

ORDINANCE #3348
INTRODUCED BY: COMMISSIONER THOMAS J. EVANS
INTRODUCED ON: AUGUST 16, 2016
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ORDINANCE NO. 3348

ORDINANCE TO AMEND AN ORDINANCE CODIFIED IN THE CODE OF THE TOWNSHIP OF NUTLEY, CHAPTER 272, ENTITLED CONSTRUCTION CODES, UNIFORM

BE IT ENACTED by the Board of Commissioners of the Township of Nutley that Chapter 272 of the Code of the Township of Nutley, entitled Construction Codes, Uniform is hereby amended to read as follows

272-1. Enforcing agency established; central permit office.

- A. There is hereby established in the Township of Nutley a State Uniform Construction Code enforcing agency to be known as the Nutley Code Enforcement Department,” consisting of a Construction Official, Building Subcode Official, Plumbing Subcode Official, Electrical Subcode Official Fire Protection Subcode Official and such 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 Code Enforcement Department. All subcode officials, their assistant and staff for the purposes of the regulations and its enforcement are subject to the procedures and policies of the enforcing agency and are primarily responsible to the Construction Official.
- B. The official positions as created by Subsection A shall be as follows:
 - (1) Construction Official
 - (2) Building Subcode Official
 - (3) Building Inspector
 - (4) Plumbing Subcode Official
 - (5) Fire Protection Subcode Official
 - (6) Electrical Subcode Official
 - (7) Elevator Subcode Official
- C. A central permit office, under the direction and supervision of the Construction Official, will be located in the Municipal Building, 1 Kennedy Drive, Nutley, New Jersey, to be open during the hours of 8:00 a.m. to 4:00 p.m. on normal business days of the municipality.

272-2. Construction Board of Appeals.

The Essex County Board of Appeals, 900 Bloomfield Avenue, Verona, New Jersey 07044, shall hear any appeal from decisions by the enforcing agency.

272-3. Construction Fee Schedule.

A. Plan Review Fee. The fee for plan review shall be 20% of the construction permit fee and shall be paid before the plans are reviewed. The fee shall be credited toward the fee for the construction permit but shall not be refundable in the event a permit is not issued.

B. Building Subcode Fee.

	<u>Existing Fee</u>	<u>Revised Fees</u>
1) New Construction.		
a) Per cubic foot for Use Groups R-3, R-5 and U	\$.035	
b) Per cubic foot for all other Use Groups	\$.025	\$.038
c) Minimum fee for new construction		
i) Use Groups R-3, R-5 and U	\$60.00	
ii) All other Use Groups	\$100.00	\$150.00
2) Addition.		
a) Per cubic foot for Use Groups R-3, R-5 and U	\$.035	
b) Per cubic foot for all other Use Groups	\$.025	\$.038
c) Minimum fee for addition		
i) Use Groups R-3, R-5 and U	\$50.00	
ii) All other Use Groups	\$75.00	\$150.00
3) Renovations, alterations, repairs.		
a) For Use Groups R-3 and R-5 only		
i) First \$50,000/per \$1,000	\$17.00	
ii) Next \$50,000/per \$1,000	\$15.00	
iii) Balance/per \$1,000	\$13.00	
b) For all other Use Groups, per \$1,000	\$22.00	\$30.00
c) Minimum fee for R-3 and R-5	\$50.00	
d) Minimum fee for all other use groups	\$100.00	\$150.00
4) Combined renovations and additions: To be computed separately		
5) Temporary structure permit		
a) Tents, construction trailers, air-supported structures, etc.	\$75.00	
6) Minor Work		
As defined in N.J.A.C. 5:23-2.17A(c) 1, 2,3,4,5 and 6 fees for minor construction work shall be computed in accordance with N.J.A.C. 5:23-4.18(c) 1vii		
7) Retaining Walls		
a) Use Groups R-3 & R-5 only		
i) Surface area greater than 550 square feet	NEW	\$175.00
ii) Surface area less than 550 square feet	NEW	\$75.00
b) All other Use Groups – to be computed based upon cost of construction		
8) Fences – over 6’ in height or built in association with an in-ground pool		
a) Use Group R-3 & R-5 only	NEW	\$75.00
b) All other Use Groups	NEW	\$150.00
9) Swimming pools – to be computed based upon cost of construction		
C. Demolition fees.		
1) For Use Groups R-3 & R-5		
a) Under 5,000 square feet or 30 feet in height	\$150.00	
b) Deposit	\$500.00	

