

ORDINANCE NO. 2018 - 11

**ORDINANCE OF THE BOROUGH OF BAY HEAD, COUNTY OF OCEAN,
STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER
104 OF THE BOROUGH CODE, ENTITLED "CONSTRUCTION CODES,
UNIFORM" SO AS TO ADJUST THE FEES CHARGED FOR THE ISSUANCE
OF VARIOUS PERMITS.**

BE IT ORDAINED by the Mayor and Borough Council of the Borough of Bay Head, in the County of Ocean, State of New Jersey, as follows:

SECTION 1. § 104-3 of the Code of the Borough of Bay entitled "Fees and reports" is hereby amended and supplemented to change the fees charged for the issuance of various permits. Section § 104-3 of the Borough Code is hereby amended to read in its entirety as follows:

§ 104-3. Fees and reports.

- A. Plan review fee. The fee for plan review shall be 20% of the amount to be charged for a construction permit.
- B. Basic construction fee. The basic construction fee shall be the sum of the parts computed on the basis of the volume or the cost of construction, the number of plumbing fixtures and pieces of equipment, the number of electric fixtures and devices and the number of sprinklers, standpipes and detectors (smoke and heat) at the unit rates provided herein plus any special fees. The minimum fee for a basic construction permit covering any or all of building, plumbing, electric, or fire-protection work shall be \$75, except as herein provided.
 - (1) Building volume or cost. The fees for new construction or alteration are as follows:
 - (a) 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. The new construction fee shall be \$0.0350 per cubic foot of volume for buildings and structures of all use groups and types of construction. The minimum fee shall be \$150.
 - (b) Fees for renovations, alterations and repairs shall be based upon the estimated cost of the work. The fee shall be \$30 per \$1,000 or fraction thereof, up to a limit of \$50,000, and over \$50,000 a fee of \$30 per each \$1,000 or fraction thereof.
 - (c) Fees for additions shall be computed on the same basis as new construction for the added portion.
 - (d) Fees for combination renovations and additions shall be computed as the sum of the fees calculated separately in accordance with Subsection B(1)(b) and (c) above.
 - (e) The fee for each fireplace shall be \$50.
 - (2) Plumbing fixtures and equipment. The fees shall be as follows:
 - (a) The fee shall be \$20 per fixture connected to the plumbing system for all fixtures and appliances except as listed below.
 - (b) The fee shall be \$75 per special device for the following:
 - [1] Grease traps.
 - [2] Water utility connections.
 - [3] Sewer utility connections.
 - [4] Active solar systems.
 - [5] Interceptors.

- [6] Oil separators.
- [7] Commercial refrigerator units.
- [8] Backflow preventor.
- [9] Fuel oil piping.
- [10] Gas piping.
- [11] Sewer pumps.

- (c) The fee shall be \$75 for the installation of the backflow preventors for lawn sprinklers.
- (d) The fee shall be \$75 for the installation of a boiler (hot water or steam).

(3) Electric fixtures and devices. The fee shall be as follows:

- (a) The fees for outlets (including lighting, wall switches, fluorescent fixtures, convenience receptacles or similar fixtures, and motors or devices of less than one horsepower or one kilowatt) shall be as follows:

Number of Devices	Fee
Outlets 1 to 50	\$70
Each additional 25	\$15

- (b) The fees for service panels shall be as follows:

Number of Amps	Fee
0 to 200	\$70
201 to 1,000	\$100
More than 1,000	\$500

- (c) The fees for transformers or generators shall be as follows:

Number of Kilowatts	Fee
1 to 10	\$15
11 to 45	\$50
46 to 112.5	\$100
More than 112.5	\$500

- (d) The fees for motors, except those in plug-in appliances, shall be counted, including control equipment, generators, transformers and all heating, cooking or other devices consuming or generating electric current, shall be as follows:

Number of Horsepower	Fee
1 to 10	\$15
11 to 50	\$50
51 to 100	\$100
More than 100	\$500

- (e) The fee for swimming pools shall be as follows:

- [1] In-ground: \$100
- [2] Above-ground: \$50

- (f) The fee for each of the following items shall be \$15:

- [1] Electric heater.
- [2] Dishwasher.
- [3] Hot tubs/Jacuzzi.
- [4] Electric dryer.

