

**AN ORDINANCE AMENDING CHAPTER 12 TITLED “ BUILDING AND CONSTRUCTION”  
AND CHAPTER 13 TITLED "HOUSING” OF THE REVISED GENERAL ORDINANCES OF  
THE BOROUGH OF HIGHTSTOWN TO AMEND CERTAIN FEES**

**WHEREAS**, the Borough of Hightstown has adopted Chapters 12, *Building and Construction*, and 13, *Housing*, of the Borough Code to establish regulations, procedures, and fees relating to construction permits, subcode enforcement, property transfers, rental inspections, and related housing matters; and

**WHEREAS**, the Construction Official and Housing Inspector have reviewed the current fee schedules contained within these chapters and recommended adjustments to ensure that fees accurately reflect the Borough’s administrative costs, enforcement responsibilities, and operational expenses associated with the State Uniform Construction Code and municipal housing regulations; and

**WHEREAS**, the Borough Council finds that the existing fees, as previously amended by various ordinances, require updating to remain consistent with statutory requirements, to maintain fiscal responsibility, and to ensure that the cost of services is borne fairly by applicants utilizing construction and housing inspection services; and

**WHEREAS**, the Borough Council further finds that updating these fees promotes efficient administration, improves cost recovery for mandated inspections and services, and ensures that the Borough continues to meet its obligations under State law, including the Uniform Construction Code and applicable housing codes; and

**WHEREAS**, the Mayor and Borough Council believe it is in the best interest of the Borough to amend the applicable sections of Chapters 12 and 13 to implement these updated and clarified fee schedules.

**NOW, THEREFORE, BE IT ORDAINED**, by the Mayor and Council of the Borough of Hightstown, County of Mercer, State of New Jersey, as follows:

Section 1. That Chapter 12, entitled “Building and Construction,” and Chapter 12 entitled “Housing” of the “Revised General Ordinances of the Borough of Hightstown, New Jersey,” is hereby amended to read as follows: (additions are shown with underline and deletions are shown with ~~strikeout~~):

**Chapter 12 Building and Construction  
ARTICLE 12-1**

**§ 12-1-3. Office location. [1991 Code § 81-4]**

The public shall have the right to do business with the enforcing agency at one office location, except for emergencies and unforeseen or unavoidable circumstances. Such office location shall be at the Hightstown Borough Municipal Building, ~~148 North Main~~156 Bank Street, Hightstown.

[...]

## ARTICLE 12-2

**§ 12-2-1. Construction permit fees. [1991 Code § 81-14; Ord. No. 847; Ord. No. 1996-6; Ord. No. 2000-19; Ord. No. 2001-16; Ord. No. 2000-19; Ord. No. 2004-31; Ord. No. 2008-09; Ord. No. 2015-18; 2-22-2022 by Ord. No. 2022-02]**

The fee for a construction permit shall be the sum of the subcode fees listed in Subsections A through E and shall be paid before the permit is issued. The fee for a reinspection, of the same type, of any subcode, after a second failure (third inspection), shall be \$80 for each subsequent time. The fee shall be submitted prior to the inspection occurring.

A. Building Subcode fees. The building subcode fees shall be:

- (1) For new construction, the permit fees shall be computed at the rate of ~~\$0.040~~\$0.0625 per cubic foot of volume up to 50,000 cubic feet, and \$0.050 per cubic foot thereafter. However, structures falling into S-1 or S-2 categories shall be charged at the rate of ~~\$0.030~~\$0.050 per cubic foot; except that the minimum fee in all cases shall be ~~\$75~~\$250.
- (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 ~~\$35~~\$50 per \$1,000 of estimated cost, up to and including \$50,000; from \$50,001 to and including \$100,000, the additional fee shall be in the amount of ~~\$28~~\$40 per \$1,000 of estimated cost; above \$100,000, the additional fee shall be in the amount of ~~\$24~~\$35 per \$1,000 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 ~~\$75~~\$150 for any permit under this section.
- (3) For additions, permit fees shall be computed the same as for new construction, ~~\$0.040 per cubic foot of volume, except that the minimum fee shall be \$75~~and the minimum fee shall be \$250.
- (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 ~~\$100~~\$150. The fee for an residential in-ground swimming pool shall be ~~\$260~~\$350. The fee for an non-residential in-ground pool ~~with a surface area greater than 550 square feet~~ shall be ~~\$400~~\$500.

(6) Retaining walls.

(a) ~~Group R-5: \$75. The fee shall be \$1 per square foot of wall or \$150 whichever is greater.~~

~~(b) All other groups: \$35 per \$1,000.~~

(7) Gazebos: and Sheds.

