects the health, safety and welfare of the populace and, where the practical benefits of a variation of the subcode requirements outweigh any detriments in such variation, there may be granted a variation of the said subcode requirement to allow a practical solution to be utilized. The fee for such residential variation shall be two hundred (\$200.00) dollars and for such commercial variation shall be four hundred (\$400.00).
- L. Fee exemptions.
1. Any senior citizen sixty-two (62) years of age or older shall be exempt from having to pay the following Township construction permit fees:
 - a) Water heaters.
 - b) Upgrades to any one family residential home for the purposes of meeting a Barrier Free environment (Note: Only the specific work to perform the Barrier Free upgrades are exempt.)
- M. Penalties. NJAC 5:23-2.31
1. Up to \$ 1,000.00 per violation for failure or refusal to comply with any lawful order, unless the failure or refusal to comply is done with the knowledge

that it will endanger the life or safety of any person, in which case the penalty shall be up to \$2,000.00 per violation;

2. Up to \$ 1,000.00 per violation for failure or refusal to comply with any lawful order, unless the failure or refusal to comply is done with the knowledge that it will endanger the life or safety of any person, in which case the penalty shall be up to \$2,000.00 per violation;
 3. Up to \$2,000.00 per violation for failure to comply with a stop construction order;
 4. Up to \$2,000.00 per violation for willfully making a false or misleading written statement, or willfully omitting any required information or statement in any application or request for approval;
 5. Up to \$500.00 per violation for any violation not covered under 1. through 4. above.
 6. The penalty for refusing entry or access to an inspector lawfully authorized to inspect any premises, building, or structure or who unreasonably interferes with such an inspection shall be \$250.00
 7. The penalty for scheduling, and not cancelling, any inspection which is not ready at the time of the scheduled inspection shall be \$85.00
 8. In no event shall the penalty for a properly issued violation be less than \$100.00
- N. All penalty monies collected shall be collected under penalty provision of the UCC. All penalties collected shall be retained by the Construction Department and shall be placed in a special trust fund to be applied to the cost to the department for training, technical support programs, conferences, certification, new equipment and transportation. An independent fund shall be set up and retained by the Finance Officer to be the Trustee of this account.

O.

SECTION II. If any article, section, subsection, sentence, clause or phrase of this Ordinance is, for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance and they shall remain in full force and effect.

SECTION III. In the event of any inconsistencies between the provisions of this Ordinance and any prior ordinance of the Township of Warren, the provisions hereof shall be determined to govern. All other parts, portions and provisions of the *Revised General Ordinance of the Township of Warren* are hereby ratified and confirmed, except where inconsistent with the terms hereof.

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

ATTEST: TOWNSHIP OF WARREN

Cathy Reese, RMC
Township Clerk

Gary P. DiNardo, Mayor

INTRODUCED: April 11, 2019

ADOPTED: May 9, 2019

EFFECTIVE: May 16, 2019