

**ORDINANCE 2012-34**

**AN ORDINANCE REPEALING CHAPTER 145 (UNIFORM CONSTRUCTION CODE) SECTION 3 (CONSTRUCTION FEE SCHEDULE) AND REPLACING WITH A NEW CHAPTER 145 (UNIFORM CONSTRUCTION CODE) SECTION 3 (CONSTRUCTION FEE SCHEDULE) OF THE CODE OF THE TOWNSHIP OF HILLSBOROUGH, COUNTY OF SOMERSET, STATE OF NEW JERSEY**

**BE IT ORDAINED** by the Township Committee of the Township of Hillsborough, County of Somerset, as follows:

**Section 1:** Chapter 145-3 of the Municipal Code of the Township of Hillsborough is hereby repealed and replaced as follows;

**A.** Waiver of construction permit surcharge and enforcing agency fees for construction to promote accessibility by disabled persons, as stated in 52:27D-126e, the “State Uniform Construction Code Act.”

(1) No person shall be charged a construction permit surcharge fee or enforcing agency fee, except those fees for sub-code inspections not performed by Township employees, for any construction, reconstruction, alteration, or home improvement designed and undertaken solely to promote accessibility by disabled persons to an existing public or private structure, or any of the facilities contained therein.

(a) For the purposes of this section, “disabled person” means a person who has the total and permanent inability to engage in any substantial gainful activity by reason of any medically determinable physical or mental impairment, including blindness, and shall include, but not be limited to, any person who is disabled pursuant to the Federal Social Security Act (42 USC §416), or the Federal Railroad Retirement Act of 1974 (45 USC §231 et seq.), or is rated as having a 60 percent disability or higher pursuant to any federal law administered by the United States Veterans Administration. For purposes of this paragraph "blindness" means central visual acuity of 20/200 or less in the better eye with the use of correcting lenses. An eye which is accompanied by a limitation in the field of vision such that the widest diameter of the visual field subtends an angle no greater than 20 degrees shall be considered as having a central visual acuity of 20/200 or less.

**B.** The fee for a construction permit shall be the sum of the sub-code fees listed in Subsection A (1) through (5) hereof and shall be paid before the permit is issued. Excluded from the construction fee schedule set forth herein is any unattached structure under thirty (30) inches in height which is accessory to landscaping development on the property. For purposes of example only, not limitation, such landscaping structures may include railroad ties, rock gardens, patio pallet construction, and similar items. All Use Groups and construction classifications referenced herein are as defined by the New Jersey Uniform Construction Code.

- (1) **The minimum building sub-code** fee shall be fifty dollars (\$50.00) for the R2 Use Group, sixty dollars (\$60.00) for the R3, R4, and R5 Use Groups and eighty dollars (\$80.00) for all other use groups.
- (a) New construction and additions. Fees for new construction shall be based upon the volume of the structure in cubic feet.
- [1] For the following use groups, the fee shall be based on the formula of volume times \$0.045: B (Business), H (High Hazard), I-1 through I-4 (Institutional), A-1 through A-5, (Assembly), M (Mercantile), R-1 through R-5 (Residential), E (Educational).
- [2] For the following use groups, the fee shall be based on the formula of volume times two and one half cents (\$0.025): S-1 through S-2 (Storage), U (Utility) and F-1 through F-2 (Factory).
- [a] \$0.025 per cubic foot of volume for the first fifty thousand (50,000) cubic feet or part thereof,
- [b] \$0.018 per cubic foot of volume for the second fifty thousand (50,000) cubic feet or part thereof,
- [c] \$0.014 per cubic foot of volume of the structure over one hundred thousand (100,000) cubic feet.
- [d] building sub-code Fee for commercial farm buildings, as defined by the New Jersey Uniform Construction Code, NJAC 5:23-3.2(d) 1., shall not exceed \$2,290.00.
- [3] Decks and raised patios shall be charged fees based on the square foot area of each deck and patio as follows:
- [a] The first one hundred (100) square feet = one hundred (\$100.00) dollars.
- [b] One hundred one through two hundred (101 – 200) square feet = one hundred fifty (\$150.00) dollars.
- [c] Two hundred one through three hundred (201 – 300) square feet = two hundred (\$200.00) dollars.
- [d] Three hundred one through four hundred (301 – 400) square feet = two hundred fifty (\$250.00) dollars.
- [e] Four hundred one through five hundred (401 – 500) square feet = three hundred (\$300.00) dollars.
- [f] Five hundred one through six hundred (501 – 600) square feet = three hundred fifty (\$350.00) dollars.