(a) ~~Group R-5: \$75. The fee shall be \$0.070 per cubic foot of volume or \$150 whichever is greater.~~

~~(b) All other groups: \$150.~~

(8) Decks, Raised Patios, platforms & stairs.

(a) The fee shall be \$1 per square foot or \$150, whichever is greater.

(9) Tents and membrane structure.

(a) The fee shall be \$250.

~~(8)~~(10) Asbestos hazard abatement fee.

(a) An administrative fee of ~~\$118~~\$200 for each construction permit issued for an asbestos hazard abatement project.

(b) An administrative fee of ~~\$24~~\$40 for each certificate of occupancy issued following the successful completion of an asbestos hazard abatement project.

~~(9)~~(11) Lead abatement fee.

(a) The fee for a permit for lead hazard abatement work shall be ~~\$196~~\$250.

(b) The fee for a lead abatement clearance certificate shall be \$39\$100.

~~(b)~~(12) There shall be a minimum fee of \$150 for any permit in this subsection.

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

Type	Fee
Water closet	<del>\$25</del> <u>\$40</u>
Urinal/bidet	<del>\$25</del> <u>\$40</u>

Lavatory	<del>\$25</del> <u>\$40</u>
Shower	<del>\$25</del> <u>\$40</u>
Floor drain	<del>\$25</del> <u>\$40</u>
Sink	<del>\$25</del> <u>\$40</u>
Dishwasher	<del>\$25</del> <u>\$40</u>
Drinking fountain	<del>\$25</del> <u>\$40</u>
Washing machine	<del>\$25</del> <u>\$40</u>
Hose bib	<del>\$25</del> <u>\$40</u>
Water heater	<del>\$25</del> <u>\$40</u>
Fuel oil piping	<del>\$25</del> <u>\$40</u>
Gas piping	<del>\$25</del> <u>\$40</u>
Steam boiler	<del>\$85</del> <u>\$110</u>
Hot water boiler	<del>\$85</del> <u>\$110</u>
Sewer pump	<del>\$100</del> <u>\$125</u>
Interceptor/separator	<del>\$85</del> <u>\$110</u>
Backflow preventer	<del>\$85</del> <u>\$110</u>
Sewer connection	<del>\$100</del> <u>\$150</u>
Water service connection	<del>\$100</del> <u>\$150</u>
Stacks	<del>\$25</del> <u>\$40</u>
Air admittance valve (AAV)	<del>\$50</del> <u>\$70</u>
Furnace	<del>\$85</del> <u>\$110</u>
Air conditioning unit	<del>\$25</del> <u>\$40</u>
Air conditioning coil	<del>\$25</del> <u>\$40</u>

Type	Fee
Split system	<del>\$25</del> <u>\$50</u>
There shall be a minimum fee of <del>\$65</del> <u>\$120</u> for this subsection.	

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

Type	Fee
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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	<del>\$70</del> <u>\$120</u>
Each 10 units additional	<del>\$13</del> <u>\$25</u>
Pool permit (lights included)	<del>\$125</del> <u>\$175</u>
Storable pool/spa/hot tub	<del>\$125</del> <u>\$175</u>
Electrical range	<del>\$25</del> <u>\$40</u>
Electrical water heater	<del>\$25</del> <u>\$40</u>
Electrical dryer	<del>\$25</del> <u>\$40</u>
Dishwasher	<del>\$25</del> <u>\$40</u>
Air conditioning unit	<del>\$25</del> <u>\$40</u>
Space heater	<del>\$25</del> <u>\$40</u>
Baseboard heater (each)	<del>\$25</del> <u>\$40</u>
Motor or electrical device	
1 to 10 HP or 1 kw to 10 kw	<del>\$25</del> <u>\$40</u>
10 to 50 HP or 10 kw to 50 kw	<del>\$125</del> <u>\$150</u>
50 to 100 HP or 50 kw to 100 kw	<del>\$200</del> <u>\$250</u>
100+ HP or 100+ kw	<del>\$640</del> <u>\$800</u>
KW transformers/generators (under 225 amps)	<del>\$125</del> <u>\$175</u>
KW transformers/generators (225 to 1,000 amps)	<del>\$200</del> <u>\$250</u>
KW transformers/generators (over 1,000 amps)	<del>\$640</del> <u>\$800</u>
Service entrance (amp service)	Same as transformers/generators
<del>Smoke and heat detectors (one and two-family dwellings)</del>	<del>\$55</del>

Type	Fee
KW electric signs, outline lights	<del>\$70</del> <u>\$100</u>
Photovoltaic systems	
1 to 50 kilowatts	<del>\$125</del> <u>\$150</u>
51 to 100 kilowatts	<del>\$200</del> <u>\$250</u>
Greater than 100 kilowatts	<del>\$640</del> <u>\$800</u>
<u>Underground wire</u>	
<u>Upto 100 linear feet</u>	<u>\$50</u>
<u>Each 50 linear feet additional</u>	<u>\$25</u>
There shall be a minimum fee of <del>\$70</del> <u>\$120</u> for any permit in this subsection.	

