

**TOWNSHIP OF HARDYSTON**

**ORDINANCE #2020-08**

**AN ORDINANCE OF THE TOWNSHIP OF HARDYSTON, COUNTY OF SUSSEX, STATE OF NEW JERSEY AMENDING CERTAIN PROVISIONS OF CHAPTER 88, FEES, OF THE REVISED GENERAL ORDINANCES TO UPDATE CERTAIN CONSTRUCTION CODE FEES, MUNICIPAL CLERK FEES AND BOARD OF HEALTH FEES**

BE IT ORDAINED by the Municipal Council of the Township of Hardyston, County of Sussex, State of New Jersey as follows:

SECTION 1. Certain portions of Chapter, 88 Fees, Section 88-1 Fees Payable to Municipal Clerk, Subsection B of the aforesaid Revised General Ordinances are hereby amended to read as follows:

**§ 88-1. Fees payable to Municipal Clerk.**

B. Licenses.

(1) Alcoholic beverage licenses (Chapter 55).

(a) Plenary retail consumption license:

Effective January 1, 2021	\$700
Effective January 1, 2022	\$800
Effective January 1, 2023	\$920
Effective January 1, 2024	\$1065

(b) Plenary retail distribution license:

Effective January 1, 2021	\$500
Effective January 1, 2022	\$580
Effective January 1, 2023	\$675
Effective January 1, 2024	\$760

(c) Club license: \$90.

(3) Dog license and/or renewal [ §§ 60-4B, 60-6B and 60-23.1D(2)].

(a) Spayed/neutered: \$12.

(b) Nonspayed/nonneutered: \$15.

(c) Late penalty (per month): \$5.

(d) Replacement tag: \$1.

(e) The annual fee for licensing a potentially dangerous or vicious dog and each renewal thereof shall be \$500 per year.

(7) Raffle: \$10 (Chapter 100)

(8) Junkyard License: \$300 (Chapter 107)

SECTION 2. Certain portion of Chapter, 88 Fees, Section 88-2 Construction Code Fees, of the aforesaid Revised General Ordinances is hereby amended to read as follows:

**§ 88-2. Construction code fees**

A. Construction permit fees. The fee for a construction permit shall be the sum of all subcode applications, plus all administrative and miscellaneous fees listed in Subsection F(1) through (11) below. All fees will be rounded to the nearest dollar and shall be paid before the permits are issued, unless otherwise stated. The minimum construction permit fee shall be \$65.

B. Building subcode fees are as follows:

- (1) For new construction for buildings of Use Groups F and S the fee shall be \$0.030 per cubic foot and \$0.040 per cubic foot for all other Use Groups provided that the minimum fee shall be \$65. The fee for new commercial farm structures as per N.J.A.C. 5:23-3.2(d) shall be \$0.0125 per cubic foot. For pre-manufactured construction, in addition to applicable cubic footage, fees shall be computed at a rate of \$35 per \$1,000 of the estimated cost of onsite construction associated with completion of the structure.
- (2) Renovations, alterations, and repairs are based on the estimated cost of the work. The fee shall be \$35 per \$1,000 provided that the minimum fee shall be \$65.
- (3) The fee for open decks, porches and raised platforms shall be based on the cost of construction as per Subsection B(2) above.
- (4) Fees for combination renovations and additions shall be the sum of the fees computed separately in accordance with Subsection B(1), (2) and (3) above.
- (5) The fee for a permit to re-roof or re-side an existing structure of use group R-3, R-4 or R-5 shall be \$75.
- (6) Fees for retaining walls shall be as follows:
  - (a) The fee for a retaining wall with a surface area greater than 550 square feet that is associated with a Class 3 residential structure shall be \$200.
  - (b) The fee for a retaining wall with a surface area of 550 square feet or less that is associated with a Class 3 residential structure shall be \$100.
  - (c) The fee for a newly constructed retaining wall of any size at other than a Class 3 residential structure shall be based on the cost of the construction as Subsection B(2) above.
- (7) The fee for temporary structures and structures for which volume cannot be computed, such as above-ground swimming pools and open structural towers, shall be \$150. The fee for an in-ground swimming pool shall be \$250. The fee for a

storable pool shall be \$65. These fees shall include all required pool enclosures. The fee for inspection of preexisting pools requiring inspection for compliance with the barrier requirements as defined in the building subcode shall be \$65.

