

# Ordinance

No. 12-2021

## AMENDING CHAPTER 142, SECTION 5, CONSTRUCTION CODE FEES, OF THE CODE OF THE BOROUGH OF WESTVILLE

WHEREAS, it has been determined that the Borough of Westville Construction Office has a need to bring Construction Code Fee Schedules up-to-date, under the Borough Code, Chapter 142, Section 5, Construction Code Fees and is hereby to read as follows:

### CHAPTER 142. CONSTRUCTION CODES, UNIFORM § 142-5. Fees.

The fee for a construction permit shall be the sum of the Subcode fees listed in Subsection A, hereof and shall be paid before the permit is issued. All fees totaling a partial dollar amount shall be ascribed the next highest dollar amount.

#### CONSTRUCTION PERMITS:

- (1) The basic construction permit fee shall be the sum of the parts computed on the basis of the parts or cost of construction, the number of plumbing fixtures and pieces of equipment, the number of electrical fixtures and the rating of electrical devices, the number of sprinklers, standpipes and detectors (smoke and heat) at the unit rates and/or the applicable flat fees as provided herein plus any special fees.
- (2) The fee for plan review shall be 20% of the amount to be charged for a construction permit.
  - a. The fee for plan review of elevator devices in structures of groups other than R-3, R-4 or R-5 and for elevator devices in structures of group R-2 exempted by (1.a) above shall be \$365 for each device.
  - b. The fee for plan review for elevator devices of groups other than R-3, R-4 or R-5 and for elevator devices wholly within dwelling units in structures of group R-2 shall be \$70 for each device.

#### A. BUILDING SUBCODE FEES:

1. Fees for new construction shall be based upon the volume of the structure. Volume shall be computed in accordance with N.J.A.C. 5:23-2.28. The minimum fee shall be \$75. Except for groups A 1-5, B, M, H, E, F 1-2 & S 1-2 where the minimum fee shall be \$175.
  - a. **NEW CONSTRUCTION:**
    - i. Use groups B, H, I 1-4, M, E, U, R 1-5 \$0.045 per cubic foot of volume
    - ii. Use groups A 1-5, F 1-2, S1-2 \$0.030 per cubic foot of volume
    - iii. Farm use buildings storage or shelter including Commercial farm buildings under N.J.A.C. 5:23-3.2(d) with a maximum fee of \$1602. \$0.0011 per cubic foot of volume
  - b. **MANUFACTURED HOMES** (trailers, includes footings & Foundations) \$350.
  - c. **MODULAR HOMES** (including footings and foundations) \$650.
    - i. Garages \$0.045 per cubic of volume
    - ii. Porches, etc. \$40. Per \$1000 of cost of construction

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- d. Alterations, Renovations and Repairs:
  - i. The fees for alterations, renovations and repairs or site construction associated with pre-engineered systems of commercial farm buildings, pre-manufactured construction, and the external utility connection for pre-manufactured construction shall be based upon the estimated cost of the work.
    - a. Up to \$50,000 the fee shall be \$40 per \$1000 of cost of construction.
    - b. From \$50,001 to and including \$100,000 an additional \$35 per \$1000.
    - c. \$100,001 and above, the additional fee shall be \$30 per \$1000.

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 design professional 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.

- e. Additions:
  - i. Additions shall be computed on the same basis as for new construction for the added portion provided in each case, with a minimum fee of \$75.
  - ii. Renovations and additions (combination) shall be computed as the sum of the fees computed separately in accordance with this section with a minimum fee of \$75.
  - iii. The fee for tents, in excess of 900 SF or more than 30 ft. on any dimension, shall be \$150. This fee shall not be required or imposed for tents, tensioned membrane structures, and canopies that meet all of the criteria set forth below. Notwithstanding the above, tents, tensioned membrane structures and canopies meeting the following criteria shall be subject to the permitting requirements of the Uniform Fire Code (N.J.A.C. 5:70-2.7).
    - (a) The tent, tensioned membrane structure or canopy is 140 feet or less in any dimension and 16,800 SF or less in area where it is composed of one or multiple units;
    - (b) The tent, tensioned membrane structure or canopy remains in place or will remain in place for fewer than 180 days;
    - (c) The tent, tensioned membrane structure, or canopy is used or occupied only between April 1<sup>st</sup> & November 30<sup>th</sup>;
    - (d) The tent, tensioned membrane structure, or canopy does not have a permanent anchoring system or foundation; and
    - (e) The tent tensioned membrane structure, or canopy does not contain platforms or bleachers greater than 11 feet in height.
  - iv. The fee for roofing or siding work shall be computed the same as alterations for Commercial work.
  - v. Above-ground swimming pools shall be \$175 with a surface greater than 550 SF; the fee in all other cases shall be \$100. The fee for an in-ground swimming pool shall be \$275. With a surface area greater than 550 SF; the fee in all other cases shall be \$150.
  - vi. Sheds and storage buildings 201 SF and greater shall be calculated as new construction with a minimum fee of \$75.

