



BOROUGH OF HIGHLANDS
COUNTY OF MONMOUTH

ORDINANCE O-24-02

AMENDING VARIOUS PROVISIONS REGARDING BUILDINGS AND HOUSING THROUGHOUT THE BOROUGH CODE

WHEREAS, the governing body desires to update various sections of its Buildings and Housing Code, including updating the terminology utilized for certificates, deleting unnecessary provisions consistent with current statutes and Uniform Construction Code provisions, and updating various buildings and housing fees.

NOW, THEREFORE, BE IT ORDAINED, by the governing body of the Borough of Highlands as follows:

SECTION I.

Chapter 2 (Administration), Section 21-12.3 (Building Inspector) of the Code of the Borough of Highlands is hereby deleted in its entirety.

SECTION II.

Chapter 15, (Electrical Code), of the Code of the Borough of Highlands is hereby deleted in its entirety.

SECTION III.

Borough Code Chapter 10 (Buildings And Housing), Section 10-2.1 (Uniform Construction Code Fees) and Section 10-2.2 (Housing Standards) shall be amended as follows: (additions are shown in underlines, deletions are shown as ~~strikeovers~~.)

Section 10-2.1 Uniform Construction Code Fees.

- a. No change.
- b. No change.
- c. Fee Schedule. The basic construction permit fee shall be the sum of the parts computed on the basis of volume or cost of construction, the number of plumbing fixtures and pieces of equipment, the number of electrical fixtures and 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. The minimum fee for a basic construction permit covering any and all of the technical subcodes shall be ~~seventy-five~~ eighty-five dollars (\$75.85).

For the purpose of determining estimated cost for renovations, alterations, repairs, and the external utility connection for pre-manufactured construction the applicant shall submit to the department such cost data as may be available and produced by the architect or engineer of record, or by a recognized estimating firm, or by the contractor. A bona fide contractor's bid, or contract if available, shall be submitted. The Construction Official and/or subcode official shall make the final decision regarding the estimated cost.

The fee for an application for a variation in accordance with N.J.A.C. 5:23-2.10 shall be two hundred fifty dollars (\$250). The fee for resubmission of an application for a variation shall be one hundred twenty-five dollars (\$125).

The fee to reinstate lapsed, suspended or revoked permits noted in N.J.A.C. 5:23-216(b) or N.J.A.C. 5:23-2.16(f) or otherwise shall be ~~fifty dollars (\$50) per outstanding subcode.~~ 10% of the cost of the original permit per outstanding subcode and not less than \$25 per open (not final) subcode. This fee may be waived at the discretion of the Construction Official.

Any fee not specifically contained within this fee schedule shall be based upon the State of New Jersey Department of Community Affairs Fee Schedule.

1. Building Subcode Fees.

| Use | Fee |
|---|--|
| Minimum building subcode fee | \$75.00 <u>85.00</u> |
| New construction or addition | \$. 030 <u>040</u> per cubic foot |
| Alterations/renovations of existing building or structure Rehabilitations – R-5 Use Group | \$30.00 <u>35.00</u> per thousand dollars of estimated cost of work |
| Rehabilitations – All other Use Groups | 35.00 <u>40.00</u> per thousand dollars of estimated cost of work |
| Swimming pools (above ground) | \$75.00 <u>125.00</u> |
| Swimming pools (inground) | \$150.00 <u>225.00</u> |
| Storage sheds (greater than 100 sf) | \$75.00 <u>125.00</u> |
| Fence installation for pool enclosure | \$75.00 <u>100.00</u> |
| Demolition of dwelling (1- & 2-family) | \$150.00 <u>250.00</u> |
| Demolition of all other use groups | \$350.00 |
| Demolition of accessory structure | \$75.00 <u>100.00</u> |
| Tank abandonment/removal | \$100.00 <u>125.00</u> |
| Tank installation | <u>\$50.00</u> |
| Radon abatement | \$75.00 <u>100.00</u> per unit |
| Asbestos/removal | \$100.00 <u>150.00</u> |
| Lead hazard abatement | \$100.00 <u>140.00</u> |
| Signs (No permit required for signs installed in accordance with N.J.A.C. 5:23-2.14(b)6.) | \$75.00 <u>85.00</u> each sign |
| Solar panel racking system | \$30.00 <u>35.00</u> per thousand dollars of estimated cost of work |
| Tents, tension membraned structures and canopies regulated by building subcode | \$150.00 |
| Temporary structure (greater than 120 sf) | \$75.00 <u>125.00</u> |
| Retaining walls | \$30.00 per thousand dollars of estimated cost of work |
| Retaining wall - Class 3 Surface area less than 550 Sq Ft. | <u>\$75.00</u> |
| Retaining wall - Class 3 Surface area greater than 550 Sq Ft. | <u>\$125.00</u> |
| Retaining wall – All Other Classes | <u>\$40.00 per thousand dollars of estimated cost of work</u> |
| U.C.C. certificate of occupancy – R-5 | \$125.00 |
| U.C.C. certificate of occupancy – All other Use Groups | <u>\$225.00</u> |
| Extension of temporary certificate of occupancy | \$75.00 <u>125.00</u> |