[g] Six hundred one through seven hundred (601 – 700) square feet = four hundred (\$400.00) dollars.

[h] Over seven hundred (700) square feet = four hundred fifty (\$450.00) dollars.

(b) Renovations, alterations, and repairs. Fees for renovations, alterations, and repairs shall be based upon the estimated cost of the work. (The applicant shall submit cost data by an architect or engineer of record, a recognized estimating firm or by contractor bid. The Department will review the construction cost for acceptability). The fees shall be as follows:

<u>ESTIMATED COST</u>	<u>FEES CHARGED</u>
\$1.00 - \$100,000.00	\$30.00 per \$1,000.00.
\$100,001.00 - \$200,000.00	\$28.00 per \$1,000.00.
\$200,001.00 - \$300,000.00	\$26.00 per \$1,000.00.
Over \$300,000.00	\$24.00 per \$1,000.

(c) Additions and renovations, alterations or repairs. Fees for additions and renovations, alterations or repairs shall be a combination of rates set by Subsection A (l) (a) and (b) above.

[1] All roof replacements and overlays shall have a flat fee charged of sixty five dollars (\$65.00) for the R3, R4, and R5 Use Groups, and one hundred thirty dollars (\$130.00) for all other Use Groups.

[2] All siding replacements and overlays shall have a flat fee charged of sixty five dollars (\$65.00) for a townhouse. A fee of sixteen dollars (\$16.00) per one thousand dollars (\$1000.00) of construction costs shall be charged for the R2 Use Group. A flat fee of one hundred thirty dollars (\$130.00) shall be charged for all other Use Groups.

[3] Radon vent stacks shall be charged the minimum fee for the first vent stack, and fifty percent (50%) of the minimum fee for each additional vent stack.

(d) Pools shall be charged fees as follows:

[1] Swimming pools, above ground.

[a] R-5 Use group: one hundred dollars (\$100.00).

[b] All other Use Groups: three hundred percent (300%) of the Minimum Fee.

[c] Seasonal use pools, those which are not permanent in nature and are regulated by the New Jersey Uniform Construction Code, shall be charged a fee of forty dollars (\$40.00).

[2] Swimming pools, in-ground.

[a] R-5 Use Group: one hundred sixty dollars (\$160.00).

- [b] All other Use Groups: three hundred sixty dollars (\$360.00).
- [3] Pool Barriers.
  - [a] R-5 Use Group: seventy five dollars (\$75.00).
  - [b] All other Use Groups: two hundred percent (200%) of the Minimum Fee.
- (e) Asbestos abatement fee: Two hundred percent (200%) of the Minimum Fee.
  - [1] Certificate of occupancy fee for asbestos abatement: fifty percent (50%) of the Minimum Fee.
- (f) Fences [over six (6) feet in height], two hundred percent (200%) of the Minimum Fee.
- (g) Sheds as defined in the New Jersey Uniform Construction Code:
  - [1] Those not requiring a foundation system: Minimum Fee.
  - [2] Sheds with a required foundation system: two hundred percent, (200%), of the Minimum Fee.
- (h) Temporary signs: Minimum Fee.
- (i) Permanent signs:
  - [1] Wall or surface mounted signs: one hundred dollars (\$100.00).
  - [2] Pylon and monument signs: two hundred dollars (\$200.00).
- (j) Demolition: flat rate, depending on building class when occupied as follows:
  - [1] Class 1: four hundred dollars (\$400.00).
  - [2] Class 2: two hundred fifty dollars (\$250.00).
  - [3] Class 3: one hundred ten dollars (\$110.00).
  - [4] Demolition of swimming pools:
    - (a) Above ground: Minimum Fee.
    - (b) In-ground: Same as established rate for Class 3 demolition.
  - [5] Demolition of shed: Minimum fee.
- (k) Installation or erection of temporary structures, tents, tensioned membrane structures, canopies, and greenhouses, as defined in NJAC 5:23 shall be one hundred dollars (\$100.00).
- (l) Buildings moved or relocated, unit rate: sixteen dollars (\$16.00) per one thousand dollars (\$1,000.0) [minimum fee: two hundred fifty dollars (\$250.00)]; unit rate times the total estimated cost of the following:

- [1] Cost of moving
- [2] New foundation
- [3] All other costs necessary to complete structure

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

[1] The fee for a retaining wall with a surface area greater than five hundred fifty, (550), square feet that is associated with a Class 3 residential structure shall be one hundred fifty dollars, (\$150.00).

[2] The fee for a retaining wall with a surface area of five hundred fifty, (550), square feet or less that is associated with a Class 3 residential structure shall be seventy five dollars, (\$75.00).

[3] 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, and shall be charged fees at the rate of twenty four dollars, (\$24.00), per one thousand dollars, (\$1000.00), of estimated cost of construction.

(n) Photovoltaic systems shall be charged a flat fee of one hundred forty dollars (\$140.00) for Use Groups R3, R4, and R5. All other Use Groups shall be charged fees based on the designated kilowatt rating of each solar photovoltaic systems as follows:

[1] One to 50 kilowatts, the fee shall be two hundred sixty dollars (\$260.00).

[2] Fifty-one to 100 kilowatts, the fee shall be five hundred dollars (\$500.00).

[3] Greater than 100 kilowatts shall be seven hundred fifty dollars (\$750.00).

(2) **The minimum plumbing sub-code** fee shall be fifty dollars (\$50.00) for the R2 Use Group, sixty dollars (\$60.00) for the R3, R4, and R5 Use Groups and eighty dollars (\$80.00) for all other use groups. All other fees shall be charged as stated below.

(a) The fee shall be twenty dollars (\$20.00) per drip pan, humidifier, whirlpool tub, combustion air, fixture, vent or stack. For the purpose of computing this fee, fixtures, vents or stacks shall include but not be limited to water closets, urinals, bidets, lavatories, sinks, showers, floor drains, washing machines, dishwashers, hose bibs, drinking fountains, indirect waste or water connections, residential solar systems, roof drains, storm drains, leaders, sump-pumps, and conductors.

(b) The fee shall be seventy five dollars (\$75.00) per special device. For the purpose of computing this fee, special devices shall include but not be limited to sewage ejectors, commercial gas piping, commercial water conditioning equipment, grease, oil, sand or other type interceptors, backflow devices, reduced pressure backflow devices, booster pumps, commercial-industrial water heaters, heat exchangers, boilers or furnaces, air conditioning units, refrigeration systems and solar systems.

(c) The Minimum Fee shall be charged for each residential sewer, septic and water utility connection. The fee for commercial, industrial, private on-site sanitary and storm sewers and domestic water lines and combination mains shall be one hundred dollars (\$100.00) for up to and including the first one hundred feet (100'). Each additional ten feet (10') or portion

thereof shall be charged an additional twenty dollars (\$20.00) per ten feet (10') or portion thereof.