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- vii. Fees for retaining walls shall be as follows:
- (a) The fee for a retaining wall with a surface area greater than 550 SF that is associated with Class 3 Residential shall be \$275
  - (b) The fee for a retaining wall with a surface area 550 SF or less that is associated with a Class 3 Residential structure shall be \$150; and
  - (c) The fee for a newly constructed retaining wall of any size at other than a Class 3 Residential structure shall be based on \$40. per \$1000 of the cost of the construction with a minimum fee of \$75.
  - (d) Open deck structures shall be as follows.
    - a. Under 100 SF \$75.
    - b. 100 SF to 200 SF \$150.
    - c. 201 SF to 400 SF \$200.
    - d. 401 SF and over \$250.
  - (e) The fee for a permit to construct a sign shall be as follows:
    - a. Fees for pylon signs shall be \$6 per SF for the first 100 SF, \$5 per SF for the next 400 SF, and \$4 per SF thereafter;
    - b. The minimum fee shall be \$75.
- f. Photovoltaic Systems, flat fee of \$200

## B. PLUMBING SUB CODE:

**For 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 in (3) a, b, below.
- b. The fee shall be \$95 per special device for the following: grease traps, oil separators, 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, and interceptors. There shall be no fee charged for gas service entrances.
- c. The fee for reconnecting gas appliances \$25.; Fee for residential gas piping shall be \$70 and for commercial \$90.
- d. Minimum plumbing fee shall be \$75.

## C. ELECTRICAL SUBCODE:

**The fee for fixtures and devices shall be as follows:**

- a. For the first block consisting of one to 50 receptacles, fixtures, or devices, the fee shall be \$70; for each additional block consisting of up to 25 receptacles, fixtures, or devices, the fee shall be \$20. For the purpose of computing this fee, receptacles, fixtures, or devices shall include lighting fixtures, wall switches, convenience receptacles, sensors, dimmers, alarm

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devices, smoke and heat detectors, communication outlets, light standards 8' or less in height including luminaires, emergency lights, electric signs, exit lights or similar electric fixtures, and devices rated 20 amperes or less including motors and equipment rated at less than one horsepower (HP) or one kilowatt (KW).

- b. For each motor or electrical device rated from one hp or one kw to 10 hp or 10 kw; for each transformer or generator rated from one kw or one kilovolt-amps (kva) to 10 kw or 10 kva; for each replacement of wiring involving one branch circuit or part thereof; for each storable pool or hydro massage bath tub; for each underwater lighting fixture; for household electric cooking equipment rated up to 16 kw; for each fire, security, or burglar alarm control unit; for each receptacle rated from 30 amperes to 50 amperes; for each light standard greater than 8' in height including luminaries; and for each communications closet, the fee shall be \$40.
- c. For each motor or electrical device rated from 11 hp or 11 kw to 50 hp or 50 kw; for each service equipment, panel board, switch board, switch gear, motor-control center, or disconnecting means rated 225 amperes or less; for each transformer or generator rated from 11 kw or 11 kva to 50 kw or 50 kva; for each electric sign rated from greater than 20 amperes to 225 amperes including associated disconnecting means; for each receptacle rated greater than 50 amperes; and for each utility load management device, the fee shall be \$75.
- d. For each motor or electrical device rated from greater than 51 hp or 51 kw to 100 hp or kw; for each service equipment, panel board, switch board, switch gear, motor-control-center, or disconnecting means rated from greater than 225 amperes to 1000 amperes; and for each transformer or generator rated from greater than 45 kw or 45 kva to 112.5 kw or 112.5 kva, the fee shall be \$139.
- e. For each motor electrical device rated at greater than 101 hp or 101 kw; for each service equipment, panel board, switch board, switch gear, motor-control-center, or disconnecting means rated at greater than 1,000 amperes; for each transformer or generator rated at greater than 112.5 kw or 112.5 kva the fee shall be \$650.
- f. The fee charged for electrical work for each permanently installed private swimming pool as defined in the building Sub Code, spa, hot tub. Or fountain shall be a flat fee of \$90, which shall include any required bonding, and associated equipment such as filter pumps, motors, disconnecting means, switches, required receptacles, and heaters, etc.,

