

ORDINANCE 2008-01

AN ORDINANCE AMENDING CHAPTER 145 (UNIFORM CONSTRUCTION CODES)
SECTION 3 (CONSTRUCTION FEE SCHEDULE) OF THE CODE OF THE TOWNSHIP OF
HILLSBOROUGH, COUNTY OF SOMERSET, STATE OF NEW JERSEY.

BE IT ORDAINED by the Township Committee of the Township of Hillsborough, County of Somerset, as follows:

Section 1: Chapter 145-3 of the Municipal Code of the Township of Hillsborough, shall be amended as follows: (additions are underlined, deletions are ~~stricken~~)

A. Waiver of construction permit surcharge and enforcing agency fees for construction to promote accessibility by disabled persons, as stated in 52:27D-126e, the "State Uniform Construction Code Act."

(1) No person shall be charged a construction permit surcharge fee or enforcing agency fee, except those fees for subcode inspections not performed by Township employees, for any construction, reconstruction, alteration, or home 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.

(a) For the purposes of this section, "disabled person" means a person who has the total and permanent inability to engage in any substantial gainful activity by reason of any medically determinable physical or mental impairment, including blindness, and shall include, but not be limited to, any person who is disabled pursuant to the federal Social Security Act (42 USC §416), or the federal Railroad Retirement Act of 1974 (45 USC §231 et seq.), or is rated as having a 60 percent disability or higher pursuant to any federal law administered by the United States Veterans Administration. For purposes of this paragraph "blindness" means central visual acuity of 20/200 or less in the better eye with the use of correcting lenses. An eye which is accompanied by a limitation in the field of vision such that the widest diameter of the visual field subtends an angle no greater than 20 degrees shall be considered as having a central visual acuity of 20/200 or less.

B. The fee for a construction permit shall be the sum of the subcode fees listed in Subsection A (1) through (5) hereof and shall be paid before the permit is issued. Excluded from the

construction fee schedule set forth herein is any unattached structure under thirty (30) inches in height which is accessory to landscaping development on the property. For purposes of example only, not limitation, such landscaping structures may include railroad ties, rock gardens, patio pallet construction, and similar items. Where flat fees are established herein, the minimum fee shall not apply.

(1) The minimum building subcode fee shall be forty dollars (\$40.00) for the R2 Use Group, fifty five dollars (\$55.00) for the R3, R4, and R5 Use Groups and seventy five dollars (\$75.00) for all other use groups.

(a) New construction and additions. Fees for new construction shall be based upon the volume of the structure in cubic feet.

[1] For the following use groups, the fee shall be based on the formula of volume times \$0.045: B (Business), H (High Hazard), I-1 through I-4 (Institutional), A-1 through A-5, (Assembly), M (Mercantile), R-1 through R-5 (Residential), E (Educational).

[2] For the following use groups, the fee shall be based on the formula of volume times two and one half cents (\$0.025): S-1 through S-2 (Storage), U (Utility) and F-1 through F-2 (Factory).

[a] \$0.025 per cubic foot of volume for the first fifty thousand (50,000) cubic feet or part thereof,

[b] \$0.018 per cubic foot of volume for the second fifty thousand (50,000) cubic feet or part thereof,

[c] \$0.014 per cubic foot of volume of the structure over one hundred thousand (100,000) cubic feet.

[d] Building Subcode Fee for Commercial farm buildings, as defined by the New Jersey Uniform Construction Code, NJAC 5:23-3.2(d) 1., shall not exceed \$2,290.00.

[3] Decks shall be charged fees based on the square foot area of the deck as follows :

[a] The first one hundred (100) square feet = Minimum Building Subcode Fee per Use Group as defined in subsection (A) (1) above.

[b] One hundred one through two hundred (101-200) square feet = seventy five dollars (\$75.00).

[c] Two hundred one through three hundred (201-300) square feet = one

hundred dollars (\$100.00).

[d] Three hundred one through four hundred (301-400) square feet = one hundred twenty five dollars (\$125.00).

[e] Four hundred one through five hundred (401-500) square feet = one hundred fifty dollars (\$150.00).

