

ORDINANCE NO. 558

**AN ORDINANCE AMENDING CHAPTER 13 OF ORDINANCE 531,
ADOPTING A CODIFICATION AND REVISION OF THE
ORDINANCES OF THE BOROUGH OF MANTOLOKING,
IN THE COUNTY OF OCEAN, STATE OF NEW JERSEY,
AND AMENDING PROVISIONS PERTAINING TO
STATE UNIFORM CONSTRUCTION CODE ENFORCING AGENCY**

WHEREAS, the Borough of Mantoloking adopted Ordinance 531, an Ordinance adopting a codification and revision of the Ordinances of the Borough of Mantoloking in the County of Ocean, State of New Jersey; and

WHEREAS, the codification adopted pursuant to Ordinance 531 includes Chapter XIII, Building and Housing in the Borough of Mantoloking; and

WHEREAS, the Mayor and Council of the Borough of Mantoloking now deem it appropriate to amend the provisions governing Chapter XIII, Building and Housing;

Now, therefore, **BE IT ORDAINED** by the Borough Council of the Borough of Mantoloking, in the County of Ocean, State of New Jersey, that the following is hereby adopted:

13-1.2 Enforcing Agency Established

Delete and provide: (New)

“13.1.2. Enforcement Agency Established:

“There is hereby established in the Borough of Mantoloking a State Uniform Construction Code enforcing agency, consisting of a Construction Official, Building Subcode Official, Electrical Subcode Official, Plumbing Subcode Official and Fire Subcode Official, each to enforce the relevant portions of the State Uniform Construction Code. The New Jersey Department of Community Affairs shall enforce the Elevator Subcode.”

13.1.4 Appointment of Code Enforcement Officers

Delete and provide: (New)

“13.1.4 Appointment of Code Enforcement Officers:

“The Borough may, by Resolution, appoint Code Enforcement Officials, i.e Construction, Building Subcode, Electrical Subcode, Plumbing Subcode and Fire Subcode Officials. The Department of Community Affairs is hereby appointed to serve as the Elevator Subcode Official.”.

The Adoption of this Ordinance shall not be construed to modify the term of office of incumbent officials. The Borough may, from time-to-time, contract with one or more private on-site inspection and plan review agencies.

Acting appointments to the position of Construction Official or Subcode Official (individually or as employees of private on-site inspection services) may be made by Resolution, in the public interest in accordance with and subject to law.

13.3 Construction Permit Fees:

Delete and provide: (New)

“13.2. Construction Permit Fees:

“The following construction permit fees are hereby established:

A. BUILDING SUBCODE FEES

BUILDING VOLUME OR COST: THE FEES FOR NEW CONSTRUCTION OR ALTERATION ARE AS FOLLOWS:

1. 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 \$0.024 per cubic foot of volume for buildings and structures of all use groups and types of construction as classified and defined in Articles 3 and 4 of the Building Subcode; Except that the fee shall be \$0.013 per cubic foot of volume for use groups A-1, A-2, A-3, A-4, F-1, F-2, S-1 and S-2.

2. Fees for renovations, alterations, repairs, and site construction associated with premanufactured construction shall be based upon the estimated cost of the work. For \$1,000.00 or less, the fee shall be \$35.00. From \$1,001.00 to \$50,000.00 the additional fee shall be in the amount of \$18.00 per \$1,000.00. From \$50,001.00 to and including \$100,000.00, the additional fee shall be in the amount of \$12.00 per \$1,000.00, for above \$100,000.00 the additional fee shall be in the amount of \$10.00 per \$1,000.00.

For the purpose of determining estimated cost, the applicant shall submit to the Construction Official such cost data as may be available produced by the architect or engineer of record, or by a recognized estimating firm, or by the contractor. A bona fide contractor's bid if available shall be submitted. The Construction Official shall make the final decision regarding estimated cost.

3. Fees for additions shall be computed on the same basis as for new construction for the added portion.

4. Fees for combination renovations and additions shall be computed separately in accordance with items (1) and (2) above.

5. For garden type utility sheds and similar structures not otherwise exempt from permits at N.J.A.C.5:23-2.14(b)8.; Temporary structures, towers, fences greater than 6 feet in height, open decks not attached to a principal or accessory structure, and similar structures for which volume cannot be computed, the fee shall be \$35.00.