2. Electric Subcode Fees.

| Fixture/Equipment | Fee |
|---|--|
| Minimum subcode fee | \$75.00 <u>85.00</u> |
| Electrical fixtures and devices: 1-50 25 Receptacles, fixtures and devices to be counted for these parts are lighting fixtures, wall switches, convenience receptacles, sensors, dimmers, alarm devices, smoke and heat detectors, communications outlets, light standards 8 feet or less in height including luminaries, emergency lights, electric signs, exit lights or similar electric fixtures and devices rated 20 amps or less including motors or equipment rated less than 1 hp or 1 kW. | \$75.00 <u>\$100.00</u> |
| Every additional 25 or fraction of: | \$50.00 |
| Alarm Panels (fire or security) | \$50.00 |
| Service Panels | |
| <u>100 amps or less</u> | <u>\$100.00</u> |
| 101- <u>Up to</u> 200 amps | \$150.00 |
| 201-300 amps | \$200.00 |
| 301-400 amps | \$250.00 |
| Every 100 amp increase over 400 amps | \$75.00 |
| Devices over 1 hp/kW, to 10 kW/hp | \$50.00 |
| Devices over 10 hp/10 kW to 50 kW/hp | \$100.00 |
| Devices over 50 kW/hp to 100 kW/hp | \$150.00 |
| Devices over 100 kW/hp to 150 kW/hp | \$300.00 |
| Increasing \$75.00 for every 50 kW/hp over 150b kW/hp | |
| Above ground pools/spas/hot tubs/ fountains | \$100.00 <u>\$125.00</u> |
| Inground pool shall include any "required" bonding, and associated equipment such as filter pumps, motors, disconnecting means, switches, required receptacles and heaters, etc., excepting panelboards and underwater lighting fixtures | \$150.00 |
| Area lighting, 1 to 5 standards (greater than 8 feet) | \$100.00 |
| Area lighting, over 5 standards | \$25.00 <u>each</u> |
| Electric appliances, oven, dishwasher, microwave, air conditioner, heaters, water heaters, dryer, range, furnace, exhaust fan (over 1 kW), radon, lawn sprinklers | \$50.00 <u>each</u> |
| Annual inspection for commercial swimming pools | \$125.00 |
| Transformer/generators: [Amended 6-3-2013 by Ord. No. 2013-3090] | |
| 1 kW up to and including 45 kW | \$150.00 |
| Greater than 45 kW up to and including 112.5 kW | \$250.00 |
| Greater than 122.5 kW | \$475.00 |
| <u>Vehicle Battery Charger</u> | <u>\$100.00</u> |

~~3. Fire Protection Subcode Fees.~~

| Fixture/Equipment | Fee |
|---|--|
| Minimum subcode fees | \$75.00 <u>85.00</u> |
| Storage tank installations for flammable and combustible liquids | |

