

**BOROUGH OF FRANKLIN LAKES
ORDINANCE NO. 1936**

**AN ORDINANCE SUPPLEMENTING PROVISIONS OF
CHAPTER 220 “UNIFORM CONSTRUCTION CODES” OF THE
CODE OF THE BOROUGH OF FRANKLIN LAKES TO AMEND FEES**

BE IT ORDAINED by the Mayor and Council of the Borough of Franklin Lakes, in the County of Bergen and State of New Jersey as follows:

Section 1. Section 220-2 “Construction fees” of Chapter 220 “Uniform Construction Codes” of the Code of the Borough of Franklin Lakes is hereby amended to read as follows:

§ 220-2 Construction fees.

- A. Plan review fees. Twenty percent of the amount charged for the construction permit fees shall be deemed to be the plan review fee.
- B. Permit fees.
 - (1) Construction permits. The fee for a construction permit shall be the sum of the building, plumbing, fire, electrical and elevator subcode fees, as determined in the manner provided for hereafter, and shall be paid before the issuance of such permit.
 - (a) The building subcode fee shall be determined as follows:
 - [1] For new construction: \$0.55 per cubic foot of building, structure or improvement volume, provided that the minimum fee shall be \$95.
 - [2] For additions: \$0.55 per cubic foot of new volume, provided that the minimum fee shall be \$95.
 - [3] For renovations, alterations and repairs: \$20 per \$1,000 of the estimated cost of the project, provided that the minimum fee shall be \$95.
 - [4] For combinations of renovations and additions: The sum of the fees computed separately as determined above.
 - [5] For swimming pools: \$20 per \$1,000 of construction costs.
 - [6] For aboveground pools: \$125. The fee shall be in addition to any electrical, plumbing, fire, fence or soil moving fees.
 - [7] For fences, retaining walls: \$100.
 - [8] For sheds: \$100.
 - [9] Annual permits: \$1,250.

[10] Modular homes: \$250 plus foundation and service connections.

[11] NEW: Radon \$95.

[12] Moved from Mechanical Subcode fee section: Chimney liner: \$85.

(b) The plumbing subcode fee shall be determined as follows:

| Device | Fee |
|---------------------------------|------------|
| Water closet/bidet/urinal | \$50 |
| Bathtub | \$50 |
| Lavatory/sink | \$50 |
| Shower/floor drain | \$50 |
| Washing machine | \$50 |
| Dishwasher | \$50 |
| Commercial dishwasher | \$75 |
| Water heater | \$100 |
| Boiler | \$75 |
| Steam boiler | \$75 |
| Water utility connection (each) | \$75 |
| Sewer utility connection (each) | \$75 |
| Hose bibb/Auto Kill | \$50 |
| Water cooler | \$50 |

| Device | Fee |
|--|--------------------------------------|
| Garbage disposal | \$50 |
| Water softener | \$75 |
| Air-conditioner unit | \$75 |
| NEW: Condensation Lines | \$50 |
| Indirect connection | \$40 |
| Sewer ejector | \$75 |
| Grease trap | \$75 |
| Interceptor | \$75 |
| Backflow device | \$75 |
| Vent stack | \$50 |
| Roof drains | \$35 |
| Special devices | \$75 |
| Gas piping | \$75 |
| Septic line (each) | \$75 |
| NEW: Pool Drain | \$100 |
| NEW: Air Admittance Valve (AAV) | \$40 |
| Minimum fee for plumbing subcode inspections | \$95 Residential \$125 Commercial |

Device

Fee

Minimums

- (c) Fees for electrical inspections shall be as follows:
 - [1] Wiring (all switches, lighting fixtures, receptacles, emergency and exit lights, communication points, alarm devices/ detectors/ F.A.C. panel, and intercom panels to count as outlets).
 - [a] One to 50 outlets: \$95.
 - [b] For each additional 25 outlets or fraction thereof: \$50.
 - [2] KW oven/ surface unit.
 - [a] Oven outlets for single unit of 20 kilowatts or less: \$35.
 - [b] Each additional unit or outlet of 20 kilowatts or less: \$10.
 - [c] For units in excess of 20 kilowatts: Apply motors schedule.
 - [d] Dishwasher: \$25.
 - [e] KW electric dryer/ receptacle: \$35.
 - [3] Central air-conditioning unit, residential:
 - [a] Exterior condenser each unit: \$40 or minimum fee.
 - [4] HP/KW central air-conditioning unit, commercial: Apply motor schedule. Minimum fee: \$75.
 - [5] HP/KW space heater/ air handle: Apply motor schedule; minimum fee: \$75.
 - [6] Generators, transformers:
 - [a] One to 10 KW: \$75.
 - [b] Eleven to 45 KW: \$100.
 - [c] Forty-six to 112.5 KW: \$125.
 - [d] Above 112.5 KW: \$200.
 - [e] NEW: Automatic transfer switch: \$75.
 - [7] Electric furnaces, welders, heat pump, KW baseboard heat, and motors.

