

TOWNSHIP OF LOWER, COUNTY OF CAPE MAY, STATE OF NEW JERSEY

ORDINANCE #2017- 07

AN ORDINANCE AMENDING THE UNIFORM CONSTRUCTION CODE; TO UPDATE THE FEES RELATED TO CHAPTER 235

WHEREAS, the Township Council desires to amend Section 4 of Chapter 235 of the Code of the Township of Lower to update the Fees and Surcharge Fees associated with the Uniform Construction Code.

NOW, THEREFORE, BE IT ORDAINED by the Township Council of the Township of Lower, County of Cape May, State of New Jersey as follows:

235-4 FEES; SURCHARGE FEES

- A. The fee for a construction permit shall be the sum of the sub-code fees listed in Sub-section A(1) through (3) hereof and shall be paid before the permit is issued.
- (1) The **Building Sub-Code** fee shall be:
- a. For **New Construction**: ~~\$0.34~~ \$0.36 per cubic foot of building or structure volume; provided that the minimum shall be ~~\$50~~ \$60 for one and two-family dwellings. For all other uses, the minimum fee shall be ~~\$65~~ \$75
 - b. For **Renovations, Alterations, Repairs** or any other construction which cannot be computed in cubic feet, the fee shall be ~~\$30~~ \$40 per \$1,000 of estimated labor and material cost for one and two-family dwellings; provided that the minimum fee shall be ~~\$50~~ \$60. For all other uses the fee shall be ~~\$25~~ \$35 per \$1,000 of estimated cost for labor and material with a minimum fee of ~~\$75~~ \$85.
 - c. For **Additions**: ~~\$0.34~~ \$0.36 per cubic foot for added building or structure volume; provided that the minimum fee shall be ~~\$50~~ \$60 for one and two-family dwellings. For all other uses, the minimum fee shall be ~~\$75~~ \$85.
 - d. For **Combination of Renovations and Additions**: the sum of the fees computed separately as renovations and additions.
 - e. The fee for **Re-roofing** and **Re-siding** work done on one and two-family dwellings: ~~\$58~~ \$75. The fee for similar work on any other structure shall be ~~\$30~~ \$50 per \$1,000 of estimated labor and material cost, with a minimum fee of \$100.
 - f. **Temporary structures** and all structures for which volume cannot be computed, such as fences over six feet, shall be charged a fee of ~~\$100~~ \$200. The fee for **Swimming Pools** shall be, for in-ground pools: ~~\$189~~ \$200. For aboveground pools, spas and hot tubs less than 18 feet in the greatest dimension; the fee shall be ~~\$95~~ \$110; for aboveground pools, spas and hot tubs 18 feet or larger; the fee shall be ~~\$126~~ \$150. The fee for fences to enclose swimming pools, hot tubs, spas, etc.: the fee shall be ~~\$30~~ \$40 per \$1,000 of estimated labor and material costs, with a minimum of \$45 \$60.
 - g. The fee for **Asbestos Abatement** shall be \$400 \$125.
 - h. The fee for **Lead Hazard Abatement** shall be \$176.
 - i. The fee for **Demolition** or removal of one and two-family dwellings shall be \$400 \$150, all other structures shall be ~~\$200~~ \$250, except that garages and sheds associated with residential dwellings shall be ~~\$50~~ \$60. Partial demolition shall be charged at the rate of ~~\$30~~ \$50 per \$1,000 of estimated cost.

- j. The fee for a permit to construct a **Sign** shall be ~~\$5~~ \$7 per square foot of surface area of the sign, provided that the minimum shall be ~~\$58~~ \$70. In the case of double-faced signs, the area as one side shall be used to compute the fee.
- k. The fee for the construction of a **Retaining Wall** associated with a Class Three one or two-family dwelling shall be ~~\$189~~ \$200 for a wall with a surface area greater than 500 square feet and ~~\$95~~ \$100 for a retaining wall with a surface area less than 550 square feet. Retaining walls for all other uses shall be \$35 per \$1,000 of estimated labor and material costs with a minimum of \$200.
- l. The fee for **Tents** and **Tensioned Membrane** structures shall be \$250, said fee to be required only in the event that the tent or tensioned membrane structure is (i) greater than 440 30' in any direction, (ii) greater than ~~46,800~~ 900 square feet, (iii) utilizing a permanent anchor system, (iv) in place for more than 180 days, (v) used or occupied between December 1 and March 31, or (vi) utilizing platforms or bleachers more than 11 feet in height.

