



Ordinance of the Township of Bernards

1 Collyer Lane, Basking Ridge, NJ 07920
908-766-2510; www.bernards.org

ORDINANCE # 2534

An Ordinance to Amend the Revised General Ordinances
of the Township of Bernards, Chapter 12 “Building and Housing,”
Section 1-3 “Construction Fee Schedule”

BE IT ORDAINED, by the Township Committee of the Township of Bernards in the County of Somerset that Chapter 12, “Building and Housing,” Section 1-3 “Construction Fee Schedule” of the Revised General Ordinances of the Township of Bernards is hereby amended: (new text is in underline; deletions are ~~stricken~~):

§ 12-1.3 Construction Fee Schedule.

[Ord. #413, § 3; Ord. #663; Ord. #725; Ord. #883; Ord. #851; Ord. #948; Ord. #1109, § 1; Ord. #1025, § 1; Ord. #1255, 6-10-1997, amended; Ord. #1302, 5-12-1998, amended; Ord. #1354, 4-13-1999, amended; Ord. #1390, 12-28-1999, amended; Ord. #1451, 3-13-2001, amended; Ord. #1568, 8-13-2002, amended; Ord. #1579, 9-10-2002, amended; Ord. #1631, 3-25-2003, amended; Ord. #1769, 12-28-2004, amended; Ord. #1896, 8-29-2006, amended]

- a. The fee for a construction permit shall be the sum of the subcode fees listed as follows, where applicable, and shall be paid before a permit is issued.
 1. Building subcode fees:
 - (a) For new construction and additions: ~~\$0.035~~ 0.040 per cubic foot of building or structure volume. For commercial farm buildings as defined in N.J.S.A. 52:27D-121, the fee shall be \$0.008 per cubic foot for the first 100,000 cubic feet of construction and \$0.006 for each cubic foot in excess of 100,000 cubic feet of building or structure volume. [Ord. #2055, 3-10-2009, amended; Ord. #2331, 2-9-2016, amended; Ord. #2412, 2-26-2019, amended]
 - (b) For renovations, alterations, repairs, solar systems and communication towers: ~~\$30~~ \$35 per \$1,000 for the first \$50,000, ~~\$24~~ \$27 per \$1,000 from \$50,000 to \$100,000 and ~~\$21~~ \$24 per \$1,000 over \$100,001 of the estimated cost of the work. [Ord. #2055, 3-10-2009, amended; Ord. #2331, 2-9-2016, amended; Ord. #2412, 2-26-2019, amended]
 - (c) For retaining walls:
 - (1) A retaining wall with a surface area greater than 550 square feet that is associated with a Class 3 residential structure: \$125. [Ord. #2331, 2-9-2016, amended; Ord. #2412, 2-26-2019, amended]
 - (2) A retaining wall with a surface area of 550 square feet or less that is associated with a Class 3 residential structure: ~~\$80~~ 90. [Ord. #2055, 3-10-2009, amended; Ord. #2331, 2-9-2016, amended; Ord. #2412, 2-26-2019, amended]
 - (3) A retaining wall of any size at other than a Class 3 residential structure: the fee shall be calculated in accordance with Section 12-1.3a1(b) of this chapter.
 - (d) For combination of renovations and additions: the sum of the fees computed separately as renovations and additions.