2) One- or two-car garage (residential)		
a) Demolition fee	\$75.00	
b) Deposit	\$200.00	
3) Three, or more car garage (residential)		
a) Demolition fee	\$100.00	
b) Deposit	\$350.00	
4) All other Use Groups (per structure)		
a) Under 10,000 square feet		
i) Demolition fee	\$500.00	
ii) Deposit	\$1,000.00	
b) Over 10,000 square feet		
i) Demolition fee shall be calculated as per Subsection B (3)		
ii) Deposit	\$1,000.00	
5) Partial demolition	\$75.00	
D. Plumbing subcode fees		
1) First fixture connected to the plumbing system		
a) Except those listed in Subsection D (3)	\$50.00	
2) Each additional fixture connected to the plumbing system		
a) Except those listed in Subsection D (3)	\$15.00	
3) Per Special device listed below	\$55.00	\$65.00
a) Grease traps, oil separators, interceptors, refrigeration units, backflow preventers equipped with test ports (double check valve assembly, reduced pressure zone and pressure vacuum breaker backflow preventers), steam boilers, hot water boilers, gas piping/service connection, active solar systems, sewer pumps, fuel oil piping, vent stacks		
4) Connections		
a) Water service or sewer connection	\$75.00	
5) Minimum fees		
a) Use Groups R-3 & R-5 only	\$50.00	
b) All other Use Groups	\$100.00	
E. Electric subcode fees		
1) Receptacles, fixtures, switches, etc.		
a) First 50	\$50.00	
b) Each additional 25	\$10.00	\$15.00
2) Motors and electric devices (including control equipment, all heating, cooking, or other devices consuming or generating electric current)		
a) 1 HP or KW up to 10 HP to KW	\$10.00	\$15.00
b) 11 HP or KW up to 50 HP to KW	\$40.00	\$65.00
c) 51 HP or KW up to 100 HP to KW	\$60.00	\$125.00
d) Over 101 HP to KW	\$100.00	\$550.00
3) Transformers & Generators (including primary transformers, vaults, Enclosures, substations [each bank of transformers], generators, etc.)		
a) 1 KW up to 10 KW	\$10.00	\$15.00
b) 11 KW up to 45 KW	\$40.00	\$65.00
c) 46 KW up to 112.5 KW	\$60.00	\$125.00
d) Over 112.5 KW	\$100.00	\$550.00

4) Photovoltaic Systems		
a) Photovoltaic Systems (fees shall be based on the designated kilowatt rating of the solar system as follows)		
i) 1 KW up to 50 KW	New	\$50.00
ii) 51 KW up to 100 KW	New	\$120.00
iii) Over 100 KW		\$550.00
b) Solar Systems (back feed breakers shall be listed as a subpanel)		
i) 0 – 100 amps	New	\$10.00
ii) 101 to 225 amps	New	\$50.00
iii) 226 to 1,000 amps	New	\$100.00
iv) Greater than 1,000 amps	New	\$185.00
c) Inverters		
i) Less than 50 KW	New	\$50.00
ii) 50 KW to 100 KW	New	\$75.00
iii) Over 50 KW	New	\$250.00
d) Photovoltaic Panels		
i) First 40 panels	New	\$50.00
ii) 41 to 100 panels	New	\$75.00
iii) 101 to 200 panels	New	\$150.00
iv) More than 200 panels	New	\$225.00
5) Service panels, entrances and subpanels		
a) Up to 200 amps		\$50.00
b) 225 – 600 amps		\$100.00
c) Larger than 600 amps		\$300.00
d) Each additional meter		\$15.00
e) Temporary service inspection		\$50.00
6) Communication Points		
a) Use Group R-3 & R-5 only	New	\$50.00
b) All other Use Groups		
i) First 25 devices	New	\$65.00
ii) Each additional 25 devices	New	\$15.00
7) Load management switch	New	\$55.00
8) Smoke detectors, fire alarms/devices		
a) First 20 devices		\$50.00
b) Each additional 25 devices		\$25.00
9) Swimming pools		
<i>*Pursuant to N.J.A.C. 5:23-4.20(c) iii (6), the fee for an above-ground pool or in-ground pool 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.</i>		
a) In-ground/Semi-in-ground Pools		\$75.00
b) Above-Ground Pools		\$35.00
c) Bonding and grounding (five-year certificate)		\$50.00
d) Hydro massage tubs and spas		\$30.00
10) Minimum fees		
a) Use Groups R-3 & R-5 only		\$50.00

b) All other Use Groups	\$75.00	\$100.00
F. Fire subcode fees		
1) Oil, gas and propane tanks and pumps		
a) Tank fill	\$50.00	
b) R-3 & R-5 installation (per tank)	\$75.00	
c) R-3 & R-5 removals (per tank)	\$75.00	
d) All other Use Groups	\$200.00	
2) Gas, oil or wood fired appliance		
a) Including furnaces, boilers or fireplaces (per unit)	\$65.00	\$75.00
3) Smoke detectors, CO detectors, fire alarm systems		
a) First 12 devices	\$50.00	
b) Each additional 25 devices	\$65.00	
4) Sprinkler systems, wet or dry heads		
a) 1 – 20 heads	\$50.00	\$75.00
b) 21 – 100 heads	\$75.00	\$125.00
c) 101-200 heads	\$150.00	\$275.00
d) 201 – 400 heads	\$400.00	\$700.00
e) 401 to 1,000 heads	\$750.00	\$1,000.00
f) Over 1,000 heads	\$900.00	\$1,300.00
5) Each Standpipe with Riser	\$150.00	\$200.00
6) Each Pre-Engineered System	New	\$100.00
7) Commercial Kitchen Exhaust System	\$150.00	
8) Smoke Control System	New	\$150.00
9) Minimum Fees		
a) Use Groups R-3 & R-5 only	\$30.00	
b) All other Use Groups	New	\$100.00
G. Certificate fees		
1) Certificate of Occupancy		
a) For new construction, 10% of the construction permit fee with a minimum fee of:	\$75.00	
b) Use Groups R-3 and R-5 renovations/alterations to existing buildings or accessory structures	\$50.00	
c) Minimum fee for all other Use Groups than R-3 & R-5	\$100.00	\$150.00
2) Temporary Certificate of Occupancy		
a) Initial Temporary Certificate	\$100.00	
b) Renewal of Temporary Certificate	\$50.00	
3) Change of Use	\$100.00	
4) Certificates of Continued Occupancy		
a) Residential (one, two or three family dwelling) per unit	\$75.00	
b) Multiple dwellings (four or more units) additional per unit over four	\$250.00 \$20.00	
c) Real estate, other than R-3 and R-5	\$250.00	
d) Business (without change of use)	\$50.00	
e) Reinspection (per unit/business/inspection)	\$20.00	

f) Temporary	\$50.00	
g) Apartment (re-rental)	\$35.00	
h) Apartment (reinspection)	\$15.00	
i) Video license/liquor license	\$50.00	
H. Other fees		
1) Sign permit		
a) Wall/window sign - per square foot on total signage	\$2.00	
b) Minimum fee	\$30.00	
c) Pole, ground or roof sign – per square foot on total signage	\$4.00	
d) Minimum fee	\$40.00	
e) Awning/canopy	\$50.00	
f) Political sign (each with a maximum of 12)	\$10.00	
g) Lawn sign (real estate or contractor)	\$25.00	
2) Fences		
a) One and two-family	\$50.00	
b) All Other Use Groups	\$150.00	
3) Asbestos abatement permit		
a) Pursuant to N.J.A.C. 5:23-8.9(a)1&2	\$75.00	\$106.00
b) Certificate of Clearance	\$15.00	\$21.00
4) Lead abatement permit		
a) Pursuant to N.J.A.C. 5:23-4.20(c)3ix	\$100.00	\$176.00
b) Certificate of Clearance	\$25.00	\$35.00
5) Garage Sales	\$10.00	
6) Contractor’s License		
a) New Application	\$50.00	
b) Renewal	\$25.00	
7) Move/Relocate a structure permit		
The fee for the removal of a building or structure from one lot to another or to a new location on the same lot shall be \$30.00 per thousand of the sum of the estimated costs for moving, for new foundations and for the placement in a completed condition in the new location, provided that the minimum fee shall be \$100.00		
8) Elevators		
Pursuant to Contract with State Licensed Third Party Inspection Agency		
I. Variation fees.		
1) Class I Structure		
a) First Submission	\$150.00	\$700.00
b) Resubmission	\$105.00	\$250.00
2) Class II Structure		
a) First Submission	\$125.00	\$150.00
b) Resubmission	\$65.00	\$85.00
3) Class III Structure		
a) First Submission	\$100.00	\$150.00
b) Resubmission	\$35.00	\$75.00
J. Special inspection fees.		
1) Mandated periodic inspections	\$50.00	

- High pressure boilers, refrigerator systems, pressure vessel, cross connections, and backflow preventers
- 2) Any other requested inspections, such as real estate transaction \$20.00
 - 3) Hazardous uses and places of assembly requiring inspection every three months \$20.00
 - 4) Cross connections and backflow preventers required inspection every three months \$20.00
 - 5) Sprinklers requiring inspections every 12 months
 - a) System up to 100 heads \$100.00
 - b) Each additional 150 heads \$10.00
 - 6) Special service and/or conditions not provided for in this schedule
 - a) Minimum fee \$30.00/hour
 - b) Minimum charge 2 hours
 - 7) Driveways \$50.00
 - 8) Retaining Walls \$50.00
 - 9) Sheds \$50.00
 - 10) Christmas tree sales \$25.00
 - a) Deposit \$25.00

K. Any fees not included in this fee schedule shall be priced in accordance with N.J.A.C. 5:23-4.20

272-4. Waiver of Fees.

No person shall be charged a construction permit surcharge fee or enforcing agency fee for any construction, reconstruction, alteration or 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, pursuant to N.J.S.A. 52:27D-126e.

272-5. Public building fee exemptions.

In accordance with N.J.S.A. 52:27D-126c, all public buildings and board of education buildings shall be exempt from permit fees.

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I, _____, Township Clerk of the Township of Nutley, Essex County, NJ, do hereby certify that the
 Eleni Pettas
 foregoing is a true copy of a resolution adopted by the Board of Commissioners at a regular meeting held _____ September 20, 2016 _____

<i>Record of Vote</i>	<i>Commissioner Steven L. Rogers</i>	<i>Commissioner Mauro G. Tucci</i>	<i>Commissioner Thomas J. Evans</i>	<i>Commissioner Alphonse Petracco</i>	<i>Mayor Joseph P. Scarpelli</i>
<i>Yes</i>	X	X	X	X	X
<i>No</i>					
<i>Not Voting</i>					
<i>Absent/Excused</i>					