- (d) The Minimum fee shall be charged for each of the following:  
Furnace, water heater, swimming-pool water heater, water heater coil, ultraviolet system, central air conditioning, pool drains, steam shower units, backflow preventer reports, and tempering valves. Gas piping, liquefied petroleum gas piping, and fuel oil piping, shall each be charged the minimum fee, and include provisions for the installation of up to four (4) appliances. For the fifth and each additional appliance, the fee shall be an additional twenty dollars, (\$20.00).
  - (e) Hot water and steam boilers:  
One hundred sixty dollars (\$160.00) shall be charged for each new or replacement complete hot water and steam boiler system installation, consisting of a boiler, backflow preventer, temperature mixing valve control, domestic hot water coil or external water maker coil unit and tank, combustion air, or any combination thereof.
  - (f) The Minimum Fee shall be charged for single-boiler hydronic piping for the R-5 use Group. For all other Use Groups, the Minimum Fee shall be charged per floor of each structure.
  - (g) The Minimum Fee shall be charged per unit for commercial-industrial refrigeration piping.
- (3) **Mechanical sub-code fees**, which are only applicable to the R3, R4, and R5 Use Groups, shall be sixty dollars (\$60.00) minimum, and shall otherwise be charged as follows:
- (a) The fee for the replacement of an individual Mechanical device shall be the minimum fee for the first device, and fifty percent (50%) of the minimum fee for each additional device, and shall include inspection for required combustion air.
  - (b) No separate fee shall be charged for gas, fuel oil, or water piping connections associated with the mechanical equipment inspected.
  - (c) A flat fee of one hundred ten dollars (\$110.00) shall be charged for each new or replacement complete HVAC system installation, consisting of a furnace, compressor, a-coil, drip pan, condensate pump or discharge line, humidifier, combustion air, or any combination thereof.
- (4) **The minimum electrical sub-code fee** shall be fifty dollars (\$50.00) for the R2 Use Group, sixty dollars (\$60.00) for the R3, R4, and R5 Use Groups and eighty dollars (\$80.00) for all other use groups. All other fees shall be charged as stated below.
- (a) Electrical fixtures and devices;
    - [1] From one (1) to ten (10) receptacles, fixtures or switches: Minimum fee.
    - [2] Each additional twenty (20) receptacles, fixtures or switches or portion thereof: fifty percent (50%) of the minimum fee.
    - [3] For the purpose of computing this fee, receptacles, fixtures or switches shall include lighting outlets, smoke detectors, heat detectors, fluorescent fixtures and receptacles,

intercom devices, burglar alarm detectors, thermostats, CRT (Cathode ray terminal) outlets and any similar device or motor of one (1) horsepower or one (1) kilowatt or less.

(b) Motors.

<b>Size (horsepower)</b>	<b>Fee for each</b>
1.1 to 10	Twenty dollars
10.1 to 50	Minimum Fee
50.1 to 100	Two hundred percent (200%) of the Minimum Fee
100.1 to 500	\$330.00
Over 500	\$330.00 plus \$120.00 for each additional 100 horsepower over 500 horsepower

(c) Electrical devices, transformers and generators.

<b>Size (kilowatts)</b>	<b>Fee for each</b>
1.1 to 10	Fifty percent (50%) of the Minimum Fee
10.1 to 50	Eighty dollars (\$80.00)
50.1 to 100	Two hundred percent (200%) of the Minimum Fee
100.1 to 500	\$330.00
Over 500	\$330.00 plus \$120.00 for each additional 100 kilowatts over 500 kilowatts

(d) For the purpose of computing this fee, typical electric device sizes are listed below, and the proper kilowatt rating must be noted on the application so that the proper fee can be assessed. This typical list is not all-inclusive.

- [1] Dishwasher: one and two-tenths (1.2) kilowatts.
- [2] Hot-water heater: four and five-tenths (4.5) kilowatts.
- [3] Electric dryer: five (5) kilowatts.
- [4] Apartment-sized range: eight (8) kilowatts.
- [5] Electric baseboard heat: two hundred fifty (250) watts per foot.
- [6] Alarm master unit.
- [7] Intercom master unit.
- [8] All others: apply kilowatt schedule.

(f) Low-voltage service equipment, including service panels, sub-panels, and service entrances.