- (e) Swimming pools. [Ord. #2055, 3-10-2009, amended; Ord. #2316, 5-12-2015, amended; Ord. #2331, 2-9-2016, amended; Ord. #2412, 2-26-2019, amended]
 - (1) For aboveground pools: ~~\$80~~ 90.
 - (2) For in-ground pools: \$175.
 - (3) For in-ground hot tubs: \$125.
 - (f) For the construction or placement of an unclassified structure, including but not limited to fences, tents, sheds and temporary trailers: ~~\$80~~ 90. For accessory structures over one story in height: \$200. [Ord. #2055, 3-10-2009, amended; Ord. #2331, 2-9-2016, amended; Ord. #2412, 2-26-2019, amended]
 - (g) The fee for a demolition permit shall be as follows: [Ord. #2055, 3-10-2009, amended; Ord. #2331, 2-9-2016, amended]
 - (1) Commercial building or structure: ~~\$200~~ \$250. [Ord. #2412, 2-26-2019, amended]
 - (2) Use Groups R-2, R-3, R-4 and R-5 building or structure: ~~\$80~~ \$100.
 - (3) Unclassified structures, oil/fuel tank removal or abandonment or pools: ~~\$80~~ 90 each. [Ord. #2412, 2-26-2019, amended]
 - (h) The fee for a permit to erect a sign: [Ord. #2331, 2-9-2016, amended]
 - (1) Permanent sign: ~~\$3~~ 5 per square foot of sign area. Fees for double-faced signs shall be based on the total square footage of one side only.
 - (i) Radon systems: ~~\$40~~ 45. [Ord. #2055, 3-10-2009, amended; Ord. #2412, 2-26-2019, amended]
 - (j) Roofing or siding: ~~\$80~~ 90. (Use Groups R-2, R-3 and R-4) including Use Group U that is an accessory to R-2, R-3 and R-4. All other Use Groups charged per Subsection 12-1.3.a.1.(b) of this chapter. [Ord. #2055, 3-10-2009, amended; Ord. #2152, 2-15-2011, amended; Ord. #2331, 2-9-2016, amended; Ord. #2412, 2-26-2019, amended]
 - (k) Asbestos abatement in accordance with N.J.A.C. 5:23-8: \$70 and \$14 per certificate of occupancy.
 - (l) Lead hazard abatement in accordance with N.J.A.C. 5:17: \$70 and \$14 per lead abatement certificate.
 - 2. Certificates of occupancy fees, miscellaneous fees and waiver of fees: [Ord. #1907, 12-26-2006, amended; Ord. #2055, 3-10-2009, amended]
 - (a) The fee for a certificate of occupancy for Use Groups R-2, R-3, R-4 and R-5 shall be \$100. [Ord. #2316, 5-12-2015, amended; Ord. #2331, 2-9-2016, amended; Ord. #2412, 2-26-2019, amended]
 - (b) The fee for a certificate of occupancy for other than Use Groups R-2, R-3, R-4 and R-5 shall be 10% of the total construction permit fee. [Ord. #2316, 5-12-2015, amended]
 - (c) The fee for a certificate of continued occupancy: ~~\$550~~ 500. [Ord. #2331, 2-9-2016, amended]
 - (d) The fee for a change of use: \$350. [Ord. #2331, 2-9-2016, amended]
 - (e) Certificate of approval: no fee.
 - (f) Temporary certificate of occupancy: \$30 for the issuance and/or renewal of any temporary certificate. [Ord. #2331, 2-9-2016, amended]

- (g) Public swimming pools, spas and hot tubs except for one- or two-family residential property, review of bonding and grounding certificate: \$100 for each pool, spa or hot tub renewable every five years. **[Ord. #2152, 2-15-2011, amended]**
- (1) Late fee. Each week that renewal of a certificate is overdue: \$50 per week. **[Ord. #2468, 4-27-2021, added]**
- (h) Public swimming pools, spas and hot tubs except for one- or two-family residential property, electrical inspection to include issuance of certificate of compliance: \$100 annually for each pool, spa or hot tub. **[Ord. #2152, 2-15-2011, amended]**
- (1) Late fee. Each week that renewal of a certificate is overdue: \$50 per week. **[Ord. #2468, 4-27-2021, added]**
- (i) The fee to reinstate a lapsed permit: 25% of the initial fee, provided that such application is made within one year from the date the initial permit lapsed. Thereafter, the fee to reinstate the permit shall be 100%.
- (j) The fee for an application to the Construction Board of Appeals shall be based on the fee currently adopted by the County of Somerset and payable to the County of Somerset. **[Ord. #2412, 2-26-2019, amended]**
- (k) The fee for an application for a variation:
 - (1) Commercial: \$100.
 - (2) Use Groups R-2, R-3, R-4 and R-5: \$50.
 - (l) Annual permits issued in accordance with N.J.A.C. 5:23-2.14(c):
 - (1) One to 25 workers: \$500 per worker.
 - (2) Over 25 workers: \$200 per worker.
 - (3) Training fee in accordance with N.J.A.C. 5:23-4.18(a)5: \$140 per subcode.
- (m) The fee for plan review shall be 25% of the amount to be charged for the construction permit or the amount listed below and shall be paid before the plans are reviewed. The amount paid for this fee shall be credited toward the amount of the fee to be charged for the construction permit. Plan review fees are not refundable. Plan revisions: \$80 90 per subcode to be paid at the time of submission. **[Ord. #2494, 4-12-2022, amended]**
- (n) The minimum permit fee for a basic construction permit covering any or all of building, electrical, plumbing or fire protection work: \$80 90. **[Ord. #2331, 2-9-2016, amended; Ord. #2412, 2-26-2019, amended]**
- (o) New Jersey State permit surcharge fees: Fees shall be collected in accordance with N.J.A.C. 5:23-4.19.
- (p) Waiver of fees: All construction permit fees for any work requiring a construction permit shall be waived for the following buildings: **[Ord. #2152, 2-15-2011, amended; Ord. #2412, 2-26-2019, amended; Ord. #2426, 8-27-2019, amended; Ord. #2494, 4-12-2022, amended]**
 - (1) Buildings owned and operated by Bernards Township, Somerset County, State of New Jersey, or the federal government.
 - (2) Buildings owned and operated by the Bernards Township Board of Education. In accordance with

N.J.A.C. 5:23-3.11A(b)2, buildings owned and operated by the Bernards Township Board of Education are subject to payment of the plan review fee as required in Paragraph (m) above.