D. Fire Subcode fees. The fees for the fire subcode shall be as follows:

Type	Fee
For plan review to establish fire safety	<del>\$50</del> <u>\$120</u>
<del>For inspection of new homes</del>	<del>\$50</del>
For inspection of newly installed wood stoves or fireplaces or new or rebuilt chimneys	<del>\$100</del> <u>\$150</u>
For inspection of smoke detectors:	
<b>Number of Detectors</b>	
1 to <del>20</del> <u>10</u>	<del>\$100</del> <u>\$150</u>
<del>21 to 100</del> <u>11 to 20</u>	<del>\$234</del> <u>\$250</u>
<del>101 to 200</del>	<del>\$448</del>
<del>201 to 400</del>	<del>\$856</del>
<del>401 to 1,000</del>	<del>\$1,605</del>
<del>Over 1,000</del> <u>\$75 for each additional 25 devices thereafter</u>	<del>\$2,048</del>
For inspection of storage tanks: <u>(Removal, replacement or installation of)</u>	
Up to 100 gallons, not to include drums or gas cans	<del>\$100</del> <u>\$200 Residential</u> <u>\$300 Commercial/Non-Residential</u>
For each additional 500 gallons or fraction thereof	<del>\$50</del> <u>\$100</u>

For inspection of sprinkler systems:	
<b>Number of Heads</b>	
1 to 20	<del>\$100</del> <u>\$200</u>
21 to 100	<del>\$234</del> <u>\$300</u>
101 to 200	<del>\$448</del> <u>\$500</u>
201 to 400	<del>\$856</del> <u>\$1,000</u>

Type	Fee
401 to 1,000	<del>\$1,605</del> <u>\$2,000</u>
Over 1,000 <u>thereafter</u>	<del>\$2,048</del> <u>\$2,000 plus \$300 for each block of 100</u>
Independent pre-engineered systems (per system)	<del>\$165</del> <u>\$250</u>
Gas or oil-fired appliance which is not connected to the plumbing system (per appliance):	
Use Group R-5	<del>\$100</del> <u>\$150</u>
All other groups	<del>\$165</del> <u>\$225</u>
Smoke control system or fire alarm control panel replacement (per system)	<del>\$165</del> <u>\$200</u>
Supervisory devices	<del>\$100</del> <u>\$150</u>
Signaling devices	<del>\$165</del> <u>\$200</u>
Kitchen exhaust system (per system)	<del>\$165</del> <u>\$200 Residential; \$300 Commercial</u>
Engineered suppressions pre-action systems, or dry pipe/alarm valves	<del>\$165</del> <u>\$225</u>
Standpipe, hydrant or fire pump (each)	<del>\$325</del> <u>\$450</u>
Underground water service for protection (per service)	\$400

There shall be a minimum fee of \$120 for any permit in this subsection.

E. Mechanical Subcode fees. The fees for the mechanical subcode shall be as follows:

Type	Fee
Furnace	<del>\$85</del> <u>\$110</u>
Boiler, hot water or steam	<del>\$85</del> <u>\$110</u>
Water heater	<del>\$25</del> <u>\$40</u>
Air conditioning unit	<del>\$25</del> <u>\$40</u>
Air conditioning coil	<del>\$25</del> <u>\$40</u>
Split system	<del>\$25</del> <u>\$40</u>

Fuel oil equipment	<del>\$85</del> <u>\$110</u>
Gas or fuel oil piping	<del>\$25</del> <u>\$40</u>
Oil tank	<del>\$65</del> <u>\$100</u>
Temporary LPG tank	<del>\$25</del> <u>\$100</u>
Fireplace insert	<del>\$65</del> <u>\$100</u>
There shall be a minimum fee of <del>\$65</del> <u>\$120</u> for any permit in this subsection.	

**§ 12-2-2. Plan review fees. [1991 Code § 81-15; Ord. No. 847; Ord. No. 1996-6; Ord. No. 2000-19; 2-22-2022 by Ord. No. 2022-02]**

The fee for plan review shall be ~~5%~~20% 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 20% of the estimated cost of the construction ~~work~~permit or ~~\$75~~\$120, whichever is higher.

