

## TOWNSHIP OF PEMBERTON

### AN ORDINANCE OF THE TOWNSHIP OF PEMBERTON AMENDING CHAPTER 86 OF THE TOWNSHIP CODE, ENTITLED "UNIFORM CONSTRUCTION CODES," IN ORDER TO AMEND CERTAIN CONSTRUCTION PERMIT FEES

#### ORDINANCE NO. 17-2018

**WHEREAS**, Pursuant to N.J.S.A. 52:27D-126a, the municipal governing body by ordinance shall set fees for plan review as well as for certain construction permits; and

**WHEREAS**, the Township of Pemberton ("Pemberton") has previously adopted Chapter 86 of the Township Code of the Township of Pemberton (the "Code") governing uniform construction codes and establishing the fees for various construction permits in the Township; and

**WHEREAS**, the Township has determined that it is necessary to amend Chapter 86 in order to amend certain construction permit fees to reflect the fees established by the State of New Jersey for such permits.

**NOW, THEREFORE, BE IT ORDAINED**, by the Township Council of the Township of Pemberton, in the County of Burlington and State of New Jersey that Chapter 86-5 of the Code of the Township of Pemberton shall be amended in its entirety, as follows:

1. **§ 86-5. Fees for construction permits; waiver.**

A. Construction Office fees.

- (1) The fee for plan review shall be 20% of the amount to be charged for a construction permit, except that the elevator device plan review fee shall be as in Subsections A(6) and (7) below.
- (2) The basic construction permit fee shall be the sum of the parts computed on the basis of the 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.

(a) Building volume or cost. The fees for new construction or alteration are as follow:

- [1] 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 in the amount of \$0.038 per cubic foot of volume for building and structures of all use groups and types of construction as classified and defined in Articles 3 and 4 of the building sub code, except that the fee shall be \$0.021 per cubic foot of volume for Use Groups A-1, A-2, A-3, A-4, A-5, F-1, F-2, S-1 and S-2, and the fee shall be \$0.001 per cubic foot for structures on farms, including commercial farm building under N.J.A.C. 5:23-3.2(d), with the maximum fee for such structures on farms not to exceed \$1,602.00.

- [2] Fees for renovations, alterations and repairs or site construction associated with pre-engineered systems of commercial farm buildings, pre-manufactured construction and the external utility connection for pre-manufactured construction shall be based upon the estimated cost of work. The fee shall be in the amount of \$34 per \$1,000. From \$50,001 to and including \$100,000, the additional fee shall be in the amount of \$26 per \$1,000 of estimated cost above \$50,000; above \$100,000, the additional fee shall be in the amount of \$22 per \$1,000 of estimated cost above \$100,000. For the purpose of determining Division of Construction estimated cost, the applicant shall submit to the Agency such cost data as may be available produced by the architect or engineer of record or by a recognized estimating firm or by the contractor. A bona fide contractor's bid, if available, shall be submitted. The Agency shall make the final decision regarding estimated cost.
- [3] Fees for additions shall be computed on the same basis as for new construction for the added portion.
- [4] Fees for combination renovations and additions shall be computed as the sum of the fees computed separately in accordance with Subsections A(2)(a)[2] and [3] above.
- [5] There shall be an additional fee of \$ 64.00 per hour for review of any amendment or change to a plan that has already been released.
- [6] The fee for siding work completed on structure in Use Group R-3 and R-4 & R-5 shall be \$65.
- [7] The fee for an aboveground swimming pool shall be \$140 for a pool with a surface area greater than 550 square feet; the fee in all other cases shall be \$50 \$70.00. The fee for an in-ground swimming pool shall be \$210 for a pool with a surface area greater than 500 square feet; the fee in all other cases shall be \$106.
- [8] Fees for retaining walls shall be as follows:
- (A) The fee for a retaining wall with a surface area greater than 550 square feet that is associated with a Class 3 residential structure shall be \$ 210.00;
  - (B) The fee for a retaining wall with a surface area of 550 square feet or less that is associated with a Class 3 residential structure shall be \$ 106.00; and
  - (C) 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.
- [9] The fee for a temporary trailer shall be \$55.
- [10] The fee for a radon system shall be \$50.
- [11] The fee for lead abatement shall be \$196.00. the fee for a lead abatement certificate shall be \$39.00.
- [12] The fee for asbestos abatement shall be \$70.00. The fee for an asbestos clearance certificate shall be \$39.00

[13] The fee for accessory structures in excess of 200 square feet shall be calculated based upon the cubic footage of the structure.