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| Tanks up to 500 gallons | \$100.00 |
| 501-1000 gallons | \$150.00 |
| 1001-2000 gallons | \$200.00 |
| 2001-5000 gallons | \$350.00 |
| 5001-10,000 gallons | \$500.00 |
| 10,001-19,999 gallons | \$750.00 |
| Underground fire water mains standpipe and sprinkler systems: | |
| Underground fire water mains (each building) | \$300.00 |
| Standpipe systems | \$300.00 |
| Additional standpipe risers | \$150.00 |
| Sprinklers (other than R-5): | |
| 1-10 | \$150.00 |
| 11-25 | \$250.00 |
| For each additional 25 heads or part thereof the fee shall be increased by: | \$75.00 |
| Fire hydrants on private property | \$200.00 |
| Residential sprinklers in new single family | \$200.00 |
| Preaction/Dry pipe valve (incl. compressor) | \$250.00 |
| Fire pumps | |
| Fire pumps | \$300.00 |
| Jockey/booster pumps | \$250.00 |
| Smoke, heat and duct detectors and fire alarm panels: Detectors (R-5 use group): | |
| 1-12 | \$50.00 |
| 13-25 | \$100.00 |
| For each additional 25 detectors or part thereof, the fee shall be: | \$75.00 |
| Carbon Monoxide Detectors: | |
| 5-10 | \$50.00 |
| 10+ | \$5.00 each |
| Fire Alarm panels (R-5 use group): | |
| 1-12 devices | \$25.00 |
| 13-25 devices | \$50.00 |
| For each additional 25 detectors or part thereof, the fee shall be: | \$75.00 |
| Detectors (all other use groups): | |
| 1-12 | \$150.00 |
| 13-25 | \$200.00 |
| Each additional 25 devices or part thereof: | \$75.00 |
| Fire Alarm Panels (all other use | |
| 1-12 | \$150.00 |
| 13-25 | \$200.00 |
| Each additional 25 devices or part thereof: | \$75.00 |

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| Manual fire alarm systems | |
| Pull Stations: | |
| 1-10 | \$150.00 |
| 11-25 | \$250.00 |
| For each additional 10 pull stations or part thereof, the fee shall be: | \$25.00 |
| Emergency light/exit signs | |
| 1-5 | \$50.00 |
| 6-10 | \$100.00 |
| 11-15 | \$150.00 |
| 16-20 | \$200.00 |
| 21-25 | \$250.00 |
| For each additional emergency light or exit sign the fee shall be: | \$10.00 |
| Independent pre-engineered suppression system (including dry chemical, wet chemical, halon, carbon dioxide, etc.): | |
| Pre-engineered suppression system | \$175.00 |
| Kitchen exhaust hoods and flammable/combustible liquid exhaust hoods: | |
| Kitchen exhaust hoods | \$150.00 |
| Flammable/combustible liquids exhaust hood | \$300.00 |
| Incinerators and crematoriums | \$500.00 |
| Gas, masonry and wood burning fireplaces, wood burning and other unconventional heating devices: | |
| Fireplaces, stoves and other heating | \$75.00 |
| Chimney liner | \$35.00 |
| Gas or oil fired furnaces: | |
| Furnace | \$75.00 |
| Chimney liner | \$35.00 |
| Elevator/smoke detectors recall systems | |
| Elevator recall systems | \$150.00 |
| Smoke removal systems: | |
| Smoke removal systems | \$300.00 |
| Gasoline station tanks and pumps | |
| New gasoline station tank installation up to 10,000 gallons and up to six (6) pumps | \$750.00 |
| Each additional gasoline tank up to 10,000 gallons, (installed at the same time as new installation) | \$200.00 |
| Additional gasoline pumps new or replacement | \$200.00 |
| Replacement gasoline tanks | See tank installation #1 |
| Fire Department lock box/Knox Box: | |
| Lock box | \$25.00 |