The fee for permit updates shall be \$120 or \$50 per \$1,000 of increased building costs, whichever is greater. The fee for a change of contractor only shall be \$120.

**§ 12-2-3. Demolition fees. [1991 Code § 81-16; Ord. No. 847; Ord. No. 2015-18; Ord. No. 2000-19; 2-22-2022 by Ord. No. 2022-02]**

~~A.~~—The fee for a permit for demolition of a building or structure shall be ~~\$260~~\$350 for one-family or two-family residences, ~~\$75~~\$125 for garage or storage sheds, and ~~\$300~~\$400 for all other buildings or structures. Up to 5,000 square feet & \$150 for each additional 2,500 square feet thereafter.

B. The fee for a permit for underground storage tank removal shall be ~~\$100~~\$200 for a residential property, ~~\$250~~\$400 for all other uses.

**§ 12-2-4. Building removal; structural inspection of existing dwelling fees. [1991 Code § 81-17; Ord. No. 847; Ord. No. 2000-19; 2-22-2022 by Ord. No. 2022-02]**

~~A.~~ The fee for a permit for the removal of a building or structure from one lot to another or to a new location on the same lot shall be \$10 per \$1,000 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 \$75. The fee for setting a modular building or relocating a building shall be \$50 per \$1,000 of cost of all on site building costs, including setting, attaching, new stairs, any rehabilitation, foundation improvements or the like shall have a minimum fee of \$250. The cost of a new foundation shall be \$0.070 of the cubic volume, or \$250 whichever is greater.

B. The fee for structural inspection of an existing dwelling shall be ~~\$75~~\$250.

**§ 12-2-5. Sign construction fees. [1991 Code § 81-18; Ord. No. 847; Ord. No. 2000-19; Ord. No. 2004-31; 2-22-2022 by Ord. No. 2022-02]**

The fee for a permit to construct a sign shall be \$4 per square foot of the surface area of the sign, except that the minimum fee shall be ~~\$75~~\$120.

**§ 12-2-6. Certificates of occupancy fees. [1991 Code § 81-19; Ord. No. 847; Ord. No. 2000-19; Ord. No. 2004-31; 2-22-2022 by Ord. No. 2022-02]**

The following fees shall be charged for certificates of occupancy:

Type	Fee
New home	<del>10%</del> <u>20%</u> of the construction permit fee, but not less than <del>\$65</del> <u>\$120</u>
Additions, etc.	<del>\$65</del> <u>\$120</u>
Change of use	<del>\$100</del> <u>\$200</u>
Continued occupancy	<del>\$65</del> <u>\$120</u>
Temporary occupancy	<del>None</del> <u>No charge for the first, \$120 each thereafter</u>

**§ 12-2-7. Biannual report to Borough Council recommending fee schedule. [1991 Code § 81-21; Ord. No. 847; Ord. No. 2000-19]**

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.

**§ 12-2-8. Surcharge. [1991 Code § 81-22; Ord. No. 847; Ord. No. 2000-19; 2-22-2022 by Ord. No. 2022-02]**

As required by the Department of Community Affairs, the enforcing agency shall collect, in addition to the fees specified above, a surcharge fee of \$0.00371 per cubic foot of volume of new construction, and \$1.90 per \$1,000 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 3, and not later than one 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. No fee shall be collected for work in accordance with N.J.A.C. §5:23-4.19. The minimum permit surcharge shall be \$1.00.

**§ 12-2-9. Report of fees collected. [1991 Code § 81-23; Ord. No. 847; Ord. No. 2000-19]**

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.

**§ 12-2-10. (Reserved)<sup>2</sup>**

**§ 12-2-11. Application for variation. [Ord. No. 1997-1; Ord. No. 2008-09; 2-22-2022 by Ord. No. 2022-02]**

The fee for an application for a variation in accordance with the Uniform Construction Code shall be:

Type	Fee
Group R-5	<del>\$150</del> <u>\$250</u>
All other Class 3	<del>\$165</del> <u>\$300</u>
Class 2	<del>\$165</del> <u>\$300</u>
Class 1	<del>\$820</del> <u>\$1,000</u>
Resubmissions, Class 2 and Class 3	<del>\$90</del> <u>\$120</u>
Resubmission, Class 1	

[...]