[14] The minimum fee for any permit shall be \$65.

[15] Solar photovoltaic systems shall be charged a Building fee of \$250 for all residential uses. The fee for all other land uses shall be \$750.00. (Ord. 22-2011)

(b) Plumbing fixtures and equipment. The fees shall be as follows:

[1] The fee shall be in the amount of \$15 per fixture, piece of equipment or appliance connected to the plumbing system and for each appliance connected to the gas piping or oil piping system except as indicated in Subsection A(2)(b)[2] below.

[2] The fee shall be \$91 per special device for the following: grease traps, oil separators, refrigeration units, utility service connections, backflow preventers equipped with test ports (double check valve assembly, reduced pressure zones and pressure vacuum breaker backflow preventers), steam boilers, hot water boilers (excluding those for domestic water heating), active solar systems, sewer pumps and interceptors. There shall be no inspection fee charged for gas service entrances.

[3] The fee shall be \$80 for liquid propane gas tanks.

[4] The minimum fee for any permits shall be \$65.00.

(c) Electrical fixtures and devices. The fee shall be as follows:

[1] For the first block consisting of one to 50 receptacles, fixtures or devices, the fee shall be \$50; for each additional block consisting of up to 25 receptacles, fixtures or devices, the fee shall be \$9. For the purpose of computing this fee, receptacles, fixtures or devices shall include lighting fixtures, wall switches, convenience receptacles, sensors, dimmers, alarm devices, smoke and heat detectors, communication outlets, light standards eight feet or less in height, including luminaries, emergency lights, electric signs, exit lights or similar electric fixtures and devices rated 20 amperes or less, including motors or equipment rated less than one horsepower (hp) or one kilowatt (kw).

[2] For each motor or electrical device rated from one hp or one kw to 10 hp or 10 kw; for each transformer or generator rated from one kw or one kva to 10 kw or 10 kva; for each replacement of wiring involving one branch circuit or part thereof; for each storable pool or hydro massage bathtub; for each underwater lighting fixture; for household electric cooking equipment rated up to 16 kw; for each fire, security or burglar alarm control unit; for each receptacle rated from 30 amperes to 50 amperes; for each light standard greater than eight feet in height, including luminaries; and for each communications closet, the fee shall be \$15.

[3] For each motor or electrical device rated from greater than 10 hp or 10 kw to 50 hp or 50 kw; for each service equipment, panel board, switchboard, switch gear, motor-control-center or disconnecting mean rated 225 amperes or less; for each transformer or generator rated from greater than 10 kw or 10 kva to 45 kw or 45 kva; for each

electric sign rated from greater than 20 amperes to 225 amperes, including associated disconnecting means; for each receptacle rated greater than 50 amperes; and for each utility load management device, the fee shall be \$65.

