

TOWNSHIP OF WALL

ORDINANCE NO. 14-2017

AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY AMENDING CHAPTER 90, CONSTRUCTION CODES AND AMENDING SCHEDULE 1 FEE SCHEDULE OF THE WALL TOWNSHIP MUNICIPAL CODE REGARDING THE MUNICIPAL CONSTRUCTION CODE AND CONSTRUCTION FEES

WHEREAS, the Township Committee, through Chapter 90, of the Municipal Code regulates the operations of the Wall Township Building Department; and,

WHEREAS, the Township Committee, through Chapter 90, Schedule 1 Fee Schedule of the Municipal Code regulates the fees charged in connection with new construction or alteration; and,

WHEREAS, the Township Committee wishes to amend these code sections to eliminate the Wall Township Construction Board of Appeals and designate the Monmouth County Construction Board of Appeals as the appropriate review body for construction appeals and eliminate the requirement that the Township establish fire limits and receive reports regarding the same; and,

WHEREAS, the Township Committee wishes to amend its fee schedule for General Construction to increase fees and add certain fees for certain buildings and structures of groups; and,

NOW, BE IT ORDAINED by the Township Committee of the Township of Wall, in the County of Monmouth, in the State of New Jersey, as follows:

Section 1. Chapter 90. Construction Codes, Uniform is hereby amended as follows (new language is underlined and deleted language is stricken through):

90-2. Construction Board of Appeals.

- ~~A. There is hereby established a Construction Board of Appeals of the Township to hear appeals from decisions by the enforcing agency. Such Board shall consist of five members. No more than two Board members shall be selected from the same business or profession. At least one Board member shall be either a registered architect or licensed structural or civil engineer of building construction experience, and at least one Board member shall be as qualified as a plumbing subcode official, and one as qualified as an electrical subcode official. Each Board member shall have had at least three years' experience in construction, design or supervision as a licensed engineer or registered architect; or, in the alternative, five years' experience in construction, design or supervision as an architect or engineer with a bachelor's degree in architecture or engineering, respectively, from an accredited institution of higher education; or as a further alternative, 10 years' experience in construction, design or supervision as a journeyman in a construction trade or as a construction contractor, subcontractor or inspector.~~

~~B. The Township Committee shall appoint the Board members and any alternate members. For the members first appointed, the Township Committee shall designate the appointees' terms so that one shall be appointed for a term of one year, one for a term of two years, one for a term of three years, and two for a term of four years. At the expiration of such terms and thereafter, appointments shall be made for terms of four years. Vacancies shall be filled for the unexpired term.~~

~~(1) The Township Committee shall appoint such number of alternates, as may be appropriate, for terms not to exceed four years, or may in the alternative, appoint alternates on a case-by-case basis.~~

~~(2) No regular or alternate Board member may be an official or employee of the Building Department of the Township, the decisions of which are subject to the review of the Board.~~

~~C. Members and alternate members of the Board shall serve without compensation, but shall be reimbursed for all necessary expenses incurred by them in the performance of their duties.~~

The Construction Board of Appeals to hear appeals from decisions by the enforcing agency shall be the Monmouth County Construction Board of Appeals.

§ 90-3. General Fees.

- A. The fees to be charged for permits issued by the Building Department under the State Uniform Construction Code shall be as provided in the Fee Schedule as set forth in Schedule I, which is located after § 90-6~~4~~B. All fees shall be rounded to the nearest whole dollar. A copy of the Fee Schedule shall be maintained on file in the Building Department and in the office of the Township Clerk.
- B. Plan review fee. The fee for plan review shall be 20% of the amount to be charged for a ~~new~~ the construction permit. The plan review fee shall be paid at the time the permit is granted, in the case where a permit application is withdrawn or abandoned and the plan review has been completed the plan review fee shall be paid at that time. There shall be an additional fee of ~~\$50~~ \$75 per hour or part thereof per subcode having assigned plan review responsibility for review of an amendment or change to a plan that has already been released. This fee may be waived at the discretion of the Construction Official in the event the work and review is of a minor nature.
- C. The basic construction fee shall be the sum of the parts computed on the basis of the volume or the cost of construction, the number of plumbing fixtures and pieces of equipment, the number of electric fixtures and devices and the number of sprinklers, standpipes and detectors (smoke and heat) at the unit rates and/or the applicable flat fees provided herein plus any special fees. The minimum fee for a basic construction permit covering any or all of building, plumbing, electric or fire protection work shall be \$75 per subcode except as herein noted. The minimum fee for a permit update to a permit that has already been issued shall be \$50 per subcode. The fee for a permit update solely for a change of contractor shall be \$50 regardless of the number of subcodes being updated.

