

TOWN OF BOONTON

ORDINANCE 15-24

AN ORDINANCE, AMENDING A SECTION WITHIN THE TOWN CODE OF THE TOWN OF BOONTON, PART II GENERAL LEGISLATION, CHAPTER 130, FEES, ARTICLE III, FEE SCHEDULE, ONLY AS TO 130-6 ANIMALS and 130-7 UNIFORM CONSTRUCTION CODE.

WHEREAS, in order to maintain the public's health, safety and welfare, the Mayor and Town Council of the Town of Boonton recognize the need to update Chapter 130, Fees, specifically at Sections 130-6 Animals and 130-7 Uniform Construction Code; and

WHEREAS, such changes are required to update the substance of a provision that was previously removed as to the removal and capture of any animal other than a dog or cat found running at large, as well as update the various fees as reflected to more fairly represent and offset the costs as incurred by the Town, both as to Animals and the Uniform Construction Code as specifically with regard to only those sections; and

WHEREAS, the Mayor and Town Council wish to update the Town of Boonton Code of Ordinances to reflect these changes and updated fees, for the public's knowledge.

NOW THEREFORE, BE IT RESOLVED BY THE MAYOR AND TOWN COUNCIL OF THE TOWN OF BOONTON, COUNTY OF MORRIS, STATE OF NEW JERSEY, THAT SECTION 130 OF THE TOWN CODE BE UPDATED ONLY AS FOLLOWS:

SECTION ONE.

Article III, Fee Schedule 130-6 Animals is hereby repealed in its entirety and replaced as follows:

Article III Fee Schedule

§ 130-6 Animals.

A. Registration tag. New residents with animals properly licensed in another municipality shall only be charged a transfer registration fee of \$10 per animal. (§ **80-3**)

B. Annual license fees. (§ **80-3**)

(1) The persons applying for the license and registration tag for dogs and cats shall pay the annual fee for such license of \$17.00 (\$15.80 town fee, \$1.20 state fee). There shall be an additional charge of \$1.00 for a duplicate tag for each animal, if needed.

(2) The renewal fee for each license and registration tag shall be the same as for the original license and registration tag, and said licenses, registration tags and renewals thereof shall expire on the last day of January of each year in the case of dogs and the last day of June in each year in the case of cats.

(3) In addition to the foregoing license fee, there shall be a surcharge of \$3.00 for each license for an animal which has not been spayed or neutered at the time of applying for said license.

C. Late fee. There shall be a penalty fee of \$15.00 in the event that the applicable license is obtained by the owner in the case of dogs on or after March 1 and in the case of cats on or after August 1. (§ **80-3**)

D. Recovery of impounded animals. (§ **80-3**)

(1) Recovery fee: \$25.

(2) Maintenance expense: \$50 per day, to a maximum of \$350.

[Amended 10-16-2023 by Ord. No. 20-23]

E. Kennels, pet shops, shelters and pounds. In accordance with N.J.S.A. 4:19-15.9, the annual license fee for a kennel providing accommodations for 10 or fewer dogs shall be \$25 and for more than 10 dogs, \$50; and the annual license fee for a pet shop shall be \$25. No fee shall be charged for a shelter or pound. (§ **80-4**)

SECTION TWO.

Article III, Fee Schedule 130-7 Uniform Construction Code is hereby repealed in its entirety and replaced as follows:

Construction permit. The fee for a construction permit shall be the sum of the subcode fees listed herein and shall be paid before the permit is issued. (§ **87-2**)