- [4] For each motor or electrical device rated from greater than 50 hp or 50 kw to 100 hp or 100 kw; for each service equipment, panel board, switchboard, switch gear, motor-control-center or disconnecting means rated from greater than 225 amperes to 1,000 amperes; and for each transformer or generator rated from greater than 45 kw or 45 kva to 112.5 kw or 112.5 kva, the fee shall be \$129.
- [5] For each motor or electrical device rated greater than 100 hp or 100 kw; for each service equipment, panel board, switchboard, switch gear, motor-control-center or disconnecting means rated greater than 1,000 amperes; and for each transformer or generator rated greater than 112.5 kw or 112.5 kva, the fee shall be \$640.
- [6] The fee charged for electrical work for each permanently installed private swimming pool, as defined in the building sub code, spa, hot tub or fountain shall be a flat fee of \$77 which shall include any required bonding and associated equipment such as filter pumps, motors, disconnecting means, switches, required receptacles and heaters, etc., excepting panel boards and underwater lighting fixtures. For public swimming pools, the fee shall be charged on the basis of number of electrical fixtures and rating of electrical devices involved in accordance with Subsections A(2)(c)[1] through [5].
- [7] The fee charged for the installation of single and multiple-station smoke or heat detectors and fire, burglar or security alarm systems in any one- or two-family dwelling shall be a flat fee of \$33 per dwelling unit. For fire, burglar and security alarm systems and detectors in buildings other than one- or two-family dwellings, the fee shall be charged in accordance with Subsections A(2)(c)[1] and [2] above.
- [8] For installations consisting of multimeter stacks, the fee shall be based on the ampere rating of the main bus and not upon the number of meters or rating of disconnects on the meter stack. Individual loadside panel boards shall be charged in accordance with Subsection A(2)(c)[3], [4] or [5] above. There shall be no additional fee charged for the concurrent installation of individual feeder conductors.
- [9] For motors or similar devices requiring concurrent installation of individual controls, relays and switches, the fee shall be based only upon the rating of the motor or device. There shall be no additional fee charged for the concurrent installation of individual circuit components, for example, controllers, starters and disconnecting means.
- [10] For electrical work requiring replacement of service entrance conductors or feeder conductors only, the fee shall be in accordance with Subsections A(2)(c)[2] through [5] above based on the designated ampere rating of the overcurrent device of the service or feeder.
- [11] The fee charged for process equipment shall be based on the ampere rating of the overcurrent device protecting the conductor feeding the process equipment or the cutoff device.

[12] For the purpose of computing these fees, all electrical and communications devices, utilization equipment and motors which are part of premises wiring, except those which are portable plug-in type, shall be counted.

[13] The minimum permit fee shall be \$65.00

[14] Solar photovoltaic systems. The fee shall be based upon the designated kilowatt rating of the solar photovoltaic system as follows:

- a. 1 to 50.99 kilowatts, the fee shall be \$250;
- b. 51 to 100.99 kilowatts, the fee shall be \$500.00;
- c. 101 to 999.99 kilowatts, the fee shall be \$750.00;
- d. 1,000 kilowatts (1 megawatt) or more shall be \$3,000.00 per megawatt and fraction thereof.

(d) For fire protection and 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, incinerators and crematoriums, the fee shall be as follows:

[1] The fee for 20 or fewer heads shall be \$91; for 21 to and including 100 heads, the fee shall be \$168; for 101 to and including 200 heads, the fee shall be \$321; for 201 to and including 400 heads, the fee shall be \$831; for 401 to and including 1,000 heads, the fee shall be \$1,150.00; for over 1,000 heads, the fee shall be \$1,469.00

[2] The fee for one to 12 detectors shall be \$50; for each 25 detectors in addition to this, the fee shall be in the amount of \$17 in other than one and two-family dwellings.

[3] The fee for each standpipe shall be \$321.

[4] The fee for each independent pre-engineered system shall be \$129.

[5] The fee for each supervisory panel shall be \$65.00; The fee for each dry standpoint alarm shall be \$65.00

[6] The fee for each gas- or oil-fired appliance that is not connected to the plumbing system shall be \$65.

[7] The fee for each commercial kitchen exhaust system shall be \$65.

[8] The fee for each incinerator shall be \$511.

[9] The fee for each crematorium shall be \$511.

[10] For single- and multiple-station smoke, carbon monoxide or heat detectors and fire alarm systems in any one- or two-family dwelling, there shall be a flat fee of \$50.00 per dwelling unit. For detectors and fire alarm systems in building other than one or

two-family dwellings, the fee shall be charged in accordance with Subsection A (2)(d)[2] above.

[11] The fee for each fire pump shall be \$100.

[12] The fee for each smoke control system shall be \$100.

[13] The fee for each underground fire main shall be \$100.

[14] The fee for each emergency lights/exit sign shall be \$65.

[15] The minimum fee shall be \$65.

[16] The fee for each fire place venting/metal chimney shall be \$65.00

(3) Fees for certificates and other permits are as follows:

(a) The fee for a demolition or removal permit shall be \$92.00 for a structure of less than 5,000 square feet in area and less than 30 feet in height, for one- or two-family residences (Use Group R-3 or R-4 5 of the building code) and structures on farms, including commercial farm buildings under N.J.A.C. 5:23-3.2(d), and \$168.00 for all other use groups.

(b) The fee for a permit to construct a sign shall be in the amount of \$2.00 per square foot surface area of the sign, computed on one side only for double-face signs. The minimum fee shall be \$65

(c) The fee for a certificate of occupancy shall be \$120.

(d) The fee for a certificate of occupancy granted pursuant to a change of use group shall be \$151.

€ The fee for a certificate of occupancy granted pursuant to a change of occupancy of any nonresidential use shall be \$260

(f) The fee for a certificate of continued occupancy issued under N.J.A.C. 5:23-2.23(c) shall be \$151.

(g) The fee for the first issuance and the renewal of a temporary certificate of occupancy shall be \$151.

[1] Exception: There shall be no fee for the first issuance of the temporary certificate of occupancy, provided the certificate of occupancy fee is paid at that time.

[2] Exception: Where a written request for a temporary certificate of occupancy is made for reasons other than uncompleted work covered by the permit (such as uncompleted work required by prior approvals from state or municipal agencies), no renewal fee shall be charged.

- (h) The fee for plan review of a building for compliance under the alternate systems and nondepletable energy source provisions of the energy sub code shall be \$383 for one and two-family homes (Use Group R-3 – R5 of the building sub code) and for light commercial structures having the indoor temperature controlled from a single point, and \$1,915.00 for all other structures.
- (i) The fee for an application for a variation in accordance with N.J.A.C. 5:23-2.10 shall be \$821 for Class I structures and \$168 for Class II and Class III structures. The fee for resubmission of an application for a variation shall be \$321 for Class I structures and \$91 for Class II and Class III structures.
- (j) The fee for a permit for lead hazard abatement work shall be \$196. The fee for lead abatement clearance certificate shall be \$39.
- (4) For cross connections and backflow preventers that are subject to testing, requiring reinspection annually, the fee shall be \$65 for each device when they are tested.
- (5) Annual permit requirements are as follows:
  - (a) 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 sub code. 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.
  - (b) Fees for annual permits shall be as follows:
    - [1] One to 25 workers (including foremen), \$933 per worker; each additional worker over 25, \$329 per worker.
    - [2] Prior to the issuance of the annual permit, a training registration fee of \$196 per sub code and a list of not more than three individuals to be trained per sub code 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.
- (6) The fee for plan review for elevator devices in structures in Use Groups R-3, R-4, R-5 and for elevator devices wholly within dwelling units in R-2 structures shall be \$70 for each device.
- (7) The fee for plan review for elevator devices in structures in use groups other than R-3, R-4 and devices in R-2s exempted by Subsection A(6) above shall be \$365 for each device.
- (8) The fees for elevator device inspections and tests shall be as set forth in N.J.A.C. 5:23-12.
- (9) The fee for a mechanical inspection in a Use Group R-3 or R-4-5 structure by a mechanical inspector shall be \$65 for the first device and \$115 for each additional device. No separate

fee shall be charged for gas, fuel oil or water piping connections associated with the mechanical equipment inspected.