[a] Single unit or group not exceeding five motors whose total capacity does not exceed:

[i] One horsepower, kilowatt, or KVA: \$35 (includes exhaust fans).

[ii] One horsepower to 50 horsepower, kilowatt, or KVA, each: \$45.

[iii] Over 50 horsepower to 100 horsepower, kilowatt, or KVA, each: \$60.

[iv] Over 100 horsepower, kilowatt, or KVA, each: \$75.

[b] Minimum electric fee: \$95 Residential and \$125 Commercial.

[8] Swimming pools.

[a] Aboveground: \$65.

[b] In-ground: \$115.

[c] Jacuzzi: \$75.

[d] Hot tub/spa (includes bonding): \$75.

[9] Service-meter equipment, feeders and subpanels.

[a] Lights and receptacles: \$95.

[b] Temporary service: \$95.

[c] Not over 100 amperes: \$95.

[d] One hundred fifty to 225 amperes: \$100.

[e] Two hundred fifty to 400 amperes: \$110.

[f] Four hundred twenty-five to 600 amperes: \$120.

[g] Over 600 amperes: \$145.

[h] Meters over five: \$10 each.

[i] Remote subpanels: \$50.

[10] Plan review minimum charge: \$95 Residential and \$125 Commercial.

[11] Primary transformers vaults - enclosures - substations.

[a] Not over 200 KVA: \$65.

[b] Over 200 to 500 KVA: \$70.

[c] Over 500 KVA: \$75.

NOTE: Above applies to each bank of transformers.

[12] Electric signs, incandescent: Divide the total number of sockets by four, applying rough wiring schedule for each sign.

[13] Electric discharge signs/outline lights (charge based on ampere rating of each sign).

[a] Zero to 2 KW: \$65.

[b] Each additional 1.0 KW or fraction thereof: \$10.

[14] Radio and television transmitting equipment. CCTV, radio and television installations, each: \$50.

[15] Reinsertion or reintroduction of current.

[a] Charge in relation to amount of supervision, but not less than \$50.

[b] Any equipment not heretofore approved: The schedule covering classifications shall apply.

[16] Additional inspections. For reported correction defects found in original installation (after second inspection and notice of correction): Charge 50% of the above charges for each inspection, but not to exceed \$75.

[17] X-ray unit: \$35.

[18] Temporary installations and decorative displays.

[a] Temporary installations and decorative displays for not over 60 days: Charge 50% of the schedule for permanent work.

[b] No charge shall be less than \$35.

[c] Minimum electric fee: \$95 Residential and \$125 Commercial.

[d] Notwithstanding the foregoing, the fee for a temporary electrical permit for Borough-sponsored events, such as the Town Fair and Memorial Day ceremony, shall be \$20.

[19] Equipotential bonding grid: \$150.

[20] Solar photovoltaic systems.

[a] For purposes of this chapter, the following phrases and words shall have the meanings indicated:

SOLAR ARRAY

A mechanically integrated assembly of modules or panels with a support structure and foundation, tracker and other components, as required, to form a DC power-producing unit.

SOLAR INVERTER

Equipment that changes DC power from the photovoltaic source to AC power.

SOLAR MODULE

A complete, environmentally protected unit consisting of solar cells, optics and other components, exclusive of tracker, designed to generate DC power when exposed to sunlight.

SOLAR PANELS

A collection of modules mechanically fastened together, wired and designed to provide a field-installable unit.

[b] Fees for solar voltaic systems shall be as follows:

[i] Residential use group:

[A] Solar array from one kilowatt to 50 kilowatts: \$100.

[B] Solar array for each additional one-kilowatt unit measurement or part thereof over 10 kilowatts: \$25.

[C] Each subpanel/disconnect: \$45.

[D] Each inverter up to 50 kilowatts: \$60.

[E] Over fifty-kilowatt inverter, for each additional ten-kilowatt measurement or part of 10 kilowatts: \$6.

[ii] All use groups:

[A] Solar array from one kilowatt to 50 kilowatts: \$100.

[B] Solar array for each additional ten-kilowatt unit measurement or part thereof over 50 kilowatts: \$15.

[C] Each subpanel/disconnect: \$50.

[D] Each inverter up to 50 kilowatts: \$75.

[E] Over fifty-kilowatt inverter, for each additional ten-kilowatt measurement or part of 10 kilowatts: \$6.

[21] NEW: EV Charger: \$100

(d) Fire subcode inspection fees shall be as follows:

[1] Fireplace and wood-burning stoves (building permit also required): \$85.