A. Plan review fee. The fee for plan review shall be 20% of the amount to be charged for a new construction permit.

B. Construction/building subcode fee. The fees for the building subcode shall be as follows:

- 1) New construction permit fees shall be based upon the volume of the structure. Volume shall be computed in accordance with N.J.A.C. 5:23-2.28 of the Uniform Construction Code regulations. The new construction permit fee shall be in the amount of \$0.035 per cubic foot of volume for buildings and structures of Use R5, except that the fee shall be \$0.047 per cubic foot of volume for all other use groups. The minimum fee for new construction shall be \$150.
 - 2) Permit fees for renovations, alterations and repairs for Use Group R5 shall be based upon the estimated cost of the work.
 - a) The fee shall be in the amount of \$32 per \$1,000.
 - b) From \$50,001 to and including \$100,000, the additional fee shall be in the amount of \$27 per \$1,000 of the estimated cost above \$50,000.
 - c) Above \$100,000 the additional fee shall be in the amount of \$22 per \$1,000 of the estimated cost above \$100,000.
 - 3) Fees for renovations, alterations and repairs for all other use group types shall be based upon the estimated cost of the work.
 - a) The fee shall be in the amount of \$43 per \$1,000.
 - b) From \$50,001 to and including \$100,000, the additional fee shall be in the amount of \$33 per \$1,000 of the estimated cost above \$50,000.
 - c) Above \$100,000 the additional fee shall be in the amount of \$27 per \$1,000 of the estimated cost above \$100,000.
 - 4) For the purpose of determining estimated cost, the applicant shall submit to the enforcing agency, if available, cost data 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.
 - 5) Permit fees for additions shall be computed on the same basis as for new construction for the added portion, provided that the minimum shall be \$85.
 - 6) Permit fees for aboveground swimming pools shall be \$125, and permit fees for in-ground pools shall be \$300.
 - 7) Permit fees to install a fence shall be \$100.
 - 8) Permit fees to perform asbestos abatement shall be \$85.
 - 9) Permit fees to perform lead abatement shall be \$85.
 - 10) Permit fees for residential roofs and siding shall be \$85.
 - 11) Permit fees for signs shall be \$125.
 - 12) Permit fees for tents shall be \$125.
 - 13) Permit fees for demolition shall be \$250 for R5 Use, and \$550 per floor for all other uses, and \$125 for an accessory structure.
 - 14) Building subcode minimum fee shall be \$85.
 - 15) Change of contractor fee shall be \$35.
 - 16) Retaining walls – the fee for new/altered retaining walls shall be based upon the cost of work as per section B (2) or B (3).
- C. Plumbing subcode fee. The fees for the plumbing subcode shall be as follows:
- 1) The fee shall be in the amount of \$20 per fixture for all fixtures except as listed in Subsection **C(2)** below.
 - 2) The fee shall be in the amount of \$85 per special device for grease traps, oil separators, central air-conditioning units, indirect connections, sewer ejectors, interceptors, backflow devices, reduced-pressure backflow devices, water softeners, oil/LPG tanks, pool drains, generators, pool heaters, hot water boilers, steam boilers, warm-air furnaces, and water heaters. There shall also be a fee in the amount of \$85 per water utility connection and sewer utility

connection.

- 3) For the purposes of computing this fee, fixtures [as noted in Subsection **C(1)** above] shall include lavatories, kitchen sinks, slop sinks, urinals, water closets, bathtubs, shower stalls, laundry tubs, floor drains, drinking fountains, dishwashers, clothes washers, hose bibs, water coolers, roof drains, sump pump and vent stacks.
 - 4) Gas/fuel oil piping:
 - a) The R5 Use fee shall be \$85.
 - b) For all other uses, fee shall be \$100.
 - 5) The fee for the installation or replacement of roof drains and/or area drains shall be \$35 per drain.
 - 6) Minimum plumbing subcode fee shall be \$85.
 - 7) Change of contractor fee shall be \$35.
- D. Mechanical subcode fee. The fees for the mechanical subcode shall be as Subsection **C**, Plumbing subcode fee.
- E. Electrical subcode fee. The fees for the electrical subcode shall be as follows:
- 1) For the first 50 receptacles or fixtures, the fee shall be in the amount of \$85; for each 25 receptacles or fixtures in addition to this, the fee shall be in the amount of \$25. For the purpose of computing this fee, receptacles or fixtures shall include lighting outlets, wall switches, fluorescent fixtures, convenience receptacles of similar fixtures and motors or devices of less than one horsepower or one kilowatt.
 - 2) For each motor or electric device greater than one horsepower and less than or equal to 10 horsepower and for the transformers and generators greater than one kilowatt and less than or equal to 10 kilowatts, the fee shall be \$20.
 - a) Up to 50 horsepower: \$85.
 - b) Up to 100 horsepower: \$125.
 - c) Larger than above: \$200.
 - 3) For each service panel, service entrance and subpanel less than or equal to 200 amperes and for all transformers and generators greater than 10 kilowatts and less than or equal to 50 kilowatts, the fee shall be \$85.
 - a) Greater than 200 amperes and less than 1,000 amperes: \$150.
 - b) Greater than 50 kilowatts and less than or equal to 112.5 kilowatts: \$150.
 - c) Equal to or greater than 1,000 amperes: \$350.
 - d) Greater than 112.5 kilowatts: \$350.
 - 4) For each photovoltaic system, the fee shall be:
 - a) Up to 50 kilowatts: \$85.
 - b) Greater than 50 kilowatts: \$150.
 - c) Greater than 100 kilowatts: \$600.
 - 5) For the purpose of computing these fees, all motors except those in plug-in appliances shall be counted, including control equipment, generators, transformers, inverters, micro inverters, and all heating, cooking or other devices consuming or generating electrical current.
 - 6) Annual pool permit fee shall be \$125.
 - 7) Minimum electrical subcode fee shall be \$85.