- (10) The fee for the annual electrical inspection of swimming pools, spas or hot tubs shall be \$65 The fee for each additional pool hot tub or spa \$34.00

**B. Waiver of fees for construction permits.**

- (1) Except as otherwise provided in Subsection B below, no person shall be charged a construction permit surcharge fee, enforcing agency fee or sub code fee for any construction, reconstruction, alteration or improvement designed and undertaken solely to promote accessibility by disabled persons to an existing private structure or any of the facilities contained herein.
- (2) Except as otherwise provided in Subsection B(4) below, a disabled person, or a parent or sibling of a disabled person, shall not be charged for a building permit for any construction, reconstruction, alteration or improvement which promotes accessibility to his or her own living unit.
- (3) "Disabled person," in accordance with N.J.S.A. 52:27D-126E, 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 resident of this state who is disabled pursuant to the federal Social Security Act (42 U.S.C. 416), or the federal Railroad Retirement Act of 1974 (45 U.S.C. 231 et seq.), or is rated as having a 60% disability or higher pursuant to any federal law administered by the United States Veterans' Act. For purposes of this subsection, "blindness" means central visual acuity of 20/200 or less in the better eye with the use of a correcting lens. An eye which is accompanied by a limitation in the fields of vision such that the widest diameter of the visual field subtends an angle no greater than 20° shall be considered as having a central visual acuity of 20/200 or less.
- (4) Notwithstanding the foregoing authorization to waive fees for the construction permits described herein, said waiver shall apply only to those in-house fees which will be charged by and received by the Township of Pemberton; and fees charged for the Township by third-party inspection agencies, or by other agencies, for which the Township is responsible, shall not be waived, and the applicant shall be required to pay said third-party fees.

**BE IT FURTHER ORDAINED**, that if any section, paragraph, subsection, clause or provision of this Ordinance shall be adjudged by the courts to be invalid, such adjudication shall apply only to the section, paragraph, subsection, clause or provisions so adjudicated, and the remainder of the Ordinance shall be deemed valid and effective; and

**BE IT FURTHER ORDAINED**, that any ordinances or parts thereof in conflict with the provisions of this Ordinance are repealed to the extent of such conflict; and

**BE IT FURTHER ORDAINED**, that this Ordinance shall take effect upon passage and publication in accordance with applicable law.

**PEMBERTON TOWNSHIP COUNCIL**



**TOWNSHIP OF PEMBERTON  
NOTICE OF PUBLIC HEARING  
ORDINANCE NO. 17-2018**

**AN ORDINANCE OF THE TOWNSHIP OF PEMBERTON  
AMENDING CHAPTER 86 OF THE TOWNSHIP CODE,  
ENTITLED "UNIFORM CONSTRUCTION CODES," IN  
ORDER TO AMEND CERTAIN CONSTRUCTION PERMIT  
FEES**

The foregoing Ordinance was introduced and passed on first reading by the governing body of Pemberton Township at a meeting held on August 1, 2018 and will be considered for final passage after a public hearing at a meeting of the said governing body to be held on August 15, 2018 at the Pemberton Township Municipal Building, 500 Pemberton-Browns Mills Road, Pemberton, New Jersey, at 6:00 p.m. prevailing time, at which time any interested member of the public may comment on said Ordinance. During the week prior to and up to and including the date of such meeting or further consideration, copies of said Ordinance in its entirety may be obtained from the Township Clerk.

ATTEST:

  
AMY P. COSNOSKI, RMC, TOWNSHIP CLERK

**TOWNSHIP OF PEMBERTON  
NOTICE OF FINAL PASSAGE  
ORDINANCE NO. 17-2018**

**AN ORDINANCE OF THE TOWNSHIP OF PEMBERTON  
AMENDING CHAPTER 86 OF THE TOWNSHIP CODE,  
ENTITLED "UNIFORM CONSTRUCTION CODES," IN  
ORDER TO AMEND CERTAIN CONSTRUCTION PERMIT  
FEES**

Notice is hereby given that Ordinance No. 19-2018 as entitled above has been finally adopted on final reading by the governing body of Pemberton Township after a public hearing, at a meeting held on August 15, 2018. Said Ordinance shall take effect in accordance with law.

ATTEST:

  
AMY P. COSNOSKI, RMC, TOWNSHIP CLERK

ACKNOWLEDGEMENT OF APPROVAL BY MAYOR

  
DAVID A. PATRIARCA

ATTEST:

  
AMY P. COSNOSKI, RMC, TOWNSHIP CLERK

DATE 8/20/ 2018