[f] Over five hundred square feet = twenty four dollars (\$24.00) per one thousand dollars (\$1000.00) of construction costs.

(b) Renovations, alterations, repairs and minor work. Fees for renovations, alterations, repairs and minor work shall be based upon the estimated cost of the work. (The applicant shall submit cost data by an architect or engineer of record, a recognized estimating firm or by contractor bid. The Department will review the construction cost for acceptability.) The fees shall be in the amount of twenty-four dollars (\$24.00) per one thousand dollars (\$1,000.00).

(c) Additions and renovations, alterations or repairs. Fees for additions and renovations, alterations or repairs shall be a combination of rates set by Subsection A (1) (a) and (b) above.

[1] All roof replacements and overlays shall have a flat fee charged of sixty five dollars (\$65.00) for the R3, R4, and R5 Use Groups, and one hundred thirty dollars (\$130.00) for all other Use Groups.

[2] All siding replacements and overlays shall have a flat fee charged of sixty five dollars (\$65.00) for a townhouse. A fee of sixteen dollars (\$16.00) per one thousand dollars (\$1000.00) of construction costs shall be charged for the R2 Use Group. A flat fee of one hundred thirty dollars (\$130.00) shall be charged for all other Use Groups.

(d) Use Group U (Utility) and miscellaneous uses. A flat fee shall be charged as follows:

[1] Swimming pools, above ground.

[a] R-5 private pool: eighty dollars (\$80.00).

[b] A-4 public pool: one hundred seventy five dollars (\$175.00).

[2] Swimming pools, in-ground.

[a] R-5 private pool: one hundred ten dollars (\$110.00).

[b] A-4 public pool: three hundred fifteen dollars (\$315.00).

[3] Pool Barriers : seventy five dollars (\$75.00).

- [4] Asbestos abatement fee: seventy dollars (\$70.00).
 - [a] Certificate of occupancy fee for asbestos abatement: fourteen dollars (\$14.00)
- [5] Fences [over six (6) feet in height], Minimum fee per Use Group; all others: as set by Subsection A (1) (b) above.
- [6] Sheds which are one hundred and one through two hundred (101-200) square feet in area and ten (10) feet or less in height shall have a flat fee charged of forty five dollars (\$45.00).
- [7] Temporary signs: thirty-five dollars (\$35.00).
- [8] Permanent signs: seventy dollars (\$70.00); except nameplates with permitted home occupations, which shall be thirty dollars (\$30.00).
- [9] Demolition: flat rate, depending on building class when occupied as follows:
 - [a] Class I: four hundred dollars (\$400.00).
 - [b] Class II: two hundred fifty dollars (\$250.00).
 - [c] Class III: one hundred ten dollars (\$110.00).
 - [d] Demolition of detached R-5 garage and R-5 private swimming pools: sixty dollars (\$60.00). Demolition of sheds: forty dollars (\$40.00), and twenty five dollars (\$25.00) when applied for in conjunction with a new shed installation.
 - [e] (This subsection reserved).
 - [f] (This subsection reserved).
- [10] Installation or erection of temporary structures, tents, tensioned membrane structures, canopies, and greenhouses, as defined in NJAC 5:23 shall be one hundred dollars (\$100.00).
- [11] Buildings moved or relocated, unit rate: sixteen dollars (\$16.00) per one

thousand dollars (\$1,000.00) [minimum fee: two hundred fifty dollars (\$250.00)]; unit rate times the total estimated cost of the following:

- [a] Cost of moving.
- [b] New foundation.
- [c] All other costs necessary to complete structure.

[12]Fees for retaining walls shall be as follows:

[a] The fee for a retaining wall with a surface area greater than five hundred fifty, (550), square feet that is associated with a Class 3 residential structure shall be one hundred fifty dollars, (\$150.00).

[b] The fee for a retaining wall with a surface area of five hundred fifty, (550), or less that is associated with a Class 3 residential structure shall be seventy five dollars, (\$75.00).

