

**TOWNSHIP OF MONTVILLE**

**ORDINANCE NO. 2024 - 21**

**AN ORDINANCE OF THE TOWNSHIP OF MONTVILLE, COUNTY OF MORRIS, STATE OF NEW JERSEY TO AMEND CHAPTER 169 "FEE SCHEDULE", SECTION 169-1 "BUILDING AND CONSTRUCTION FEES" OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF MONTVILLE**

**WHEREAS**, the Township Code sets forth the building and construction fees set in connection with all construction and building permits and activities throughout the Township; and

**WHEREAS**, a review of the Code by the Township Construction Official resulted in the determination that fees should be revised in accordance with the current rates; and

**WHEREAS**, the Township Administrator and the Township Committee have reviewed the requested changes and have determined that same is in the best interests of the Township to ensure the restrictions are clearly presented.

**NOW, THEREFORE, BE IT ORDAINED** by the Township Committee of the Township of Montville, in the County of Morris, State of New Jersey as follows:

**Section 1.** Chapter 169 "Fee Schedule", Section 169-1 "Building and Construction Fees" shall be amended to read as follows:

**§ 169-1 Building and construction fees.**

There are hereby established the following fees to be administered by the Construction Department (§ 129-3):

**A. Administrative Fees.**

(1) The fee for a construction permit shall be the sum of the subcode and/or administrative and miscellaneous fees listed hereof and shall be paid before the permit is issued.

(2) 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. The amount paid for this fee shall be credited toward the amount of the fee to be charged for the construction permit.

(3) The fee for a change of contractor shall be \$35

(4) The minimum fee for all subcodes shall be \$100

(5) Reinstatement of a construction permit, voided, suspended and/or revoked subject to the specific approval of the Construction Official:

- A. Group R5, per subcode \$100
- B. All other groups, per subcode \$350
- C. After a new subcode adoption and the expiration of the grace period, the standard plan review fees will apply.

(6) For any item not listed in the fee schedule below, a minimum fee of \$100 shall apply.

**B. Building subcode fees.**

(1) For new construction, including additions to existing structures fees are calculated per cubic foot of building or structure volume:

- A. Group R5 \$0.037 per cubic foot  
Minimum fee \$250
- B. All other groups \$0.045 per cubic foot  
Minimum fee \$500
- C. Foundations for modular homes and relocated homes shall be \$100 per thousand of estimated cost of construction.
- D. For the purpose of calculating the volume to determine the fee for large, open volume, single story spaces in buildings, such as barns, silos, greenhouses, warehouses, distribution centers and other agricultural and storage occupancies, the height shall be limited to 20 feet notwithstanding the fact that the actual height of the space may be greater  
\$0.030 per cubic foot  
Minimum fee \$500

(2) For renovations, alterations and repairs and similar construction, unit cost per \$1,000 of estimated cost of the work:

- A. Group R5 \$30 per thousand  
Minimum fee \$150
- B. All other groups \$40 per thousand  
Minimum fee \$350

(3) Fees for combination of renovations and additions shall be computed as the sum of the fees computed separately in accordance with sections (1) and (2) above.

(4) For fuel storage tanks: \$28 per \$1,000 of estimated cost of work, with a minimum fee of \$100.

(

(5) The fee for asbestos abatement shall be \$100. The fee for each certificate of occupancy issued following the successful completion of an asbestos hazard abatement project shall be \$50.

(6) The fee for lead hazard abatement shall be \$100.

(7) Demolition permit fees. Permit fees for demolition of a building or structure shall be a flat fee of \$250. This fee may vary according to the type of structure or whether there has been a condemnation, but this shall be clearly indicated in the ordinance and schedule.

(8) The fee for a permit to construct a sign shall be \$100.

(9) Certificates of occupancy.

(a) The fee for a certificate of occupancy issued pursuant to new construction shall be computed at 10% of the construction permit fee. The minimum fee shall be \$150.

(b) The fee for a certificate of occupancy granted pursuant to a change of use group shall be \$100.

(c) The fee for a certificate of continued occupancy shall be \$100.