§ 90-4. Fire limits.

- A. ~~By amendment to this chapter in accordance with the provisions of N.J.A.C. 5:23, the Township Committee may establish fire limits.~~
- B. ~~The Construction Official shall prepare and submit to the Township Committee biannually, on June 30 and December 31, 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.~~

§ 90-4. Repealer.

All ordinances or parts of ordinances conflicting or inconsistent with the provisions of this chapter, other than the Zoning Ordinance, which conflict with or are inconsistent with the provisions of this chapter are hereby expressly repealed to the extent of each conflict or inconsistency.

§ 90-5. Plumbing permits.

- A. No person shall engage in the business of contracting or rendering plumbing services within the Township, unless such person holds a valid master plumber's license pursuant to the provision of N.J.S.A. 45:14C-1 et seq., as amended and supplemented.
- B. No plumbing permit shall be issued to any person who is not licensed pursuant to N.J.S.A. 45:14C-1 et seq., except a single-family homeowner who may perform plumbing work on his own dwelling.

90 Attachment 1

**Schedule I
Fee Schedule**

A. Building.

(1) Building volume or cost. The fees for construction or alteration are as follows:

(a) Fees for new construction shall be based upon the volume of the structure. Volume shall be computed in accordance with N.J.A.C. 5:23-2.28. The new construction fee shall be in the amount of ~~\$0.034~~ \$0.038 per cubic foot of volume for buildings and structures of group R-3, R-4 & R-5; \$0.40 per cubic foot of volume for buildings and structures of groups A-2, A-3, B, H, I-1, I-2, I-3, M, E, R-1 R-2 & U; \$0.023 per cubic foot of volume for buildings and structures of groups A-1, A-4, A-5, F-1, F-2, S-1 and S-2, The minimum fee shall be \$175.00.

(h) The fee for roofing and siding work completed on structures in ~~use~~ group R-3 and R-5 or group U accessory to a R-3 or R-5 use, when a permit is required by N.J.A.C. 5:23, shall be ~~\$70.00~~ \$75.00 per structure. All other ~~use~~ groups shall be considered renovation and calculated as per (b) above.

~~(n) The fee for the issuance of a building permit that a fee has not been determined shall be \$75.00.~~

(n) The fee for a permit to move a building or structure from one lot to another or to a new location on the same lot shall be \$100.00 plus the cost of the new foundation and alterations to the building or structure for the placement in a completed condition in the new location shall be computed as required for renovations, alterations and repairs in section b.1(b).

(o) The fee to erect a fence greater than 6 feet in height shall be \$75.00.

(p) The fee for an asbestos removal permit shall be \$75.00.

(q) Fees for retaining walls that require a construction permit shall be as follows:

[1] The fee for a retaining wall with a surface area greater than 550 square feet that is associated with a Class 3 residential structure shall be \$200.00;

[2] The fee for a retaining wall with a surface area of 550 square feet or less that is associated with a Class 3 residential structure shall be \$100.00;

[3] The fee for a retaining wall of any size that is associated with other than a Class 3 residential structure shall be in accordance with 1(b) above.

(r) The fee for a deck accessory to a group R-3, R-4 or R-5 structure shall be \$0.40 per sq. ft., all other decks shall be calculated accordance with 1(b) above.

(s) The fee for garden utility sheds and similar structures 101 to 200 sq. ft. and accessory to group R-3, R-4 or R-5 structure that does not have a permanent footing below the frost line shall be \$75.00.

B. Plumbing

(1) Plumbing fixtures and equipment: The fees shall be as follows:

(f) The fee shall be \$75.00 for a fuel fired pool or spa heater associated with a Class 3 residential structure of group R-3, R-4 or R-5 regardless of BTU input.

(g) There shall be a singular fee of \$75.00 for both a backflow preventer and wireless rain sensor associated with an irrigation system that does not require an electric permit.

C. Electrical.

(1) The electrical Subcode fees shall be as follows:

(n) The fee for the annual electrical inspection of swimming pools, spas or hot tubs shall be \$ 100.00 for the first pool, spa or hot tub and \$90.00 for each additional pool, spa or hot tub at the same location.

D. Fire.

(1) For fire protection and hazardous equipment, sprinklers, standpipes, detectors (smoke and heat), pre-engineered suppression systems, gas and oil fired appliances not connected to the plumbing system, kitchen exhaust systems, incinerators and crematoriums, the fee shall be as follows:

- (a) The fee for 20 or fewer heads shall be \$ 100.00; for 21 to and including 100 heads, the fee shall be \$ 200.00; for 101 to and including 200 heads, the fee shall be \$ 350.00; for 201 to and including 400 heads, the fee shall be \$ 1000.00; for 401 to and including 1,000 heads, the fee shall be \$ 1500.00; for over 1,000 heads, the fee shall be \$ 2000.00.
- (b) The fee for one to 12 detectors shall be \$ 75.00; for each 25 detectors in addition to this, the fee shall be in the amount of \$ 25.00.
- (c) The fee for each standpipe shall be \$ \$300.00.
- (d) The fee for each independent pre-engineered system shall be \$ 125.00.
- (e) The fee for each gas ~~or~~, oil or solid fuel fired appliance ~~that is not connected to the plumbing system~~ shall be \$ 75.00.

