

ORDINANCE 2022-02

BOROUGH OF HIGHTSTOWN
COUNTY OF MERCER
STATE OF NEW JERSEY

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 12, ENTITLED “BUILDING AND CONSTRUCTION,” SECTION 12-2 “FEES” AND CHAPTER 28 ENTITLED “ZONING”, SUBSECTION 28-18-2 “ZONING PERMIT REQUIRED; FEE” OF THE “REVISED GENERAL ORDINANCES OF THE BOROUGH OF HIGHTSTOWN, NEW JERSEY,”

WHEREAS, the Mayor and Council wish to make certain revisions relating to Chapter 12 “Entitled Building and Construction,” Section 12-2 “Fees” and Chapter 28 entitled “Zoning”, Subsection 28-18-2 “Zoning Permit Required; Fee”.

NOW, THEREFORE, BE AND IT IS HEREBY ORDAINED, by the Borough Council of the Borough of Hightstown, in the County of Mercer and State of New Jersey, as follows:

Section 1. Chapter 12 “Entitled Building and Construction,” Section 12-2 “Fees” and Chapter 28 entitled “Zoning”, Subsection 28-18-2 “Zoning Permit Required; Fee” of the “Revised General Ordinances of the Borough of Hightstown, New Jersey,” is hereby amended and supplemented in the following limited respects (deletions are shown with ~~strikeout~~, additions are shown with underline):

Section 12-2

FEES

Subsections:

12-2-1	Construction Permit Fees.
12-2-2	Plan Review Fees.
12-2-3	Demolition Fees.
12-2-4	Building Removal; Structural Inspection of Existing Dwelling Fees.
12-2-5	Sign Construction Fees.
12-2-6	Certificates of Occupancy Fees.
12-2-7	Biannual Report to Borough Council Recommending Fee Schedule.
12-2-8	Surcharge.
12-2-9	Report of Fees Collected.
12-2-10	Temporary Waiver of Construction Permit Fees
12-2-11	Application for a Variation

Subsection 12-2-1 Construction Permit Fees.

The fee for a construction permit shall be the sum of the subcode fees listed in paragraphs a. through e. and shall be paid before the permit is issued.

- a. Building Subcode Fee. The building subcode fee shall be:
 1. For new construction, the permit fees shall be computed at the rate of ~~\$0.034~~ \$0.040 per cubic foot of volume. However, structures falling into S-1 or S-2 categories shall be charged at the rate of ~~\$0.020~~ \$0.30 cents per cubic foot; except that the minimum fee in all cases shall be ~~sixty-five~~ seventy-five (~~\$65.00~~ \$75.00) dollars.

2. For alterations, renovations and repairs, the permit fees shall be based upon the estimated cost of the work and shall be in the amount of ~~thirty-five~~ thirty-five (~~\$30.00~~ \$35.00) dollars per one thousand (\$1,000.00) dollars of estimated cost, up to and including fifty thousand (\$50,000.00) dollars; from fifty thousand one (\$50,001.00) dollars to and including one hundred thousand (\$100,000.00) dollars, the additional fee shall be in the amount of ~~twenty-three~~ twenty-eight (~~\$23.00~~ \$28.00) dollars per one thousand (\$1,000.00) dollars of estimated cost; above one hundred thousand (\$100,000.00) dollars, the additional fee shall be in the amount of ~~nineteen~~ twenty-four (~~\$19.00~~ \$24.00) dollars per one thousand (\$1,000.00) dollars of estimated cost. For the purpose of determining estimated cost, the applicant shall submit to the enforcing agency, if available, cost data produced by the architect or engineer of record or by a recognized estimate 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. There shall be a minimum of ~~sixty-five~~ seventy-five (~~\$65.00~~ \$75.00) dollars for any permit under this subsection.

3. For additions, permit fees shall be computed the same as for new construction, ~~\$0.034~~ \$0.040 per cubic foot of volume, except that the minimum fee shall be ~~sixty-five~~ seventy-five (~~\$65.00~~ \$75.00) dollars. Hightstown Borough Revised General Ordinances

4. For additions and alterations, permit fees shall cost the sum of respective fees for alterations and additions computed separately.

5. The fee for an above-ground swimming pool shall be ~~\$126.00~~ \$100.00. ~~for a pool with a surface area greater than 550 square feet; the fee in all other cases shall be \$65.00.~~ The fee for an in-ground swimming pool shall be ~~\$189.00~~ \$260.00. ~~The fee for an in-ground pool with a surface area greater than 550 square feet; the fee in all other cases shall be \$95.00.~~ \$400.00.

6. Retaining walls:

- (a) Group R-5: \$75.00.
- (b) All other groups: \$35.00 per \$1,000.