<b>Size (amperes)</b>	<b>Fee</b>
Under 200	Eighty dollars (\$80.00)
200	\$160.00
Over 200 to 800	Two hundred dollars (\$200.00)

<b>Size (amperes)</b>	<b>Fee</b>
800.01 to 2,000	\$330.00
Over 2,000	\$330.00 plus \$120.00 for each additional 500 amperes over 2,000 amperes

- (g) High-voltage service [over six hundred (600) volts] five hundred fifty dollars (\$550.00).
  - (i) Construction temporary pole service including up to ten (10) receptacles: two hundred percent (200%) of the Minimum Fee.
  - (j) Air conditioners: apply motor schedule.
  - (k) Pools:
    - [1] Above ground pools:
      - (a) R-5 Use Group: one hundred twenty dollars (\$120.00)
      - (b) All other Use Groups: two hundred percent (200%) of the Minimum Fee.
    - [2] In-ground pools:
      - (a) R-5 Use Group: one hundred eighty dollars (\$180.00).
      - (b) All other Use Groups: three hundred percent (300%) of the Minimum Fee.
    - [3] For pump, bonding and convenience outlet, subpanels, lights, sweepers, etc: extra at published rates.
    - [4] Annual pool inspection-commercial pools: two hundred dollars (\$200.00).
  - (l) Trailer connections: Minimum Fee.
  - (m) Photovoltaic Systems: The fee shall be based on the designated kilowatt rating of each solar photovoltaic system as follows:
    - [1] One to 50 kilowatts, the fee shall be one hundred forty dollars (\$140.00).
    - [2] Fifty-one to 100 kilowatts, the fee shall be two hundred sixty dollars (\$260.00).
    - [3] Greater than 100 kilowatts shall be five hundred dollars (\$500.00).
- (5) The minimum Fire Sub-code** fee shall be fifty dollars (\$50.00) for the R2 Use Group, sixty dollars (\$60.00) for the R3, R4, and R5 Use Groups and eighty dollars (\$80.00) for all other use groups. All other fees shall be charged as stated below.
- (a) Sprinkler heads.



<b>Number of Heads</b>	<b>Fee</b>
1 to 5	Minimum fee
6 to 20	One hundred twenty dollars (\$120.00)
21 to 100	Two hundred dollars (\$200.00)
101 to 200	\$250.00
201 to 400	\$625.00
401 to 1,000	\$850.00
1,001 to 1,400	\$1,100.00
1,401 to 1,800	\$1350.00
Over 1,800	\$1600.00

(b) Standpipes Systems-each riser: three hundred dollars (\$300.00) each.

(c) Sprinkler valves:

- [1] Alarm valve \$100.00 each
- [2] Dry pipe valve \$200.00 each
- [3] Pre-action valve \$200.00 each

(d) Fire Pumps Three hundred dollars (\$300.00).

(e) Each Private Fire Hydrant: \$100.00

(f) Installation of Freestanding fire department connection \$200.00

(g) Underground fire service main shall be one hundred dollars (\$100.00) for up to and including the first one hundred feet (100'). Each additional ten feet (10') or portion thereof shall be charged an additional twenty dollars (\$20.00) per ten feet (10') or portion thereof.

(h) Fire Alarms:

(1) Alarm, Supervisory, Monitoring Modules, and Signaling Devices:

<u>Use Group</u>	<u>Fee (per device)</u>
R-5	\$5.00
All others	\$10.00

(2) Control Panels: Two hundred dollars (\$200.00) each.

(3) Booster Panels: One hundred dollars (\$100.00) each.

- (i) Pre-engineered systems; Wet Chemical, FM-200, Carbon Dioxide, Inergen, Foam Systems: two hundred dollars (\$200.00) each.
- (j) Smoke control systems: Five hundred dollars (\$500.00).
- (k) Heat producing devices, chimneys and generators:  
The Minimum Fee shall be charged for each of the following: Prefabricated fireplaces, fireplace inserts, solid fuel stoves, pellet stoves, furnaces, metal chimneys, chimney liners and generators.
- (l) Commercial kitchen exhaust system and hazardous exhaust systems: Three hundred fifty dollars, (\$350.00), each.
- (m) Installation of fuel storage tanks.
  - [1] Use Group R-5: Minimum fee each.
  - [2] All other Use Groups: one hundred twenty dollars (\$120.00) each.
- (n) Installation of Underground water storage tanks: Two hundred fifty dollars, (\$250.00), each.
- (o) Removal of underground storage tanks shall be charged fees as follows:
  - [1] Eighty dollars (\$80.00) each for the R5 Use Groups.
  - [2] Two hundred twenty dollars, (\$220.00), each for all other Use Groups.
- (p) Removal of above ground storage tanks shall be charged fees as follows:
  - [1] Minimum fee each for the R3, R4, and R5 Use Groups.
  - [2] One hundred dollars, (\$100.00), each for all other Use Groups.