4. Plumbing Subcode Fees.

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| Minimum fee | \$75.00 |
| Water closet | \$25.00 |
| Urinal/bidet | \$25.00 |
| Bath tub | \$25.00 |
| Lavatory | \$25.00 |
| Shower | \$25.00 |
| Floor drain | \$25.00 |
| Sink | \$25.00 |
| Dishwasher | \$25.00 |
| Drinking fountain | \$25.00 |
| Washing machine | \$25.00 |
| Hose bib | \$25.00 |
| Other plumbing fixtures | \$25.00 |
| Gas piping | \$75.00 |
| Fuel oil piping | \$75.00 |
| Steam boiler/furnace | \$75.00 |
| A/C or refrigeration unit | \$75.00 |
| Water heater | \$75.00 |
| Other gas appliances (stove/range/pool htr/fireplace) | \$75.00 |
| Generator | \$75.00 |
| Sewer pump | \$75.00 |
| Interceptor/separator | \$75.00 |
| Water powered sump (incl. backflow prevention device) | \$130.00 |
| Sump Pump | \$75.00 |
| Grease trap | \$75.00 |
| Sewer connection (per 100 feet) | \$75.00 |
| Backflow prevention device (no charge for device used on boilers) | \$85.00 |
| Water service connection (per 100 feet) | \$75.00 |
| Active solar system | \$75.00 |
| Special device | \$75.00 |
| High pressure gas regulators | \$65.00 |
| 501-2000 gal. | \$125.00 |
| LPG tanks under ground | |
| Up to 2000 gal. | \$125.00 |
| Septic tank abandonment | \$75.00 |
| Swimming pool drains/vacuum release device | \$75.00 |
| Lawn sprinkler (incl. backflow preventer) | \$95.00 |
| Yard hydrants (does not incl. related piping) | \$75.00 |

3. Fire Protection Subcode Fees:

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| <u>UCC Fire Subcode Fees.</u> |
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| <u>Minimum fire subcode fee: \$85</u> |
| <u>Appliance, oil or gas (excluding furnace), R-5: \$25</u> |
| <u>Appliance, oil or gas (excluding furnace), other than R-5: \$45</u> |
| <u>Commercial cooking hood exhaust, Type I: \$200</u> |
| <u>Dry pipe valve + compressor: \$250</u> |
| <u>Elevator smoke detector recall system: \$150.</u> |
| <u>Fire alarm control panel, Other than R-5: \$175.</u> |
| <u>Fire alarm/CO detection, notification, supervisory, or manual device, other than R-5:</u> |
| <u>One to 15: \$150.</u> |
| <u>Sixteen to 25: \$200.</u> |
| <u>Every 25 thereafter, or fraction thereof: \$75.</u> |
| <u>Fireplace venting/metal chimney: \$75.</u> |
| <u>Fire pump: \$300.</u> |
| <u>Fire sprinkler system - R-5: \$225.</u> |
| <u>Fire sprinkler system - other than R-5:</u> |
| <u>One to 10 sprinkler heads: \$150.</u> |
| <u>Eleven to 25 sprinkler heads: \$250.</u> |
| <u>Each 25 thereafter, or fraction thereof: \$75.</u> |
| <u>Furnaces in R-5 (oil or gas): \$50.</u> |
| <u>Furnaces in other than R-5 (oil or gas): \$75.</u> |
| <u>Gasoline station storage tank systems:</u> |
| <u>First tank, six pumps, assoc. piping: \$750.</u> |
| <u>Each addl. tank, pump, assoc. piping: \$200.</u> |
| <u>Individual tank, pump, assoc. piping: \$200.</u> |
| <u>Fuel-pump suppression system (per pump): \$75.</u> |
| <u>Generator (optional standby) in other than R-5 (oil or gas): \$150.</u> |
| <u>Generator (legally required/life safety) in other than R-5 (oil or gas): \$400.</u> |
| <u>Incinerators and crematories: \$500.</u> |
| <u>Jockey-booster pump: \$250.</u> |
| <u>Preengineered suppression system: \$350.</u> |
| <u>Photovoltaic system installed in other than R-5: \$250.</u> |
| <u>Smoke-carbon monoxide detector system - R-5: \$125.</u> |
| <u>Smoke removal system: \$300.</u> |
| <u>Standpipe system: \$300.</u> |
| <u>Storage tanks-combustible/flammable liquid:</u> |
| <u>One to 500 gallons: \$125.</u> |
| <u>Five hundred one to 1,000: \$250.</u> |
| <u>One thousand one to 5,000: \$350.</u> |
| <u>Over 5,000: \$750.</u> |
| <u>Suppression, detection, notification special device: \$175.</u> |
| <u>Tank removal or abandonment: \$125.</u> |
| <u>Underground fire-suppression water main: \$300.</u> |