- 8) Change of contractor fee shall be \$35.
- F. Fire subcode fee. The fees for the fire subcode shall be as follows:
- 1) Fuel-fired appliances:
 - a) Commercial new heating/HVAC unit: \$125, replacement \$100.
 - b) Residential new heating/AC unit: \$85, replacement \$85.
 - c) The fee for each appliance not connected to the plumbing system shall be \$85.
 - 2) Installation of chimney, chimney liner, stoves, fireplaces and other unit heaters: \$85.
 - 3) Installation of commercial kitchen exhaust system: \$200.
 - 4) Storage tank:
 - a) Fuel storage tanks, above- or underground:
 - i. Five hundred fifty gallons or less shall be \$125.
 - ii. Greater than 550 gallons shall be \$350.
 - b) Removal or abandonment, above- or underground:
 - i. Five hundred fifty gallons or less shall be \$100.
 - ii. Greater than 550 gallons shall be \$250.
 - c) Installation or removal of liquid propane gas tanks shall be \$100.
 - 5) Sprinkler systems (wet or dry heads):
 - a) The fee for 20 or fewer sprinkler heads shall be \$85.
 - b) For 21 to and including 100 heads shall be \$150.
 - c) For 101 to and including 200 heads shall be \$300.
 - d) For 201 to and including 400 heads shall be \$750.
 - e) For 401 to and including 1,000 heads shall be \$1,000.
 - f) For over 1,000 heads shall be \$1,250.
 - 6) Standpipe (per riser): \$250.
 - 7) Fire pump: \$250.
 - 8) Underground fire main fee shall be \$150.
 - 9) Alarm system/supervisory/signaling/security systems. Alarm devices shall include smoke, heat, CO detectors, bell, horn/strobes, water flow or tamper switch, low/high air, card reader, magnetic lock, and pull stations.
 - a) Commercial:
 - i. First 10 devices shall be \$100.
 - ii. Eleven to 50 devices shall be \$200.
 - iii. Each additional 50 shall be \$150.
 - iv. Fire alarm control panel: \$150.
 - b) Residential: R5 Use shall be \$85.

10) Suppression systems:

- a) Pre-engineered system (halon, CO₂, foam, dry chemical, wet chemical) fee shall be \$300.

11) Fee for smoke control system shall be \$500.

12) Smoke detector location inspection: \$25/unit.

13) There is a minimum fee for fire protection fees of \$85.

14) Change of contractor fee shall be \$35.

15) Fee for fire main shall be \$200.

16) Fee for solar panels shall be \$85.

17) Chimney liner shall be \$85.

G. General and certificate fees.

1) The fee for a certificate of occupancy shall be as follows:

- a) One- and two-family dwellings shall be \$100.
- b) All other buildings and structures shall be \$150.

2) The fee for a certificate of continued occupancy (CCO) shall be \$50 per subcode.

3) The fee for a temporary certificate of occupancy shall be \$85.

4) The fee for a use group change shall be \$200.

5) The fee for a certificate for clearance for lead shall be \$50.

6) CO for asbestos shall be \$50.

7) Application for variation shall be as follows:

- a) Class I structure: \$250.
- b) Class II structure: \$150.
- c) Class III structure: \$10.

8) Online plan review fee shall be \$10.

H. The fee for a permit to install an elevator shall be in accordance with the state fee schedule as posted in the Building Department. A certificate of compliance fee of \$26 shall be collected upon final approval. The fee for a reinspection shall be in accordance with the state fee schedule as posted in the Building Department.

I. The Construction Official shall, with the advice of the subcode officials, prepare and submit to the Mayor and Town Council, biannually, a report recommending a fee schedule based on the operating expenses of the agency and any other expenses of the municipality fairly attributable to the enforcement of the State Uniform Construction Code Act.

J. Printing/Coping Fee:

1) Black and white - \$2 per page

- 2) Color - \$4 per page
- K. Special Inspection Fee:
 - 1) First hour (with 2 hours minimum) - \$250.
 - 2) Additional hours - \$150.
- L. 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 \$0.00334 per cubic foot of volume of new construction. The surcharge fee for all other construction shall be \$1.70 per \$1,000 of value of construction. 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 30, December 31, March 31 and June 30, and not later than one 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.
 - 1) The enforcing agency shall report annually 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, the report shall be for the third and fourth quarters only.

SECTION THREE. All Ordinances of the Town of Boonton which are inconsistent with the provisions of this Ordinance are hereby repealed as to the extent of such inconsistency.

SECTION FOUR. If any section, subsection, clause, or phrase of this Ordinance is for any reason held to be unconstitutional or invalid by any Court of competent jurisdiction, such decision shall not affect the remaining portion of this Ordinance.

SECTION FIVE. This Ordinance shall take effect immediately upon final passage, approval and publication as provided by law.

SECTION SIX. This Ordinance may be renumbered for purposes of codification.

INTRODUCED: July 15, 2024

Mayor and Town Council of the Town of Boonton
in the County of Morris and State of New Jersey

ADOPTED: August 19, 2024

ATTEST:

By: _____
James Lynch, Mayor

Elizabeth Bonsiewich, Town Clerk