(2) The **Plumbing Sub-Code** fee shall be:

- a. The fee per **Fixture** connected to the plumbing system for one and two-family dwelling shall be ~~\$43~~ \$20, with the minimum fee of \$50. The fee for all other use groups shall be \$25, except for special devices.
- b. The following **Special Devices** shall be charged at the rate of \$17 per fixture: urinals, group showers per head, drinking fountains, ice machines, dental cuspidors, domestic hot-water heaters, each device connected to a propane, natural gas or oil piping system, propane tanks, provided that the minimum fee shall be \$45.
- c. The following **Special Devices** shall be charged at the rate of ~~\$82~~ \$90 per device: grease traps, sand traps, oil separators, refrigeration units, utility service connections, backflow preventers, steam boilers and hot-water boilers associated with home heating for one and two-family dwellings, active solar systems in one and two-family dwellings, sewer pumps and inceptors. Utility service connections associated with one and two-family dwellings shall be ~~\$82~~ \$90.
- d. The following **Special Devices** shall be charged at the rate of ~~\$70~~ \$90 per device: commercial food grinders, commercial dishwashers, water-cooled air conditioning units, steam and hot-water boilers in other than one and two-family dwellings, active systems in other than one and two-family dwellings.

(3) The **Electrical Sub-Code** fee shall be:

- a. The fee for **Electrical Fixtures** or devices shall be ~~\$45~~ \$55 for the first 50 devices, ~~\$8~~ \$15 for each additional 25 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 eight 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 \$45.
- 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 hydro massage bath tub; each underwater lighting fixture; household electric equipment rated up to 16 kilowatts; each fire, security or burglar alarm control unit; receptacle rated 30 amperes to 50 amperes; each light standard greater than eight feet in height, including luminaries; and for each communication closet the fee shall be \$15. In each case the minimum fee shall be \$45.
- c. For each **Motor or Electrical Device** rated between 10 horse power 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 \$58.

- d. For each **Motor or Electrical Device** rated between 50 horse power 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 1,000 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 \$116.
- e. For each **Motor or Electrical Device** rated greater than 100 horse power or 100 kilowatts; for each service panel, service entrance, subpanel, panel board, switch board, switch gear, motor control center, or disconnecting means rated greater than 1,000 amperes; and for all transformers or generators rated greater than 112.5 kilowatts or 112.5 kilo volt amperes the fee shall be \$576.
- f. The fee for **Above Ground Pools** less than 18 feet in the greatest dimension shall be \$69 \$75. For pools 18 feet and larger, the fee shall be \$69 \$75. For in-ground pools, the fee shall be \$75.
- g. (Reserved)
- h. In each case, the minimum fee shall be \$50 \$60 for one and two-family dwellings; for all other uses the minimum fee shall be \$65 \$75.
- i. For **Photovoltaic Systems**, the fee shall be:
 - 1. For systems rated 1 to 50 kw: \$58 \$70
 - 2. For systems rated 51 to 100 kw: \$416 \$125
 - 3. All systems over 100 kw: \$576 \$600

(4) The Fire Suppression Fee shall be:

a. **Sprinkler System:**

Number of Heads	Fee
1 to 20	\$82 \$90
21 to 100	\$151 \$170
101 to 200	\$290 \$325
201 to 400	\$748 \$775
401 to 1,000	\$1036 \$1,100
Over 1,000	\$1,550

b. **Total Flooding Systems:** The fee shall be \$416 \$125

c. **Range Hood Suppression System:** The fee shall be \$416 \$130

d. **Stand Pipe Installations:** The fee for each standpipe shall be \$289 \$300

e. **Fire Pumps:** The Fee Shall Be: \$450

1-250 gpm	\$170
251-500 gpm	\$200
501-1,000 gpm	\$300
Over 1,001 gpm	\$450

f. **Automatic Fire Detection System:** The fee for the first 12 smoke/heat detectors shall be \$60 \$75. The fee for each additional unit shall be \$2 \$5 per unit. The flat fee for single and multiple-station smoke/heat detectors and fire alarm systems in and two-family dwellings shall be \$40 \$60.