4. Plumbing Subcode Fees.

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| <u>Minimum plumbing subcode fee: \$85.</u> |
| <u>A/C unit in R-5: \$45.</u> |
| <u>A/C unit in other than R-5: \$85.</u> |
| <u>A/C-condenser/inverter split system: \$125.</u> |
| <u>Backflow preventer annual fee: \$85.</u> |
| <u>Backflow preventer (excluding boiler backflows) in R-5: \$85.</u> |
| <u>Backflow preventer (excluding boiler backflows) in other than R-5: \$125.</u> |

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| <u>Chimney liners: \$85.</u> |
| <u>Fixture/appliance connected to plumbing/gas/oil system: \$25.</u> |
| <u>Fuel oil piping: \$85.</u> |
| <u>Gas piping-new (may be waived by subcode for minor gas pipe type alterations): \$85.</u> |
| <u>Generator: \$85.</u> |
| <u>Grease trap: \$85.</u> |
| <u>Interceptor: \$85.</u> |
| <u>Oil separator: \$85.</u> |
| <u>Refrigeration unit: \$85.</u> |
| <u>Roof-top HVAC unit: \$225.</u> |
| <u>Separators: \$85.</u> |
| <u>Septic system connection, alteration and abandonments: \$85.</u> |
| <u>Sewer connection: \$85.</u> |
| <u>Sewer pump: \$85.</u> |
| <u>Solar system: \$85.</u> |
| <u>Special device not otherwise listed: \$85.</u> |
| <u>Steam unit: \$85.</u> |
| <u>Swimming pool: bottom drains, atmospheric safety system, or similar devices: \$85 each.</u> |
| <u>Warm-air furnace: \$85.</u> |
| <u>Water service or well connection: \$85.</u> |
| <u>Water heater R-5: \$85.</u> |
| <u>Water conditioners: \$85.</u> |
| <u>Water boilers: \$85.</u> |

When new gas piping is installed in conjunction with the replacement of water heaters, boilers, furnaces and similar devices, the fee for the new gas piping shall be in addition to the fee for the device installed. At the discretion of the Plumbing Subcode Official this fee may be waived in the case of minor gas-pipe-type alterations.

5. Certificate and other fees.

Certificate of occupancy based on change of use: \$175.

The fee for a certificate of continued occupancy issued under N.J.A.C. 5:23-2.23(c): \$175.

Application for change of use analysis: \$350.

UCC certificate and other fees. The fee for a certificate of continued occupancy issued in response to work performed without construction permits pursuant to and described in DCA Bulletin 06-1 shall be \$125 per subcode having jurisdiction over the work performed. This fee shall be in addition to any permit fees required for work performed.

Elevator Devices. The Elevator Unit at the Department of Community Affairs performs all plan review and inspection services of elevator devices and equipment for the Borough. The fees established, effective and published by DCA for plan review, inspections, variations, etc., shall be in the amount as noted in N.J.A.C. 5:23-4 and N.J.A.C. 5:23-12 respectively. A copy of the current DCA fee schedule is available upon request and adopted herein.

Annual permits. Annual permit requirements are as follows:

1. The fee to be charged for an annual construction permit shall be charged annually. This 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 subcode. 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.