(10) The fee for a permit for installation of an elevator shall be in accordance with N.J.A.C. 5:23et seq.

(11) The fee to construct an aboveground swimming pool shall be \$220. The fee to construct an in-ground swimming pool shall be \$250.

(12) The fee for erecting or alteration of a wall or fence exceeding six feet in height or fences required as barriers surrounding public or private swimming pools shall be \$100.

(13) Fees for retaining walls shall be as follows:

(a) A retaining wall with a surface area greater than 550 square feet that is associated with a Class 3 residential structure shall have a flat fee of \$200.

(b) A retaining wall with a surface area of 550 square feet or less that is associated with a Class 3 residential structure shall have a flat fee of \$100.

(c) 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.

(14) The fee for an application for a variation in accordance with N.J.A.C. 5:23-2.10 shall be as follows:

- |     |                    |         |
|-----|--------------------|---------|
| (a) | Class 3 structures | \$100   |
| (b) | Class 2 structures | \$700   |
| (c) | Class 1 structures | \$1,000 |

(15) N.J.A.C. 5:23-4.19 New Jersey State permit surcharge fees.

(a) In order to provide for the training, certification and technical support programs required by the Uniform Construction Code Act, the enforcing agency, including the Department of Community Affairs when acting as the local agency, shall collect a surcharge fee to be based upon the volume of new construction within the municipality. Said fee shall be accounted for and forwarded to the Division of Codes and Standards in the manner herein provided.

(b) This fee shall be in the amount of \$0.00371 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 \$1.90 per \$1,000 of value construction.

1. No fee shall be collected for pre-engineered systems of commercial farm buildings.

2. No fee shall be collected for permits to perform asbestos abatement or lead abatement.

3. No fee shall be collected for permits for the construction or rehabilitation of residential units that are to be legally restricted to occupancy by households of low or moderate income, as defined in N.J.A.C. 5:43-1.5.

4. No fee shall be collected for demolition of buildings or structures.

5. No fee shall be collected for work consequential to a natural disaster when the local code enforcement agency is waiving its fee.

6. The minimum permit surcharge fee shall be \$1.00.

**C. Fire subcode fees.**

(1) Fire alarms/gas detection for all groups.

A. Initiating and notification devices

Less than 12	\$100
13-50	\$150
50-100	\$250
101-200	\$400
Each additional device over 200	\$2.00 each

B. Fire alarm control panel \$150

(2) Fire sprinklers

A. Sprinklers

Less than 20	\$100
21-100	\$200
101-200	\$300
201-400	\$800
401-1000	\$1,500
Each additional device over 1000	\$2.00 each

B. Standpipe \$250 each

C. Fire pump \$500

D. Sprinkler valve replacement \$100

E. Pre-engineered systems  
(Wet chemical, CO2, FM200 and foam) \$250

(3) Emergency radio BDA \$100

(4) Photovoltaic systems

A. Group R5 \$100

B. All other groups \$200

(5) Fuel fired appliance \$100

	Each additional	\$35
(6)	Combustible/flammable tanks	
	A. Tank demolition	\$250
	B. Tank install group R5	\$100
	All other groups	\$250
	C. Hazardous storage tanks/vessels	\$250
(7)	Exit signs	
	Less than 12	\$100
	Each additional	\$2.00
(8)	Fire extinguisher	
	Less than 10	\$100
	Each additional	\$2.00
(9)	Smoke control system	\$500
(10)	Special locking arrangements with fire alarm interface	
	Including 4 devices	\$100
	Each additional device	\$25
(11)	Hood and exhaust system	
	A. Type 1 hood	\$275
	B. Hazardous exhaust systems	\$275
	C. Type 2 hood	\$175
	D. R5 kitchen hood greater than 400 cfm	\$100
(12)	Generators	
	A. R5 group	\$100
	B. All other groups	\$200
(13)	Incinerator/crematorium	\$500