7. Gazebos:

- (a) Group R-5: \$75.00
- (b) All other groups: \$150.00

8. Asbestos hazard abatement fee.

- (a) An administrative fee of \$118.00 for each construction permit issued for an asbestos hazard abatement project.
- (b) An administrative fee of \$24.00 for each certificate of occupancy issued following the successful completion of an asbestos hazard abatement project.

9. Lead abatement fee.

- (a) The fee for a permit for lead hazard abatement work shall be \$196.00.
- (b) The fee for a lead abatement clearance certificate shall be \$39.00.

b. Plumbing Subcode Fees. Fees for the plumbing subcode shall be as follows:

Water closet	\$13.00 <u>\$25.00</u>
Urinal/bidet	\$13.00 <u>\$25.00</u>
Lavatory	\$13.00 <u>\$25.00</u>
Shower	\$13.00 <u>\$25.00</u>
Floor drain.....	\$13.00 <u>\$25.00</u>

Sink	\$13.00	\$25.00
Dishwasher.....	\$13.00	\$25.00
Drinking fountain.....	\$13.00	\$25.00
Washing machine.....	\$13.00	\$25.00
Hose bib	\$13.00	\$25.00
Water heater.....	\$13.00	\$25.00
Fuel oil piping.....	\$13.00	\$25.00
Gas piping	\$13.00	\$25.00
Steam boiler	\$82.00	\$85.00
Hot water boiler	\$82.00	\$85.00
Sewer pump	\$82.00	\$100.00
Interceptor/separator	\$82.00	\$85.00
Backflow preventer.....	\$82.00	\$85.00
Sewer connection.....	\$82.00	\$100.00
Water service connection.....	\$82.00	\$100.00
Stacks.....	\$13.00	\$25.00
<u>Air Admittance Valve (AAV).....</u>		<u>\$50.00</u>
Furnace.....	\$60.00	\$85.00
<u>Air conditioning unit.....</u>		<u>\$25.00</u>
<u>Air conditioning coil.....</u>		<u>\$25.00</u>
<u>Split system.....</u>		<u>\$25.00</u>

There shall be a minimum fee of ~~fifty-five~~ sixty-five dollars (~~\$55.00~~ \$65.00) for any permit in this subsection.

c. Electrical Subcode Fees. Fees for the electrical subcode shall be as follows:

Lighting fixtures, receptacles, switches, detectors, light poles, motors (fractional, h.p.), emergency and exit lights, communication points, and alarm devices which are less than 20 amps:

First 50 units.....	\$45.00	\$70.00
Each 10 units additional	\$11.00	\$13.00
Pool permit (lights included).....	\$69.00	\$125.00
Storable pool/spa/hot tub.....	\$69.00	\$125.00
Electrical range	\$13.00	\$25.00
Electrical water heater	\$13.00	\$25.00
Electrical dryer	\$13.00	\$25.00
Dishwasher	\$13.00	\$25.00
Air conditioning unit	\$13.00	\$25.00
Space heater.....	\$13.00	\$25.00

Baseboard heater (each)	\$13.00	\$25.00
H.P. motors (1+ HP) <u>Motor or Electrical Device</u>		
1 – 10 HP <u>or 1kw to 10kw</u>	\$13.00	\$25.00
10 – 50 HP <u>or 10kw to 50kw</u>	\$58.00	\$125.00
50 – 100 <u>HP or 50kw to 100kw</u>	\$116.00	\$200.00
100+ HP <u>or 100+kw</u>	\$576.00	\$640.00
KW Transformers/Generators (under 225 amps)	\$58.00	\$125.00
KW Transformers/Generators (225 - 1000 amps)	\$116.00	\$200.00
KW Transformers/Generators (over 1000 amps)	\$576.00	\$640.00
Service entrance (amp service).....	Same as Transformers/Generators	
Smoke and Heat Detectors (one- and two-family dwellings)	\$29.00	\$55.00
KW Electric signs, outline lights.....	\$46.00	\$70.00
Photovoltaic Systems		
1 – 50 kilowatts.....	\$58.00	\$125.00
51-100 kilowatts.....	\$116.00	\$200.00
Greater than 100 kilowatts.....	\$576.00	\$640.00
Minimum permit.....	\$60.00	

There shall be a minimum fee of seventy dollars (\$70.00) for any permit in this subsection.

d. Fire Subcode Fee. The fee for the fire subcode shall be as follows:

1. For plan review to establish fire safety.....	\$50.00
2. For inspection of new homes	\$50.00
3. For inspection of newly installed wood stoves or fireplaces or new or rebuilt chimneys.....	58.00 \$100.00
4. For inspection of smoke detectors:	
<u>Number of Detectors</u>	<u>Fee</u>
(a) 1 to 20.....	75.00 \$100.00
(b) 21 to 100.....	151.00 \$234.00
(c) 101 to 200.....	\$289.00 \$448.00
(d) 201 to 400.....	\$748.00 \$856.00
(e) 401 to 1,000.....	\$1,036.00 \$1605.00
(f) Over 1,000.....	\$1,323.00 \$2048.00
5. For inspection of <u>Flammable combustible</u> storage tanks:	
(a) Up to one hundred (100) <u>two hundred seventy-five (275)</u> gallons, not to include drums or gas cans.....	58.00 \$100.00
(b) For each additional five hundred (500) gallons	

or fraction thereof40.00 ~~\$50.00~~

6. For inspection of sprinkler systems:

Number of Heads	Fee
1 to 20	\$ 82.00 <u>\$100.00</u>
21 to 100	151.00 <u>\$234.00</u>
101 to 200	289.00 <u>\$448.00</u>
201 to 400	748.00 <u>\$856.00</u>
401 to 1000	1,036.00 <u>\$1605.00</u>
Over 1000	1,323.00 <u>\$2048.00</u>

7. Independent pre-engineered systems (per systems)

~~For inspecting fire hazards, such as boilers, fire-suppression systems,
fire hose cabinets, fire alarms and standpipes, per visit.....\$60.00~~ \$165.00

8. Gas or oil-fired appliance which is not connected to the plumbing system (per appliance)

(a) Use group R-5 \$100.00

(b) All other groups \$165.00

9. Smoke control system or fire alarm control panel replacement

(per system)
.....\$165.00

10. Supervisory devices.....\$100.00

11. Signaling devices.....\$165.00

12. Kitchen exhaust system (per system).....\$165.00

13. Engineered suppressions pre-action systems, or
Dry pipe/alarm valves.....\$165.00

14. Standpipe, hydrant or fire pump (each).....\$325.00

15. Underground water service for protection (per service).....\$400.00

e. Mechanical Subcode Fee. The fee for the mechanical subcode shall be as follows:

Furnace.....\$85.00

Boiler, hot water or steam.....\$85.00

Water heater.....\$25.00

Air conditioning unit.....\$25.00

Air conditioning coil.....\$25.00

Split system.....	
<u>\$25.00</u>	
Fuel oil equipment.....	\$85.00
Gas or fuel oil piping.....	\$25.00
Oil tank.....	
<u>\$65.00</u>	
Temporary LPG tank.....	\$25.00
Fireplace insert.....	\$65.00

There shall be a minimum fee of sixty-five dollars (\$65.00) for any permit in this subsection.

(1991 Code § 81-14; Ord. No. 847 § 1; Ord. so No. 1996-6 § 1; Ord. No. 2000-19; Ord. No. 2001-16; Ord. 2000-19, Amended, 08/24/2000; Ord. No. 2004-31 § 1; Ord. No. 2008-09; Ord. No. 2015-18

Subsection 12-2-2 Plan Review Fees.

The fee for plan review shall be five (5%) percent of the amount charged for the construction permit. The fee for the plan review of a consultative nature where no immediate construction is planned shall be twenty (20%) percent of the estimated cost of the construction work or ~~fifty-five~~ **seventy-five** (~~\$55.00~~ **\$75.00**) dollars, whichever is higher. (1991 Code § 81-15; Ord. No. 847 § 1; Ord. No. 1996-6 § 2) (Ord. 2000-19, Amended, 08/24/2000)

Subsection 12-2-3 Demolition Fees.

The fee for a permit for demolition of a building or structure shall be two hundred-~~sixty~~ (~~\$200.00~~ **\$260.00**) dollars for one (1)-family or two (2)-family residences, ~~sixty-five~~ **seventy-five** (~~\$65.00~~ **\$75.00**) dollars for garage or storage sheds, and three hundred (\$300.00) dollars for all other buildings or structures.

The fee for a permit for underground storage tank removal shall be ~~\$75.00~~ **\$100.00** for a residential property, \$250.00 for all other uses. (1991 Code § 81-16; Ord. No. 847 § 1; Ord. No. 2015-18) (Ord. 2000-19, Amended, 08/24/2000)

Subsection 12-2-4 Building Removal; Structural Inspection of Existing Dwelling Fees.

a. The fee for a permit for the removal of a building or structure from one (1) lot to another or to a new location on the same lot shall be ten (\$10.00) dollars per one thousand (\$1,000.00) dollars of the sum of the estimated costs for moving, for new foundations and for placement in a complete condition in the new location, except that the minimum fee shall be ~~seventy-five~~ (~~\$50.00~~ **\$75.00**) dollars.

b. The fee or structural inspection of an existing dwelling shall be ~~fifty~~ **seventy-five** (~~\$50.00~~ **\$75.00**) dollars. (1991 Code § 81-17; Ord. No. 847 § 1) (Ord. 2000-19, Amended, 08/24/2000)

Subsection 12-2-5 Sign Construction Fees.