- (3) Designs solely to promote accessibility by the handicapped to an existing structure.
- (4) Rehabilitation of low- or moderate-income housing in accordance with N.J.S.A. 52:27D-126d.
- (5) Buildings owned by the Bernards Township Volunteer Emergency Services are exempt from Township construction permit fees only.
- (q) Annual review for commercial backflow prevention device certificate: \$50 each device. **[Ord. #2093, 12-15-2009, added; Ord. #2152, 2-15-2011, amended]**
- (1) Late fee. Each week that renewal of a certificate is overdue: \$50 per week. **[Ord. #2468, 4-27-2021, added]**
- (r) Change of contractor: \$25 per subcode. **[Ord. #2152, 2-15-2011, added]**
- (s) Change of ownership of a permit: \$100. **[Ord. #2152, 2-15-2011, added]**
- (t) Change of ownership of a permit for a new dwelling: \$500. **[Ord. #2468, 4-27-2021, added]**
3. Electrical subcode fees:
 - (a) Fixtures and devices. For the purpose of computing this fee, receptacles, switches, fixtures, convenience receptacles or similar fixtures and motors and devices of one horsepower or one kilowatt or less shall be counted and totaled. **[Ord. #2055, 3-10-2009, amended; Ord. #2331, 2-9-2016, amended]**
 - (1) First 50 fixtures or devices: ~~\$80~~ 90. **[Ord. #2412, 2-26-2019, amended]**
 - (2) Each fixture or device over 50: \$2 each.
 - (b) Swimming pools, in-ground spas and hot tubs: \$200. **[Ord. #2055, 3-10-2009, amended; Ord. #2152, 2-15-2011, amended; Ord. #2316, 5-12-2015, amended; Ord. #2331, 2-9-2016, amended; Ord. #2412, 2-26-2019, amended]**
 - (c) Storable pool or spa: ~~\$80~~ 90. **[Ord. #2055, 3-10-2009, amended; Ord. #2152, 2-15-2011, amended; Ord. #2316, 5-12-2015, amended; Ord. #2331, 2-9-2016, amended; Ord. #2412, 2-26-2019, amended]**

Calculating. For the purpose of calculating the following electrical 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.

- (d) Motors/electrical devices: **[Ord. #2055, 3-10-2009, amended; Ord. #2412, 2-26-2019, amended]**
 - (1) One to 10 horsepower: ~~\$40~~ 45.
 - (2) To 50 horsepower: ~~\$80~~ 90.
 - (3) To 100 horsepower: \$125.
 - (4) Above 100 horsepower: \$200.
- (e) Transformers/generators: **[Ord. #2055, 3-10-2009, amended; Ord. #2412, 2-26-2019, amended]**

- (1) One to 10 kilowatt: \$~~40~~45.
- (2) To 45 kilowatt: \$75.
- (3) To 112.5 kilowatt: \$125.
- (4) Above 112.5 kilowatt: \$200.
- (f) Services/panels/subpanels/transfer switches: [**Ord. #2055, 3-10-2009, amended; Ord. #2185, 2-28-2012, amended; Ord. #2331, 2-9-2016, amended; Ord. #2412, 2-26-2019, amended**]
- (1) To 100 amperes: \$~~80~~90.
- (2) To 200 amperes: \$125.
- (3) To 300 amperes: \$200.
- (4) To 400 amperes: \$225.
- (5) To 800 amperes: \$275.
- (6) To 1,000 amperes: \$500.
- (7) To 1,200 amperes: \$750.
- (8) Above 1,200 amperes: \$1,000.
- (g) Radon systems: \$~~40~~45. [**Ord. #2055, 3-10-2009, amended; Ord. #2331, 2-9-2016, amended; Ord. #2412, 2-26-2019, amended**]
- (h) Rain sensors for irrigation systems: \$~~40~~45. [**Ord. #2055, 3-10-2009, amended; Ord. #2331, 2-9-2016, amended; Ord. #2412, 2-26-2019, amended**]
- (i) Future conduit run without connection: [**Ord. #2331, 2-9-2016, amended**]
- (1) Up to 300 feet: \$100.
- (2) Over 300 feet: \$250.
- (j) Photovoltaic solar systems. [**Ord. #2093, 12-15-2009, added; Ord. #2331, 2-9-2016, amended; Ord. #2412, 2-26-2019, amended**]
- (1) One to 50 kw: \$150.
- (2) Fifty-one to 100 kw: \$300.
- (3) Greater than 100 kw: \$1,000.
- (k) Bonding of CSST gas piping: \$~~40~~45. [**Ord. #2185, 2-28-2012, added; Ord. #2412, 2-26-2019, amended**]
- 4. Plumbing subcode fees: [**Ord. #2055, 3-10-2009, amended; Ord. # 2316, 5-12-2015, amended; Ord. #2331, 2-9-2016, amended; Ord. #2398, 8-14-2018, amended; Ord. #2412, 2-26-2019, amended**]
- (a) Fixtures, including devices and stacks: \$20.