(14)	Fire service line		\$300
(15)	Fire hydrants		\$150 each
<b>D. Electric subcode fees.</b>			
(1)	Lighting fixtures, receptacles, switches and detectors		
	1-50 devices		\$100
	Each device over 50		\$2.00 each
(2)	Motors		
	1-10 hp		\$20 each
	11-50 hp		\$75 each
	50-100 hp		\$125 each
	Over 100 hp		\$400 each
(3)	Services and subpanels		
	200 amp or less		\$100
	201-400 amp		\$200
	401-1000 amp		\$300
	Over 1000 amp		\$500
	Additional meters		\$25 each
	Service disconnect switch		\$75
(4)	Transformers		
	45 KVA or less		\$100
	46-200 KVA		\$175
	201-500 KVA		\$350
	Over 500 KVA		\$450
(5)	Swimming pools		
A,	Inground pool	group R5	\$150
		All other groups	\$250
B.	Above ground pool		\$125
C.	Storable po/spa/hot tub		\$125
D.	Pool panel		\$100

E.	Annual/ongoing inspections	\$150	
(6)	Light pole/parking lot lights	\$45 each	
(7)	Photovoltaic system		
	1-50 KW	\$125	
	51-100 KW	\$200	
	Over 100 KW	\$400	
(8)	Cooking equipment		
	1-30 KW	\$40 each	
	Over 30 KW	\$75 each	
(9)	Heating units	\$35 each	
	Thermostat	\$20 each	
(10)	Fire protection devices		
	Up to 5	\$75	
	Each additional device	\$5.00	
	Fire panel, NAC panels, annunciators	\$50 each	
(11)	Electric vehicle charger		
	Group R5	\$95	
	All other groups		
	1-75 KW	\$95	
	76-200 KW	\$175	
	Over 200 KW	\$400	
(12)	Air conditioning system	\$75	
(13)	Electric signs	\$75	
(14)	Trailers/temporary trailers	\$75	
(15)	Electric water heaters	\$75	
(16)	Automatic transfer switch/generator interlock switch		\$75



**E. Plumbing subcode fees.**

(1) Fees for each plumbing fixture listed below shall be \$20 each:

Water closet/bidet/urinal  
Bathtub  
Stall shower  
Lavatory/sink  
Washing machine/standpipe  
Dishwasher  
Kitchen pot filler  
Hose Bibb  
Garbage disposal  
Indirect connection  
Drinking Fountain  
Floor drain  
Backflow preventer (non-testable)

Stacks

(2) Fees for each special device as listed below shall be \$75 each:

Hot water heater  
Lawn sprinkler with backflow preventer  
Gas piping  
Grease traps  
Fuel oil piping  
Oil separators  
Steam boilers (gas or oil)  
Active solar Systems  
Interceptors  
Water cooled air conditioning units  
Refrigeration units  
Sewer ejectors  
Generators  
Furnaces  
LP tanks  
Chimney liners  
Water treatment or Conditioning systems

(3) Fees for utility service connections or disconnections as listed below shall be \$100 each:

Water service connections  
Sewer connections  
Septic systems

- |     |                              |            |
|-----|------------------------------|------------|
| (4) | Testable backflow preventers | \$100 each |
| (5) | Heat pump and/or device      | \$75 each  |

All other portions of this Chapter not addressed herein shall remain unchanged.

**Section 2.** If any article, 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 and they shall remain in full force and effect.

**Section 3.** In the event of any inconsistencies between the provisions of this Ordinance and any prior ordinance of the Township of Montville, the provisions hereof shall be determined to govern. All other parts, portions and provisions of the Revised General Ordinances of the Township of Montville are hereby ratified and confirmed, except where inconsistent with the terms hereof.

**Section 4.** 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 5.** This Ordinance may be renumbered for purposes of codification.

ATTEST:

  
\_\_\_\_\_  
Stacy Kostka, Township Clerk

**TOWNSHIP OF MONTVILLE  
COUNTY OF MORRIS  
STATE OF NEW JERSEY**

  
\_\_\_\_\_  
Matthew S. Kayne, Mayor

Introduction: 6/25/2024  
Public Hearing: 7/23/2024  
Adoption: 7/23/2024