[c] The fee for a newly constructed retaining wall of any size at other than a Class 3 residential structure shall be based on the cost of the construction, and shall be charged fees at the rate of twenty four dollars, (\$24.00), per one thousand dollars, (\$1000.00), of estimated cost of construction.

[13]Fees for Use Group U not covered by cubic volume or flat fee are to be computed by Subsection A (1) (b) above.

(2) Plumbing subcode fees shall be as follows:

- (a) The fee shall be twenty dollars (\$20.00) per drip pan, humidifier, whirlpool tub, combustion air, fixture, vent or stack. For the purpose of computing this fee, fixtures, vents or stacks shall include but not be limited to water closets, urinals, bidets, lavatories, sinks, showers, floor drains, washing machines, dishwashers, hose bibs, drinking fountains, indirect waste or water connections, residential solar systems, roof drains, storm drains, leaders, sump-pumps, and conductors.
- (b) The fee shall be sixty-five dollars (\$65.00) per special device. For the purpose of computing this fee, special devices shall include but not be limited to commercial-industrial sewage ejectors, commercial gas piping, commercial water conditioning equipment, grease, oil, sand or other type interceptors, backflow devices, reduced pressure backflow devices, booster pumps, commercial-industrial water heaters, heat exchangers, boilers or furnaces, air conditioning units, refrigeration systems

and solar systems.

- (c) The fee for each residential sewer, septic and water utility connection shall be fifty-five dollars (\$55.00). The fee for commercial, industrial, private on-site sanitary and storm sewers and domestic water lines shall be two percent (2%) of construction costs of installation but not less than sixty-five dollars (\$65.00).
 - (d) Residential boiler, furnace, water heater, swimming-pool water heater, water heater coil, ultraviolet system, gas/ diesel generator, residential central air conditioning, residential or commercial tempering valves, shall be a flat fee of forty-five dollars (\$45.00) each.
 - (e) The fee shall be fifty dollars (\$50.00) for all gas piping, including provisions for the installation of up to four (4) appliances. For the fifth and each additional appliance, the fee shall be an additional fifteen dollars (\$15.00) for each appliance.
 - (f) The fee shall be fifty five dollars (\$55.00) for single-boiler hydronic piping for a single-family residence. For all other structures, the fee shall be fifty five dollars (\$55.00) per floor of each structure.
 - (g) The fee shall be sixty-five dollars (\$65.00) per unit for commercial-industrial refrigeration piping.
 - (h) The fee shall be fifty-five dollars (\$55.00) each, for installation of piping on all commercial-industrial and residential liquefied petroleum or oil fuel tanks, above or underground.
 - (i) Notwithstanding the individual fees set forth above, the minimum plumbing subcode fee shall be forty dollars (\$40.00) for the R2 Use Group, fifty five dollars (\$55.00) for the R3, R4, and R5 Use Groups, and seventy five dollars (\$75.00) for all other Use Groups.
- (3) Mechanical subcode fees, which are only applicable to the R3, R4, and R5 Use Groups, shall be as follows:**
- (a) The fee for the replacement of an individual Mechanical device shall be fifty five dollars (\$55.00) for the first device, and \$20.00 for each additional device, and shall include inspection for required combustion air.
 - (b) No separate fee shall be charged for gas, fuel oil, or water piping connections associated with the mechanical equipment inspected.

(c) A flat fee of ninety five dollars (\$95.00) shall be charged for each new or replacement complete HVAC system installation, consisting of a furnace, compressor, a-coil, drip pan, condensate pump or discharge line, humidifier, combustion air, or any combination thereof.

(d) A flat fee of one hundred thirty dollars (\$130.00) shall be charged for each new or replacement complete boiler system installation, consisting of a boiler, temperature mixing valve control, domestic hot water coil or external water maker coil unit and tank, combustion air, or any combination thereof.

(4) Electrical subcode fees shall be as follows:

(a) Electrical fixtures and devices;

[1] From one (1) to ten (10) receptacles, fixtures or switches: fifty dollars (\$50.00).

[2] Each additional twenty (20) receptacles, fixtures or switches: twenty-five dollars (\$25.00).