6. The fee for roofing or siding in R-3 and R-4 uses shall be as set forth in sub-article 2, above.

7. Swimming Pools:

1. In-Ground, \$75.00

B. PLUMBING SUBCODE FEES

PLUMBING FIXTURES AND EQUIPMENT:

The fees shall be as follows:

1. For fixtures, pieces of equipment, hosebibs, vents, appliances connected to the plumbing system, and for appliances connected to the gas or oil piping system, except as listed in (2) below From 1 to 4 \$35.00.
..... Each Additional \$ 8.00.

2. Per special device for the following:

Grease traps, oil separators, water cooled air conditioning units, refrigeration units, utility service connections, backflow preventers equipped with test ports (double check valve assembly, reduced pressure zone and pressure vacuum breaker backflow preventers), steam boilers, hot water boilers (excluding those for domestic water heating), gas or fuel oil piping, sewer pumps, and interceptors..... \$50.00

C. FIRE PROTECTION SUBCODE FEES

FIRE PROTECTION AND OTHER 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:

1. The fee for 20 or fewer heads shall be \$65.00; for 21 to and including 100 heads, the fee shall be \$120.00; For 101 to and including 200 heads, the fee shall be \$229.00; For 201 to and including 400 heads, the fee shall be \$594.00; For 401 to and including 1,000 heads, the fee shall be \$822.00; For over 1,000 heads, the fee shall be \$1,050.00.
2. For from 1 to 12 detectors, the fee shall be \$35.00. For each 25 detectors in addition to this, the fee shall be \$10.00
3. The fee for each standpipe shall be \$229.00.
4. The fee for each independent pre-engineered system shall be \$92.00.
5. The fee for each gas or oil-fired appliance which is not connected to the plumbing system shall be \$46.00.
6. The fee for each kitchen exhaust system (commercial) shall be \$46.00.
7. The fee for each incinerator shall be \$365.00.
8. The fee for each crematorium shall be \$365.00.

D. ELECTRICAL SUBCODE FEES

ELECTRICAL FIXTURES AND DEVICES:

The fees shall be as follows:

1. For from one to 25 receptacles, fixtures, or devices, the fee shall be in the amount of \$35.00; For each 25 receptacles, fixtures, or devices in addition to this, the fee shall be in the amount of \$5.00; For the purpose of computing this fee, receptacles, fixtures, or devices shall include lighting fixtures, wall switches, electric discharge fixtures, convenience receptacles, sensors, dimmers, alarm devices, smoke and heat detectors, communications outlets, light standards eight feet or less in height including luminaires, emergency lights, electric signs, exit lights or similar electric fixtures and devices rated 20 amperes or less including motors or equipment rated less than one horsepower (HP), one kilowatt (KW), or kilovolt ampere (KVA).
2. For each motor or electrical device rated from one HP or one KW to 10

HP or 10 KW; For each transformer or generator rated from one KW or one KVA to 10 KW or 10 KVA; For each replacement of wiring involving one branch circuit or part thereof; For each storable pool or hydromassage bathtub; For each underwater lighting fixture; For household cooking equipment rated up to 16 KW; For each fire security or burglar alarm control unit; For each receptacle rated from 30 amperes to 50 amperes; For each light-standard greater than eight feet in height including luminaires; And for each communications closet. The fee shall be \$9.00 when installed in conjunction with works included in Paragraphs 1. or 7. of this section, or when not installed in conjunction with Paragraphs 1. or 7. of this section, the fee shall be from 1 to 4 units \$35.00, each additional unit \$9.00.

3. For each motor or electrical device rated from greater than 10 HP or 10 KW to 50 HP or 50 KW; For each service equipment, panelboard, switchboard, switchgear, motor control center, or disconnecting means rated 225 amperes or less; For each transformer or generator rated from greater than 10 KW or 10 KVA to 45 KW or 45 KVA; For each electric sign rated greater than 20 amperes to 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 \$40.00.

4. For each motor or electrical device rated from greater than 50 HP or 50 KW to 100 HP or 100 KW; For each service equipment, panelboard, switchboard, switchgear, motor control center, or disconnecting means rated from greater than 225 amperes to 600 amperes; And for each transformer and generator greater than 45 KW or 45 KVA to 112.5 KW or 112.5 KVA, the fee shall be \$100.00.

5. For each motor or electrical device rated greater than 100 HP or KW to 1000 HP or 1000 KW; For each service equipment, panelboard, switchboard, switchgear, motor control center, or disconnecting means rated from greater than 600 amperes to 1,000 amperes, the fee shall be \$200.00.

