

ORDINANCE NO. 1101-22
BOROUGH OF DEMAREST
BERGEN COUNTY, NEW JERSEY
ORDINANCE – AMENDING SECTION 84 OF THE DEMAREST BOROUGH CODE
BUILDING CONSTRUCTION FEES

WHEREAS, the Borough collects fees for permits to perform construction, renovations and building improvements, to defray costs of administration and inspection; and

WHEREAS, due to increased costs of labor and administration, the current fee schedule has been deemed inadequate; and

WHEREAS, the Borough Council now seeks to revise and amend the construction fee schedule as is required from time to time.

NOW THEREFORE, BE IT ORDAINED, by the Mayor and Council of the Borough of Demarest, that Section 84-3 of the Borough of Demarest Code be and hereby is revised and amended as follows:

Section I-§ 84-3. Fees

A. The fee for a construction permit shall be the sum of the subcode fees listed in this subsection, together with the surcharge fees listed in 84-3 G. The minimum fee for any building permit under this subcode shall be \$100.

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

- (a) New construction \$0.07 per cubic foot of building or structure volume, provided that the minimum fee shall be \$600. The minimum fee for any accessory building (e.g., a shed) shall be \$100.
- (b) For renovations, alterations, siding, roofing, decks, and repairs: \$32 per \$1,000 of estimated cost of the work, provided that the minimum fee shall be \$100. For purposes of this section, swimming pools and other outdoor uncovered facilities shall be considered renovations and alterations, and the fee for a construction permit will be based on the estimated cost.
- (c) For additions: \$0.07 per cubic foot of building or structure volume for the added portion, provided that the minimum fee shall be \$200.
- (d) For combinations of renovations and additions shall be computed as the sum of the fees computed separately as renovations and additions.
- (e) The fee for the demolition of a principal building or structure shall be \$750, while the fee for the demolition of an accessory building or accessory structure shall be \$300.
- (f) For asbestos hazard abatement permits the fee shall be \$118 in accordance with N.J.A.C. 5:23-8.9(a)1, and \$24 for certificates of occupancy, following successful completion of abatement in accordance with N.J.A.C. 5:23-8.9(a)2.
- (g) For plan review for revisions after issuance of a permit the fee shall be \$50 per hour with a minimum fee of \$100.
- (h) For review of an application for a variation, the fee shall be \$150
- (i) For a change of contractor, the fee shall be \$50.

(2) Fees for retaining walls shall be as follows:

- (a) 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 \$400.
- (b) 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 \$200.
- (c) The fee for a newly constructed wall of any size at other than a Class 3 residential structure shall be based on the cost of construction established in § 84-3A(1)(b).
- (3) The electric subcode fees shall be as follows. The minimum fee shall be residential R-3 & R-5 \$75, all other uses & commercial \$150.
 - (a) Receptacles and fixtures (lighting fixtures, receptacles, switches, detectors, light poles, motors-fractional horsepower, emergency and exit lights, communication points and alarm devised/fire alarm control panel. electrical devices of less than one horsepower or one kilowatt.
 - [1] One to 25 units: \$75
 - [2] Each additional 25 or fraction thereof: \$40
 - (b) Motors and electrical devices one horsepower up to:
 - [1] One horsepower to 10 horsepower: \$75.
 - [2] From 11 horsepower to 50 horsepower: \$150.
 - [3] From 51 horsepower to 100 horsepower: \$300.
 - [4] Greater than 101 horsepower: \$450.
 - (c) Transformers and generators one kilowatt up to (equipment and appliances, including electrical range oven, dishwasher, dryer, water heater, boiler, furnace, baseboard heat, space heaters, transfer switches, or any other fixed or plug in appliance) each:
 - [1] One kilowatt to 10 kilowatts: \$75.
 - [2] Over 11 kilowatts to 45 kilowatts: \$150.
 - [3] Over 46 kilowatts to 112.5 kilowatts: \$300.
 - [4] Over 112.5 kilowatts: \$450.
 - (d) Service panels, entrances and subpanels:
 - [1] Less than or equal to 200 amps: \$100.
 - [2] 201 amps or equal to 400 amps: \$300.
 - [3] 401 amps or equal to 1,200 amps: \$450.
 - [4] Over 1,201 amps: \$1,000.
 - [5] Additional meters included in service: \$75.
 - (e) Air-conditioning units (disconnect, compress/condenser and air handler):
 - [1] Each: \$75.
 - [2] Replacement of any system part: \$50.
 - (f) Burglar alarm system (complete): \$75.
 - (g) Hydromassage tub (interior whirlpool tub/spa) including bonding shall be \$75.
 - (h) Hot tub or spa (exterior): \$150.
 - (i) Swimming pools (includes receptacle, switch, trench, bonding and equip potential bonding matt):
 - [1] Aboveground: \$100.
 - [2] Semi-in-ground: \$150.
 - [3] In-ground: \$300.
 - [4] Light each: \$50
 - [5] Filter/motor/accessory for renovation or replacement of ea:\$50
 - (j) The fee for an annual pool inspection shall be \$100.
- (4) The Plumbing Subcode fees shall be as follows. The minimum fee shall be \$75 Residential, \$150 Commercial.

THESE FEES SHALL BE IN ADDITION TO THE FEES WHICH ARE SET FORTH IN THE SUBSECTIONS OF THIS SECTION FOR THE SPECIFIC WORK PROPOSED
FIXTURES WHICH INCLUDE THE FOLLOWING (THIS IS NOT AN ALL-INCLUSIVE LIST)

- (a) Water closet: \$25.
- (b) Urinal/bidet: \$25.
- (c) Bathtub: \$25
- (d) Lavatory: \$25
- (e) Shower: \$25
- (f) Floor Drain: \$25
- (g) Sink: \$25
- (h) Dishwasher: \$25
- (i) Drinking Fountain: \$25
- (j) Washing Machine: \$25
- (k) Hose Bib: \$25
- (l) Garbage Disposal: \$25
- (m) Ice Maker (Residential): \$25
- (n) Ice Maker (Commercial): \$100
- (o) Water Heater (Residential) All fuels new install otherwise Mechanical: \$100
- (p) Water Heater (Commercial) All fuels new and replacement.: \$150
- (q) Fuel oil piping: \$100
- (r) Gas piping residential:
 - [1] First Appliance: \$75
 - [2] Every Appliance after that: \$30
- (s) Gas piping commercial
 - [1] First Appliance: \$150
 - [2] Every Appliance after that: \$40
- (t) LP Tank: \$50
- (u) Sewer pump/ Fixture pump: \$75
- (v) Grease Trap Interceptor/Separator: \$75
- (w) Hot water boiler/steam boiler (Residential)-
New install otherwise Mechanical: \$100
- (x) Sewer or Water service connection: \$100
- (y) Backflow Preventer (Residential): \$75
- (z) Backflow Preventer (Commercial): \$100
- (aa) Hot water boiler/Steam boiler (Commercial)
New and replacement: \$175.
- (bb) Stacks: \$40/ea.
- (cc) Refrigeration Systems: \$75
- (dd) AC Condensate Drains, Condenser and Air Handler
New System Only (New House) Otherwise Mechanical: \$75
- (ee) Commercial HVACR Systems Including RTU Systems: \$150
- (ff) Heating & cooling equipment such as ground source, heat pump systems, heat pumps, solar thermal systems but not limited to these systems: \$125.
- (gg) Water softener and filtering equipment: \$75.
- (hh) Sump pump and pits (New Only): \$75.
- (ii) Inground Pool/Main drains: \$100
- (jj) Above ground pool: \$75
- (5) The Mechanical Subcode fees for R-3/R-5 ONLY shall be as follows: The minimum fee shall be: \$100.
 - (a) Replacement of heating & cooling equipment such as ground source, heat pump systems, heat pumps solar: \$150.

- (b) Furnace Central: Direct Replacement/New installation, Existing dwelling R-3, R-5: \$125
- (c) Boiler Central All Fuels: Direct replacement/New installation, Existing dwelling R-3, R-5: \$150
- (d) Gas Piping: Direct Replacement/New installation, existing dwelling R-3, R-5.
 [1] First Appliance: \$75
 [2] Every Appliance after that: \$30
- (e) Condensing unit, AC units and mini splits, direct replacement/new installation, existing dwelling R-3, R-5
 [1] First Unit: \$150
 [2] Every Unit After that: \$75
- (f) Water Heater- All fuels direct replacement/New installation, Existing dwelling R-3, R-5.
 [1] First Heater: \$100
 [2] Every Heater after that: \$50
- (g) Oil Piping- Direct Replacement, New installation, Existing Dwelling R-3, R-5: \$100
- (h) Heating Venting System, Chimney Liners, Direct Replacement/New installation, existing dwelling R-3, R-5: \$125.
- (i) Duct System- New installation/existing dwelling R-3, R-5: \$100
- (j) Fireplace logs- Direct Replacement/New installation, existing dwelling R-3, R 5: \$100.
- (k) Generator- Direct replacement/New installation, existing dwelling R-3, R 5: \$125.
- (l) Pool heaters- Direct replacement/New installation, existing dwelling R-3, R-5: \$75.
- (m) Refrigeration Systems- Direct replacement/New installation, existing dwelling R-3, R-5: \$75.
- (n) LP Tank direct replacement/New installation, existing dwelling R-3, R-5: \$75.
- (6) The Fire Protection Subcode fees shall be as follows: The minimum fee shall be:
- (a) For each gas or oil fuel fired appliance: \$75.
- (b) For installation/removal of a fuel storage tank for a residential building: \$100.
- (c) For installation/removal of fuel, oil or gasoline storage tanks in connection with a commercial or business building, the fee shall be:
 [1] For each tank 1,000-gallon capacity: \$100.
 [2] For each tank 1,001 gallon to 3,000 gallons' capacity: \$275
 [3] For each tank over 3000-gallon capacity: \$300.
- (d) For fireplace/woodstoves: \$75 each.
- (e) For installation of sprinkler systems, the fees shall be as follows:
 [1] For one to 25 heads: \$125.
 [2] For 26 to 75 heads: \$200.
 [3] For 76 to 100 heads: \$300.
 [4] For over 100 heads: \$400.
- (f) Alarm/supervisory/signaling devices (smoke, heat, carbon monoxide, pull stations, water flow, tampers, low/high air, horn/strobes and bells):
 [1] For installation of one to five devices: \$100.
 [2] For each addition device over five: \$10.
- (g) Special fire suppression systems, including cooking suppressions systems, CO2, halon, etc.: \$150 (sprinkler systems not included).
- (h) Automatic fire detection and alarm system: \$200.
- (i) Each kitchen exhaust system: \$150.
- (j) Each standpipe: \$100.