**(6) Elevator Sub code fee.**

The initial registration fee for each elevator device in any structure that is not in Use Group R-5 shall be fifty dollars (\$50.00). A re-registration fee of fifty dollars (\$50.00) shall be required for each structure containing one (1) or more elevator devices upon change of ownership.

(a) Fees for witnessing acceptance tests and performing inspections shall be as follows:

- [1] The basic fees for elevator devices in structures not in Use Group R-5 shall be as follows:

**Type of Elevator**

**Fee**

Traction and winding-drum elevators:

1 to 10 floors	\$225.00
Over 10 floors	\$375.00
Hydraulic elevators	\$200.00
Roped hydraulic elevators	\$225.00
Escalators and moving walks	\$200.00
Dumbwaiters (platform lifts)	\$50.00
Chairlifts, stairway chairlifts, inclined and vertical wheelchair lifts and manlifts	\$50.00

[2] Additional charges for devices equipped with the following features shall be as follows:

<b>Type of Feature</b>	<b>Fee</b>
Oil buffers (charge per oil buffer)	\$40.00
Counterweight governor and safeties	\$100.00
Auxiliary power generators	\$75.00

[3] The fee for elevator devices in structures in Use Group R-5 shall be one hundred fifty dollars (\$150.00). This fee shall be waived when signed statements and supporting inspection and acceptance test reports are filed by an approved qualified agent or agency in accordance with N.J.A.C. 5:23-2.19 and 5:23-2.20.

[4] The fee for witnessing acceptance tests of and performing inspections of alterations shall be fifty dollars (\$50.00).

(b) The fees for routine and periodic tests and inspections for elevator devices in structures not in Use Group R-5 shall be as follows:

[1] The fee for the six-(6) month (periodic) routine inspection of elevator devices shall be as follows:

<b>Type of Elevator</b>	<b>Fee</b>
Traction and winding drum elevators:	
1 to 10 floors	\$140.00
Over 10 floors	\$180.00
Hydraulic elevators	\$100.00

Roped hydraulic elevators \$140.00

Escalators and moving walks \$140.00

- [2] The fee for the one (1) year periodic inspection and witnessing of tests of elevator devices, which shall include a six (6) month routine inspection, shall be:

<b>Type of Elevator</b>	<b>Fee</b>
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Traction and winding drum elevators:

1 to 10 floors	\$200.00
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Over 10 floors	\$240.00
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Hydraulic elevators	\$150.00
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Roped hydraulic elevators	\$200.00
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Escalators and moving walks	\$320.00
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Dumbwaiters (chairlifts)	\$80.00
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Inclined and vertical wheelchair lifts	\$120.00
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- [3] Additional yearly periodic inspection charges for elevator devices equipped with the following features shall be as follows:

<b>Type of Feature</b>	<b>Fee</b>
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Oil buffers (charge per oil buffer)	\$40.00
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Counterweight governor and safeties	\$80.00
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Auxiliary power generators	\$50.00
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- [4] The fee for the three-(3) year or five-(5) year inspection of elevator devices shall be as follows:

<b>Type of Elevator</b>	<b>Fee</b>
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Traction and winding drum elevators:

1 to 10 floors (5-year inspection)	\$340.00
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Over 10 floors (5-year inspection)	\$380.00
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Hydraulic and roped hydraulic elevators (3-year inspection)	\$250.00
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Hydraulic and roped hydraulic elevators (5-year inspection)	\$150.00
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(c) The fees set forth in Subsection A(5)(b) above shall be paid annually in accordance with the following schedule, which is based on the average of the fees to be collected over a five (5) year period:

[1] Basic annual fees shall be as follows:

<b>Type of Elevator</b>	<b>Fee</b>
Traction and winding drum elevators:	
1 to 10 floors	\$370.00
Over 10 floors	\$450.00
Hydraulic elevators	\$270.00
Roped hydraulic elevators	\$300.00
Escalators and moving walks	\$460.00
Dumbwaiters (platform lifts)	\$80.00
Chairlifts, stairway chairlifts, inclined and vertical wheelchair lifts and manlifts	\$120.00

[2] Additional charges for devices equipped with the following features as follows:

<b>Type of Feature</b>	<b>Fee</b>
Oil buffers (charge per oil buffer)	\$40.00
Counterweight governor and safeties	\$80.00
Auxiliary power generators	\$50.00

(d) An administrative fee of fifteen percent (15%) will also be charged to each elevator permit issued.

- C. The fee for plan review shall be five percent (5%) of the amount to be charged for the construction permit and shall be paid before the plans are reviewed.
- D. The fee for review of any amendment or change to a plan that has already been released, shall be charged at a rate of forty dollars (\$40.00), per one-half hour, per sub-code. Fees shall be rounded to the nearest one-half hour. A minimum fee of forty dollars (\$40.00) shall be charged.
- E. Variation fees shall be charged as per the building class of the structure as follows:

- (1) Class 1: Three hundred fifty dollars (\$350.00).
- (2) Class 2: Two hundred twenty five dollars (\$225.00).
- (3) Class 3: One hundred dollars (\$100.00).
- (4) Re-submission of a variation shall be charged fifty percent, (50%), of the original fee.

**F.** The fees for Certificates of Occupancy shall be as follows:

- (1) Certificate of Occupancy. The fee shall be in the amount of ten percent (10%) of the new construction permit fee. The minimum shall be one hundred twenty dollars, (\$120.00), except for one (1) and two (2) family dwellings (R-5) wherein the minimum fee shall be sixty dollars (\$60.00). This shall apply whether the Certificate of Occupancy is temporary or permanent in nature.
- (2) Temporary Certificate of Occupancy: The fee for Temporary Certificate of Occupancy or extensions shall not exceed \$30. There shall be no fee charged for the first issuance of a Temporary Certificate of Occupancy, provided the Certificate of Occupancy fee is paid at that time.
- (3) (a) The fee for a Certificate of Continued Occupancy shall be two hundred dollars (\$200.00), and shall be required for all changes in occupancy of non-residential Use Groups.  
  
(b) A Certificate of Continued Occupancy issued for a finished basement in a residential Use Group, in which work was completed prior to the issuance of a construction permit, shall be charged a flat fee of four hundred dollars (\$400.00).
- (4) The fee for a Certificate of Occupancy granted to a change of use shall be two hundred dollars (\$200.00).
- (5) Occupancy Placards: No fee for the first issuance. Fees for a replacement shall be charged the same as those for a Temporary Certificate of Occupancy as stated in F(2) above.
- (6) The fee for a certificate of compliance for hazardous equipment maintained or installed in accordance with the New Jersey Uniform Construction Code, delineating the approval period, shall be one hundred dollars (\$100.00).

**G.** Limited certificates of approval.

- (1) Limitations. Equipment herein below listed, having been determined to create a significant potential for hazard to public health and safety, shall be granted a certificate of approval by the appropriate subcode official or other approved agency for the duration specified herein:
  - (a) Elevators, six (6) months: twenty-six dollars (\$26.00).