2. Fees for annual permits shall be as follows:

(a) One to 25 workers (including foremen): \$667/worker; each additional worker over 25, \$232/worker.

(b) Prior to the issuance of the annual permit, a training registration fee of \$140 per subcode and a list of not more than three individuals to be trained per subcode 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.

Hourly Charges: The fee for development-wide inspection of homes after the certificate of occupancy ordered pursuant to N.J.A.C. 5:23-2.35 or otherwise shall be:

1. The hourly charge shall be an amount equal to twice the hourly base salary paid to the licensed code official(s) performing the work, or the hourly fees charged to the municipality by a consulting professional contracted to provide such services;

2. The fees, charges, accounting procedures and limits shall be set in accordance with and subjected to N.J.A.C. 5:23-4.17(d)1 through 5:23-4.17(d)5

Section 10-2.2 Housing Standards

Pursuant to Chapter 10, Section 5, of the Revised General Ordinances of the Borough of Highlands, the following fees are hereby established:

a. Certificate of ~~occupancy~~ inspection for rental with one (1) inspection: one hundred dollars (\$100).

b. Certificate of ~~occupancy~~ inspection for resale with one (1) inspection: one hundred dollars (\$100).

c. Added reinspection for certificate of ~~occupancy~~ inspection fifty dollars (\$50).

d. Housing certificates of ~~occupancy~~ inspection that require electrical inspection are not charged a fee for initial inspection. Any violations cited by the Electrical Subcode Inspector must have an electrical application with fee paid before the certificate of ~~occupancy~~ inspection is issued.

Section 10-2.3 Business Certificate of ~~Occupancy~~ Inspection.

Pursuant to Section 10-14, Business Certificate of ~~Occupancy~~ Inspection, the following fees are hereby established:

a. No change.

b. No change.

SECTION IV.

Borough Code Chapter 10 (Buildings And Housing), Section 10-5 (Housing Code) shall be amended as follows: (additions are shown in underlines, deletions are shown as ~~strikeovers~~.)

SECTION 10-5 HOUSING CODE.

Section 10-5.1 Definitions

As used in this section:

a.-b. No change.

c. INSPECTOR – Shall mean the person designated by the borough to inspect and issue certificates of ~~occupancy~~ inspection pursuant to this section.

d. No change.

Section 10-5.2 Certificate of ~~occupancy~~ Inspection Required.

No person shall rent, lease or allow any person to live in or occupy as a tenant, any room, dwelling, apartment or the like except if the same is part of a motel or hotel unless a certificate of ~~occupancy~~ inspection is obtained from the inspector after an inspection certifying that the room, dwelling, apartment or the like is fit for human habitation and is in compliance with all applicable Federal and State laws and borough ordinances.

Notwithstanding anything to the contrary contained herein, no room located within a licensed rooming or boarding house within the Borough of Highlands shall be required to submit to ~~a an~~ inspection for a certificate of ~~occupancy~~ inspection ~~requirement~~ more than once every three

months, or four times in any given calendar year, except where otherwise required by State law or regulation.

A certificate of occupancy shall be required of all new construction. **A certificate of inspection shall be required for any new rental situations or rental situations or sales or resales rental, or sale of a space or property.** The said certificate of **occupancy inspection** shall apply only to the tenancy **or space** for which it is issued. ~~In the event that the rental unit has been inspected as new construction or a sale or resale of an existing structure and a certificate of occupancy issued, then a subsequent inspection for a rental certificate of occupancy and the receipt of a rental certificate of occupancy shall not be required so long as the unit is rented within 30 days of the issuance of the certificate of occupancy for new construction, sale or resale, and the owner complies with the application provisions of subsection 10-5.3. The inspector shall prepare appropriate application forms for such a certificate of occupancy, which shall be available to applicants at the office of the inspector.~~

Section 10-5.3 Application for Certificate of occupancy inspection.

a. Applications for certificates of **occupancy inspection** shall be made in writing to the inspector and shall state:

1.-4. No change.