[1]Exception. New or replacement fuel fired appliances in an existing structure of Group R-3 or R-5 inspected in accordance with N.J.A.C 5:23-3.4(d) or N.J.A.C 5:23-3.4(d)1, the fee shall be in accordance with Subsection E below.

E. Mechanical.

The fee for a mechanical inspection in an existing structure of Group R-3 or R-5 in accordance with N.J.A.C 5:23-3.4(d) or N.J.A.C 5:23-3.4(d)1 shall be \$75.00 for the first device and \$25.00 for each additional device.

F. The fee for the issuance of a building, electric, plumbing fire protection or mechanical permit that a fee has not been determined shall be \$75.00.

G. Demolition. The fee for a demolition or removal permit shall be \$ 100.00 for a structure of less than 5,000 square feet in area and less than 30 feet in height, for one- or two-family dwellings (Group R-3 or R-5 of the building subcode), structures on farms, including commercial farm buildings under N.J.A.C. 5:23-3.2(d), and \$ 250.00 for all other Groups. The fee for demolition of a fuel storage tank or septic tank accessory to a use group R-3, R-4 or R-5 structure shall be \$75.00.

H. Certificates.

- (1) The fee for a certificate of occupancy shall be ~~\$ 50.00~~ \$75.00.
- (2) The fee for a certificate of occupancy granted pursuant to a change of use ~~group~~ shall be ~~\$ 200.00~~ \$300.00.
- (3) The fee for a certificate of continued occupancy issued under N.J.A.C. 5:23-2.23(c) shall be \$ 200.00.
- (4) The fee for the first issuance and the renewal of a temporary certificate of occupancy shall be ~~\$ 35.00~~ \$30.00.

(5) Exceptions.

- (a) There shall be no fee for the first issuance of the temporary certificate of occupancy provided the certificate of occupancy fee is paid at that time.
- (b) ~~Where a written request for a temporary certificate of occupancy is made for reasons other than uncompleted work covered by the permit (such as uncompleted work required by prior approvals from state or municipal agencies), no renewal fee shall be charged.~~

I. Variations. The fee for an application for a variation in accordance with N.J.A.C. 5:23-2.10 shall be \$ 748.00 for class I structures, \$ 151.00 for class II structures and \$75.00 for class III structures. The fee for resubmission of an application for a variation shall be \$ 289.00 for class I structures and \$ 82.00 for class II structures and \$ 50.00 for class III structures.

J. Annual Permits.

- (1) The fee to be charged for an annual construction permit shall be charged annually. This fee shall be a flat fee based upon 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.
- (2) Fees for annual permits shall be as follows:
 - (a) One to 25 workers (including foremen) \$ 840.00/worker; each additional worker over 25, \$ 292.00/worker.
 - (b) Prior to the issuance of the annual permit, a training registration fee of \$ 176.00 per subcode and a list of not more than three individuals to be trained per subcode shall be submitted by the applicant to the Department of Community Affairs, Bureau of Code Services, Education Unit along with a copy of the construction permit (Form F170). Checks shall be made payable to "Treasurer, State of New Jersey." The Department shall register these individuals and notify them of the courses being offered.

Section 2. All ordinances or parts of ordinances in conflict or inconsistent with any part of this Ordinance are hereby repealed to the extent that they are in such conflict or inconsistent.

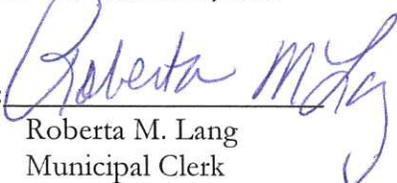
Section 3. This Ordinance may be renumbered for codification purposes.

Section 4. In the event that any section, part or provision of this Ordinance shall be held to be unenforceable or invalid by any court, such holding shall not affect the validity of this Ordinance as a whole, or any part thereof, other than the part so held unenforceable or invalid.

Section 5. This Ordinance shall take effect upon final passage and publication as provided by law.

Introduced: **September 27, 2017**

Adopted: **October 25, 2017**

Attest: 
Roberta M. Lang
Municipal Clerk

Attest: 
Dominick DiRocco,
Mayor