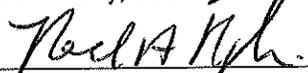
- g. **Manual Fire Alarm Systems:** The rate shall be \$50 per zone up to four zones. All additional zones over four shall be computed at \$45 \$20 per zone, with a minimum fee of \$50 \$60.
 - h. **Smoke Removal and/or Smoke Control Systems:** The fee shall be \$20 per \$1,000 of estimated cost for labor and materials for the system up to \$50,000 estimated costs. Over \$50,000 the fee shall be \$15 per \$1,000 of estimated cost for labor and materials. The minimum fee shall be \$250
 - i. **Fireplaces, Wood Burning Stoves and Solid-Fuel Burning Appliances:** There shall be a flat rate of \$40-\$50 for one and two-family dwellings. For all other uses, the fee shall be \$25 \$30 per \$1,000 of estimated costs for labor and materials, with a minimum fee of \$50 \$60.
 - j. **Gas and Oil Fired Appliances** that are not connected to the plumbing system shall be \$58 \$70.
 - k. **Kitchen Exhaust Systems:** The fee shall be \$25 \$50 per \$1,000 of estimated costs for labor and materials for the unit exclusive of plumbing, electric, ductwork and flue with a minimum fee of \$100 \$150.
 - l. **Installation and Removal of Flammable and Combustible Liquid Storage Tanks:** The fee shall be \$20 per \$1,000 of estimated costs for the installation or removal of tanks. The minimum fee shall be \$50 \$75 for one and two-family dwellings, and \$100 \$150 for all other uses.
 - m. **Crematoriums and Incinerators:** The fee shall be \$460 for each crematorium or incinerator.
- (5) The fee for **Plan Review** shall be 20% of the amount to be charged for the construction permit and shall be paid before the plans are reviewed. The amount paid for this fee shall be credited toward the amount of the fee to be charged for the construction permit, if issued.
- (6) The fee for a **Certificate of Occupancy** shall be 40% 15% of the cost of the total permit, with a minimum of \$25 \$50. The fee for the first issuance and renewal of a temporary certificate of occupancy shall be \$35 \$50. There shall be no fee for the first issuance of a temporary certificate of occupancy, provided that the fee for the certificate of occupancy is prepaid.
- (7) The fee for a **Continued Certificate of Occupancy** shall be \$151.
- (8) The fee for a **Certificate of Occupancy** pursuant to a change of use shall be \$151.
- (9) The fee for a **Certificate of Occupancy** for a building with multiple units shall be 10% of the cost of the total permit, with a minimum of \$45 \$55 per unit.
- (10) The fee for installation and inspection of an **Elevator** shall be the permit fee and percentage agreed to in a third-party contract in accordance with Sub-chapter 12 of the Uniform Construction Code.
- (11) The fee for an application for a **Variation** shall be \$200, and the fee for any re-submission shall be \$82.
- (12) **SEVERABILITY** - Should any section, paragraph, sentence, clause, or phrase of this ordinance be declared unconstitutional or invalid for any reason, the remaining portions of this ordinance shall not be affected thereby and shall remain in full force and effect and to that end the provisions of this ordinance are hereby declared to be severable.
- (13) **REPEALER** - All ordinances, or parts of ordinances inconsistent with this ordinance are hereby repealed to the extent of their inconsistencies only.
- (14) **EFFECTIVE DATE** - This ordinance shall take effect twenty (20) days after passage and publication, as required by law.



Thomas Conrad, Councilmember



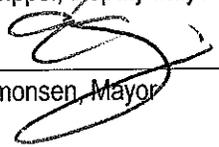
David Perry, Councilmember



Roland Roy, Jr., Councilmember



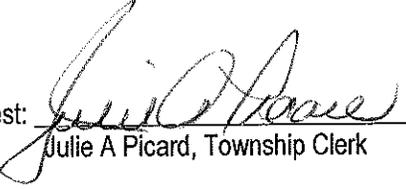
Frank Sippel, Deputy Mayor



Erik Simonsen, Mayor

1st Reading: May 1, 2017

Adopted: May 15, 2017

Attest: 

Julie A Picard, Township Clerk