

**Borough of Pennington
Ordinance No. 2012- 10**

**AN ORDINANCE AMENDING CHAPTER 83 OF THE CODE OF THE
BOROUGH OF PENNINGTON CONCERNING CONSTRUCTION CODE FEES**

WHEREAS, Borough Council seeks to amend Chapter 83 of the Code of the Borough of Pennington (“Code”), concerning Construction Codes, Uniform, to relocate construction code fees to Chapter 98, concerning Fees;

WHEREAS, the purpose of relocating construction code fees to Chapter 98 is to place ordinance fees in one place in the Code;

WHEREAS, Borough Council also seeks to amend certain of the construction code fees relocated to Chapter 98;

NOW, THEREFORE, BE IT ORDAINED, by the Borough Council of the Borough of Pennington, as follows:

1. Chapter 83 of the Code is amended by substituting for Subsection B of Section 83-2 and for Sections 83-3, 83-4, 83-5, 83-6, 83-7, 83-8, 83-9, 83-10, 83-11 and 83-12, the following:

83-2.B. The fee to be charged for a construction permit will be the sum of all the subcode fees and basic construction fees plus any applicable special fees, such as elevator or sign fees, pursuant to Chapter 98.

83-3. Plan review fees as percentage of construction permit fees.

Plan review fees and fees for projects that do not require plan review for all subcodes are set forth in Chapter 98.

83-4. Certificate of occupancy fees.

Fees to be charged for a certificate of occupancy shall be computed and paid pursuant to Chapter 98.

83-5. Code variation fees.

The fee for variations from the code are set forth in Chapter 98.

83-6. Fee for training and certification of inspectors.

The fee for training and certification of inspectors shall be determined in accordance with Chapter 98.

83-7. Building subcode fees.

Building subcode fees for permitting shall be determined pursuant to Chapter 98.

83-8. Mechanical subcode fees.

There shall be no fees for mechanical inspections because the Borough does not issue mechanical permits.

83-9. Elevator fees.

Elevator fees for inspections and tests are set forth in Chapter 98.

83-10. Fire subcode fees.

Fire subcode fees for permitting shall be determined pursuant to Chapter 98.

83-11. Plumbing subcode fees.

Plumbing subcode fees for permitting shall be determined pursuant to Chapter 98.

83-12. Electrical subcode fees.

Electrical subcode fees for permitting shall be determined pursuant to Chapter 98.

2. All other sections, subsections and provisions of Chapter 83 shall remain unchanged. Section 83-14, concerning Additional Fees, and Section 83-15, concerning Construction to promote accessibility for handicapped, shall appear in both Chapter 98 and Chapter 83.

3. Chapter 98 of the Code is hereby amended and supplemented by the addition of a new Article XV, concerning Construction Code, Uniform, which shall read as follows:

Article XV. Construction Code, Uniform.

98-52. Plan review fees as percentage of construction permit fees.

A. Plan review fees shall be computed at 10% of the fee to be charged for the construction permit. For projects which do not require plan review for all subcodes, the fee shall be the appropriate percentage of the subcode fee that is applicable. The minimum plan review fee is \$75.

B. In accordance with N.J.A.C. 5:23-2.26, a fee of 20% for plan review fees for the Department of Community Affairs will be deducted.

98-53. Certificate of occupancy fees.

A. The fee to be charged for a certificate of occupancy shall be paid before a certificate is issued. The fee will be in addition to the construction permit fee. See N.J.A.C. 5:23-4.18(a)3.

B. The fee for a certificate of occupancy for new construction for a residential property shall be 10% of the fee charged for the construction permit.

C. The fee for a certificate of occupancy for a commercial or industrial building for new construction shall be 10% of the fee charged for the construction permit.

D. The fee for a certificate of continued uniform construction codes occupancy in accordance with N.J.A.C. 5:23-4.18(f)2 shall be \$125.

E. The fee for a certificate of occupancy for any change of use in any use group shall be \$150.

98-54. Code variation fees.

The fee for variations from the code shall be as defined in the uniform construction codes (N.J.A.C. 5:23-4.20(c)3.viii) and shall be as follows:

A. Class 1 structures: \$594, plus \$200 for each resubmission.

B. Class 2 and 3 structures: \$120, plus \$50 for each resubmission.

C. Residential dwellings: \$50.

98-55. Fee for training and certifications of inspectors.

A fee will be charged for training and certifications of inspectors as required in accordance with N.J.A.C. 5:23-4.19(b). The fee shall be \$0.00265 per cubic foot volume of new buildings and additions and \$0.00135 per \$1,000 of the value of construction for alterations.

98-56. Building subcode fees.

Building subcode fees for permitting shall be as follows:

A. The fees for any new construction or for any addition to an existing building or structure shall be based on \$0.03 per cubic foot or additional cubic foot of building or

structure volume in use group AFS, \$0.007 per cubic foot or additional cubic foot of building or structure volume for farms, \$0.055 per cubic foot or additional cubic foot of building or structure volume for all other use groups, or a minimum of \$75.

B. Fees for renovations, wood decks, alterations and repairs or site construction associated with pre-engineered systems of commercial farm buildings, premanufactured construction and the external utility connection for premanufactured construction shall be based upon the estimated cost of the work. The fee shall be in the amount of \$25 per \$1,000 up to \$50,000 of the estimated cost of the work. From \$50,001 to and including \$100,000, the fee shall be in the amount of \$20 per \$1,000 of estimated cost above \$50,000. Above \$100,000, the fee shall be in the amount of \$15 per \$1,000 of estimated cost above \$100,000. The minimum fee shall be \$75. For the purpose of determining estimated cost, the applicant shall submit to the enforcing agency such cost data as may be available, produced by the architect or engineer of record or by a recognized estimating firm or by the contractor. A bona fide contractor's bid, if available, shall be submitted. The enforcing agency shall make the final decision regarding estimated cost.

C. The flat fee for swimming pools shall be \$75 for aboveground pools, \$200 for in-ground pools and \$500 for public pools.

D. The fees for demolition of a building or structure shall be \$100 for a residential building or structure and \$150 for a nonresidential building or structure, except the fee for a structure of less than 1,000 square feet shall be \$50.

E. The fees for relocating a building or structure shall be \$24 for each \$1,000 of total estimated cost of the move.

F. The fee for a sign shall be \$50.

G. The fee for a swimming pool barrier or fence shall be a flat fee of \$75.

H. The fee for a temporary structure (tents) shall be a flat fee of \$75.

I. The fee for removal of abandoned underground storage tanks shall be \$65 for each tank of up to 1,000 gallons and \$120 for each tank over 1,000 gallons.

J. The fee for a trailer shall be \$75.

K. The fee for asbestos abatement shall be \$84, and the fee for issuance of an asbestos abatement certificate shall be an additional \$17.

L. The fee for lead abatement shall be \$84, and the fee for issuance of a lead abatement certificate shall be an additional \$17.

M. The fee for roofing and siding shall be \$25 per \$1,000 of estimated costs for all use groups.

N. The fee for a raised patio shall be \$125.

98-57. Elevator fees.

Elevator fees for inspections and tests shall be determined pursuant to N.J.A.C. 5:23-12.

98-58. Fire subcode fees.

Fire subcode fees for permitting shall be as follows:

A. The fee for fuel storage tanks and similar equipment shall be \$25 per 1,000 gallons or a minimum of \$75.

B. Sprinkler heads.

(1) The fee for 20 or fewer sprinkler heads or alarms shall be \$70 for alarm systems and \$85 for sprinkler systems.

(2) For 21 to and including 100 heads or alarms, the fee shall be \$125 for alarm systems and \$150 for sprinkler systems.

(3) For 101 to and including 200 heads or alarms, the fee shall be \$229 for alarm

systems and \$300 for sprinkler systems.

(4) For 201 to and including 400 heads or alarms, the fee shall be \$594 for alarm systems and \$600 for sprinkler systems.

(5) For 401 to and including 1,000 heads or alarms, the fee shall be \$825 for alarm systems and \$1,050 for sprinkler systems.

(6) For over 1,000 heads or alarms, the fee shall be \$1,050 for alarm systems and \$1,100 for sprinkler systems.

C. The fee for each standpipe shall be \$230.

D. The fee for each independent pre-engineered system shall be \$100.

E. The fee for each gas- or oil-fired appliance shall be a flat fee of \$50.,

F. The fee for each commercial kitchen exhaust system shall be \$100.

G. The fee for each fireplace, coal stove or woodburning stove shall be \$24 per \$1,000 of estimated cost of construction.

H. The fee for each incinerator shall be \$350.

I. The fee for each crematorium shall be \$350.

J. The fee for each fire pump installation shall be \$250.

K. The minimum fire subcode fee shall be \$50.

98-59. Plumbing subcode fees.

For plumbing fixtures and equipment, the fees shall be as follows:

A. The fee shall be in the amount of \$20 per fixture, piece of equipment or appliance connected to the plumbing system, and for each appliance connected to the gas piping or oil piping system, except as indicated below.

B. The fee shall be \$75 per special device for the following: gas piping, fuel oil piping, grease traps, oil separators, refrigeration units, water-cooled air-conditioning units, utility service connections, backflow preventers equipped with test ports (double check valve 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 and interceptors, sewer connection and water service connection. There shall be no inspection fee charged for gas service connections.

C. The minimum plumbing fee shall be \$50.

98-60. Electrical subcode fees.

The electrical subcode fee shall be as defined in N.J.A.C. 5:23-4.20(c)iii, except there shall be a minimum fee of \$75. The fees are as follows:

A. For from one to 25 receptacles or fixtures, the fee shall be in the amount of \$50; for each group of up to 40 receptacles or fixtures in addition to this, the fee will be \$25. 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 fixtures and a motor or device of less than or equal to one horsepower or one kilowatt. Communication and phone outlets shall be priced as above but in separate groups.

B. For each motor or electrical device greater than one horsepower and less than or equal to 10 horsepower and for transformers and generators greater than one kilowatt and less than or equal to 10 kilowatts, the fee shall be \$25.

C. For each motor or electrical device greater than 10 horsepower and less than or equal to 50 horsepower; for each service panel, service entrance or subpanel less than or equal

to 200 amps; and for each utility loan management device, the fee shall be \$75.

D. For each transformer and generator greater than 10 kilowatts and less than or equal to 45 kilowatts, the fee shall be \$75.

E. For each motor or electrical device greater than 50 horsepower and less than or equal to 100 horsepower; for each service panel, service entrance or subpanel greater than 200 amperes and less than or equal to 1,000 amperes; and for transformers and generators greater than 45 kilowatts and less than or equal to 112.5 kilowatts, the fee shall be \$120.

F. For each motor or electrical device greater than 100 horsepower; for each service panel, service entrance or subpanel greater than 1,000 amperes; and for each transformer or generator greater than 112.5 kilowatts, the fee shall be \$457.

G. For each burglar alarm panel or fire alarm panel, the fee shall be \$75.

H. The fee for annual pool bond inspection shall be \$75.

I. The minimum electrical fee shall be \$75. 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.

98-61. Additional fees.

In addition to the fees set forth in this article, the Borough shall collect such other construction fees as are required and set forth in the Uniform Construction Code or in regulations adopted pursuant thereto.

98-62. Construction to promote accessibility for handicapped.

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 people with disabilities to an existing public or private structure or any of the facilities contained therein.

4. This Ordinance shall take effect upon passage and publication as provided by law.

Introduced: July 10, 2012

Advertised: July 19, 2012

Public Hearing: August 6, 2012

Adopted: August 6, 2012

Published: August 16, 2012

ATTEST:

APPROVED:

Elizabeth Sterling, Borough Clerk

Anthony Persichilli, Mayor