[3] For the purpose of computing this fee, receptacles, fixtures or switches shall include lighting outlets, smoke detectors, heat detectors, fluorescent fixtures and receptacles, intercom devices, burglar alarm detectors, thermostats, CRT (Cathode ray terminal) outlets and any similar device or motor of one (1) horsepower or one (1) kilowatt or less.

(b) Motors.

Size (horsepower)	Fee
1.1 to 10	\$15.00
10.1 to 50	\$60.00
50.1 to 100	\$120.00
100.1 to 500	\$330.00
Over 500	\$330.00 plus \$120.00 for each additional 100 horsepower over 500 horsepower

(c) Electrical devices.

Size (kilowatts)	Fee
1.1 to 10	\$20.00

10.1 to 50	\$65.00
50.1 to 100	\$125.00
100.1 to 500	\$330.00
Over 500	\$330.00 plus \$120.00 for each additional 100 kilowatts over 500 kilowatts

(d) For the purpose of computing this fee, typical electric device sizes are listed below, and the proper kilowatt rating must be noted on the application so that the proper fee can be assessed. This typical list is not all-inclusive.

- [1] Dishwasher: one and two-tenths (1.2) kilowatts.
- [2] Hot-water heater: four and five-tenths (4.5) kilowatts.
- [3] Electric dryer: five (5) kilowatts.
- [4] Apartment-sized range: eight (8) kilowatts.
- [5] Electric baseboard heat: two hundred fifty (250) watts per foot.
- [6] Alarm master unit.
- [7] Intercom master unit.
- [8] All others: apply kilowatt schedule.

(e) Transformers or generators.

Size (kilowatts)	Fee
1.1 to 10	\$15.00
10.1 to 45	\$65.00
45.1 to 112.5	\$120.00
112.6 to 500	\$330.00
Over 500	\$330.00 plus \$120.00 for each additional 100 kilowatts over 500 kilowatts

(f) Low-voltage service equipment, including service panels and service entrances.

Size (amperes)	Fee
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0 to 200	\$75.00
200.01 to 800	\$150.00
100 or less subpanel	\$50.00

Size (amperes)	Fee
800.01 to 2,000	\$330.00
Over 2,000	\$330.00 plus \$120.00 for each additional 500 amperes over 2,000 amperes

(g) High-voltage service [over six hundred (600) volts]. Minimum fee: five hundred fifty dollars (\$550.00).

(h) Subpanels.

Size (amperes)	Fee
0 to 200	\$35.00
200.01 to 800	\$120.00
800.01 and larger	\$330.00

(i) Construction pole service and one (1) to ten (10) receptacles: one hundred ten dollars (\$110.00).

(j) Air conditioners: apply motor schedule.

(k) Pools:

[1] Minimum fee, all above ground pools: one hundred dollars (\$100.00).

[2] Minimum fee, all inground pools: one hundred fifty dollars (\$150.00).

[3] For pump, bonding and convenience outlet, subpanels, lights, sweepers, etc: extra at published rates.

[4] Annual pool inspection-commercial pools: two hundred dollars (\$200.00).

(l) Trailer connections: fifty dollars (\$50.00).

(m) Photovoltaic Systems: The fee shall be based on the designated kilowatt rating of the solar photovoltaic system as follows:

[1] One to 50 kilowatts, the fee shall be one hundred dollars (\$100.00).

[2] Fifty-one to 100 kilowatts, the fee shall be two hundred dollars (\$200.00).

[3] Greater than 100 kilowatts shall be four hundred dollars (\$400.00).

(n) The minimum electrical subcode fee shall be forty dollars (\$40.00) for the R2 Use Group, fifty five dollars (\$55.00) for the R3, R4, and R5 Use Groups, and seventy five dollars (\$75.00) for all other Use Groups.

(5) Fire subcode fees shall be as follows:

(a) Sprinkler heads.

Number of Heads	Fee
1 to 5	\$75.00
6 to 20	\$100.00
21 to 100	\$150.00
101 to 200	\$250.00
201 to 400	\$625.00
401 to 1,000	\$850.00
Over 1,000	\$1,100.00

(b) Standpipes Systems–each riser: two hundred twenty-nine dollars (\$229.00) each.