- (b) Water service connection: ~~\$80~~ 90.
- (c) Sewer tie-in and septic: ~~\$80~~ 90.
- (d) Gas connections: ~~\$80~~ 90. Each additional connection shall be \$10.
- (e) Boilers (including pool heaters): ~~\$80~~ 90.
- (f) Water-cooled air-conditioning and refrigeration systems: \$250.
- (g) Air-conditioning systems: ~~\$40~~ Use Groups R-2, R-3, R-4 and R-5 \$45-

(2) All other Use Groups: \$100

- (h) Backflow preventers:
 - (1) Use Groups R-2, R-3, R-4 and R-5: ~~\$40~~ 45.
 - (2) Other use groups: \$150.
- (i) Pumps: ~~\$80~~ 90.
- (j) Grease traps, interceptors and oil separators: ~~\$80~~ 90.
- (k) Solar heating devices: ~~\$80~~ 90.
- (l) Steam generator (shower): ~~\$40~~ 45.
- (m) LP gas tank and associated connections: ~~\$80~~ 90.
- (n) Fuel oil connections: ~~\$40~~ 45.
- (o) Radiant floor heat: ~~\$80~~ 90.
- (p) Water heater, fuel-fired: ~~\$80~~ 90.
- (q) Water heater, electric: ~~\$40~~ 45.
- (r) Swimming pool drains: ~~\$80~~ 90.
- (s) Furnace in Use Groups R-3 and R-5: ~~\$80~~ 90.
- (t) Gas logs in Use Groups R-3 and R-5: ~~\$40~~ 45.
- (u) Generators in Use Groups R-3 and R-5: ~~\$40~~ 45.
- (v) Gas fireplaces in Use Groups R-3 and R-5: ~~\$80~~ 90. [Ord. #2468, 4-27-2021, amended]

(w) Mini Split System: \$90 each.

(x) Heat Pump: \$90 each.

5. Fire protection fees:

- (a) Automatic fire alarm systems: [Ord. #2055, 3-10-2009, amended; Ord. #2331, 2-9-2016, amended; Ord. #2412, 2-26-2019, amended]

Number of Smoke/Heat Detectors and Mass Evacuation Speakers	Fee
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1 to 20	\$ 80 90
21 to 100	\$150
101 to 200	\$250
201 to 400	\$600
401 to 1,000	\$825
Over 1,000	\$1,200

(b) Automatic fire sprinkler systems: **[Ord. #2316, 5-12-2015, amended]**

Number of Sprinkler Heads	Fee
1 to 20	\$100
21 to 100	\$150
101 to 200	\$260
201 to 400	\$675
401 to 1,000	\$900
Over 1,000	\$1,350

(c) Pre-engineered systems:

(1) CO2 suppression: \$150.

(2) FM-200: \$150.

(3) Foam system: \$150.

(4) Dry chemical: \$150.

(5) Wet chemical: \$150.

(d) Commercial kitchen hood: \$100.