[2] Smoke detectors.

[a] Minimum fee: \$95 Residential and \$125 Commercial.

[b] Each additional detector over four: \$15.

[3] Fire suppression system (water, sprinkler, dry chemical, foam, carbon dioxide).

| Number of Heads | Fee |
|------------------------|------------|
| Up to 20 | \$100 |
| 21 to 50 | \$120 |
| 51 to 100 | \$150 |
| 101 to 230 | \$300 |
| 231 to 400 | \$500 |
| Over 400 | \$700 |

[4] Standpipes.

| Size | Fee |
|---------------------------|------------|
| 2 1/2-inch pipe per riser | \$120 |
| 4-inch pipe | \$150 |
| 6-inch pipe | \$185 |
| 8-inch pipe | \$220 |
| Larger than 8 inches | \$275 |

[5] Hose station: \$25.

[6] Wall hydrant: \$65.

- [7] Fire pump: \$190.
- [8] Central control station/fire command: \$375.
- [9] Automatic fire-detection/alarm system: \$220.
- [10] Manual fire alarm: \$90.
- [11] Each pull station: signal devices. 1-10 \$200. Each over 10 additional: \$25
- [12] Emergency lighting/exit lighting: \$75.
- [13] HVAC heating equipment.
 - [a] Residential HVAC: \$75.
 - [b] Commercial boiler, new: \$125.
 - [c] Commercial boiler, replacement: \$125.
 - [d] Commercial HVAC units, each: \$125.
- [14] Installation LP/natural gas: \$65.
- [15] All other mechanical equipment: \$110.
- [16] Underground and aboveground storage tanks.
 - [a] One to 999 gallons (new/replacement/removal): \$150.
 - [b] 1,000 to 2,999 gallons (new/replacement/removal): \$200.
 - [c] 3,000 gallons and up (new/replacement/removal): \$275.
- [17] Kitchen exhaust system (commercial): \$150.
- [18] Gas or oil-fired furnace: \$75.
- [19] Commercial cooking equipment: \$65.
- [20] Swimming pool heater: \$75.
- [21] Minimum fee: \$95 Residential and \$125 Commercial.
- (e) Mechanical subcode fees shall be as follows:

- [1] \$110 for the installation and replacement of heating and cooling equipment, or other mechanical equipment in existing building of R-3, R-4 and R-5 use groups. Other equipment shall include refrigeration, air conditioning, gas piping, ventilation

apparatus, heating systems or standby power generators. The \$110 fee shall be for each item.

MOVED to Building Section

- [2] Hot-water heater or water storage tank: \$75
 - [3] Notwithstanding anything to the contrary, the minimum fee for any mechanical subcode permit shall be \$85.
 - [4] NEW: Condensation line: \$50 each
- (2) Demolition fees. The fee for a permit for demolition of a one- or two-family residence: \$400; for buildings accessory to a one- or two-family residence: \$150 and for all other buildings or structures: \$750.
 - (3) Fees for moving building. 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 \$20 per \$1,000 of the sum of the estimated costs for moving, new foundations and placement in a completed condition in the new location, as determined in accordance with Subsection **D** hereof, provided that the minimum fee shall be \$65.
 - (4) Fee for construction of sign. The fee for a permit to construct a new sign shall be \$85 for a sign that is 30 square feet or less in area and \$100 for a sign that is more than 30 square feet in area. For the refacing of a sign, the fee shall be \$50 for each side. The fee for streamers, flags and pennants shall be \$50. **[Amended 8-21-2012 by Ord. No. 1553]**
 - (5) Fee for a certificate of occupancy.
 - (a) A certificate of occupancy for new construction, including additions to presently existing structures, shall be 5% of the new construction fees, provided that the minimum fee shall be \$150
 - (b) The fee for a nonresidential certificate of continued occupancy or a certificate of occupancy granted pursuant to a change of use shall be \$150. The fee for a reinspection shall be \$75.
 - (c) The fee for a multiple certificate of occupancy shall be \$125 per unit or use included in the structure, with the maximum fee in the amount of the construction permit, provided that the minimum fee shall be \$155.
 - (d) The fee for a certificate of approval for a pool, fence, shed, deck, new roof, cabana, or similar structure shall be \$40.
 - (e) The fee for a certificate of approval for the installation or alteration of HVAC, mechanical equipment, elevators, dumbwaiters, escalators, moving walks, plumbing, electric wiring, or any other equipment shall be \$40.