The fee for a permit to construct a sign shall be two ~~four~~ (~~\$2.00~~ **\$4.00**) dollars per square foot of the surface area of the sign, except that the minimum fee shall be ~~fifty-five~~ **seventy-five** (~~\$55.00~~ **\$75.00**) dollars. (1991 Code § 81-18; Ord. No. 847 § 1; Ord. 2000-19, Amended, 08/24/2000; Ord. No. 2004-31, § 2)

Subsection 12-2-6 Certificates of Occupancy Fees.

The following fees shall be charged for certificates of occupancy:

- a. New home: Ten (10%) percent of the construction permit fee, but not less than ~~\$55.00~~ **\$65.00**
- b. Additions, etc.
~~\$55.00~~ **\$65.00**

c. Change of use
100.00

d. Continued occupancy
~~50.00~~ \$65.00

e. Temporary occupancy
None

(1991 Code § 81-19; Ord. No. 847 § 1; Ord. 2000-19, Amended, 08/24/2000; Ord. No. 2004-31, § 3)

Subsection 12-2-7 Biannual Report to Borough Council Recommending Fee Schedule.

The Construction Official shall, with the advice of the subcode officials, prepare and submit to the Borough Council 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. (1991 Code § 81-21; Ord. No. 847 § 1; Ord. 2000-19, Amended, 08/24/2000)

Subsection 12-2-8 Surcharge.

As required by the Department of Community Affairs, the enforcing agency shall collect, in addition to the fees specified above, a surcharge fee of ~~\$0.0016~~ \$0.00371 per cubic foot of volume of new construction,

and ~~(\$0.80) cents~~ (\$1.90) dollars per one thousand (\$1,000.00) dollars of construction costs of all other permits.

Such 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. In the fiscal year in which the regulations first become effective, such fee shall be collected and remitted for the third and fourth quarters only. (1991 Code § 81-22; Ord. No. 847 § 1) (Ord. 2000-19, Amended, 08/24/2000)

Subsection 12-2-9 Report of Fees Collected.

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. In the fiscal year in which the regulations first become effective, such report shall be for the third and fourth quarters only. (1991 Code § 81-23; Ord. No. 847 § 1) (Ord. 2000-19, Amended, 08/24/2000)

Subsection 12-2-10 Temporary Waiver of Construction Permit Fees

Fees shall be waived for all municipal construction permits issued for alterations on any building in the Borough's designated CC-1 (Central Commercial 1) zone between November 1, 2001 and the date of completion of the downtown revitalization or December 31, 2002, whichever occurs first. New Jersey DCA training fees will not be waived. (New - Ord. No. 2001-21)

Subsection 12-2-11 Application for a Variation

The fee for an application for a variation in accordance with the Uniform Construction Code shall be: ~~one hundred and fifty (\$150.00) dollars.~~ (New - Ord. No. 2008-09)

(a) <u>Group R-5</u>	<u>\$150.00</u>
(b) <u>All other Class 3</u>	<u>\$165.00</u>
(c) <u>Class 2</u>	<u>\$165.00</u>
(d) <u>Class 1</u>	<u>\$820.00</u>
(e) <u>Resubmissions, Class 2 and Class 3</u>	<u>\$90.00</u>

Resubmission Class 1

Chapter 28

ZONING

Subsection T28-18-2T Zoning Permit Required; Fee.

a. No building or structure in any district shall be erected, enlarged or altered, nor may land be used or improved, unless and until a zoning permit has been duly issued by the Zoning Officer. No zoning permit shall be issued by the Zoning Officer except in conformity with the provisions of this chapter, unless he receives a written order from the Board of Adjustment or Planning Board.

b. The fee for issuance of a zoning permit shall be ~~forty-five~~ **fifty** (~~\$45.00~~ **\$50.00**) dollars. (1991 Code § 233-42; Ord. No. 2000-29; Ord. No. 2004-31 §

Section 2. All other Ordinances or parts of Ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

Section 3. This Ordinance shall become effective upon final passage and publication in accordance with the law.

Introduction: February 7, 2022

Adoption:

ATTEST:

MARGARET RIGGIO
MUNICIPAL CLERK

LAWRENCE D. QUATTRONE
MAYOR