5. In the event that the premises has been damaged between the dates of October 29, 2012 and October 31, 2012, such that the premises was deemed uninhabitable by an appropriate government official, the applicant, provided the occupant(s) is the same individual(s) who occupied the premises on October 29, 2012, need not provide the names and ages of all persons who are to occupy the premises at the time the application for the certificate of **occupancy inspection** is made to the inspector. Rather, the applicant need only provide the inspector with the names and ages of all persons who are to occupy the premises within thirty (30) days after issuance of the certificate of **occupancy inspection**. This paragraph shall only apply to the initial application for a certificate of occupancy made after the premises has been deemed uninhabitable; this paragraph shall not apply to any subsequent application for a certificate of occupancy.

b. If the certificate of **occupancy inspection** is issued for ~~new construction~~, sale or resale pursuant to subsection 10-5.2, there shall be an entry noted on said certificate next to the date of issuance, specifying the date when the tenants commenced occupancy.

c. No change.

Section 10-5.4 Statement of Vacated Premises.

The owner shall not more than 30 days prior nor less than ten days after a tenant vacates a room, dwelling, apartment or the like, file with the office of the inspector a statement containing the address of the premises and the number or other specific description of the place vacated.

Notwithstanding anything to the contrary contained herein, no owner of a room located within a licensed rooming or boarding house within the Borough of Highlands shall be required to submit to a certificate of **occupancy inspection** inspection requirement more than once every three months, or four times in any given calendar year, except where otherwise required by State law or regulation.

Section 10-5.5 Inspection Required.

No such vacated room, dwelling, apartment or the like shall be rented or occupied in whole or in part by any new tenant until an inspection has been made by the inspector to determine whether such room, dwelling, apartment or the like is in violation of any applicable Federal and State law or borough ordinance. If no violation exists, the inspector shall issue a certificate of **occupancy inspection**; otherwise he shall notify the owner in writing setting forth the specific existing violations. The inspection shall be made and either a certificate of **occupancy inspection** or a notice of violation shall be issued within five days from the date of application. If the inspection is not accomplished in the five day period, the room, dwelling, apartment or the like may be occupied by the new tenant but subject to the right of the borough to inspect the room, dwelling, apartment or the like and if a violation is found, to cause the premises to be vacated within ten days from the date of notice thereof.

Notwithstanding anything to the contrary contained herein, no room located within a licensed rooming or boarding house within the Borough of Highlands shall be required to submit to a certificate of ~~occupancy inspection~~ inspection requirement more than once every three months, or four times in any given calendar year, except where otherwise required by State law or regulation.

Section 10-5.6 Posting of Certificate of ~~occupancy~~ Inspection.

The certificate of ~~occupancy inspection~~ issued shall be posted in a conspicuous place in the room, dwelling, apartment or the like upon the issuance thereof.

Section 10-5.7 Fees.

The fees for the ~~certificate of occupancy~~ inspection and issuance of the certificate of inspection are set forth in Chapter 10, subsection 10-2.2 above.

Section 10-5.8 Penalty.

a.-b. No change.

SECTION V.

Borough Code Chapter 10 (Buildings And Housing), Section 10-14 (Business Certificate of Occupancy) shall be amended as follows: (additions are shown in underlines, deletions are shown as ~~strikeovers~~.)

Section 10-14 BUSINESS CERTIFICATE OF ~~OCCUPANCY~~ INSPECTION.

Section 10-14.1 New Tenants or Owners Required to Obtain Business Certificate of ~~occupancy~~ inspection.

No premises or portion of premises of a commercial or industrial property, whether in a commercial or industrial zone or in a different zone by reason of a nonconforming use, shall be relet, rerented or sold and thereafter occupied by a new tenant or owner without the appropriate application for and issuance of a business certificate of ~~occupancy~~ inspection.