- (b) Platform lifts, six (6) months: twenty-five dollars (\$25.00).
  - (c) Dumbwaiters, twelve (12) months: twenty-five dollars (\$25.00).
  - (d) High-pressure boilers, twelve (12) months: as provided by the state.
  - (e) Refrigeration systems, twelve (12) months: as provided by the state.
  - (f) Pressure vessels, twelve (12) months: as provided by the state.
  - (g) Cross-connections/Backflow preventers (Backflow Preventers Equipped with Test Ports only), twelve (12) months: fifty dollars (\$50.00).
- (2) Such equipment shall be periodically reinspected or tested in accordance with the provisions of the regulations prior to the expiration of such certificate of approval and any violations corrected before a new certificate may be issued.
  - (3) No such system or assembly shall continue in operation unless a valid certificate of approval has been reissued. It shall be a violation of the regulations for an owner to fail to provide for such periodic inspection and testing.
  - (4) Revocation: the enforcing agency may revoke a certificate of occupancy whenever a condition of a certificate has been violated.
  - (5) Time limit. The provisions of the regulations do not preclude periodic certification pursuant to other applicable laws or ordinances.
- H.** Lapsed permits. The fee for the reinstatement of a lapsed permit, for which no changes are made or required by mandated code changes, shall be fifty percent, (50%), of the original lapsed permit fee.
- I.** No refunds will be given after 90 days of issuance of permit. Prior to the 90 days of issuance, the plan review fee shall be held and remaining fees may be refunded at the discretion of the construction official.
- J.** State of New Jersey permit fees.
- (1) 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 when acting as the local agency, shall collect a surcharge fee of \$0.00334 per cubic foot of volume of new construction. The fee for all other construction shall be \$1.70 per one thousand dollars (\$1,000.00) of value of construction. The minimum permit surcharge fee shall be \$1.00. Said surcharge fee shall be remitted to the Bureau of Housing Inspection, Department of Community Affairs, on a quarterly basis for the fiscal quarters ending March 31, June 30, September 30 and December 31 and not later than one (1) month next succeeding the end of the quarter for which it is due.
  - (2) The enforcing agency shall report annually at the end of each state fiscal year to the Bureau of Housing Inspection, and not later than July 31, the total amount of the surcharge fee collected in the fiscal year. In the fiscal year in which the regulations first become effective, said report shall be for the third and fourth (state fiscal year) quarters.

**K.** Annual permits. The fee to be charged for an annual construction permit shall be charged annually. This fee shall be a flat fee based on 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. Fees shall be as follows:

(1) One (1) to twenty-five (25) workers (including foreman): six hundred eighteen dollars (\$618.00) per worker; each additional worker over twenty-five (25): two hundred fifteen dollars (\$215.00) per worker.

(2) Prior to the issuance of the annual permit, a training registration fee of one hundred thirty dollars (\$130.00) per subcode shall be submitted by the applicant to the Department of Community Affairs, Construction Code Element, Training Section, along with a copy of the construction permit (Form F-170A). Checks shall be made payable to "Treasurer, State of New Jersey."

**L.** Hourly charges and fees for development-wide inspection of homes after issuance of a Certificate of Occupancy shall be in such amount as may be reasonable and necessary in order to ascertain whether a violation exists or to verify that any work performed has abated the violation.

(1) The hourly charge shall be the same as the hourly rate set forth in section D above, times the number of hours spent by the code officials in determining whether a violation exists or verifying that any work performed has abated the violations.

**M.** All penalty monies shall be collected under penalty provision of the UCC. All penalties collected shall be retained by the Building Department and shall be placed in a special trust fund to be applied to the cost of the department for training, education, technical support programs, certification, new equipment and transportation. An independent fund shall be set up and retained by the Director of Finance to be the Trustee of this account.

**N.** The Construction Official shall, with the advice of the Subcode Officials, prepare and submit to the Township Committee, 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.

**Section 2:** If any section or provision of this Ordinance shall be held invalid in any court of competent jurisdiction, the same shall not affect the other sections or provisions of this Ordinance, except so far as the section or provision so declared invalid shall be inseparable from the remainder or any portion thereof.

**Section 3:** The Ordinance shall take effect upon its adoption, passage and publication according to law.

ATTEST:

TOWNSHIP OF HILLSBOROUGH

By: \_\_\_\_\_

\_\_\_\_\_



Pamela Borek, Township Clerk

Carl Suraci, Mayor

*Introduced: 11/27/12*  
*Published: 12/6/12*  
*Public Hearing: 12/18/12*  
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