

ORDINANCE NO. 2020-10

**TOWNSHIP OF EAST WINDSOR
COUNTY OF MERCER**

AN ORDINANCE AMENDING CHAPTER XIII, “BUILDING AND HOUSING,” SECTION 13-1 “UNIFORM CONSTRUCTION CODE ENFORCING AGENCY”, SUBSECTION 13-1.3 “FEES”, OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF EAST WINDSOR

BE IT ORDAINED by the Township Council of the Township of East Windsor, in the County of Mercer, State of New Jersey that the Revised General Ordinances of the Township of East Windsor is hereby amended as follows [deleted language is indicated by strikeout, new language by underlining]:

Section 1. Chapter XIII “Building and Housing”, Section 13.1 “Uniform Construction Code Enforcing Agency”, subsection 13.1.3. “Fees” is hereby amended as follows:

13-1 Uniform Construction Code Enforcing Agency.

13-1.1 *Established; Subcode Official.* There is hereby established in and for the Township of East Windsor, a State Uniform Construction Code enforcing agency to be known as the Township Code Enforcement Agency, consisting of a construction official, building subcode official, plumbing subcode official, fire protection subcode official, and such other subcode officials for such additional subcodes as the Commissioner of the Department of Community Affairs, State of New Jersey, shall hereafter adopt as part of the State Uniform Construction Code. The construction official shall be the chief administrator of the enforcing agency.

13-1.2 *Official Appointed or On-site Inspection Agency Required.* Each official position created in subsection 13-1.1 hereof shall be filled by a person qualified for such position pursuant to N.J.S.A. 52:27D-119, et seq. and N.J.A.C. 5:23; provided that, in lieu of any particular subcode official, an on-site inspection agency may be retained by a contract pursuant to N.J.A.C. 5:23. More than one such official position may be held by the same person; provided that such person is qualified pursuant to N.J.S.A. 52:27D-119, et seq. and N.J.A.C. 5:23 to hold each such position.

13-1.3 *Fees.*

a. The fee for plan review shall be five percent of the fee for a construction permit. Plan review fees shall be paid at the time of granting the permit. Plan review fees shall not be refunded.

1. Local Ordinance Registration of Contractors: \$50.00 annually.
2. Change of Contractor: \$50.00 per trade.
3. Emergency After Hours per trade: \$200.00

b. The fees for a construction permit shall be the sum of the subcode fees listed in “1 through 6” hereof and shall be paid before the permit is issued.

1. ~~The building subcode fee shall be:~~ Notwithstanding any other fee or assemblage of fees within this ordinance; the minimum building subcode permit fee shall be: \$75.00
 - (a) For new construction, \$0.030 per cubic foot (volume) for all use groups; except for Storage 1 or Storage 2 use. S1 and S2 use shall be \$0.020 per cubic foot (volume).
 - (b) For renovations, alterations and repairs and for the installation and foundation systems of premanufactured construction, twenty-five (\$25.00) dollars per \$1,000.00 of estimated cost.
 - (1) For the purpose of determining estimated cost the applicant shall submit to the construction official cost data 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 construction official will make the final decision regarding estimated cost.
 - (c) For combinations of renovations and additions, the sum of the fees computed separately as renovations and additions;
 - (d) For farm outbuildings and accessory structures not intended for human habitation when used specifically for agriculture or horticulture and assessed under the 1964 Farm Assessment Act, \$0.015 per cubic foot of structure volume, not to exceed a maximum fee of five hundred (\$500.00) dollars;
 - (e) The fee for minor work shall be based on the estimated cost of the work. Twenty-five (\$25.00) dollars per \$1,000.00 of estimated cost.
 - (f) The fee for roofing or siding work in use group R3 or R5 shall be a flat fee of forty-five (\$45.00) dollars for residential reroofing, sixty (\$60.00) dollars for residential new roof and residential siding, and twenty-five (\$25.00) dollars per \$1,000.00 of estimated cost for commercial and R2 residential.
 - (g) The fees for retaining walls shall be 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 one hundred twenty (\$120.00) dollars.
 - (2) The fee for a retaining wall with a surface area of 550 square feet or less that is associated with a Class III residential structure shall be sixty (\$60.00) dollars.
 - (3) The fee for a new constructed retaining wall of any size for other than a Class III residential structure shall be based on the cost of construction at twenty-five (\$25.00) dollars per \$1,000.00 of estimated cost.
 - (h) The fees for tents that are greater than 16,800 square feet or more than 140 feet in any direction shall be two hundred (\$200.00) dollars.
 - (i) The fees for trailers shall be forty-five (\$45.00) dollars for a construction storage trailer and sixty (\$60.00) dollars for a sales/business trailer.
 - (j) Towers up to 20': \$50.00
Towers 21'-30': \$75.00
Towers 31' and over: \$200.00