Section 10-14.2 Application; Review and Inspection; Fees; Notice of Requirement.

a. The new owner or tenant of the premises about to be newly occupied or their respective agents shall apply to the Construction Official for a business certificate of ~~occupancy inspection~~ and shall supply, as necessary information on said application, all facts relating to the nature of the new owner's or tenant's business, occupation or industry, the manufacturing or other processes involved and the nature of all materials intended to be stored on the premises, to be part of said premises or pertinent to said new business use or occupation, with the form of application to be set by the Construction Official.

b. Within 10 business days of receipt of said application, the Construction Official, or his designated representative, shall issue or deny the application after reviewing it and inspecting the building or structure with the Bureau of Fire Prevention Fire Official, Board of Health and other subcode officials as deemed necessary by the Construction Official to determine whether the premises comply with all of the provisions of this section or any other ordinance of this ~~Township Borough~~. If the building or structure, as intended to be used, meets the requirements hereof, the Construction Official shall forthwith issue a business certificate of ~~occupancy~~ inspection. If the building or structure does not meet the requirements hereof, the Construction Official shall notify the applicant of the details in which the building or structure does not meet the requirements hereof. When such details have been perfected, the applicant shall notify the Construction Official, in writing, that the items have been corrected and reinspection shall be made with the certificate of occupancy being issued or denied within five business days of receipt of the notice of correction.

c. No change.

SECTION VI.

Borough Code Chapter 21 (Zoning and Land Use Regulations), Article XXIII (Fees), Section 107 (Schedule Established) shall be amended as follows: (additions are shown in underlines, deletions are shown as ~~strikeovers~~.)

Section 21-107. SCHEDULE ESTABLISHED.

The following Schedule of Fees is established for the various applications for development and other matters, which are the subject of this chapter. These fees shall be nonrefundable and are for the purpose of offsetting Borough administrative, clerical and meeting costs. Applications requiring a combination of approvals, such as subdivision, site plan and/or variances shall require a fee equal to the sum of the individual fees for each element of the application. Escrow deposits for professional consultants, such as legal, planning, engineering, or other professional fees, costs and expenses, shall also be required in accordance with Section 21-108.

All fees and escrow deposits required in §§ 21-107 and 21-108 shall be paid prior to the certification of a complete application.

A.-C. No change.

~~D. Floodplain Development Permit~~

~~Substantial Improvement/Damage Itemization Package ————— \$0~~

~~Non-Conversion Agreement in the 100 Year Floodplain ————— \$0~~

E.-M. No change.

SECTION VII. SEVERABILITY. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance, which shall otherwise remain in full force and effect.

SECTION VIII. REPEALER. All ordinances or parts of ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

SECTION IX. EFFECTIVE DATE. This ordinance shall take effect immediately upon its passage and publication in accordance with law.

First Reading and Set Hearing Date for O-24-02:

| | INTRODUCED | SECOND | AYE | NAY | ABSTAIN | ABSENT |
|-----------|------------|--------|-----|-----|---------|--------|
| CERVANTES | | | | | | x |
| CHELAK | | X | X | | | |
| MELNYK | | | X | | | |
| OLSZEWSKI | | | X | | | |
| BROULLON | X | | X | | | |

This is a Certified True copy of the Original Ordinance on file in the Municipal Clerk’s Office.

DATE OF VOTE: February 7, 2024



 Nancy Tran, Municipal Clerk
 Borough of Highlands

Public Hearing for O-24-02:

| | INTRODUCED | SECOND | AYE | NAY | ABSTAIN | ABSENT |
|-----------|------------|--------|-----|-----|---------|--------|
| CERVANTES | | | X | | | |
| CHELAK | | | X | | | |
| MELNYK | | X | X | | | |
| OLSZEWSKI | | | | | | X |
| BROULLON | X | | X | | | |

This is a Certified True copy of the Original Ordinance on file in the Municipal Clerk’s Office.

DATE OF VOTE: February 21, 2023


 Carolyn Broullon, Mayor

Nancy Tran, Municipal Clerk
 Borough of Highlands