

**ORDINANCE #975**  
**AN ORDINANCE SETTING FORTH AND ADOPTING**  
**AMENDMENTS TO CHAPTER 170 ENTITLED "CONSTRUCTION CODES, UNIFORM"**  
**OF THE CODE OF THE BOROUGH OF OCEANPORT COUNTY OF MONMOUTH AND STATE OF**  
**NEW JERSEY**

**BE IT ORDAINED** by the Council of the Borough of Oceanport, in the County of Monmouth, in the State of New Jersey, as follows:

**WHEREAS**, from time to time, periodic revisions are made to the New Jersey Uniform Construction Code (N.J.A.C. 5:23.1 et seq.) and the local enforcing agency desires to amend their existing Ordinance in order to reflect these revisions; and

**WHEREAS**, The New Jersey Department of Community Affairs has made revisions to New Jersey Uniform Construction Code construction permit fees schedule (N.J.A.C. 5: 23-18); and

**WHEREAS**, the Borough of Oceanport desires to revise its existing construction permit fees schedule; and

**WHEREAS**, the Borough of Oceanport is required to maintain all permit files, plans and other documents for the life of the building or structure in accordance with the New Jersey Uniform Construction Code (N.J.A.C. 5:23-2.16A); and

**WHEREAS**, the Borough of Oceanport is permitted to include in its local Ordinance any reasonable fees pertaining to the operations of the Department of Code Enforcement (N.J.A.C. 5:23-4.17(a)).

**NOW, THEREFORE, BE IT ORDAINED** by the Council of the Borough of Oceanport, in the County of Monmouth, State of New Jersey that Chapter 170 entitled "Construction Codes, Uniform" of the Code of the Borough of Oceanport Section 170-3, entitled "Fees", as last revised and passed on June 2, 2011 be amended to read as follows:

**NOTE:** Additions are underlined and deletions are marked by strike through

**Chapter 170. Construction Codes, Uniform**

**§ 170-3. Fees.**

A. The fee for a construction permit shall be the sum of the sub-code fees listed in Subsections **A** through **H** hereof and shall be paid before the permit is issued.

(1) The fee for plan review, which shall be computed at 25% of the construction permit fee, shall be paid at the time the construction permit shall be granted. Plan review fees shall not be refundable.

(2) The fee to be charged for a certificate of occupancy shall be paid before a certificate is issued. This fee shall be in addition to the construction permit fee.

B. 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 devices and the number of sprinklers, standpipes and detectors (smoke and heat) at the unit rates provided herein, plus any special fees.

(1) The minimum fee for a basic construction permit covering any or all of building, plumbing, electrical or fire protection work shall be ~~\$58~~ \$75. Minimum fee for basic construction permit covering any or all building residential shall be \$75. The minimum fee for basic construction permit covering any or all non-residential shall be \$150.

(2) For Change of Contractor the fee shall be \$75

C. Building volume or cost. The fees for new construction or alteration shall be as follows:

(1) Fees for new construction shall be based upon 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 \$0.030 per cubic foot of volume for buildings and structures of all use groups and types of construction as classified and defined in Articles 3 and 4 of the building subcode, except that the fee

shall be ~~\$0.017~~ \$0.030 per cubic foot of volume for Use Groups A-1, A-2, A-3, A-4, F-1, F-2, S-1 and S-2, and the fee shall be \$0.0007 per cubic foot for structures on farms, including commercial farm buildings under N.J.A.C. 5:23-3.2(d), with the maximum fee for such structures on farms not to exceed \$1,050.

(2) Fees for renovations, alterations and repairs shall be based upon the estimated cost of the work. The fee shall be in the amount of ~~\$25~~ \$30 per \$1,000. From \$50,001 to and including \$100,000, the additional fee shall be in the amount of \$20 per \$1,000 of estimated cost above \$50,000. Above \$100,000, the additional fee shall be in the amount of \$15 per \$1,000 of estimated cost above \$100,000. For the purpose of determining estimated cost, the applicant shall submit to the enforcing 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 enforcing 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 Subsection **C(2)** and **(3)** above.

D. Plumbing fixtures and equipment. The fees shall be as follows:

(1) The fee shall be in the amount of ~~\$43~~ \$20 per fixture connected to the plumbing system for all fixtures and appliances except as listed in Subsection **D(2)** below.

(2) The fee shall be ~~\$75~~ \$100 per special device for the following: grease traps, oil separators, water-cooled air-conditioning units, refrigeration units, utility service connections, backflow preventers, steam boilers, hot-water boilers (excluding those for domestic water heating), gas piping, active solar systems, sewer pumps, interceptors and fuel oil piping. There shall be no inspection fee charged for utility gas service entrances.

E. Electrical fixtures and devices. The fees shall be as follows:

(1) For from one to and including 50 receptacles or fixtures, the fee shall be in the amount of ~~\$45~~ \$75. For each additional 25 receptacles or fixtures or part thereof, the fee shall be in the amount of ~~\$7~~ \$15. For the purpose of computing this fee, receptacles or fixtures shall include lighting outlets, wall switches, fluorescent fixtures, convenience receptacle or similar fixture, and motors or devices of less than one horsepower or one kilowatt or less.

(2) For each motor or electrical device greater than one horsepower and less than or equal to 10 horsepower, and for transformers and generators greater than one kilowatt and less than or equal to 10 kilowatts, the fee shall be ~~\$13~~ \$30. For pool bonding, the fee shall be ~~\$42~~ \$50. The fee for a 5-year bonding certificate shall be \$125.

(3) For each motor or electrical device greater than 10 horsepower and less than or equal to 50 horsepower; for each service panel, service entrance or subpanel less than or equal to 200 amperes; for each transformer or generator greater than 10 kilowatts and less than or equal to 45 kilowatts; and for each utility load management device, the fee shall be ~~\$52~~ \$55

(4) For each motor or electrical device greater than 50 horsepower and less than or equal to 100 horsepower, for each service panel, service entrance or subpanel greater than 200 amperes and less than or equal to 1,000 amperes, and for transformers and generators greater than 45 kilowatts and less than or equal to 112.5 kilowatts, the fee shall be ~~\$100~~ \$150.

(5) For each motor or electrical device greater than 100 horsepower; for each service panel, service entrance or subpanel greater than 1,000 amperes, and for each transformer or generator greater than 112.5 kilowatts, the fee shall be \$525.

(6) For the purpose of computing these fees, all 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 electrical current.

(7) For each solar powered system for R-5, the fee shall be \$225.

(8) For each residential HVAC replacement, the fee shall be \$50. For each commercial HVAC replacement, the fee shall be \$150.

F. Fire and other hazard protection 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:

(1) The fee for 20 or fewer heads or detectors shall be ~~\$46~~ \$100; for 21 to and including 100 heads or detectors, the fee shall be ~~\$84~~ \$125; for 101 to and including 200 heads or detectors, the fee shall be \$160; for 201 to and including 400 heads or detectors, the fee shall be \$415; for 401 to and including 1,000 heads or detectors, the fee shall be \$575; for over 1,000 heads or detectors, the fee shall be \$735. In computing fees for heads and detectors, the number of each shall be counted separately and two fees, one for heads and one for detectors, shall be charged.

(2) The fee for each standpipe shall be ~~\$160~~ \$175.

(3) The fee for each independent pre-engineered system shall be ~~\$400~~ \$115.

(4) The fee for each gas or oil-fired appliance that is not connected to the plumbing system shall be ~~\$52~~ \$55.

(5) The fee for each kitchen exhaust system shall be ~~\$52~~ \$75.

(6) The fee for each incinerator shall be \$400.

(7) The fee for each crematorium shall be \$400.

G. The fees for elevator device inspections and tests shall be as follows:

(1) Semiannual inspections (six-month routine).

<b>Device</b>	<b>Fee (each)</b>
Traction and drum elevators	
1 to 10 floors	\$151
10+ floors	\$194
Hydraulic elevators	\$108
Roped hydraulic elevators	\$151
Escalators and moving walks	\$151

(2) Annual inspection (one-year periodic).

<b>Device</b>	<b>Fee (each)</b>
Traction and drum elevators	
1 to 10 floors	\$216
10+ floors	\$259
Hydraulic elevators	\$162
Roped hydraulic elevators	\$216
Escalators and moving walks	\$346
Dumbwaiters	\$86
Manlifts, wheelchair and stairway chairlifts	\$130
Auxiliary device charge if included:	
Oil buffers	\$43
Counterweight governor and safeties	\$86
Auxiliary power generator	\$54

(3) Three-year inspections:

<b>Device</b>	<b>Fee (each)</b>
Hydraulic and roped hydraulic elevators	\$270

(4) Five-year inspections:

<b>Device</b>	<b>Fee (each)</b>
Traction elevators	
1 to 10 floors	\$367
10+ floors	\$410
Hydraulic/roped elevators	\$162

(5) Acceptance inspections.

<b>Device</b>	<b>Fee (each)</b>
Traction and drum elevators	
1 to 10 floors	\$243
10+ floors	\$405
Hydraulic elevators	\$216
Roped hydraulic elevators	\$243
Escalators/moving walks	\$216
Dumbwaiters	\$54
Manlifts, wheelchair and stairway chairlifts	\$54
Elevator devices in Use Group R-3 or R-4	\$162
Alterations	\$54

(6) Auxiliary device charges if included.

<b>Device</b>	<b>Fee (each)</b>
Oil buffers	\$43
Counterweight governor and safeties	\$108
Auxiliary power generator	\$81

(7) Plan review fees.

<b>Device</b>	<b>Fee (each)</b>
Single-family access Use Group R-2	\$50
Use Groups R-3 and R-4	\$50
All other use groups	\$260

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

(1) The fee for a demolition or removal permit shall be \$82 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 of the Building Code) and structures on farms, including commercial farm buildings under N.J.A.C. 5:23-3.2(d). The fee for all other use groups shall be \$150.

(2) The fee for removal of an oil tank (either underground or aboveground) shall be \$75.

(3) The fee for a permit to construct a sign shall be in the amount of \$0.75 per square foot surface area of the sign, computed on two sides only for double-faced signs. The minimum fee shall be ~~\$50~~ \$150.

(4) The fee for a certificate of occupancy shall be in the amount of 10% of the new construction permit fee that would be charged by the enforcing agency pursuant to this chapter. The minimum fee shall be ~~\$125~~ \$135, except for one- or two-family structures (Use Group R-3 of the building subcode) of less than 5,000 square feet in area and less than 30 feet in height and structures on farms, including commercial farm buildings subject to N.J.A.C. 5:23-3.2(d), for which the minimum fee shall be ~~\$75~~ \$85.

(5) The fee for a certificate of occupancy granted pursuant to a change of use group shall be ~~\$400~~ \$120.

(6) The fee for a certificate of continued occupancy shall be ~~\$80~~ \$160.

(7) There shall be no fee for a temporary certificate of occupancy, except for a temporary certificate of occupancy extension, where the fee will be ~~\$35~~ \$75.

(8) (Reserved)

(9) The fee for residential resale and/or rental occupancies shall be as provided in Chapter 40, Housing Code.

(10) The fee for plan review of a building for compliance under the alternate systems and nondepletable energy source provisions of the energy subcode shall be \$274 for one- and two-family structures (Use Group R-3 of the building subcode) and for light commercial structures having the indoor temperature controlled from a single point. The fee for all other structures shall be \$1,369.

(11) The fee for an application for a variation in accordance with N.J.A.C. 5:23-2.10 shall be \$500 for Class I structures and \$100 for Class II and Class III structures. The fee for resubmission of an application for a variation shall be \$200 for Class I structures and \$50 for Class II and Class III structures.

(12) For cross connections and backflow preventers that are subject to testing, requiring reinspection every three months, the fee shall be ~~\$56~~ \$75 for each device when they are tested (thrice annually) and \$150 for each device when they are broken down and tested (once annually).

#### I. Surcharge fee.

(1) In order to provide for the training and certification and technical support programs required by the State Uniform Construction Code Act, [the enforcing agency shall collect, in addition to the fees specified above, a surcharge fee of ~~\$0.00334~~ \$0.00371 per cubic foot of volume of new construction. The fee for all other construction shall be ~~\$1.70~~ \$1.90 per \$1,000 of value of the construction. The surcharge fees provided herein shall be automatically adjusted without the necessity of an amendment to this chapter in accordance with modification of these fees by the state from time to time.

(2) 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 September 30, December 31, March 31, and June 30, and not later than one month next succeeding the end of the quarter for which it is due.

(3) The enforcing agency shall report annually at the end of each 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.

#### J. Grading/Plot plan application.

(1) The fee for single, residential lot all applications to change, alter or modify the existing grade of any the lot, shall be a fee of ~~\$100~~ \$125 per lot shall be charged. If such application is made in connection with an application for a building permit, the building permit shall not be issued until the grading plan application fee provided herein shall have been paid.

(2) For other residential and non-residential applications, the fee shall be determined by the Borough Engineer for a sum equal to the number of anticipated inspections at the rate of \$125 per inspection, including single-residential requiring more than one inspection. The applicant shall deposit with the

Construction Official the amount determined by the Borough Engineer to establish an escrow account on behalf of the applicant. The Borough Engineer will bill against the escrow account and any remainder shall be returned to the applicant. If such application is made in connection with an application for a building permit, the building permit shall not be issued until the grading plan application fee provided herein shall have been paid.

(3) In the event any complicated structures, retaining walls, storm sewer or other items are proposed, the Borough Engineer will prepare an estimate for inspection fees for the applicant. A building permit shall not be issued until the escrow amount provided herein shall have been paid. If such application is made in connection with an application for a building permit, the building permit shall not be issued until the grading plan application fee provided herein shall have been paid.

~~(1) When, in the opinion of the Construction Official and upon the recommendation of the Municipal Engineer, it appears that a grading plan application may require one or more site inspections subsequent to issuance of the building permit, the applicant shall deposit with the Construction Official in escrow a sum equal to the number of anticipated inspections at the rate of \$100 per inspection. A building permit shall not be issued until the escrow amount provided herein shall have been paid.~~

~~(2) In addition to the submission of a grading plan application as hereinabove provided, each applicant shall complete and submit with the application a plot plan review checklist upon forms to be provided by the Borough. Every plot plan shall be prepared in accordance with standard requirements to be provided by the Construction Official to each applicant. In the event that any plot plan is rejected for noncompliance with such requirements, a fee of \$100 for each subsequent plot plan review shall be paid prior to issuance of any building permit~~

**BE IT FURTHER ORDAINED** that all other Ordinances or parts of Ordinances inconsistent herewith are hereby repealed to the extent of such inconsistencies.

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

**ADOPTED ON FIRST READING**  
**DATED: June 8, 2017**

JEANNE SMITH  
Clerk of the Borough of Oceanport

**ADOPTED ON SECOND READING**  
**DATED: June 22, 2017**

JEANNE SMITH  
Clerk of the Borough of Oceanport

**APPROVAL BY THE MAYOR ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2017.**

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JOHN F. COFFEY, II  
Mayor