2. The mechanical subcode fees shall be charged as per UCC 5:23-4.18(c) 5. Notwithstanding any other fee or assemblage of fees within this ordinance; the minimum Mechanical subcode permit fee shall be \$75.00
 - (a) The first two devices or systems for new construction shall be sixty (\$60.00) dollars.
 - (b) Each additional device or system shall be fifteen (\$15.00) dollars.
 - (1) The following items to be charged as permitted under N.J.A.C. 5:23-4.18 R-3, and R-4 and R-5 use group:
 - Hot water boiler
 - Steam boiler
 - Hot air furnace
 - Room heater
 - Air conditioning system
 - Solar heating system
 - Air distribution system
 - Hydronic piping system
 - Bathroom exhaust system
 - Kitchen exhaust system
 - Clothes dryer exhaust system
 - Each appliance connected to gas piping system
 - Each appliance connected to fuel piping
 - Fireplace (prefab) gas
 - Fireplace (masonry)
 - Gas grills
 - Chimney or vent for any appliance
 - Water heater (replacement only)
 - (c) The fee for replacement of a device or system shall be forty (\$40.00) dollars, except that the fee for a residential hot water heater replacement shall be thirty-five (\$35.00) dollars.
 - (1) Each additional device or system the fee shall be fifteen (\$15.00) dollars.
 - (d) Gas Connection: \$25.00
 - (e) Temporary Liquid Propane Tank: \$25.00
 - (f) Hydronic Piping: \$75.00
 - (g) Residential Ductwork: \$50.00
 - (h) Commercial Ductwork: \$200.0
3. ~~The plumbing subcode fees shall be:~~ Notwithstanding any other fee or assemblage of fees within this ordinance; the minimum plumbing subcode permit fee shall be: \$75.00
 - (a) Plumbing fixtures and equipment.
 - (1) For the first two fixtures or appliances the fee shall be sixty (\$60.00) dollars.
 - (2) All remaining fixtures shall be fifteen (\$15.00) dollars each.
 - (3) Grease traps, oil separators, water-cooled air conditioners, refrigerator units, utility service connections, backflow preventers, steam boilers, hot water boilers, active solar systems, sewer pumps, or interceptors shall be eighty (\$80.00) dollars.
 - (4) Fuel and gas tank installation fees shall be as follows:
 - i. Residential fuel tank installation – sixty (\$60.00) dollars.

- ii. Commercial fuel tank installation – seventy-five (\$75.00) dollars.
 - iii. LP gas tank installation – sixty (\$60.00) dollars.
 - iv. Temporary LP gas tank installation – forty (\$40.00) dollars.
 - (b) Periodic inspections.
 - (1) Cross connections and backflow preventers that are subject to testing, requiring a test every 12 months shall be forty-six (\$46.00) dollars. Devices registered with the DEP shall not require testing under the UCC.
- 4. The electrical subcode fee shall be as follows:
 - (a) ~~Electrical fixtures and devices:~~ Notwithstanding any other fee or assemblage of fees within this ordinance; the minimum Electrical Permit fee shall be \$75.00
 - (1) From one to five devices: thirty (\$30.00) dollars.
 - (2) From six to 25 additional devices: twenty-five (\$25.00) dollars.
 - (3) For each additional 25 devices: fifteen (\$15.00) dollars.
 - (4) For the purpose of computing the fee schedule, receptacles, fixtures, or switches shall include, but not be limited to wall switches, lighting outlets, convenience receptacles, fluorescent fixtures, smoke detectors, heat detectors, intercom devices, burglar alarm detectors/devices, thermostats, and similar devices, or motors of one (1) horsepower or (1) kilowatt or less.
 - (b) Motors:

Size (horsepower)	Fee
0.5 to 10	\$15.00
10.1 to 50	\$75.00
50.1 to 100	\$150.00
100.1 to 500	\$300.00
Over 500	\$300.00 plus \$100.00 for each additional 100 hp over 500 hp
 - (c) Electrical devices:

Size (kilowatts)	Fee
1.1 to 10	\$15.00
10.1 to 50	\$75.00
50.1 to 100	\$150.00
100.1 to 500	\$300.00
Over 500	\$300.00 plus 100.00 for each additional 100 kW over 500 kW
 - (d) For the purpose of computing this fee schedule, typical electric devices sizes are listed below and the proper kilowatt rating MUST be noted on the application so the proper fee can be assessed. This typical list is not all inclusive:
 - (1) Dishwasher: one and two-tenths kilowatts.
 - (2) Hot-water heater: four and five-tenth kilowatts.
 - (3) Electric dryer: five kilowatts.

- (4) Apartment-sized range: eight kilowatts.
- (5) Electric baseboard heaters: 250 watts per foot.
- (e) Transformers or generators:
- | <i>Size (kilowatts)</i> | <i>Fee</i> |
|-------------------------|---|
| 1.1 to 10 | \$15.00 |
| 10.1 to 45 | \$75.00 |
| 45.1 to 112.5 | \$150.00 |
| 112.6 to 500 | \$300.00 |
| Over 500 | \$300.00 plus \$100.00
for each additional 100
KW over 500 KW |
- (f) Low voltage service equipment (under 400 volts):
- | <i>Size</i> | <i>Fee</i> |
|-------------------|--|
| 0 to 200 amp | \$60.00 |
| 200.1 to 800 amp | \$120.00 |
| 800.1 to 2000 amp | \$300.00 |
| Over 2000 amp | \$300.00 plus \$100.00
for each additional 500
amp over 2000 amp |
- (g) High voltage service (over 400 volts):
- | <i>Size</i> | <i>Fee</i> |
|-------------------|--|
| 0 to 200 amp | \$120.00 |
| 200.1 to 800 amp | \$250.00 |
| 800.1 to 2000 amp | \$400.00 |
| Over 2000 amp | \$400.00 plus \$150.00 for
each additional 500 amp
over 2000 amp |
- (h) Sub panels:
- | <i>Size</i> | <i>Fee</i> |
|----------------------|------------|
| 0 to 200 amp | \$75.00 |
| 200.1 to 800 amp | \$150.00 |
| 800.1 amp and larger | \$300.00 |
- (i) Construction pole service and one to ten receptacles: \$75.00
- (j) Air conditioners: apply motor schedule.
Exceptions: Residential (R3, R5) replacement \$50.00
- (k) Pools:
- | | |
|------------------------------|-----------------|
| 1. <u>Annual Inspection:</u> | <u>\$200.00</u> |
| 2. <u>Underwater Light:</u> | <u>\$75.00</u> |
| 3. <u>Pool Panels:</u> | <u>\$75.00</u> |
| Public pools: | \$125.00 |
| Exceptions: R3, R5 | |
| Above ground | \$60.00 |
| Inground | \$75.00 |
- (l) Trailer connections: \$60.00
- (m) Solar photovoltaic systems: The fee shall be based on the designated kilowatt rating of the solar photovoltaic system as per N.J.A.C. 5:23-4.20(c) iii.(13):
- (1) One to 50 kilowatts, the fee shall be forty-six (\$46.00) dollars.
 - (2) 51 to 100 kilowatts, the fee shall be ninety-two (\$92.00) dollars.

- (3) Greater than 100 kilowatts, the fee shall be four hundred fifty-seven (\$457.00) dollars.
5. ~~The fire protection subcode fee shall be per device.~~ Notwithstanding any other fee or assemblage of fees within this ordinance; the minimum Fire Protection subcode permit fee shall be: \$75.00
- (a) The fee for sprinkler heads shall be:
1. Residential Head Minimum fee: \$75.00
 2. Commercial Head Minimum fee: \$100.00
 - One to nine devices shall be sixty (\$60.00) dollars.
 - 10 to 20 devices shall be seventy-five (\$75.00) dollars.
 - 21 to 100 devices shall be one hundred fifty (\$150.00) dollars.
 - 101 to 200 devices shall be two hundred fifty (\$250.00) dollars.
 - 201 to 400 devices shall be six hundred (\$600.00) dollars.
 - 401 to 1000 devices shall be eight hundred (\$800.00) dollars.
 - 1001 to 1200 devices shall be one thousand (\$1,000.00) dollars.
 - Over 1200 devices shall be an additional one hundred (\$100.00) dollars per 500 devices.
- (b) The fee for heat/smoke detectors shall be: one to ten devices forty (\$40.00) dollars. Each additional 25 devices shall be twenty-five (\$25.00) dollars.
- (c) The fee for a special suppression system shall be a flat fee of one hundred (\$100.00) dollars per system.
- (d) The fee for a standpipe system shall be a flat fee of two hundred twenty-five (\$225.00) dollars per standpipe.
- (e) The fee for each gas or oil fired appliance except hot water heaters shall be sixty (\$60.00) dollars.
- (f) The fee for each kitchen exhaust system will be sixty (\$60.00) dollars.
- (g) The fee for each fire pump installation shall be two hundred twenty-five (\$225.00) dollars.
- (h) The fee for each crematorium shall be three hundred (\$300.00) dollars.
- (i) The fee for each incinerator shall be three hundred (\$300.00) dollars.
- (j) Any other work requiring a permit shall be charged at the rate of twenty-five (\$25.00) dollars per thousand of estimated cost.
- (k) Fire Main first 500': \$250.00
- (l) Fire Mains Additional per 100': \$100.00
- (m) Supervisory Devices minimum: \$100.00
- (n) Signaling Devices Minimum: \$150.00

6. Elevator safety subcode.

- (a) Test and inspection fees: For witnessing acceptance tests and performing inspections shall be as follows:
- (1) The basic fee for elevator devices in structures not in Use Group R-3 or R-4 shall be as follows:
 - (i) Traction and winding drum elevators

1 - 10 floors	\$243.00
Over 20 floors	\$405.00

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|--|----------|
| (ii) Hydraulic elevators | \$216.00 |
| (iii) Roped hydraulic | \$243.00 |
| (iv) Escalators, moving walks | \$216.00 |
| (v) Dumbwaiters | \$54.00 |
| (vi) Stairway chairlifts, inclined
and vertical wheelchair lifts
with manlifts | \$ 54.00 |
- (2) Additional charges for devices equipped with the following features shall be as follows:
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|--|----------|
| (i) Oil buffers (charge per oil buffer) | \$ 43.00 |
| (ii) Counterweight governor and safeties | \$108.00 |
| (iii) Auxiliary power generator | \$ 81.00 |
- (3) The fee for elevator devices in structures in Use Group R-3 or R-4 shall be one hundred sixty-two (\$162.00) dollars. 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 2.20.
- (4) The fee for witnessing acceptance tests of, and performing inspections of, alterations shall be fifty-four (\$54.00) dollars.
- (5) The fees for routine and periodic tests and inspections for elevator devices in structures not in Use Group R-3 and R-4 shall be as follows:
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| (i) The fee for the six month routine inspection of elevator devices shall be as follows: | |
| A. Traction and winding drum elevators: | |
| 1 – 10 floors | \$151.00 |
| Over 10 floors | \$194.00 |
| B. Hydraulic elevators | \$108.00 |
| C. Roped hydraulic elevators | \$151.00 |
| D. Escalators, moving walks | \$151.00 |
- (6) The fees for the one year periodic inspection and witnessing of tests of elevator devices, which shall include a six month routine inspection, shall be:
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|---|----------|
| (i) Traction and winding drum elevators: | |
| 1 – 10 floors | \$216.00 |
| Over 10 floors | \$259.00 |
| (ii) Hydraulic elevators | \$162.00 |
| (iii) Roped elevators | \$216.00 |
| (iv) Escalators, moving walks | \$346.00 |
| (v) Dumbwaiters | \$ 86.00 |
| (vi) Manlifts, stairway chairlifts,
inclined and vertical wheelchair lifts | \$130.00 |
- (7) Additional yearly periodic inspection charges for elevator devices equipped with the following features shall be as follows:
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|--|----------|
| (i) Oil buffers (per buffer) | \$ 43.00 |
| (ii) Counterweight governor and safeties | \$ 86.00 |
| (iii) Auxiliary power generator | \$ 54.00 |
- (8) The fee for the three year or five year inspection of elevator devices shall be as follows:

(i) Traction and winding drum elevators:	
1 – 10 floors, five year inspection	\$367.00
Over 10 floors, five year inspection	\$410.00
(ii) Hydraulic and roped hydraulic elevator:	
Three year inspection	\$270.00
Five year inspection	\$162.00

13-1.3.1 Annual Permit. The fee to be charged for an annual construction permit shall be charged annually. The fee shall be a flat fee based on the number of maintenance workers who are primarily engaged in work that is governed by a subcode. Fees shall be as follows: Building, Fire, Plumbing, and Electric each subcode.

1–25 workers at four hundred twenty-five (\$425.00) dollars per worker; each additional worker over 25 will be one hundred sixty-five (\$165.00) dollars per worker.

13-1.3.2 Demolition Fee. The fee for a permit for demolition of a building or a structure shall be as follows: One- and two-family residential buildings, eighty (\$80.00) dollars. All Class II, one hundred (\$100.00) dollars and Class I, two hundred (\$200.00) dollars. Residential aboveground swimming pool, forty-five (\$45.00) dollars. Residential inground swimming pool, sixty (\$60.00) dollars.

13-1.3.3 Fees for Removal. The fee for a permit for the removal of a building or structure from one lot to another or to a new location on the same lot shall be one hundred (\$100.00) dollars.

13-1.3.4 Fees for Pool Permit. The fee for a permit to construct an aboveground pool shall be a flat fee of sixty (\$60.00) dollars. The fee to construct an inground pool shall be a flat fee of one hundred fifty (\$150.00) dollars. The fee for a permit to construct a spa or hot tub shall be a flat fee of fifty (\$50.00) dollars. Residential swimming pool fence replacement shall be a flat fee of twenty-five (\$25.00) dollars. The fee to construct a public pool shall be fifteen (\$15.00) dollars per \$1,000 of estimated cost.

13-1.3.5 Fees for Sign Permit. The fee for a permit to construct a sign shall be as follows:

a. Fees for pylon signs (footings and/or foundations) shall be:

1. \$4.00 per square foot for the first 100 square feet.
2. \$3.00 per square foot for the next 400 square feet.
3. \$2.00 per square foot thereafter.

b. Fees for ground signs and wall signs shall be:

1. \$2.00 per square foot for the first 100 square feet.
2. \$1.50 per square foot for the next 400 square feet.
3. \$1.00 per square foot thereafter.

c. The minimum signage shall be \$46.00.

13-1.3.6 Certificate of Occupancy. The fee for a residential certificate of occupancy shall be forty (\$40.00) dollars. The fee for a commercial certificate of occupancy shall be seventy-five (\$75.00) dollars.

a. The fee for a certificate of continued occupancy shall be twenty (\$20.00) dollars per subcode.

b. The fee for a certificate of occupancy granted pursuant to a change in use shall be one hundred fifty (\$150.00) dollars.

c. A certificate of approval for rehabilitation work shall be issued when requested. No fee shall be charged.

d. The fee for first issuance of a temporary certificate of occupancy and renewal of a temporary certificate of occupancy shall be twenty-five (\$25.00) dollars.

13-1.3.7 Variation Application Fee. The fee for an application for a variation in accordance with N.J.A.C. 5:23-2.10 shall be five hundred fifty (\$550.00) dollars for Class I structures and one hundred ten (\$110.00) dollars for Class II structures. The fee for resubmission of an application for variation shall be two hundred twelve (\$212.00) dollars for Class I structures and sixty (\$60.00) dollars for Class II structures.

