

**BOROUGH OF WILDWOOD CREST
COUNTY OF CAPE MAY
NEW JERSEY**

ORDINANCE NO. 1421

**ORDINANCE OF THE BOROUGH OF WILDWOOD CREST AMENDING
AND SUPPLEMENTING THE CODE OF THE BOROUGH OF WILDWOOD
CREST ARTICLE I, UNIFORM CONSTRUCTION CODE OF CHAPTER 22
AMENDING FEES FOR PERMITS**

WHEREAS, the Board of Commissioners, of the Borough of Wildwood Crest, for good government, order and the protection of persons and property, and for the preservation of the public health, safety and welfare of the Borough and its inhabitants, desires to supplement and amend the Code of the Borough of Wildwood Crest to adjust the fees construction permits.

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners of the Borough of Wildwood Crest, in the County of Cape May, New Jersey, as follows:

Section 1. Ordinance 1226 adopted November 4, 2015, that had been codified in the Code of the Borough of Wildwood Crest, as Chapter 22, Section 22-3 Fees, is hereby be deleted in its entirety and replaced with the following:

§ 22-3. Fees.

- A. Fees shall be in accordance with the Uniform Construction Code and as currently provided for in the New Jersey Administrative Code N.J.A.C. 5:23-4.20 and any amendments thereto-, except as otherwise set forth herein.
- B. Any change in fee structure or charges in the Uniform Construction Code, N.J.A.C. 5:23-4.20, shall be deemed to be incorporated herein.
- C. The Construction Official shall, with the advice of the subcode officials, prepare and submit to the Board of Commissioners 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. (See N.J.S.A. 52:27D-119, et seq.).
- D. The administrative surcharge for private, on-site inspections and plan review agencies pursuant to N.J.A.C. 5:23-4.18(j) shall be 50% of the appropriate State of New Jersey subcode fee schedule. This surcharge shall apply only to subcode areas for which the municipality has a contract with the on-site agency.
- E. Plan review fee. The fee for plan review shall be 20% of the amount to be charged for a construction permit. The plan review fee shall be waived in accordance with N.J.A.C.1.x, when the appropriate subcode official waives the requirement for plans, manufacturers installation manuals or specifications.
 - (1) There shall be an additional fee of \$65.00 per hour for review of any amendment or change to a plan that has already been released.
- F. The basic construction 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 the number of sprinklers, standpipes and detectors (smoke and heat) at the unit rates provided herein, plus any special fees.
 - (1) Building Volume or Cost. Fees for new construction shall be based upon the volume of the structure. Volume shall be computed in accordance with N.J.A.C. 5:23-2.28.

Use groups and types of construction used herein are classified and defined in Articles 3 & 4 of the Building Subcode.

(a) The fees for new construction are as follows:

Use Group	Fee
Use Groups No. 1	
B = Business	
E = Education	
H = High Hazard	
I = Institutional	
M = Mercantile	
R = Residential	
R-1, R-2, R-3, R-4, R-5	\$0.042 per cubic foot of structural volume

Use Groups No. 2

A = Assembly	\$ 0.030 per cubic foot of structural volume
A-1, A-2, A-3, A-4, A-5	
F = Factory	
F-1, F-2	
S = Storage	
S-1, S-2	
U = Utility	

(b) Renovations, alterations, and repairs.

[1] Fees for renovations, alterations, and repairs shall be based upon the estimated cost of work at the following rates:

Estimated Cost of Work	Rate
\$1 to \$50,000 prorated	\$40 per \$1,000
\$51,000 to \$ 100,000 prorated	Additional fee of \$32 per thousand
Over \$100,000 prorated	Additional fee of \$28 per thousand

[2] For the purposes of determining the estimated cost, the applicant shall submit to the Department such cost data as may be available, produced by the architect or engineer of record or by a recognizing firm or by the contractor and a bona fide contractor's bid, if available shall be submitted. The Department shall make the final decision regarding estimated cost validity.

(c) Fees for additions shall be computed on the same basis as for new construction for the added portion.

(d) Fees for combined renovations and additions shall be computed as the sum of the fees computed separately in accordance with (b) above.

(e) Sign fees. The fee for a permit to construct a sign shall be computed as the sum of the fees computed separately in accordance with (b) above.

(f) Demolition fees

[1] Demolition of a structure less than 5,000 sq. ft. and less than 35 ft. in height for residential use shall be \$175.

[2] All other \$350.

- (g) Prototype credit fee: 20% of the original permit charge.
- (h) DCA surcharge fee: new, as determined by Department of Community Affairs; alterations, as determined by Department of Community Affairs.
- (i) Continuing certificate of occupancy fee \$ 180.
- (j) Change of Use fee \$ 180.
- (k) Minimum permit fee \$ 75.
- (l) Variation application in accordance with N.J.A.C. 5:23-2.10: \$ 168. Class II and Class III Buildings; \$ 821. Class I Buildings.
- (m) Minor asbestos abatement. Permit: flat fee of \$120. per building.
- (n) Lead Abatement.
- [1] Permit Flat Fee: \$ 140.
- [2] Lead abatement Clearance Certificate: \$ 35.
- (o) Certificates of Occupancy:
- | | |
|-------------------|---|
| Use Groups No. 1 | |
| Residential only | 10% of total cost permit |
| Use Groups No. 2 | |
| A = Assembly | 10% of total permit cost of permit or minimum fee - \$69. |
| B = Business | |
| E = Education | |
| F = Factory | |
| H = High Hazard | |
| I = Institutional | |
| S = Storage | |
| U = Utility | |
- (p) Renewal of TCO (Temporary Certificate of Occupancy), flat fee \$40.
*Exception, no fee for TCO if CO fee is paid at that time.
- (q) The fee for an above ground swimming pool shall be \$140. With a surface area greater than 550 square feet; the fee in all other cases shall be \$80. The fee for an in-ground pool shall be \$210. For a pool with a surface area greater than 550 square feet; the fee in all other cases shall be \$120.
- (r) Fees for retaining walls shall as follows:
- [1] The fee for a retaining wall with a surface area greater than 550 square feet that is associated with a Class III residential structure shall be \$225.
- [2] The fee for a retaining wall that is associated with a Class III residential structure shall be \$125.
- [3] The fee for a newly constructed retaining wall of any size at other than a Class III residential structure shall be based on the cost of construction.
- (s) The fee for a mechanical inspection in a structure of Group R-3 or R-5 by a Mechanical Inspector shall be \$75. for the first device and \$20. For each additional device.

Section 2. The remainder of all other sections and subsections of the aforementioned ordinance not specifically amended by this Ordinance shall remain in full force and effect.

Section 3. All other ordinances in conflict with or inconsistent with this ordinance are hereby repealed to the extent of such inconsistency.


Section 4. If any portion of this ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, such judgment shall not affect or invalidate the remainder of this ordinance, but shall be confined in its effect to the provision directly involved in the controversy in which such judgment shall have been rendered.

Section 5. This ordinance shall become effective twenty (20) days after final passage and advertisement thereof as required by law.

Dated: January 24, 2024


Patricia A. Feketic, Borough Clerk


Don Cabrera, Mayor


Joseph Franco, Jr. Commissioner


Joseph Schiff, Commissioner

Introduced: December 20, 2023
Adopted: January 24, 2024