6. For each motor or electrical device rated greater than 1000 HP or 1000 KW; For each service equipment, panelboard, switchboard, switchgear, motor control center, or disconnecting means rated greater than 1,000 amperes; And for each transformer or generator greater than 112.5 KW or 112.5 KVA, the fee shall be \$450.00.

7. For each permanently installed private swimming pool as defined in the Building Subcode, spa, hot tub, or fountain, the fee shall be \$35.00 which shall include any required bonding, and associated equipment such as filter pumps or motors rated less than 1 HP or KW, disconnecting means, switches, required receptacles, and heaters, etc., excepting panelboards and underwater lighting fixtures. For public swimming pools, the fee shall be charged on the basis of the number of electrical fixtures and rating of electrical devices involved in accordance with Paragraphs 1. through 6. of this section.

8. For installations consisting of multimeter stacks, the fee shall be based

on the ampere rating of the main bus and not upon the number of meters or rating of disconnects on the meter stack. Individual loadside panelboards shall be charged in accordance with Paragraphs 2. through 6. of this section. There shall be no additional fee charged for the concurrent installation of feeder conductors to these loadside panelboards.

9. For motors or similar devices requiring concurrent installation of individual controls, relays, and switches, the fee shall be based only upon the rating of the motor or device. There shall be no additional fee charged for the concurrent installation of individual circuit components, for example controllers, starters, and disconnecting means.

10. For electrical Work requiring replacement or installation of service entrance conductors or feeder conductors only, the fee shall be in accordance with Paragraphs 2. through 6. of this section based on the designated ampere rating of overcurrent device of the service or feeder.

11. The fee for the annual electrical inspection of swimming pools, spas, or hot tubs shall be \$55.00.

12. For the purpose of computing these fees, all electrical and communications devices, utilization equipment, and motors which are part of premises wiring, except those which are portable plug-in type, shall be counted.

E. FEES APPLICABLE TO SECTIONS A, B, C & D

1. **PLAN REVIEW FEE:** The fee for plan review shall be 20 percent of the amount to be charged for a new construction permit.

2. **THE BASIC CONSTRUCTION FEE** shall be the sum of the parts computed on the basis of the volume or cost of construction, the number of plumbing fixtures and equipment, the number of electrical fixtures and devices, and the number of sprinklers, standpipes, and detectors (smoke and heat) at the unit rates provided herein plus any special fees.

3. **CERTIFICATES AND OTHER PERMITS:** The fees are as follows:
A. The fee for a demolition or removal permit including tanks, shall be \$46.00 for a structure of less than 5,000 square feet in area and less than 30 feet in height, for one or two family residences (Use Group R-3 of the Building Subcode), and structures on farms including commercial farm buildings under N.J.A.C.5:23-3.2(d), and \$85.00 for all other Use Groups.

B. The fee for a Certificate of Occupancy shall be \$28.00

C. The fee for a temporary certificate of occupancy shall be

\$25.00. Except where the full certificate of occupancy is paid at the time of the initial issuance of the temporary certificate.

D. The fee for a renewal of a temporary certificate shall be \$25.00.

E. The fee for a Certificate of Occupancy granted pursuant to a change of use group shall be \$125.00.

- (1). \$50.00 to Building
- (2). \$25.00 to Plumbing
- (3). \$25.00 to Fire
- (4). \$25.00 to Electrical

F. The fee for Certificate of Continued Occupancy shall be \$100.00

- (1). \$40.00 to Building
- (2). \$20.00 to Plumbing
- (3). \$20.00 to Fire
- (4). \$20.00 to Electrical

G. The fee for Elevator Devices where applicable shall be in accordance with N.J.A.C.5:23-12.6.

H. For cross connections and backflow preventers that are subject to testing and require reinspection, the fee shall be \$40.00 for each device when they are tested;

I. The fee for each construction permit issued for an asbestos abatement project shall be \$84.00.

J. The fee for each Certificate of Occupancy issued following the successful completion of an asbestos abatement project shall be \$17.00.

K. The fee for a permit for a lead hazard abatement project shall be \$150.00;

L. The fee for a Lead Abatement Clearance Certificate shall be \$35.00.

NOTICE

Notice is hereby given that the foregoing Ordinance No. 558 was introduced and passed on first reading at the regular meeting of the Mayor and Council of the Borough of Mantoloking, County of Ocean, State of New Jersey, held on the 16th day of June, 2008. And that a public hearing was held thereon at a Special Meeting of said Mayor and Council at the Borough Hall on the 30th day of June, 2008 at which time and place said ordinance was passed on second and final reading and became effective as of that date.

George C. Nebel
MAYOR