(c) Sprinkler valves:

[1] Alarm valve \$100.00 each

[2] Dry pipe valve \$200.00 each

[3] Pre-action valve \$200.00 each

(d) Fire Pumps \$200.00

(e) Yard Hydrants \$100.00

- (f) Installation of Freestanding fire department connection \$200.00
- (g) Underground fire service main shall be two percent (2%) of construction costs of installation.
- (h) Alarm, Supervisory, and Signaling Systems:

Use Group	Fee (per device)
R-5	\$5.00
All others	\$10.00
- (i) Pre-engineered systems; Wet Chemical, FM-200, Carbon Dioxide, Inergen, Foam Systems: two hundred dollars (\$200.00)each.
- (j) Smoke control systems: two hundred dollars (\$200.00).
- (k) Heat producing devices flat fees shall be charged as follows:
 - [1] Prefabricated fireplaces and solid fuel or pellet stoves: fifty dollars (\$50.00).
 - [2] Furnaces : fifty dollars (\$50.00).
 - [3] (This subsection reserved).
 - [4] Metal chimneys: fifty dollars (\$50.00).
 - [5] Chimney relining: fifty dollars (\$50.00).
- (l) Commercial kitchen exhaust system and hazardous exhaust systems: two hundred and fifty dollars (\$250.00) each.
- (m) Installation of fuel storage tanks flat fees shall be charged as follows:
 - [1] Use Group R-5: fifty dollars (\$50.00) each.
 - [2] All other Use Groups: one hundred dollars (\$100.00) each.
- (n) Installation of Underground water storage tanks: Two hundred dollars (\$200.00) each.
- (o) Removal of underground storage tanks shall be charged flat fees as follows:

[1] Sixty dollars, (\$60.00), each for the R3, R4, and R5 Use Groups.

[2] Two hundred twenty dollars, (\$220.00), each for all other Use Groups.

(p) Removal of above ground storage tanks shall be charged flat fees as follows:

[1] Fifty dollars, (\$50.00), each for the R3, R4, and R5 Use Groups.

[2] Seventy five dollars, (\$75.00), each for all other Use Groups.

(q) The minimum fire subcode fee shall be forty dollars (\$40.00) for the R2 Use Group, fifty five dollars (\$55.00) for the R3, R4, and R5 Use Groups, and seventy five dollars (\$75.00) for all other Use Groups.

(6) Elevator Subcode fee.

The initial registration fee for each elevator device in any structure that is not in Use Group R-5 shall be fifty dollars (\$50.00). A re-registration fee of fifty dollars (\$50.00) shall be required for each structure containing one (1) or more elevator devices upon change of ownership.

(a) Fees for witnessing acceptance tests and performing inspections shall be as follows:

[1] The basic fees for elevator devices in structures not in Use Group R-5 shall be as follows:

Type of Elevator	Fee
Traction and winding-drum elevators:	
1 to 10 floors	\$225.00
Over 10 floors	\$375.00
Hydraulic elevators	\$200.00
Roped hydraulic elevators	\$225.00
Escalators and moving walks	\$200.00

Dumbwaiters (platform lifts)	\$50.00
Chairlifts, stairway chairlifts, inclined and vertical wheelchair lifts and manlifts	\$50.00

- [2] Additional charges for devices equipped with the following features shall be as follows:

Type of Feature	Fee
Oil buffers (charge per oil buffer)	\$40.00
Counterweight governor and safeties	\$100.00
Auxiliary power generators	\$75.00

- [3] The fee for elevator devices in structures in Use Group R-5 shall be one hundred fifty dollars (\$150.00). 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 5:23-2.20.

- [4] The fee for witnessing acceptance tests of and performing inspections of alterations shall be fifty dollars (\$50.00).