- (8) The fee for fencing exceeding six feet in height shall be \$55.
- (9) The fee for a permit to construct a ground or wall sign shall be \$2 per square foot computed on one side only for single or double-faced signs provided that the minimum fee shall be \$55. The fee for a pylon sign per square foot shall be \$4.
- (10) The fee for a demolition permit issued for the removal storage tanks for flammable and combustible liquids shall be as follows:
  - (a) Underground – unregulated: \$75 per tank
  - (b) Underground – regulated: \$150 per tank
  - (c) Aboveground - \$55 per tank
- (11) The fee for a permit to demolish a building or structure shall be as follows: Use Groups R-3 and R-5 shall be \$75; and all other Use Groups shall be \$200.
- (12) The fee for mechanical inspection in a Use Group R-3 or R-5 structure by a mechanical inspector shall be \$75 for the first device and \$25 for each additional device. No separate fee shall be charged for gas, fuel oil, or water piping connections associated with the mechanical equipment inspected.

C. Plumbing subcode fees are as follows:

- (1) The fee for each fixture, stack, appliance or residential backflow preventer connected to the plumbing system shall be \$20. The fee for oil or gas piping to a single fixture or appliance shall be \$20.
- (2) The fee for each special device including grease traps, oil separators, air conditioning or refrigeration units, water and sewer connections, flammable and combustible liquid storage tanks, commercial backflow preventers, steam or hot water boilers, gas or fuel oil piping (multiple fixtures or appliances), active solar systems, sewer pumps, and interceptors shall be \$55.
- (3) The minimum permit fee for work including the plumbing subcode shall be \$65.

D. Fire protection subcode fees are as follows:

- (1) Wet or dry sprinkler suppression systems as per the following numbers of heads:

<b>Number of Heads Fee</b>	
1 to 20	\$100
21 to 100	\$150
101 to 400	\$300
401 to 1,000	\$750

Over 1,000      \$1,000

(2) Fee for each standpipe: \$300.

(3) Fee for each gas- or oil-fired appliance not connected to the plumbing system: \$55.

(4) Commercial kitchen exhaust system, each: \$100.

(5) Independent pre-engineered suppression systems, each: \$100.

(6) Fuel storage tanks (underground or above ground, installation only) each:

<b>Capacity (gallons) Fee</b>	
1 to 1,000	\$55
1,001 to 4,000	\$100
Over 4,000	\$150

(7) Smoke or heat detectors:

<b>Number of Detectors Fee</b>	
1 to 20	\$55
21 to 100	\$75
101 to 200	\$100
201 to 400	\$150
401 to 1,000	\$250
Over 1,000	\$350

(a) Each Supervisory, signaling and other devices: \$8.

(8) Manual or automatic alarm systems: \$100.

(9) Central control system: \$100.

(10) The fire protection subcode fee shall be a minimum of \$65 for single-family dwellings; and \$75 for all other structures.

(11) Non-life-hazard uses (§ 94-10B):

- (a) Annual registration fee: \$25.
- (b) Late fee: \$250.

(12) Fire suppression tanks (§ 94-10C):

- (a) Annual registration fee: \$25.
- (b) Late fee: \$50.

E. Electrical subcode fees are as follows:

(1) The fees for electrical receptacles, fixtures and devices are as follows:

- (a) For the first block consisting of one to 50 receptacles, fixtures, or device: \$55.
  - (b) For each additional block consisting of up to 25 receptacles, fixtures, or devices: \$25.
- (2) The fees for electrical devices/generators/transformers or solar photovoltaic systems, motors, air conditioner feeders and disconnects are as follows:
- (a) For each electrical device/generator/transformer, solar photovoltaic system or motor rated up to 10 kw or 10 hp: \$55.
  - (b) For each electrical device/generator/transformer, or solar photovoltaic system rated over 10 kw to 45 kw: \$75.  
For each motor rated over 10 hp to 50 hp; or
  - (c) For each electrical device/generator/transformer, or solar photovoltaic system rated over 45 kw to 112.5 kw; for each motor rated over 50 hp to 100 hp; or for each air conditioner feeder and disconnect, commercial 1:51 hp or over, plus unit: \$150.
  - (d) For each electrical device/generator/transformer or solar photovoltaic system rated over 112.5 kw: \$600.
  - (e) For each motor over 100 hp: \$600.
- (3) The fees for service panels/service entrances/sub panels are as follows:
- (a) For each service panel/service entrance/sub panel from 0 to 200 amps: \$55.
  - (b) For each service panel/service entrance/sub panel over 200 to 1,000 amps: \$100.
  - (c) For each service panel/service entrance/sub panel over 1,000 amps: \$450.
- (4) The fee charged for electrical work for each permanently installed private swimming pool, spa, hot tub or fountain as defined in the building subcode shall be a flat fee of \$65 which shall include any required bonding, and associated equipment such as filter pumps, motors, disconnecting means, switches, required receptacles, and heaters, etc., excepting panel boards and underwater lighting fixtures. For public swimming pools, the fee shall be charged on the basis of number of electrical fixtures and rating of electrical devices involved in accordance with Subsection E(1) through (3) above. The fee for annual inspections for public swimming pools shall be \$55.
- (5) The fees for pool permit, with UW lights: \$10.
- (6) The fees for storable pool/spa/hot tub: \$65.
- (7) The fees for light standards: \$10.