(k) Each Fire pump: \$100.

B. Plan review.

(1) The fee for plan review shall be 20% of the amount to be charged for the construction permit. The amount paid for this fee shall be credited toward the amount of the fee to be charged for the construction permit. In addition, the following sums shall be paid in escrow in connection with all new construction of or additions to one- and two-family residences:

(a) New construction: the sum of \$2,000 for site inspections by the Borough Engineer. The sum posted hereunder shall remain on deposit with the Borough until the Borough Engineer certifies that all site inspections have been completed and all vouchers for services rendered in connection with such services have been paid in full, after which time any balance remaining shall be refunded. This subsection is solely applicable to new construction on a vacant lot.

(b) Additions. The following sums shall be paid in connection with construction of any addition that disturbs the soil: \$1500 The sum posted hereunder shall remain on deposit with the Borough until the Borough Engineer certifies that all site inspections have been completed and all vouchers for services rendered in connection with such services have been paid in full, after which time any balance remaining shall be refunded upon issuance of a certificate of occupancy.

(2) Should the escrow funds initially deposited hereunder be exhausted prior to completion of all site inspections, the Borough Engineer shall submit an estimate of additional funds required to complete such inspections, whereupon the applicant shall forthwith deposit with the Borough such additional escrow funds.

C. 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 \$150.

D. The fee for a permit to construct a sign shall be \$100.

E. Fences.

(1) The fee to erect a brick, masonry or wrought iron fence or any fence requiring poured footings shall be \$15 per \$1,000 estimated cost with a minimum fee of \$50.

(2) The fee to erect any fence not requiring footings shall be \$10 per \$1,000 estimated cost with a minimum fee of \$30.

F. The fee for installation of an elevator shall be pursuant to the Uniform Construction Code, N.J.A.C. 5:23-4.20. Permits shall be obtained directly from the Department of Community Affairs for the State of New Jersey.

G. Surcharge fee. In order to provide for the training, certification and technical support programs required by the Uniform Construction Code Act and the regulations, in addition to the fees specified above, a surcharge shall be calculated upon current state fees pursuant to N.J.A.C. 5:23-4.19 (b), as amended.

H. Certificates. The fees for certificates shall be as follows:

(1) For a certificate of occupancy for all new construction: \$150.

(2) The fee for the first issuance and the renewal of temporary certificate of occupancy shall not exceed \$30.

Exception: 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.

(3) For a certificate of continued certificate of occupancy for inspection upon change of occupancy of a structure used or intended for residential purposes by not more than two households: \$115

I. For the re-inspection in case of change of occupancy of a structure used or intended for use for residential purposes by not more than two households: \$50.

J. Zoning review fee (requires a current survey ten years or less depicts as exists):

(1) Habitable space: \$75

- (2) Non habitable space: \$50.
- K. Trailers used for construction offices and storage: \$150 each trailer for 6 months.
- L. The Construction Official shall, with the advice of the subcode officials, prepare and submit to the Mayor and Council of the Borough of Demarest 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.

All other provisions of the foregoing section not revised hereby shall remain in full force and effect in the absence of additional action by the Council.

Section II-Severability

The provisions of this Ordinance are hereby declared to be severable. If any provision, clause, sentence or paragraph of this Ordinance or the application thereof to any person, establishment or circumstances shall be held invalid, unconstitutional, void, or ineffective for any cause or reason, such invalidity shall not affect the other provisions or application of this Ordinance.

Section III-Repealer

All ordinances or parts of ordinances inconsistent with any of the provisions of the Ordinance hereof are hereby repealed.

Section IV-Effective Date

This Ordinance shall be in full force and effect from and after its adoption and any publication as may be required by law.

Introduced on first reading at a meeting of the Mayor and Council of the Borough of Demarest, County of Bergen, State of New Jersey on April 25, 2022. Adopted on second and final reading after hearing on _____.

Moved by: _____

Seconded by: _____

	Aye	Nay	Abstain
Carroll	_____	_____	_____
Fox	_____	_____	_____
Hamilton	_____	_____	_____
Connelly	_____	_____	_____
Slowikowski	_____	_____	_____
LaPira	_____	_____	_____
Mayor Iannuzzi	_____	_____	_____

By: _____
MELINDA J. IANNUZZI, Mayor

ATTEST:

Susan Crosman-R.M.C.-Borough Clerk