- (f) The fee for a temporary certificate of occupancy shall be \$150.
 - (g) The fee for a variation (N.J.A.C. 5:23-2.10) shall be \$250.
- (6) Elevators.
- (a) Fee for installation: \$250.
- (7) Fee for reinstatement of a lapsed permit. Fee shall be the amount of the original permit fee reduced by the fees for work already completed where the work does not have to be redone. However, the fee shall not be less than the minimum which would have been paid initially.
- C. Surcharge fee.
- (1) Collection and payment. The Construction Enforcement Department shall collect, in addition to the fees specified above, a surcharge fee amount. This fee shall be in the amount of \$0.0016 per cubic foot volume of new buildings and additions. Volume shall be computed in accordance with N.J.A.C. 5:23-2.28. The fee for all other construction shall be \$0.80 cents per \$1,000 of value of construction. All such surcharge fees shall be remitted to the Bureau of Regulatory Affairs, Department of Community Affairs, on a quarterly basis.
 - (2) Reports. The Construction Enforcement Department shall report quarterly to the Bureau of Regulatory Affairs the volume of construction within the Borough of Franklin Lakes and the total amount of the surcharge fee collected.
- D. Definitions. For purposes of determining permit fees, the following definitions and computation rules shall apply:
- (1) Volume computation shall be determined as follows:
 - (a) Structures with basements. The volume of the structure shall include all enclosed dormers, porches, penthouses and other enclosed portions of the structure, including attached garages or garages constructed underneath such structure, extending from the basement or cellar floor to the mean height of a pitched roof, or the average height to the top of the roof beams of a flat roof.
 - (b) Structures without basements. For structures without basements or cellars, the volume shall be based on the height measured to a level located 1/5 the distance from the first floor level to the bottom of the footings, but not to exceed 2 1/2 feet below the first floor level.
 - (c) Open sheds. For open sheds and other structures of a similar character, whether attached or detached, the volume shall be measured within the perimeter of the roof for a height from the grade line to the mean roof level.
 - (2) Estimated costs shall be based upon, if available, cost data to be provided by the architect or engineer of record, a recognized estimating firm, or by the constructor,

which cost data shall be submitted to the Construction Enforcement Department, with the permit application, whose determination of estimated costs shall be final.

- E. General. All fees paid under the above fee schedule shall be nonrefundable.
- F. Reports. The Construction Official shall, with the advice of the subcode officers, prepare and submit to the Mayor and Council, biannually, a report recommending alterations of and changes to the above fee schedule, based on the operating expenses of the Construction Enforcement Department and any other expenses of the Borough of Franklin Lakes fairly attributable to the enforcement of the Uniform Construction Code.
- G. Reinspection penalties. Where an inspection is requested and the Construction Official or his representative or any subcode officer appears at the site for the inspection and an inspection cannot be conducted, a reinspection penalty of \$25 shall be assessed and the penalty must be paid prior to the Construction Official's or his representative's or any subcode officer's rescheduling the inspection. In the event that an inspection is requested and the Construction Official or his representative or any subcode officer indicates that there are deficiencies which must be corrected and at a second inspection the deficiencies noted during the first inspection remain, necessitating a third inspection, there shall be a reinspection penalty of \$25 assessed. The penalty must be paid prior to the reinspection.
- H. No building permits shall be issued by the Construction Official or any other official of the Borough until such time as it has been determined that all real property taxes due on the premises have been paid to date.
- I. All fees less than a dollar shall be rounded off to the next lowest or highest dollar amount.
- J. 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 disabled persons to an existing or private structure or any of the facilities contained therein.
- K. NEW: Change of Contractor: \$50 per sub-code.
- L. NEW: Lost Plan Fee: \$125

Section 2. Repealer.

All ordinances or parts of ordinances inconsistent or in conflict with this Ordinance are hereby repealed as to said inconsistencies and conflicts.

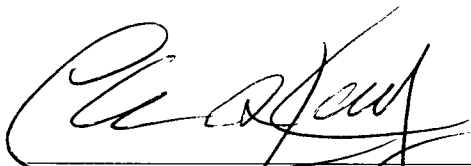
Section 3. Severability.

If any section, part of any section, or clause or phrase of this ordinance is for any reason held to be invalid or unconstitutional, such decision shall not affect the remaining provisions of this ordinance. The governing body of the Borough of Franklin Lakes declares that it would have passed the ordinance and each section and subsection thereof, irrespective of the fact that any one or more of the subsections, sentences, clauses or phrases may be declared unconstitutional or invalid.

Section 4. Effective Date.

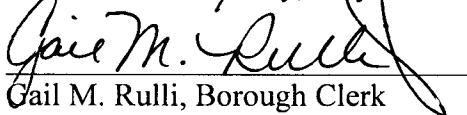
This ordinance shall take effect immediately upon passage and publication according to law.

APPROVED:



Charles J. X. Kalwaty, Mayor

ATTEST:



Gail M. Rulli, Borough Clerk

Introduced: 01-16-2023

Adopted: 02-20-2024