- [5] Range.
- [6] Oven.
- [7] Surface units.
- [8] Heat pump.
- [9] Gas/oil heaters.
- [10] Hot water heater.
- [11] Commercial exhaust fans.

(g) The fee for the annual electric inspection of all public swimming pools shall be \$100 for the first pool and \$10 for each additional pool, spa or hot tub.

(h) The fees for air conditioner feeders and disconnects shall be \$35.

(4) Fire-protection and other hazardous equipment. Sprinklers, standpipes, detectors (smoke and heat), pre-engineered suppression systems, gas and oil-fired appliances not connected to the plumbing system, kitchen exhaust systems and flues:

(a) Sprinkler heads and detectors.

[1] The fee for sprinkler heads or detectors shall be as follows:

Number of Devices	Fees
1 to 10	\$50
11 to 20	\$100
21 to 100	\$150
101 to 200	\$250
More than 200	\$750

[2] In computing fees for heads and detectors, the number shall be counted separately and two fees, one for heads and one for detectors, shall be charged.

(b) The fee for each standpipe shall be \$250.

(c) The fee for each independent pre-engineered system shall be \$125.

(d) The fee for each gas or oil-fired appliance which is not connected to the plumbing system shall be \$75.

(e) The fee for each kitchen exhaust system shall be \$85.

(f) The fee for the installation of fuel tanks shall be:

[1] Capacity under 600 gallons: \$100.

[2] Capacity over 600 gallons: \$125.

C. Elevators. The New Jersey Department of Community Affairs shall enforce the subcode relating to elevators.

D. Certificates and other permits. The fees are as follows:

(1) The fee for a demolition permit of a one- or two-family dwelling shall be \$200; for the demolition of a garage, shed or other accessory use, the fee shall be \$200; and for the demolition of all other structures, the fee shall be \$200.

(2) The fee for the removal or abandonment of a fuel storage tank (in-ground or above-ground) shall be \$100.

(3) The fee for a permit to move a building or structure from one lot to another or to a new location on the same lot shall be \$100, plus the cost of the new foundation and alterations

to the building or structure for replacement in a completed condition shall be computed as required for renovations, alterations and repairs in Subsection B(1)(b).

(4) The fee for a permit to install a swimming pool shall be as follows:

- (a) In-ground: \$100.
- (b) Above-ground: \$50

(5) The fee for a certificate of occupancy shall be \$150.

(6) The fee for a continued certificate of occupancy shall be \$150.

- E. The fee to reinstate a lapsed construction permit shall be 10% of the cost of the original permit but in no case less than \$75.
- F. The Construction Official shall, with the advice of the Subcode Official, prepare and submit to the Mayor and Council 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.
- G. In order to provide for training, certification and technical support programs required by the Uniform Construction Code Act and the Regulations, the enforcing agency shall collect, in addition to the fees, a surcharge fee of \$0.00334 per cubic foot of 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 \$0.00170 per \$1,000 of value of construction. The surcharge fee shall be remitted to the Bureau of Housing Inspection, Department of Community Affairs, on a quarterly basis for the fiscal quarters ending September 30, December 31, March 31 and June 30, not later than one month next succeeding the end of the quarter for which it is due.
- H. The enforcing agency shall report annually at the end of each fiscal year.
- I. All fees shall be rounded to the next dollar.
- J. All fees collected pursuant to this chapter shall be promptly remitted to the Municipal Treasurer.

SECTION 2. If any section, subsection, sentence, clause, phase or portion of this ordinance is for any reason held invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

SECTION 3. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

SECTION 4. This ordinance shall take effect immediately upon its enactment after second reading and publication as required by law.

ATTEST:

APPROVED:

Patricia M. Applegate, Municipal Clerk

William W. Curtis, Mayor

Introduced on First Reading: May 7, 2018
Introduced on Second Reading: June 4, 2018
Approved on Second Reading: June 4, 2018

ATTEST:

APPROVED:

Patricia M. Applegate, Municipal Clerk

William W. Curtis, Mayor

