

TOWNSHIP OF DENNIS

**COUNTY OF CAPE MAY
STATE OF NEW JERSEY**

ORDINANCE NO. 2023-05

AN ORDINANCE OF THE TOWNSHIP OF DENNIS, COUNTY OF CAPE MAY, STATE OF NEW JERSEY, REPEALING AND REPLACING CHAPTER 80, SECTION 5 OF THE DENNIS TOWNSHIP CODE ENTITLED, “CONSTRUCTION CODES, UNIFORM - FEES”

WHEREAS, the Construction Official has recommended various amendments to the Construction Code fee schedule; and

WHEREAS, the Township Committee has reviewed said recommendations and concur.

NOW, THEREFORE BE IT ORDAINED, by the Township Committee of the Township of Dennis, County of Cape May and State of New Jersey, that Chapter 80 Section 5 of the Code of the Township of Dennis entitled “Construction Codes, Uniform – Fees” be repealed and replaced as follows:

§ 80-5 Fees.

[Amended 2-13-89 by Ord. No. 89-162; 10-23-89 by Ord. No. 89-181; 4-25-94 by Ord. No. 94-262; 9-24-96 by Ord. No. 96-16; 3-4-08 by Ord. No. 2008-03; 3-17-2015 by Ord. No. 2015-01]

- A. Fees for plan review, construction permits, occupancy, demolition permits, moving of building permits, elevator permits (and), sign permits and alteration permits shall be the sum of the subcode fees listed and shall be paid prior to the issuance of a permit.
- (1) The building subcode fee shall be:
 - (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 in the amount of \$0.038 per cubic foot of volume for buildings and structures of all use groups and types of construction as classified in Articles 3 and 4 of the Building Subcode, N.J.A.C. 5:23-3.14; except, however, that the fee shall be \$0.028 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 \$0.020 per cubic foot for structures on farms, including commercial farm buildings as defined by N.J.A.C. 5:23-3.2(d). There shall be a minimum fee of \$65 under this subsection.
 - (b) Fees for renovations, alterations and repairs or any other construction which cannot be computed in cubic feet shall be \$35 per \$1,000 of estimated cost of work. The minimum fee shall be \$65. For the purpose of determining estimated cost, the applicant may be required to submit to the Construction Official such cost data as may be available, produced by the architect or engineer or 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 shall 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) The fees for pools shall be as follows: one- and two-family dwellings shall be \$100 for aboveground pools, spas and hot tubs and \$200 for in-ground pools. All other use groups shall be \$45 per \$1,000 of estimated cost of work.

- (e) Temporary structures as defined in the uniform construction code shall be a flat fee of \$150.
- (f) The fee for asbestos abatement shall be \$125.
- (g) The fee for lead hazard abatement shall be \$125.
- (h) The fee for demolition of one- and two-family dwellings shall be \$150, all other use groups shall be \$200 except that detached garages and sheds associated with one- and two-family dwellings shall be \$50. Partial demolition shall be \$45 per \$1000 of estimated cost.
- (i) The fee for the construction of a sign shall be \$4.00 per square foot of surface area provided that the minimum fee shall be \$65. In the case of double sided signs, the fee shall be based on one side.
- (j) The fee for the construction of a bulkhead or retaining wall associated with a one- or two-family dwelling shall be \$100 for a wall with a surface area less than 550 square feet, \$200 for a wall with a surface area greater than 550 square feet. For all other use groups the fee shall be \$45 per \$1000 of estimated cost with a minimum fee of \$65.
- (k) The fee for a tent or membrane structure required to have a construction permit shall be \$300.
 - (l) The fee for setting trailers/park models shall be \$250. The fee for decks, add-on rooms and similar work shall be \$45 per \$1,000 of estimated cost of work with a minimum fee of \$65.
- (2) The plumbing subcode fee shall be:
 - (a) The fee shall be in the amount of \$20 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 (b) below.
 - (b) The fee shall be \$92 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 zone and pressure vacuum breaker backflow preventers), steam boilers, hot-water boilers (excluding those for domestic water heating), active solar systems, sewer pumps and interceptors.
 - (c) The fee for lawn sprinkler systems with backflow preventers shall be \$92.
 - (d) The fee for a water heater shall be \$65.
 - (e) The fee for domestic boiler backflow and low water cutoff devices shall be \$20.
 - (f) The minimum fee shall be \$65 unless otherwise specified.
- (3) The electric subcode fee shall be:
 - (a) The fee for electrical fixtures or devices shall be \$65 for the first 50 devices, \$15 for each additional 25 fixtures or devices. For the purpose of computing this fee, fixtures or devices shall include lighting fixtures, wall switches, fluorescent fixtures, convenience receptacles, or similar fixtures, sensors, dimmers, alarm devices, smoke and heat detectors, communications outlets, light standards 8 feet or less in height, including luminaries, emergency lights, exit signs, signs or similar fixtures and devices rated at 20 amperes or less, including motors or equipment rated at less than one horsepower or one kilowatt. In each case the minimum fee shall be \$65.
 - (b) For each motor or electrical device greater than one horsepower and less than or equal to 10 horsepower, transformers and generators greater than one kilowatt and less than or equal to 10 kilowatts,

each replacement of branch wiring involving one branch circuit or part thereof, each storable pool or hydromassage bath tub, each underwater lighting fixture, household electric cooking equipment rated up to 16 kilowatts, each fire, security or burglar alarm control unit, receptacle rated at 30 amperes to 50 amperes, each light standard greater than 8 feet in height, including luminaries and for each communication closet, the fee shall be \$30. In each case the minimum fee shall be \$65.

- (c) For each motor or electrical device rated between 10 horsepower and 50 horsepower or between 10 kilowatts and 50 kilowatts, for each service equipment, service entrance, subpanel, panel board, switch board, switch gear, motor control center, or disconnecting means rated less than or equal to 200 amperes, and for all transformers and generators rated between 10 kilowatts and 45 kilowatts or between 10 kilo volt amperes and 45 kilo volt amperes, for each electric sign rated between 20 amperes and 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.
- (d) For each motor or electrical device rated between 50 horsepower and 100 horsepower or between 50 kilowatts and 100 kilowatts, for each service panel, service entrance, subpanel, panel board, switch board, switch gear, motor control center or disconnecting means rated between 225 amperes and 1000 amperes, and for all transformers and generators rated between 45 kilowatts and 112.5 kilowatts or between 45 kilo volt amperes and 112.5 kilo volt amperes the fee shall be \$130.
- (e) For each motor or electrical device rated greater than 100 horsepower or 100 kilowatts, for each service panel, service entrance, subpanel, panel board, switch board, switch gear, motor control or disconnecting means rated greater than 1000 amperes and for each transformer or generator rated greater than 112.5 kilowatts or 112.5 kilo volt amperes the fee shall be \$650.
- (f) The fee for aboveground pools, spas and hot tubs shall be \$100. For in-ground pools the fee shall be \$150. The fee to recertify public swimming pool grounding shall be \$65. The fee for the annual public pool inspection shall be \$150 per pool.
- (g) The fees for solar panels shall be as follows:
 - (i) One to 20 panels - \$100
 - (ii) 21-40 panels - \$175
 - (iii) 41-100 panels - \$250
 - (iv) 101-200 panels - \$400
 - (v) Over 200 panels - \$1,000

The fee minimum fee shall be \$65 unless otherwise specified.

- (4) The fire subcode shall be as follows:

- (a)

Fire suppression sprinkler heads:

1-20	\$100
Each additional device	\$2.00

Special systems:

CO/2, Halon, foam, dry or wet chemical - fee per \$1000 of estimated cost	\$150
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Minimum fee	\$65
Fire pumps each	\$250

Standpipes:

The fee for each standpipe shall be \$250.

Total flooding system, the fee shall be \$50.

The fee for each independent pre-engineered system shall be \$150.

- (b) Fire detection: The fee for the first 20 heat/smoke detectors shall be \$100. The fee for each additional unit shall be \$4 per unit. The flat fee for single smoke/heat detectors in one- and two-family dwellings shall be \$65. Manual fire alarm systems shall be at a rate of \$100 for 1-4 zones. Each additional zone shall be \$25.
- (c) The fee for each gas or oil fired appliance or heating and air conditioning system shall be \$100.
- (d) The fee for each kitchen exhaust system shall be \$150.
- (e) Underground storage tanks: The fee for installation or removal of liquid combustible or flammable storage tanks shall be \$100 for one- and two-family dwellings. All other uses the fee shall be \$200.
- (f) Crematoriums and incinerators each \$500.
- (g) The fee for fireplaces, wood burning stoves and solid fuel burning appliances shall be: for one-and two-family dwellings a flat fee of \$100. All other uses the fee shall be \$200.
- (h) The fee for smoke removal or smoke control systems shall be \$20 per \$1000 of estimated cost for a system up to \$50,000. Over \$50,000 the fee shall be an additional \$15 per \$1000 with a minimum fee of \$250.
- (i) The minimum fee shall be \$65 unless otherwise specified.

Fees for Certificates and other permits are as follows:

- (5) The fee to move a building or structure from one lot to another or on the same lot shall be as required for the applicable subcode above.
- (6) (Reserved)
- (7) The fee for the required inspections and the installation of an elevator shall be as determined by the New Jersey Department of Community Affairs, which shall be responsible for elevator inspections in the Township of Dennis. Reports on elevator inspections shall be furnished to the Construction Official.
- (8) The fee for a certificate of occupancy shall be as follows:
 - (a) The fee for a certificate of occupancy shall be 10% of the construction permit fees; provided, however, that the minimum fee shall be \$150.
 - (b) The fee for a certificate of occupancy granted pursuant to a change of use shall be \$150.
 - (c) The fee for a temporary certificate of occupancy shall be \$100.

- (d) The fee for a renewal of a temporary certificate of occupancy shall be \$100.
- (e) There shall be no fee charged for a certificate of approval issued pursuant to N.J.A.C. 5:23-2.23j.
- (f) The fee for a certificate of compliance shall be \$30.

(9) The fee for plan review shall be 20 percent of the total cost of the construction permit.

(10) The fee for pile work shall be \$100.

(11) (Reserved)

(12) Variations

Class 1 buildings	\$850
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Class 2 and 3 buildings	\$300
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The fee for any resubmission for a variation shall be	\$150
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(13) Zoning:

- (a) Fences and sheds under 200 square feet - \$30

- (b) All other zoning permits - \$65

(14) The fee for a mechanical inspection shall be \$75 for the first device and \$25 for each additional device. No separate fee shall be charged for gas, fuel oil or water piping connections associated with the mechanical equipment inspected.

(15) State of New Jersey mandated training fees shall be collected as required by N.J.A.C. 5:23-4.19.

(16) There shall be an additional fee of \$65 per hour for review of any amendment or change to a plan that has already been released.

(17) The fee for the development wide inspections of structures after the issuance of a certificate of occupancy ordered pursuant to N.J.A.C. 5:23-2.35 shall be an amount equal to twice the hourly base salary paid to any licensed code official performing the work or the hourly fees charged to the municipality by a professional contracted to provide such services pursuant to N.J.A.C. 5:23-2.35 subject to the accounting procedures and limits set forth below.

- (a) Such charges or fees shall be those that are reasonable and necessary in order to ascertain whether a violation exists or to verify that any work performed has abated the violation.

- (b) The municipality shall place in escrow all monies paid by the developer for this purpose. The escrow shall be held in any account maintained by the municipality in the same manner as that established for the deposit of escrow funds paid for professional review services, inspection fees and performance and maintenance guarantees as provided for at N.J.S.A. 40:55 D-53.1.

- (c) The developer shall post an initial deposit in the amount of \$200 per home or an amount determined by the municipality to be necessary to cover the estimated costs of two months' inspection activity, whichever is greater. At monthly intervals, the developer shall increase the amount in the escrow fund so that it shall be sufficient to pay the costs of the next two months' inspection activity or the costs of

completing the inspections, whichever is less.

- (d) Standards for hourly charges for development wide inspections for structures after the issuance of a certificate of occupancy shall be as follows:
 - [1] Hourly charges shall be limited only to municipal or consulting professional charges for inspections, review of plans and supporting documents and preparation of reports and documents and shall accurately reflect the hours engaged in these activities.
 - [2] The only costs that shall be added to any such charges shall be actual out-of-pocket expenses of any consulting engineer or registered architect hired for this purpose, including normal and typical expenses incurred in performing inspections and reviewing plans and supporting documents for the required corrective work.
 - [3] The developer shall not be billed and no charge shall be made to any escrow account or deposit for any municipal clerical or administrative functions, overhead expenses meeting room charges or and other municipal costs and expenses except as provided for in this subsection, nor shall a municipal enforcing agency professional add any such charge to his expenses.
 - [4] Where licensed municipal code officials perform these inspections, the fee shall be 200% of the hourly base salary of the inspector(s) multiplied by the number of hours spent on inspections and review of plans and supporting documents for any necessary corrective work.
- (e) Payments shall be charged to the escrow and shall be made by the Chief Financial Officer of the municipality, and a final accounting shall be provided, in accordance with the procedure set forth in paragraphs c and d of N.J.S.A. 40:55D-53.2. Payments shall be made from any such escrow by the Chief Financial Officer only upon approval by the Construction Official.
- (f) Appeals of any charges levied by the municipality pursuant to this subsection shall be made to the Construction Board of Appeals in accordance with procedures set forth in N.J.S.A. 40:55D-53.2a and N.J.A.C. 5:23A.
- (18) An expedited inspection may be requested. Any such request shall be reviewed by the Construction Official. It shall be in the sole discretion of the Construction Official if an expedited inspection is performed. The fee for an expedited inspection shall not be less than \$500.

BE IT FURTHER RESOLVED, this ordinance will be effective July 1, 2023.

Zeth A. Matalucci, Mayor

Scott J. Turner, Deputy Mayor

Thomas VanArtsdalen, III, Committee Member

Matthew Cox, Committee Member

Frank L. Germanio, Jr., Committee Member

The foregoing Ordinance was introduced at a meeting of the Township Committee of the Township of Dennis on May 09, 2023. Publication will be held on May 16, 2023 and a Public Hearing will be held at a meeting of the said Township Committee to be held on June 13, 2023 at 5:30 p.m. in the Municipal Building located at 571 Petersburg Road in Dennisville.

ATTEST

Jacqueline B. Justice, RMC/Clerk