(e) Heat-producing devices and venting: **[Ord. #2055, 3-10-2009, amended; Ord. #2185, 2-28-2012, amended; Ord. #2316, 5-12-2015, amended; Ord. #2331, 2-9-2016, amended; Ord. #2398, 8-14-2018, amended; Ord. #2412, 2-26-2019, amended]**

- (1) Factory-built wood fireplaces and solid fuel stoves: ~~\$80~~ 90.
- (2) Furnaces in all Use Groups except R-3 and R-5: ~~\$80~~ 90.
- (3) Gas logs in all Use Groups except R-3 and R-5: ~~\$80~~ 90.
- (4) Factory-built chimneys: ~~\$80~~ 90.
- (5) Chimney lining in all Use Groups except R-3 and R-5: ~~\$80~~ 90.
- (6) Generators in all Use Groups except R-3 and R-5: ~~\$80~~ 90.
- (7) Fuel-fired appliances in new construction, per appliance: ~~\$80~~ 90.
- (f) Standpipe systems: \$200 each riser.
- (g) Fire pumps: \$200.
- (h) Preaction valve: \$200.
- (i) Dry pipe valve: \$200.
- (j) Drafting systems: \$200. [Ord. #2055, 3-10-2009, amended]
- (k) Smoke control system: \$200.
- (l) Supervisory and signaling devices: \$15 each. [Ord. #2331, 2-9-2016, amended]
- (m) Fuel storage tank installation: [Ord. #2055, 3-10-2009, amended]
- (1) Use Groups R-2, R-3, R-4 and R-5: ~~\$40~~ 45. [Ord. #2331, 2-9-2016, amended; Ord. #2412, 2-26-2019, amended]
- (2) All other use groups: \$200.
- (n) Roof-mounted solar systems: ~~\$80~~ 90. [Ord. #2468, 4-27-2021, added]
- (o) Fire hydrants: ~~\$80~~ 90 each. [Ord. #2468, 4-27-2021, added]
- 6. Mechanical subcode fees: [Ord. #2398, 8-14-2018, added; Ord. #2412, 2-26-2019, amended]
 - (a) Water heater: ~~\$80~~ 90 each.
 - (b) Boiler: ~~\$80~~ 90 each.
 - (c) Furnace: ~~\$80~~ 90 each.
 - (d) Oil tank: ~~\$40~~ 45 each.
 - (e) LP tank: ~~\$40~~ 45 each.
 - (f) Kerosene tank: ~~\$40~~ 45 each.
 - (g) Air conditioning: ~~\$40~~ 45 each.
 - (h) Gas fireplace: ~~\$80~~ 90 each.

- (i) Gas log set: ~~\$40~~ 45 each.
- (j) Gas log lighter: ~~\$40~~ 45 each.
- (k) Gas heater: ~~\$80~~ 90 each.
- (l) Kerosene heater: ~~\$80~~ 90 each.
- (m) Oil heater: ~~\$80~~ 90 each.
- (n) Generator: ~~\$40~~ 45 each.
- (o) Gas piping connection: ~~\$80~~ 90. Each additional connection shall be \$10.
- (p) Oil piping connection: ~~\$40~~ 45.
- (q) Chimney liner: ~~\$80~~ 90 each.
- (r) Mini Split System: \$90 each.
- (s) Heat Pump: \$90 each

7. Elevator subcode fees:

- (a) Elevator subcode fees shall be in accordance with the elevator subcode fee schedule as adopted in the New Jersey Uniform Construction Code.

Explanatory Statement:

These revisions are required to maintain the level of service the permit customers are used to. Our fees have been historically lower than our neighboring communities and even with these revisions the fees will be slightly lower, but more in line with the industry. Our last noteworthy fee increase was four (4) years ago. The Construction Department generally does not utilize tax dollars for our operations. We make every effort to be totally fee based. These revisions should continue that trend.

*Dennis Bettler, C.B.O.
Construction Official*

**TOWNSHIP OF BERNARDS
PUBLIC NOTICE**

Ordinance #2534 was introduced and passed on first reading by the Township Committee of the Township of Bernards in the County of Somerset on 09/12/2023 and then ordered to be published according to law. It will be further considered for final passage and adoption at a public hearing held at a meeting of the Township Committee at the Municipal Building, 1 Collyer Lane, Basking Ridge, NJ in said township on 09/26/2023, at 8 P.M., when and where, or at such time and place to which said meeting may be adjourned, all persons interested will be given an opportunity to be heard concerning said ordinance. A complete text of this ordinance is available in the Office of the Municipal Clerk, 1 Collyer Lane, Basking Ridge, NJ, from 8:30 A.M. to 4:30 P.M., Monday through Friday. Copies are also available via e-mail from ckieffer@bernards.org.

by Order of the Township Committee
Christine V. Kieffer, Municipal Clerk

PUBLIC NOTICE

Notice is hereby given that Bernards Township Ordinance #2534 was introduced and passed on first reading at a meeting of the Township Committee on 06/27/2023 and was passed on final reading and adopted following a public hearing thereon at a regular meeting of the Governing Body of the Township of Bernards on 09/26/2023.

By Order of the Township Committee
Christine V. Kieffer, Municipal Clerk