13-1.3.8 Utility Sheds. Premanufactured sheds over one hundred (100) square feet, up to two hundred (200) square feet, a flat fifty (\$50.00) dollars. Premanufactured sheds over two hundred (200) square feet a fee of \$0.020 per cubic foot (volume) shall be assessed.

13-1.3.9 Fee for Zoning Permit. The fee for a zoning permit shall be as follows:

a. Commercial.

1. Structure	\$50.00
2. Addition	\$50.00
3. Sign	\$50.00
4. Fence	\$50.00
5. Shed	\$50.00
6. Deck	\$50.00
7. Pool	\$50.00
8. Pool House	\$50.00
9. Pole Barn	\$50.00
10. Utility	\$50.00
11. Trailer	\$50.00

b. Residential Development.

1. Home	\$50.00
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c. Homeowners (Residential).

1. Shed	\$40.00
2. Deck	\$40.00
3. Fence	\$40.00
4. Pool	\$40.00
5. Pool House	\$40.00
6. Addition	\$40.00
7. Arbor	\$40.00
8. Pole Barn	\$40.00
9. Gazebo	\$40.00
10. Garage	\$40.00
11. Utility	\$40.00
12. Paver Patio	\$40.00

13-1.3.10 Reports.

a. The construction official shall, with the advice of the subcode officials, prepare and submit to the township council annually, 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.

13-1.3.11 Surcharges.

a. The enforcing agency shall collect the fees specified below in this section. Said surcharge fee shall be remitted monthly by the municipal treasurer to the Bureau of Regulatory Affairs, Department of Community Affairs, State of New Jersey.

1. State Training Fees. This fee shall be in the amount of \$0.00334 per cubic foot volume of new building and additions. Volume shall be computed in accordance with N.J.A.C. 5:23-2.28. Fee for all other construction shall be one dollar seventy (\$1.70) cents per one thousand (\$1,000.00) dollars of value of construction.
 2. Pursuant to N.J.A.C. 5:23-4.18, municipalities in which private agencies enforce subcodes are authorized to charge up to a 15 percent administrative surcharge fee to cover their cost of administration.
 3. Pursuant to N.J.A.C. 5:23-8.9, in addition to asbestos hazard abatement permit fees, the following administrative fees shall be collected and remitted as per 13-1.3.11a.
 - (a) An administrative fee of seventy (\$70.00) dollars for each construction permit issued for an asbestos hazard abatement project.
 - (b) An administrative fee of fourteen (\$14.00) dollars for each certificate of occupancy issued following the successful completion of an asbestos hazard abatement project. Where the State changes the fee those fees shall be charged by the municipality.
- 13-1.3.12 Exemption of Fees for Municipal Construction. No fees (this does not include third party subcodes) shall be required by the code enforcement agency for any construction for or constructed by the township or nonprofit organizations on township owned land within the corporate boundaries of the township. Any other nonprofit organization requesting exemption must apply through the township manager and council for waiver of municipal construction fee.
- 13-1.3.13 Exemption of Fees for Public Schools. No fee (this does not include third party subcodes) shall be required by the code enforcement agency for any public school pursuant to N.J.A.C. 5:23-1.6.
- 13-1.3.14 Reinstatement of Lapsed Permits. A fee of ten percent of the total fee shall be charged to reinstate a lapsed permit. Said fee shall not be less than forty-five (\$45.00) dollars.
- 13-1.3.15 Fees Rounded. All fees shall be rounded to the nearest dollar.
- 13-1.3.16 Subcode Services by Private Agencies. Where a private on-site agency performs subcode services, the fees charged to the municipality by the private agency shall be fees determined by contract as per N.J.A.C. 5:23-4.5A.

Section 2. SEVERABILITY

If any section, subsection or phrase of this Ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the remaining portions of this Ordinance.

Section 3. REPEAL

All Ordinances or parts of Ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistencies.

Section 4. EFFECTIVE DATE

This ordinance shall take effect after the publication of final adoption, as provided by law.

ATTEST:

KELLY LETTERA
Municipal Clerk

JANICE S. MIRONOV
Mayor

Introduced: August 18, 2020

Adopted:

Publication:

Effective: