

ORDINANCE NO. 2472

AN ORDINANCE AMENDING CHAPTER XVI
OF THE CODE OF THE BOROUGH OF ROSELLE PARK ENTITLED
BUILDING AND CONSTRUCTION

BE IT ORDAINED by the Mayor and Council of the Borough of Roselle Park, County of Union, and State of New Jersey that Chapter 16, be and here is amended as follows:

SECTION 1: 16-1.1 Enforcing Agency Established; Subcode Officials Designated.

a. There is hereby established in the Borough of Roselle Park a State Uniform Construction Code enforcing agency to be known as the "Building Department," consisting of a Construction Official, Building Subcode Official, Plumbing Subcode Official, Electrical Subcode Official, Fire Protection Subcode Official, Inspectors, Technical Assistants and such other Subcode officials, Inspectors, and Technical Assistants 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.

b. Each official position created in paragraph a. hereof shall be filled by a person qualified for such position pursuant to N.J.S.A. 52:27D-119 et seq., as amended, and N.J.A.C. 5:23, provided that in lieu of any particular Subcode Official or Inspector, an on-site inspection agency may be retained by 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.

c. The public shall have the right to conduct business with the enforcing agency during the hours of operation established by the Borough of Roselle Park, except for emergencies and unforeseen circumstances. The hours of operation shall be conspicuously posted within the Municipal Building.

SECTION 2: 16-1.2 Appeals.

All appeals from decisions by the enforcing agency, shall be filed with the Union County Construction Board of Appeals in accordance with the provisions of the State Uniform Construction Code Act, N.J.S.A. 52:27D-119 et seq. and the regulations promulgated under N.J.A.C. 5:23.

SECTION 3: 16-1.3 Fees.

a. The fees to be charged for a construction permit shall be the sum of the below fees and shall be paid before the permit is issued. Fees may be rounded to the nearest dollar amount.

1. The Building Subcode fees shall be as follows:

- (a) For new construction and additions, the fees are based on volume in cubic feet. The fee shall be four and one-half (\$0.045) cents per cubic foot for use Groups R-3 and R-5 and five and one-half (\$0.055) cents per cubic foot for all other Use Groups. The minimum fee shall be Three Hundred (\$300.00) Dollars for use groups R-3 and R-5 and Five Hundred (\$500.00) Dollars for all other use groups.

- (b) For renovations, alterations and repairs, the fees shall be based on estimated cost of the work, except that the minimum fee shall be Ninety (\$90.00) Dollars for use groups R-3 and R-5 and One Hundred Fifty (\$150.00) Dollars for all use groups other than R-3 and R-5. The fee shall be calculated at a rate of Thirty Dollars (\$30.00) per One (\$1,000.00) Thousand Dollars of construction value.
- (c) Plan Review. The fee for plan review shall be twenty percent (20%) of the amount charged for the construction permit. The amount of this fee shall be deducted from the amount of the fee due for a construction permit. Plan review fees are not refundable.
- (d) Demolition Fees:
 - (i) Demolition of a one or two family residence shall be One Thousand (\$1,000.00) Dollars;
 - (ii) All other use groups shall be Two Thousand Five Hundred (\$2,500.00) Dollars;
 - (iii) Residential accessory structures shall be Seventy-Five (\$75.00) Dollars;
 - (iv) Sewer and water capping associated with a demolition permit (Plumbing Subcode) shall be Two Hundred (\$200.00) Dollars each.
- (e) Roofing and Siding:
 - (i) The fees for roofing and siding work completed on structures in use groups R-3 and R-5 shall be Two Hundred (\$200.00) Dollars when the cost of work is less than Six Thousand (\$6,000.00) Dollars and Two Hundred Fifty Dollars (\$250.00) when the cost of work exceeds Six Thousand (\$6,000.00) or more.
 - (ii) Roofing and siding of an accessory structure (ex: garage) will be Seventy-Five (\$75.00) Dollars.
 - (iii) Roofing and siding for all other use groups shall be priced as rehabilitation. The fee shall be calculated at a rate of Twenty-Six (\$26.00) Dollars per One Thousand (\$1,000) Dollars of construction value.
- (f) Elevator Fees:

The fees shall be as set forth in N.J.A.C. 5:23-12.
- (g) Sign Fees:

The fee for a permit to construct a sign shall be in the amount of Five (\$5.00) Dollars per square foot surface of the sign, computed on one side

only for double faced signs. The minimum fee shall be One Hundred Twenty-Five (\$125.00) Dollars.

(h) Certificate of Occupancy Fees, New Construction or Alterations:

(i) The fee for use group R-5 reconstructions and additions shall be 10% of the total cost of the permit with a minimum of fee of Two Hundred Fifty (\$250.00) Dollars.

(a) The fee for new construction R-5 shall be the greater of 10% of the total cost of the permit or a minimum fee of Four Hundred (\$400.00) Dollars.

(b) The fee for a certificate of occupancy issued for decks and pools, both in ground and above ground and accessory structures, shall be Seventy-Five (\$75.00) Dollars.

(ii) The fee for all use groups other than R-5 shall be the greater of 10% of the total cost of the permit or a minimum fee of Four Hundred (\$400.00) Dollars.

(iii) The fee for a Certificate of Occupancy granted pursuant to a change of use shall be Four Hundred (\$400.00) Dollars.

(iv) The fee for a Certificate of Continued Occupancy shall be Four Hundred (\$400.00) Dollars.

(v) The fee for a Temporary Certificate of Occupancy certifying that work was done under a construction permit and complies with DCA bulletin (01-2) or its successor shall be One Hundred Twenty-Five (\$125.00) Dollars for use group R-5 and (ii) Two Hundred Fifty (\$250.00) Dollars for all use groups other than R-5.

(i) Asbestos Abatement Fees.

An administrative fee of Two Hundred Fifty (\$250.00) Dollars shall be charged for an asbestos abatement project.

(j) Variation Fees.

The fee for an application for a variation in accordance with N.J.A.C. 5:23-2.10 shall be five hundred (\$500.00) dollars for Class I structures and One Hundred Fifty (\$150.00) Dollars for Class II and Class III structures.

(k) Swimming Pools:

(i) The fee for an aboveground swimming pool shall be One Hundred Fifty (\$150.00) Dollars

- (ii) The fee for an in-ground swimming pool shall be Eight Hundred (\$800.00) Dollars.
- (iii) The fee for a fence as part of a pool enclosure shall be Seventy-Five (\$75.00) Dollars.

(l) Lead Abatement:

- (i) The fee for a permit for lead abatement work shall be One Hundred Fifty (\$150.00) Dollars.
- (ii) The fee for a lead abatement clearance certificate shall be Thirty (\$30.00) Dollars.

(m) Storage tanks, installation and removal per tank:

- (i) Tanks unregulated as per DCA Bulletin 95-1B or its successor: One Hundred (\$100.00) Dollars.
- (ii) Regulated tanks as per DCA Bulletin 95-1D or its successor: One Thousand Five Hundred (\$1,500.00) Dollars.

2. The Plumbing Subcode fees shall be as follows:

- (a) All plumbing fixtures, stacks and vents, including but not limited to all sinks, urinals, water closets, bathtubs, fountains, dishwashers, garbage disposals, clothes washers, floor drains, roof drains including roof leaders, or similar devices: Thirty (\$30.00) Dollars per fixture; minimum fee of Ninety (\$90.00) Dollars.
- (b) Special devices, grease traps, oil, sewage ejectors, separators, water-cooled air-conditioning, utility service connections (sewer or water), not limited to sump pump, water softener, gas pipe, waterlines: One Hundred (\$100.00) Dollars per unit
 - (i) Sewer capping, water line capping Two Hundred (\$200.00) Dollars each.
 - (ii) Condensate pumps A/C: Thirty (\$30.00) Dollars.
 - (iii) Back wash discharge & pool heaters all pools: Ninety (\$90.00) Dollars.
- (c) Boilers, furnaces and hot air furnace replacements including AC condenser unit replacements *in the same location*: Two Hundred Twenty-Five (\$225.00) Dollars per unit; steam or hot water boiler: need backflow preventer.

- (i) Unit heaters One Hundred Fifty (\$150.00) Dollars;
- (ii) Hot air furnace with A/C (New, or relocated within the structure) Ninety (\$90.00) Dollars
- (iii) Gas air test six (6) month shut off only Ninety (\$90.00) Dollars.

(d) Hot water heaters:

- (i) Seventy-Five (\$75.00) Dollars per unit for use groups R-3 or R-5.
- (ii) One Hundred Twenty-Five (\$125.00) Dollars for all other use groups.

(e) Backflow and pressure-reducing devices:

- (i) Backflow preventer for residential home only: Thirty-Five (\$35.00) Dollars;
- (ii) Industrial backflow preventer: Ninety (\$90.00) Dollars;
- (iii) Backflow preventer lawn sprinkler: Seventy-Five (\$75.00) Dollars;
- (iv) Backflow preventer yearly test: One Hundred (\$100) Dollars;

(f) Oil tank piping:

- (i) 1 gal – 550 gal: Seventy-Five (\$75.00) Dollars;
- (ii) Oil Tank piping for tanks above 550 gal: One Hundred (\$100.00) Dollars;
- (iii) Oil storage tank with double wall containment: One Hundred Twenty-Five (\$125.00) Dollars.

3. The Electrical Subcode fees shall be as follows:

(a) Receptacles and fixtures including smoke detectors, heat detectors, intercom devices, and burglar alarms.

- (i) One (1) to fifty (50): Ninety (\$90.00) Dollars
- (ii) Each additional twenty-five (25) fixtures Forty (\$40.00) Dollars
- (iii) Parking lot light standards, each: Fifty (\$50.00) Dollars.

(b) Motors and electrical devices.

- (i) One (1/2) horsepower to ten (10) horsepower: Fifty (\$50.00) Dollars;
- (ii) Ten and one-tenth (10.1) horsepower to Twenty-Five (25) horsepower: Ninety (\$90.00) Dollars;
- (iii) Twenty-five and one-tenth (25.1) horsepower to fifty (50) horsepower: One Hundred Fifty (\$150.00) Dollars;
- (iv) Fifty and one-tenth (50.1) horsepower to seventy-five (75) Horsepower: One Hundred Seventy-Five (\$175.00) Dollars;
- (v) Seventy-five one-tenth (75.1) horsepower to one hundred (100) Horsepower: One Hundred Seventy-Five (\$175.00) Dollars;
- (vi) One hundred one tenth (100.1) horsepower and larger: Five Hundred (\$ 500.00) dollars.

(c) Transformers and generators.

- (i) One (1) kilowatt to ten (10) kilowatts: Fifty (\$50.00) Dollars;
- (ii) Ten and one-tenth (10.1) kilowatts to fifty (50) kilowatts: One Hundred Twenty-Five (\$125.00) Dollars;
- (iii) Fifty and one-tenth (50.1) kilowatts to one hundred twelve and a half (112.5) kilowatts: One Hundred Seventy-Five (\$175.00) Dollars;
- (iv) One hundred twelve and six-tenths (112.6) kilowatts and larger: Five Hundred (\$500.00) Dollars.

(d) Service equipment, including service panel, service entrance, sub-panel and automatic transfer switches.

- (i) Zero (0) to one forty-nine & nine tenths (149.9) amperes: Ninety (\$90.00) Dollars;
- (ii) One hundred fifty (150) to two hundred ninety-nine (299) amperes: One Hundred Fifty (\$150.00) Dollars;
- (iii) Three hundred (300) amperes to four hundred fifty (450) amperes Three Hundred (\$300.00) Dollars;
- (iv) Four hundred fifty-one (451) amperes to six hundred forty-nine Amperes (649) Four Hundred (\$400.00) Dollars;

- (v) Six hundred fifty amperes and larger One Thousand (\$1,000.00) Dollars.
- (e) Other electrical items including gas-pipe bonding: Ninety (\$90.00) Dollars.
- (f) Minimum electrical permit fee (including permit updates): Ninety (\$90.00) Dollars.
- (g) Low Voltage Service Equipment:
 - (i) Low voltage fees:
 - (a) Alarms R-3 & R-5 use groups: Ninety (\$90.00) Dollars.
 - (b) Alarms all other use groups: Two Hundred (\$200.00) Dollars up to 25 contacts, additional contacts shall be charged out at a rate of Ninety (\$90.00) Dollars for each additional 25 contacts or fraction thereof.
 - (c) Data: 1 to 50: Two Hundred (\$200.00) Dollars; each additional 25 connections or fraction thereof, Ninety (\$90.00) Dollars.
 - (d) Telephone: 1 to 50: One Hundred Fifty (\$150.00) Dollars; each additional 25 connections or fraction thereof: Ninety (\$90.00) dollars.
 - (ii) High Voltage Service-minimum fee: One Thousand Five Hundred (\$1,500.00) Dollars.
- (h) Swimming pools.
 - (i) Permit fee:
 - (1) Above-ground: One Hundred Twenty-Five Five (\$125.00) dollars
 - (2) In-ground: Five Hundred (\$500.00) Dollars.
 - (ii) Pumps, bonding, convenience outlets, lights, sweepers and other accessories: At the rates set forth in other section of this ordinance or at published rates. For in ground pool the fee shall be Ninety (\$90.00) Dollars.
 - (iii) Annual inspection fee. All pools other than private pools, which are accessory to one and two family homes, are subject to an annual electrical inspection. The fee shall be Three Hundred (\$300.00) Dollars.

(iv) Pool bonding certification for in-ground public pools shall be One Hundred Twenty-Five (\$125.00) Dollars.

(i) Solar Equipment.

(i) Less than 10 KW, Ninety (\$90.00) Dollars.

(ii) From 10 to 20 KW, One Hundred-Fifty (\$150.00) Dollars.

(iii) From 20.1 to 50 KW, Two Hundred (\$200.00) Dollars.

(iv) From 50.1 to 100 KW, Two Hundred fifty (\$250.00) Dollars.

(v) Over 100.1 KW, Five hundred (\$500.00) Dollars.

4. The Fire Subcode fees shall be as follows:

(a) Sprinkler, wet and dry, based upon the number of heads being installed:

Number of Heads	Fee
(i) 1 to 20	\$200.00.
(ii) 21 to 100	\$400.00.
(iii) 101 to 200	\$600.00.
(iv) 201 to 400	\$900.00
(v) 401 to 1,000	\$1,400.00.
(vi) Over 1,000.	\$1,600.00

(b) Smoke and heat detectors, horns, strobes, bells, tempers, pull stations, water flow alarms, and similar devices, all use groups.

(i) 1 to 8 \$90.00

(ii) Each additional 8 \$40.00

(c) Pre-engineered systems:

(i) CO (2) Suppression: Two Hundred (\$200.00) Dollars.

(ii) Halon Suppression: Two Hundred (\$200.00) Dollars.

(iii) Foam Suppression: Two Hundred (\$200.00) Dollars.

(iv) Dry Chemicals: Two Hundred (\$200.00) Dollars.

(v) Wet Chemicals: Two Hundred (\$200.00) Dollars.

- (d) Standpipe: Three Hundred (\$300.00) Dollars.
- (e) Kitchen hood exhaust systems: Two Hundred (\$200.00) Dollars.
(Excludes R-2, R-3, & R-5 Residential Use Groups)
- (f) Incinerators: Five Hundred (\$500.00) Dollars.
- (g) Crematoriums: One Thousand (\$1,000.00) Dollars.
- (h) Gas or oil-filled appliances including chimney liners: Ninety (\$90.00) Dollars.
- (i) Exit and emergency lights (including exit discharge lights):
 - (i) 1-5: Ninety (90.00) Dollars;
 - (ii) Each additional 5: Forty (\$40.00) Dollars.
- (j) The fee for each standalone sprinkler system water main shall be Two Hundred (\$200.00) Dollars. (Designed under NFPA 13)
- (k) Tank installations:
 - (i) Unregulated tanks: One Hundred (\$100.00) Dollars installed under DCA Bulletin 95-1A;
 - (ii) Regulated tanks: One Thousand (\$1,000.00) Dollars installed under DCA Bulletin 95-1C;
 - (iii) Emergency shut-off device and gasoline dispensers: One Hundred-Fifty (\$150.00) Dollars per device.
- (l) The minimum fee for Fire Subcode is Ninety (\$90.00) Dollars.

(5) General provisions.

- (a) Receipt of a fully completed application for a permit, signed by the applicant, is a prerequisite for conducting inspections and issuing permits.
- (b) All fees set forth herein shall cover the costs of two (2) inspections made on any one (1) application.
- (c) Each additional inspection on any one (1) application shall require a minimum re-inspection fee of Ninety (\$90.00) Dollars.
- (d) An authorized representative of the applicant, as well as the licensed contractor's representative (all Subcodes) shall be present at the work site for each inspection to be made.
- (e) After-working hours or Saturday inspections may be scheduled at the discretion of the Construction Code Official. The charge shall be Two

Hundred (\$200.00) Dollars per hour with a two (2) hour minimum in addition to the fees set forth in this ordinance.

(f) The estimated cost (value) of work for any Subcode shall include all costs associated with the project, (N.J.A.C. 5:23-2.14) the costs shall include all labor, materials, and contractor's profit. The amounts entered on the permit application forms are subject to review by the Construction Official, who may approve or modify them as necessary using the latest addition of the Means Cost Data guide. A copy of the contract, contractor's proposal, or an estimate submitted by a New Jersey Licensed Design Professional or licensed contractor is required.

(g) Non-Use; Lapse of Permits:

(i) In the event that a permit once issued and paid for shall not be exercised or constructed, the permittee shall be entitled to a refund in the amount of the fee paid upon a written application therefore and return of the permit issued less the twenty (20%) percent designated as plan review.

(ii) In the event a permit shall lapse by reason of time, the fee upon application for renewal shall be the full price of the permit as calculated by the most currently adopted fees as listed in this ordinance.

(iii) The fee for a charge of contractor shall be Ninety (\$90.00) Dollars per Subcode (Minimum Fee).

(6) Waiver of enforcing fees for the following:

- (a) Construction performed by or on behalf of the Borough of Roselle Park;
- (b) Construction to a public building owned by the County of Union or the Roselle Park Board of Education;
- (c) Houses of Worship within the Borough of Roselle Park when they "own the land and improvements" where they conduct services; and
- (d) Federal 501(c)(3) Organizations within the Borough of Roselle Park when they "own the land and improvements."

SECTION 4: Fire Limits.

a. The following fire limits are established pursuant to N.J.A.C. 5:23:

1. Westfield Avenue from the City line of Elizabeth to the Township line of Cranford one hundred fifty (150) feet on the north side and the entire area from Westfield Avenue to the Central Railroad of New Jersey on the south side, or a greater distance if required by the business zoning section of the Zoning Ordinance.

2. Chestnut Street from Westfield Avenue to the southerly right-of-way of the Lehigh Valley Railroad and two hundred (200) feet on each side thereof.

b. The Construction Official shall prepare and submit to the Mayor and Council biannually a report reevaluating the delineation of the fire limits. This report shall indicate the recommendations of the Construction Official, the Building Subcode Official and the Fire Subcode Official regarding those areas which should be designated as within fire limits, with the reasons therefor.

SECTION 5: If any section or portion of a section of this Code shall be invalid for any reason, such invalidity shall not affect the validity of the remaining sections or portions of this Ordinance.

SECTION 6: All ordinances or parts of ordinances, to the extent that they are inconsistent herewith, are hereby repealed.

SECTION 7: This amendment to the Code of the Borough of Roselle Park shall become effective upon publication and in accordance with law.