**Chapter 13 Housing  
 ARTICLE 13-7  
 Transfer of Property**

**§ 13-7-2. Fees; inspections. [1991 Code § 121-47; Ord. No. 823; Ord. No. 94-6; Ord. No. 2004-31; Ord. No. 2008-09; Ord. No. 2015-22; Ord. No. 2018-03; amended at time of adoption of Code (see Ch. 1, General Provisions, Art. 1-8)]**

The Housing Code Certificate required by § 13-7-1 hereof shall be secured from the Borough Housing Inspector. At the time of the fully completed application for such certificate, a fee of ~~\$100~~150 shall be paid, if submitted a minimum of 10 business days prior to the closing date. For fully completed applications submitted less than 10 business days prior to the closing date, a fee of ~~\$150~~200 shall be paid. For fully completed applications submitted less than five business days prior to the closing date, a fee of ~~\$200~~\$250 shall be paid. The fee shall cover the application and initial inspection of the premises and the issuance of the certificate. In the event that any additional inspections of the premises are required because of a failure of the owner to comply with the provisions of this chapter, an additional fee of ~~\$50~~\$75 shall be paid for each additional

inspection required. All fees shall be made payable to the Borough of Hightstown and be delivered to the Borough Offices and turned over to the Borough Chief Financial Officer. In the event of cancellation of a requested inspection, the Construction Office must be notified within 24 hours prior to the scheduled inspection time. Failure to do so will result in forfeiture of the inspection fee.

### ARTICLE 13-8

#### Certificate of Compliance Requirement for Changes in Occupancy of Rented Dwellings

**§ 13-8-2. Fees; inspections. [1991 Code § 121-49; Ord. No. 823; Ord. No. 2004-31; Ord. No. 2015-22; amended at time of adoption of Code (see Ch. 1, General Provisions, Art. 1-8)]**

The Housing Code Certificate required by § 13-8-1 hereof shall be secured from the Borough Housing Inspector. At the time of the application for such certificate, a fee of ~~\$100~~\$150 shall be paid. The fee shall cover the application and initial inspection of the premises and the issuance of the certificate. In the event that any additional inspections of the premises are required because of a failure of the landlord or owner to comply with the provisions of this chapter, an additional fee of ~~\$50~~\$75 shall be paid for each additional inspection required. All fees shall be made payable to the Borough and be delivered to the Construction Office and turned over to the Borough Chief Financial Officer. In the event of cancellation of a requested inspection, the Construction Office must be notified within 24 hours prior to the scheduled inspection time. Failure to do so will result in forfeiture of the inspection fee.

[...]

### ARTICLE 13-12

#### Registration of Residential Rental Properties

**§ 13-12-3. Fees. [Ord. No. 2015-22; Ord. No. 2021-14]**

A. At the time of registration, the owner or agent of the owner must pay a one-year registration fee as follows:

- (1) For one- to three-unit dwellings: ~~\$100~~\$150 per unit.
- (2) For dwellings of more than three but not more than 50 units: ~~\$90~~\$120 per unit, to a maximum fee of \$2,500.
- (3) For dwellings which include more than 50 units: ~~\$80~~\$100 per unit, to a maximum fee of \$7,500.
  - (a) Inspection for rental properties with 25 and more units will consist of: common areas and a minimum of 20% of rental units, chosen by the Housing inspector, will be

inspected. If units fail another 20% will be chosen and inspected until all units pass or entire complex has been inspected.

- B. Inspection at change of tenant must be completed and certificate of occupancy issued prior to tenant moving in.
- C. One re-inspection is included within the fees listed above, provided that the re-inspection occurs within 15 days of the initial inspection. Otherwise, re-inspection fees shall be ~~\$50~~\$75 per unit.
- D. If the owner of the property is a Senior Citizen who resides in one unit of a two-unit property and rents out the remaining unit, and who would otherwise qualify under the State of New Jersey property tax deduction under N.J.S.A. 54:4-8.41, there shall be no fee.
- E. The completed rental registration process must be received by April 30th. Beginning May 1st a late fee of \$25 per month/per unit will be assessed on all Rental Renewal applications.

Section 2. That all other Ordinances or parts of Ordinances inconsistent herewith are hereby repealed to the extent of such inconsistencies.

Section 3. That in the event that any portion of this Ordinance is found to be invalid for any reason by any Court of competent jurisdiction, such judgment shall be limited in its effect only to that portion of the Ordinance actually adjudged to be invalid, and the remaining portions of this Ordinance shall be deemed severable therefrom and shall not be affected.

Section 4. That this Ordinance shall take effect upon final passage and publication in accordance with the law.

Introduction: February 17, 2026

Adoption: **SCHEDULED FOR PUBLIC HEARING MARCH 2, 2026**

ATTEST:

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MARGARET RIGGIO  
MUNICIPAL CLERK

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SUSAN BLUTH  
MAYOR