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excepting panel boards and under water lighting fixtures. For public swimming pools, the fee shall be charged on the basis of the number of electrical fixtures and rating of each electrical device involved in accordance with (4) "a" through "e" above.

- g. The fee charged for the installation of single and multiple station smoke or heat detectors and fire, burglar, or security alarm systems in any one or two family dwelling shall be a flat fee of \$75 per dwelling unit. For fire, burglar, and security alarm systems and detectors in buildings other than one or two family dwellings, the fee shall be charged in accordance with A, B and C above.
- h. The installations consisting of multi-meter stacks, the fee shall be based on the ampere rating of the main bus and not upon the number of meters or rating of disconnects on the meter stack. Individual load side panel boards shall be charged in accordance with (4) c, d or e above. There shall be no additional fee charged for the concurrent installation of individual feeder, conductors.
- i. For motors or similar devices requiring concurrent installation of individual controls, relays and switches, the fee shall be based only upon the rating of the motor or device. There shall be no additional fee charged for the concurrent installation of individual circuit components, for example, controllers, starters, and disconnecting means.
- j. For electrical work requiring replacement of service entrance conductors or feeder conductors only, or panels, sub panels, service disconnects, the fee shall be based on the designated ampere rating of the overcurrent of the device of the service or feeder as follows:
  - i. 200 amperes or less, the fee shall be \$100
  - ii. 201 to 1000 amperes, the fee shall be \$150
  - iii. Greater than 1,000 amperes, the fee shall be \$660
- k. The fee charged for process equipment shall be based on the ampere rating of the overcurrent device protecting the conductor feeding the process equipment or the cut off device.
- l. For the purpose of computing these fees, all electrical and communications devices, utilization equipment and motors which are part of the premises wiring, except those which are portable plug-in type shall be counted.
- m. For photovoltaic systems, the fee shall be based on the designated kilowatt rating of the solar photovoltaic system as follows:
  - i. One to 50 kw
  - ii. 51 to 100 kwFlat fee of \$200

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iii. Greater than 100 kw, the fee shall be \$700.

n. Minimum electrical fee shall be \$75.

## D. FIRE PROTECTION SUBCODE:

For fire protection and hazardous equipment, sprinklers, standpipes, detectors (smoke and heat), pre-engineered suppression systems, gas and oil fired appliances not connected to the plumbing system, kitchen exhaust systems, incinerators, and crematoriums, the minimum permit fee shall be \$75.

i. The fee for Sprinklers shall be as follows:

a. For 20 or fewer heads, the fee shall be \$100.

b. For 21 heads to and including 100 heads, the fee shall be \$175.

c. For 101 heads to and including 200 heads, the fee shall be \$350.

d. For 201 heads to and including 400 heads, the fee shall be \$650.

e. For 401 heads to and including 1,000 heads, the fee shall be \$1200.

f. For over 1,000 heads the fee shall be \$1480.

ii. The fee for smoke detectors, heat detectors, pull stations shall be as follows:

1. The fee for 1 to 12 detectors shall be \$60.

2. The fee for 13 to 37 detectors shall be \$80.

3. The fee for 38 to 62 detectors shall be \$100.

4. The fee for 63 to 87 detectors shall be \$135.

5. The fee for 88 to 112 detectors shall be \$175.

6. The fee for 113 detectors to 137 detectors shall be \$225.

7. The fee for 138 detectors and over shall be \$300.

iii. The fee for each standpipe shall be \$375.

iv. The fee for each independent pre-engineered system shall be \$175. (Wet chemical, dry chemical, CO<sup>2</sup> suppression, foam suppression, FM 200 suppression, Ansul system, etc.)

v. The fee for each gas or oiled fired appliance that is not connected to the plumbing system shall be \$70.

vi. The fee for the installation of an above-ground oil tank shall be \$70.

vii. The fee for each commercial kitchen exhaust system shall be \$175.

viii. The fee for each crematorium shall be \$550.

ix. The fee for each incinerator shall be \$550.

x. The fee for fire pumps shall be \$200.

xi. The fee for Gasoline and Propane tanks, in-ground and above-ground shall be \$95 each.

xii. The fee for supervisory devices (i.e., tampers, high/low air, etc.) the fee shall be \$20 each.

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- xiii. The fee for signaling devices (i.e., horns/strobes, bells, etc.) shall be \$20 each
- xiv. The fee for dry pipe alarm and pre-action valves shall be \$70 each.
- xv. The fee for smoke control systems shall be \$85 each
- xvi. Permits for the installation of fireplaces, wood burning stoves and solid fuel burning appliances shall be \$40 per \$1,000 of estimated cost per unit. Minimum fee shall be \$75 per device or appliance.
- xvii. Fireplace venting/metal chimney or chimney liner shall be \$80.
- xviii. Fee for fire mains to the building shall be \$1.50 per linear foot.
- xix. Fee for fire hydrants shall be \$75 each.
- xx. The fee for fire extinguishers shall be a flat fee of \$50
- xxi. Photovoltaic Systems, flat fee of \$75

## E. ELEVATOR SUBCODE:

The fee for elevator device inspections and tests shall be N.J.A.C. 5:23-12.

**DEMOLITION:** The fees for demolition shall be as follows:

- a. The fee for a demolition or removal permit shall be \$100 for a structure of less than 5,000 square feet in area and less than 30 feet in height, for one or two family dwellings (Group R-3 or R-5 of the building sub code), structures on farms, including commercial farm buildings under N.J.A.C. 5:23-3.2(d), and \$175 for all other groups.
- b. The fee for the demolition of an in-ground pool shall be \$92.
- c. The fee for demolition of storage tanks shall be: Use Groups R-3 or R-5 \$75; all others \$100.

## F. FEES FOR CERTIFICATES AND OTHER PERMITS:

- a. The fee for a demolition or removal permit shall be \$100 for a structure of less than 5,000 square feet in area and less than 30 feet in height, for one or two family dwellings (Group R-3 or R-5 of the building sub code), structures on farms, including commercial farm buildings under N.J.A.C. 5:23-3.2(d), and \$168 for all other groups.
- b. The fee for a permit to construct a sign shall be in the amount of \$8 per SF of surface area of sign computed on one side only for double-faced signs. The minimum fee shall be \$75.
- c. The fee for a Certificate of Certified Occupancy shall be \$50.
- d. The fee for a Certificate of Certified Occupancy granted pursuant to a change of the use group shall be \$175.
- e. The fee for a Certificate of Occupancy for change in ownership or tenant of a property shall be \$175.
- f. The fee for the first issuance and renewal of a temporary certificate of occupancy shall be \$50.
- g. The fee for plan review of a building for compliance under the alternate systems and non-depletable energy source provisions of the energy sub code shall be

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\$383 for one and two family dwellings (Group R-3 or R-5 of the building sub code), and for light commercial structures having the indoor temporary temperature controlled from a single point, and \$1,915 for all other structures.

- h. The fee for an application for a variation in accordance with N.J.A.C. 5:23-2.10 shall be \$821 for Class I structures and \$175 for Class 2 and Class 3 structures. The fee for re-submission of an application for a variation shall be \$321 for Class 1 structures and \$91 for Class 2 and Class 3 structures.
- i. The permit fee for lead hazard abatement work shall be \$196. The fee for Lead Abatement Clearance Certificate shall be \$39.
- j. Permits for the installation of fireplaces, wood burning stoves and solid fuel burning appliances shall be \$40 per \$1,000 of estimated cost per unit. Minimum fee shall be \$75 per device or appliance.
- k. The fee to erect a fence shall be \$30 per \$1,000 of estimated cost provided that in each case there shall be a minimum of \$75.
- l. The fee for re-instatement of an expired construction permit shall be at the rate of 75% of the current permit fee. The fee is to be calculated with the use of the current fee schedule, less 25% for re-instatement fees.

## MECHANICAL SYSTEMS:

- a. Oil/Electric heat to gas heat.
  - i. Permits required:

<b>Commercial</b>	<b>Residential</b>
1. Building	1. Mechanical
2. Electric	2. Fire
3. Plumbing	
4. Fire	
- b. Oil/Gas heat to heat pump.
  - i. Permits required:

<b>Commercial</b>	<b>Residential</b>
1. Building	1. Mechanical
2. Electric	2. Electric
3. Fire (If gas back up)	
- c. Oil/Electric to propane.
  - i. Permits required

<b>Commercial</b>	<b>Residential</b>
1. Building	1. Mechanical
2. Plumbing	2. Electric
3. Fire	
- d. For cross connections and back flow preventers that are subject to re-testing, requiring inspection annually, the fee shall be \$50 for each device.



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- e. Annual permit requirements:
  - i. The fee that is charged for a Construction Permit shall be charged annually. The fee shall be a flat 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 sub code. 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. The fees for annual permits will be as follows:
    - 1. One to twenty-five workers (including foremen) \$933 per worker, each additional worker over twenty-five shall be \$329 per worker.
    - 2. Prior to the issuance of the annual permit, a training registration fee of \$196 per sub code and a list of not more than three (3) individuals to be trained per sub code shall be submitted by the applicant to the Department of Community Affairs, Bureau of Code Services, Education Unit along with a copy of the Construction Permit (Form F170). Checks shall be made payable to "Treasurer, State of New Jersey." The Department shall register these individuals and notify them of the courses being offered.
- f. The fee for Elevator Device Inspections and tests shall be N.J.A.C. 5:23-12.
- g. The fee for the Annual Electrical Inspection of swimming pools, spas or hot tubs shall be \$200. The fee for each additional swimming pool, spa or hot tub on a site shall be \$100.
- h. The fee for a permit for the Removal of a Building or Structure from one lot to another or to a new location on the same lot shall be \$40 per \$1,000 of estimated cost for moving and placement in a completed condition at a new location, provided that there shall be a minimum fee of \$75. The new foundation shall be computed as for new construction.
- i. For charitable, philanthropic, fraternal and religious organizations holding exempt status, the fee shall be 25% of the regular fees to cover the cost of plan reviews, inspections and administration.
- j. Prototype ~ for plans already reviewed, those plans processed as Prototype, there will be a discount of twenty percent (20%) of the construction permit. Said prototype plan approvals shall be valid for the purpose of applying for the new construction permit. When submitting under Prototype Plan Review, the Construction Code Official shall be notified.

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- k. The fee for a fish pond in R-3 and R-5 use group that meets the definition of a swimming pool shall be a flat fee of \$100.
- l. The municipality shall remit fees to the Bureau on a Quarterly basis, in conjunction with Report Number R-840A, State Training Fee Report in accordance with N.J.A.C. 5:2304.5(d).
- m. Waiver of permit construction fees for residential accessibility improvements: Pursuant to New Jersey Public Law 1996 Chapter 92 (N.J.A.C. 52:27D-126(e) disabled persons, so defined, or the parent or a 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 improvements which promotes accessibility to the disabled person's living unit. (Am. 06-01-06; Am 04-21-11)

**NOW, THEREFORE, BE IT ORDAINED** that if any section or provision of this Ordinance shall be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of this Ordinance as a whole or any part thereof. All Ordinances or parts of Ordinance heretofore adopted and that are inconsistent with the terms and provisions of this Ordinance are hereby repealed to the extent of such inconsistency. This Ordinance shall become effective upon its final passage and publication in the manner prescribed by law.

**NOW THEREFORE, BE IT FURTHER ORDAINED THAT** this Ordinance titled Construction Code Fees, Chapter 142, Section 5, be adopted by the Mayor and Borough Council of the Borough of Westville, County of Gloucester and State of New Jersey,

**APPROVED** by the Governing Body of the Borough of Westville, County of Gloucester, State of New Jersey.

**Introduced:** August 19, 2021  
**Adopted:** September 7, 2021

**BOROUGH OF WESTVILLE**

*Fritz H. Sims, Jr.*

**Fritz H. Sims, Jr.  
MAYOR**

**ATTEST:**

*Kathleen Carroll*

**Kathleen Carroll  
DEPUTY MUNICIPAL CLERK**