(8) The minimum permit fee for work including the electrical subcode shall be \$65.

F. Administrative and miscellaneous fees.

(1) The fee for plan review shall be 20% of the amount to be charged for the construction permit and shall be paid before the plans are reviewed. This fee shall be credited toward the amount of the construction permit fee.

(2) The fee to process an application for a variance pursuant to N.J.A.C. 5:23-2.10 shall be as follows:

Type of Structure	Application Fee	Resubmission Fee
Class I	\$150	\$50
Class II	\$100	\$25
Class III	\$50	\$25

(3) An administrative surcharge fee of 15% shall be charged on each subcode application issued by any third-party agency contracted by the Township of Hardyston.

(4) The fee for the reinstatement of a lapsed permit shall be 20% of the original fee calculated per subcode application; provided that the minimum fee shall be as per subcode.

(5) The fee for each construction permit and certificate of occupancy issued for an asbestos hazard abatement project shall be as set forth in N.J.A.C. 5:23-8.9(a)1 and 2.

(6) The fee for a permit for lead hazard abatement work and clearance certificate shall be as set forth in N.J.A.C. 5:23-4.20(c)3.ix.

(7) The fees for certificates of occupancy are as follows:

(a) Certificate of occupancy for one- and two-family dwellings: \$50.

(b) Certificate of occupancy for accessory buildings to one- and two-family dwellings: \$25.

(c) Certificate of occupancy for buildings or structures of all other use groups: \$100.

(d) Certificate of occupancy for accessory buildings of all other use groups: \$35.

(e) Multiple certificates of occupancy for all use groups, per unit: \$50.

(f) Certificates of occupancy for change of use group only: \$100.

(g) Certificates of continued use or occupancy: \$150.

(h) The fee for first issuance or renewal of a temporary certificate of occupancy shall be: \$30.

(8) Certificates of compliance as required by N.J.A.C. 5:23-2.23(1) are as follows:

(a) High pressure boilers (12 months): \$50.

(b) Refrigeration systems (12 months): \$25.

(c) Pressure vessels (12 months): \$50.

(d) Cross connections and backflow preventers (12 months): \$50.

(9) State of New Jersey permit fee shall be in the amount of \$0.00371 per cubic foot of volume of all new construction and \$1.90 per \$1,000 of estimated cost for alterations and repairs or as currently posted in the regulations. These fees are set by and shall be accounted for and forwarded to the Bureau of Regulatory Affairs as per N.J.A.C. 5:23-4.19(C)1.

(10) The fee for a change of contractor shall be: \$25.

(11) The fee for a letter stating that no certificate of continued occupancy is required shall be \$25.

(12) The minimum fee for the review of any amendment or change to a plan that has already been released shall be the minimum fee for the applicable subcode. For all other purposes, the hourly cost of operations shall be certified by the Chief Financial Officer using a formula of total expenditures plus 12% for indirect costs divided by employees weekly hours.

(13) Unlisted fees: Construction fees not specifically listed in this schedule shall be as listed in N.J.A.C. 5:23-4.20.

SECTION 3. Chapter, 88 Fees, Section 88-9, Board of Health Fees, Subsection A, of the aforesaid Revised General Ordinances is hereby amended to read as follows:

**§ 88-9. Board of Health fees.**

A. Registrar - birth, death, marriage copies: \$10 each.

SECTION 4. All ordinances or parts of ordinances of the Township of Hardyston inconsistent herewith are repealed to the extent of such inconsistency.

SECTION 5. If any section, subsection, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid by any court or competent jurisdiction, such decision shall not affect the remaining portion of this Ordinance.

SECTION 6. This ordinance may be renumbered as necessary.

SECTION 7. This law shall take effect on January 1, 2021 following final passage, approval and publication as required by law.

**NOTICE**

**PLEASE TAKE NOTICE** that notice is hereby given that the above ordinance was introduced and passed at the regular meeting of the Hardyston Township Council held at the Municipal Building, 149 Wheatsworth Road, Hardyston, New Jersey, on October 28, 2020. The same came up for final adoption at a meeting of the Township Council of the Township of Hardyston held on November 18, 2020, and after all persons present were given the opportunity to be heard concerning the same, it was finally passed, adopted and will be in full force and effect in the Township according to law.

Jane Bakalarczyk, RMC/CMC  
Municipal Clerk