- (b) The fees for routine and periodic tests and inspections for elevator devices in structures not in Use Group R-5 shall be as follows:

- [1] The fee for the six-(6) month (periodic) routine inspection of elevator devices shall be as follows:

Type of Elevator	Fee
Traction and winding drum elevators:	
1 to 10 floors	\$140.00
Over 10 floors	\$180.00
Hydraulic elevators	\$100.00
Roped hydraulic elevators	\$140.00

Escalators and moving walks	\$140.00
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- [2] The fee for the one (1) year periodic inspection and witnessing of tests of elevator devices, which shall include a six (6) month routine inspection, shall be:

Type of Elevator	Fee
Traction and winding drum elevators:	
1 to 10 floors	\$200.00
Over 10 floors	\$240.00
Hydraulic elevators	\$150.00
Roped hydraulic elevators	\$200.00
Escalators and moving walks	\$320.00
Dumbwaiters (chairlifts)	\$80.00
Inclined and vertical wheelchair lifts	\$120.00

- [3] Additional yearly periodic inspection charges for elevator devices equipped with the following features shall be as follows:

Type of Feature	Fee
Oil buffers (charge per oil buffer)	\$40.00
Counterweight governor and safeties	\$80.00
Auxiliary power generators	\$50.00

- [4] The fee for the three-(3) year or five-(5) year inspection of elevator devices shall be as follows:

Type of Elevator	Fee
Traction and winding drum elevators:	

1 to 10 floors (5-year inspection)	\$340.00
Over 10 floors (5-year inspection)	\$380.00
Hydraulic and roped hydraulic elevators (3-year inspection)	\$250.00
Hydraulic and roped hydraulic elevators (5-year inspection)	\$150.00

(c) The fees set forth in Subsection A(5)(b) above shall be paid annually in accordance with the following schedule, which is based on the average of the fees to be collected over a five (5) year period:

[1] Basic annual fees shall be as follows:

Type of Elevator	Fee
Traction and winding drum elevators:	
1 to 10 floors	\$370.00
Over 10 floors	\$450.00
Hydraulic elevators	\$270.00
Roped hydraulic elevators	\$300.00
Escalators and moving walks	\$460.00
Dumbwaiters (platform lifts)	\$80.00
Chairlifts, stairway chairlifts, inclined and vertical wheelchair lifts and manlifts	\$120.00

[2] Additional charges for devices equipped with the following features as follows:

Type of Feature	Fee
Oil buffers (charge per oil buffer)	\$40.00
Counterweight governor and safeties	\$80.00

Auxiliary power generators

\$50.00

(d) An administrative fee of fifteen percent (15%) will also be charged to each elevator permit issued.

C. The fee for plan review shall be five percent (5%) of the amount to be charged for the construction permit and shall be paid before the plans are reviewed.

D. The fee for review of any amendment or change to a plan that has already been released, shall be an hourly rate of seventy dollars (\$70.00) per hour, and shall only be charged when the amendment or change requires the review of two (2) or more Subcode Officials. Fees shall be rounded to the nearest one-half hour. A minimum fee of thirty five dollars (\$35.00) shall be charged.

E. Variation fees shall be as follows:

(1) R-5 Use: fifty dollars (\$50.00).

(2) All others Use Groups three hundred fifty dollars (\$350.00).

F. The fees for Certificates of Occupancy shall be as follows:

(1) Certificate of Occupancy. The fee shall be in the amount of ten percent (10%) of the new construction permit fee. The minimum shall be one hundred dollars (\$100.00), except for one (1) and two (2) family dwellings (R-5) wherein the minimum fee shall be fifty dollars (\$50.00). This shall apply whether the occupancy certificate is temporary or permanent in nature.

(2) Temporary Certificate of Occupancy: The fee for Temporary Certificate of Occupancy or extensions is \$30.00 each.

(3) (a) The fee for a Certificate of Continued Occupancy shall be two hundred dollars (\$200.00), and shall be required for all changes in occupancy of non-residential Use Groups.

(b) A Certificate of Continued Occupancy issued for a finished basement in a residential Use Group, in which work was completed prior to the issuance of a construction permit, shall be charged a flat fee of four hundred dollars, (\$400.00).

(4) The fee for a Certificate of Occupancy granted to a change of use group shall be two hundred dollars (\$200.00).

- (5) The fee for a certificate of compliance for hazardous equipment maintained or installed in accordance with the New Jersey Uniform Construction Code, delineating the approval period, shall be one hundred dollars (\$100.00).

G. Limited certificates of approval.

- (1) Limitations. Equipment herein below listed, having been determined to create a significant potential for hazard to public health and safety, shall be granted a certificate of approval by the appropriate subcode official or other approved agency for the duration specified herein:
 - (a) Elevators, six (6) months: twenty-six dollars (\$26.00).
 - (b) Platform lifts, six (6) months: twenty-five dollars (\$25.00).
 - (c) Dumbwaiters, twelve (12) months: twenty-five dollars (\$25.00).
 - (d) High-pressure boilers, twelve (12) months: as provided by the state.
 - (e) Refrigeration systems, twelve (12) months: as provided by the state.
 - (f) Pressure vessels, twelve (12) months: as provided by the state.
 - (g) Cross-connections/Backflow preventers (Backflow Preventers Equipped with Test Ports only), twelve (12) months: fifty dollars (\$50.00).
- (2) Such equipment shall be periodically reinspected or tested in accordance with the provisions of the regulations prior to the expiration of such certificate of approval and any violations corrected before a new certificate may be issued.
- (3) No such system or assembly shall continue in operation unless a valid certificate of approval has been reissued. It shall be a violation of the regulations for an owner to fail to provide for such periodic inspection and testing.
- (4) Revocation: the enforcing agency may revoke a certificate of occupancy whenever a condition of a certificate has been violated.
- (5) Time limit. The provisions of the regulations do not preclude periodic certification pursuant to other applicable laws or ordinances.

H. Lapsed permits. The fee for the reinstatement of a lapsed permit shall be fifty percent, (50%), of the original lapsed permit fee.

I. The Construction Official shall, with the advice of the Subcode Officials, prepare and submit to the Township Committee, biannually, 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.

J. State of New Jersey permit fees.

- (1) In order to provide for the training, certification and technical support programs required by the Uniform Construction Code Act, the enforcing agency, including the department when acting as the local agency, shall collect a surcharge fee of \$0.00265 per cubic foot of volume of new construction. The fee for all other construction shall be \$1.35 per one thousand dollars (\$1,000.00) of value of construction. 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 March 31, June 30, September 30 and December 31 and not later than one (1) month next succeeding the end of the quarter for which it is due.
- (2) The enforcing agency shall report annually at the end of each state 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. In the fiscal year in which the regulations first become effective, said report shall be for the third and fourth (state fiscal year) quarters.

K. Annual permits. The fee to be charged for an annual construction permit shall be charged annually. This fee shall be a flat fee based on the number of maintenance workers who are employed by the facility and who are primarily engaged in work that is governed by a subcode. Managers, engineers and clericals shall not be considered maintenance workers for the purpose of establishing the annual construction permit fee. Annual permits may be issued for building, fire protection, electrical and plumbing. Fees shall be as follows:

- (1) One (1) to twenty-five (25) workers (including foreman): six hundred eighteen dollars (\$618.00) per worker; each additional worker over twenty-five (25): two hundred fifteen dollars (\$215.00) per worker.
- (2) Prior to the issuance of the annual permit, a training registration fee of one hundred thirty dollars (\$130.00) per subcode shall be submitted by the applicant to the Department of Community Affairs, Construction Code Element, Training Section, along with a copy of the construction permit (Form F-170A). Checks shall be made payable to "Treasurer, State of New Jersey."

Section 2: If any section or provision of this Ordinance shall be held invalid in any court of competent jurisdiction, the same shall not affect the other sections or provisions of this Ordinance, except so far as the section or provision so declared invalid shall be inseparable from the remainder or any portion thereof.

Section 3: The Ordinance shall take effect upon its adoption, passage and publication according to law.

ATTEST:

TOWNSHIP OF HILLSBOROUGH

By: _____
Kevin P. Davis, Township Clerk

Anthony Ferrera, Mayor

Introduced: 1/22/08
Intro. Notice: 1/31/08
Public Hearing: 2/26/08
Adopted:
Adoption Notice: