

## **ORDINANCE 2023-12**

### **AN ORDINANCE OF THE BOROUGH OF ISLAND HEIGHTS, COUNTY OF OCEAN, STATE OF NEW JERSEY, REPEALING AND REPLACING CERTAIN SECTIONS OF CHAPTER 12 OF THE BOROUGH CODE ENTITLED – BUILDING AND HOUSING**

The following shall repeal and replace Borough Code Chapters 11-1, 11-1.1 and 11-1.2

#### Chapter 11. Building and Housing

##### 11-1. UNIFORM CONSTRUCTION CODE

##### **11-1.1. Uniform Construction Code Enforcing Agency**

- a. There is hereby established in the Borough a State Uniform Construction Code Enforcing Agency to be known as the "Borough of Island Heights Construction Office" consisting of a Construction Official, Deputy Construction Official, Technical Assistant(s) to the Construction Official and such other subcode officials for such additional subcodes as the Commissioner of the Department of Community Affairs, State of New Jersey, shall hereafter adopt as part of the State Uniform Construction Code. The Construction Official shall be the chief administrator of the Construction Office.
- b. Each official position created in paragraph a hereof shall be filled by a person qualified for such position pursuant to P.L. 1975, c. 217, as amended, and N.J.A.C. 5:23, provided that, in lieu of any particular subcode official, an on-site inspection agency may be retained by contract pursuant to N.J.A.C. 5:23. More than one (1) such official position may be held by the same person, provided that such person is qualified pursuant to P.L. 1975, c. 217, and N.J.A.C. 5:23 to hold such position(s).
- c. The public shall have the right to do business with the Construction Office at one (1) location except for emergencies and unforeseen or unavoidable circumstances.

**11-1.2. UCC Construction Permit Fees.** Under the provisions of this chapter all permit fees charged shall be rounded to the nearest dollar in accordance with standard mathematical practices (i.e., \$105.44 becomes \$105, and \$198.67 becomes \$199). The following construction permit fee schedules are hereby established:

**A. Plan Review.** The plan review fee shall be twenty five (25%) percent of the total cost of the construction permit. The minimum plan review fee shall be \$100.00. The amount paid as the plan review fee will be deducted from the total permit fee upon issuance. The plan review fee is nonrefundable.

**B. State of New Jersey Training Fee.** The State of New Jersey training fee shall be collected at the rate in effect at the time of permit issuance per N.J.A.C. 5:23-4.19(b) and shall be rounded to the nearest whole dollar.

**C. UCC Building Subcode Code Permit Fees:** Permit Fees shall be as follows:

**1. Minimum Building Subcode Permit Fee:** Permit Fee \$75.00

**2. Review of Documentation or Change of Contractor:** Permit Fee \$75.00.

**3. New Construction.** The permit fee shall be based upon the volume of the structure. The volume computation shall be determined by N.J.A.C. 5:23-2.28. Use groups and types of construction are classified and defined in the currently adopted Building Subcode:

**a. New Residential Construction.** Per cubic feet of volume: fee \$0.043; Minimum Permit Fee \$100.00.

**b. New Construction, All Other Use Groups (per cubic foot of volume):**

a. Use Groups A-1, A-2, A-3, A-4, B, F, S-1, S-2 and H: Permit Fee \$0.040.

b. All other use groups: Permit Fee \$0.030.

c. Minimum fee for Subsection A(2)(b)[1] and [2]: Permit Fee \$125.00

d. Maximum fee for Subsection A(2)(b)[4]: Permit Fee \$750.00

- e. Minimum fee for Subsection A(2)(b)[4]: Permit Fee \$75.00
- f. Modular and premanufactured building and moving houses, basic unit set on footing and foundation: Permit Fee \$250.00

**4. Renovations, Alterations and Repairs.** Permit fees shall be based on the estimated cost of work. (for the purpose of determining the estimated cost, the applicant shall submit to the Construction Official such cost data as may be available produced by an architect or engineer of record or by a recognized estimating firm or by the general contractor. The Construction Official shall make the final decision regarding the estimated cost:

- a. Minimum Permit Fee: \$75.00
- b. \$1.00 to \$50,000.00 (per thousand): Permit Fee \$75.00
- c. \$50,001.00 to \$100,000.00 (per thousand): Permit Fee - Add \$35.00
- d. Over \$100,000.00 (per thousand): Permit Fee - Add \$25.00
- e. For the combination of addition and renovation, the sum of the fees shall be computed separately as additions and renovations.

**5. Retaining Walls – Four Feet in Height or Above:**

- a. Up to fifty (50) linear feet: Permit Fee \$150.00
- b. Fifty one (51) linear feet to one hundred (100) linear feet: Permit Fee \$225.00
- c. One hundred one (101) linear feet or more: Permit Fee - \$300.00

**6. Fireplaces (not to include natural gas or propane fireplaces), Masonry Chimneys, Wood Stoves and Chimneys.**

- a. Minimum Permit Fee: \$75.00

**7. Installation of Swimming Pools and Spas.**

- a. Aboveground units up to five hundred (500) square feet: Permit Fee \$100.00
- b. Aboveground units over five hundred (500) square feet: Permit Fee \$200.00
- c. In-ground units: Permit Fee \$225.00
- d. Public and commercial units: Permit Fee \$400.00

**8. Installation of Temporary Structures and Other Structures for Which Volume Cannot be Computed:**

- a. Minimum Permit Fee: \$75.00
- b. Sheds more than two hundred (200) square feet: Permit Fee \$100.00

**9. Demolition of Structure:**

- a. Use Group R, less than five thousand (5,000) square feet and thirty (30) feet high or less: Permit Fee \$75.00
- b. All others: Permit Fee \$125.00

**10. Signs:**

- a. Per Sign: Permit Fee \$100.00
- b. Sign Demolition: Permit Fee \$75.00

**11. Installation of Elevator Devices.**

- a. Minimum Permit Fee \$200.00

**12. Asbestos Removal.**

- a. Minimum Permit Fee: \$75.00
- b. Certificate of occupancy after the completion of asbestos abatement: Permit Fee \$100.00

**13. Tanks – Removal and Installation.**

- a. Tank capacity of up to two hundred and fifty (250) gallons: Permit Fee \$100.00
- b. Tank capacity of two hundred fifty one (251) to five hundred (500) gallons: Permit Fee \$150.00
- c. Tank capacity of five hundred one (501) or more gallons: Permit Fee \$300.00

**14. Lead Hazard Abatement.**

- a. Per Structure: Permit Fee \$100.00

**15. Certificate of Occupancy (UCC):**

- a. One or two family structures (Use Group R of Building Subcode) of less than thirty five (35) feet in height: Permit Fee: \$100.00
- b. All other use groups, basic building, excluding individual tenant occupancies: Permit Fee \$100.00
- c. Individual tenant occupancies - per unit: Permit Fee \$100.00
- d. Change of use certificate of occupancy: Permit Fee \$100.00
- e. Temporary Certificate of Occupancy (TCO) – Permit Fee \$100.00.

**16. Application for a Variation:**

- a. For Class I, II and III structures: Permit Fee \$75.00
- b. Resubmission Fee: Permit Fee \$75.00

**17. Reinstatement of a Lapsed Building Subcode Permit:**

- a. First Reinstatement: Permit Fee \$75.00
- b. Second Reinstatement: Permit Fee \$150.00
- c. Third Reinstatement: Permit Fee \$250.00
- d. Fourth or Additional Reinstatement: Permit Fee \$400.00

**18. Lead Abatement Clearance Certificate: Permit Fee \$100.00**

**D. UCC Electrical Subcode Permit Fees.** Permit Fees shall be as follows:

- 1. **Minimum Electrical Subcode Permit Fee:** Permit Fee \$75.00
- 2. **Review of Documentation or Change of Contractor:** Permit Fee \$75.00
- 3. **Electrical Fixtures and Devices;** including but not limited to; lighting outlets, wall switches, fluorescent fixtures, convenience receptacles, smoke and/or carbon monoxide detectors, voice and data outlets, devices and motors less than one (1) horsepower or one kilowatt that are not listed elsewhere in this schedule and connected to nominal 240/120 VAC 20 amp or less branch circuits, permit fees shall be as follows:
  - a. One (1) to twenty five (25) fixtures or devices for lighting and ceiling fans, bathroom exhaust fans only: Permit Fee \$75.00
  - b. For each additional increment of twenty five 25 fixtures or devices: Permit Fee \$50.00

- c. For each dedicated 20 amp - 120 volts circuit: Permit Fee \$25.00
- d. Circulator pumps and blower motors that are a part of a furnace and are rated at less than one horsepower: Permit Fee \$20.00
- e. Utility load management device (ATS): Permit Fee \$65.00
- f. Time of day relay switch for electrical water heaters: Permit Fee \$25.00
- g. All other devices or fixtures not listed in the foregoing: Permit Fee \$65.00

**4. Special Electrical Fixtures and Devices:**

- a. Electric heating, cooking: Permit Fee \$65.00
- b. Service conductors, feeders, switches, switchboards and panel boards: Permit Fee \$65.00
- c. Motors, control equipment generators, transformers: Permit Fee \$65.00
- d. Smoke detectors: Permit Fee \$65.00
- e. Air conditioners, cooling equipment: Permit Fee \$65.00
- f. Lighting standards: Permit Fee \$65.00
- g. Swimming pools, hot tubs, hydro massage tubs, spas, steam baths and similar fixtures or devices: Permit Fees \$65.00
- h. Residential steam rooms, sauna, indoor installation of hot tubs and similar devices: Permit Fee \$65.00
- i. Indoor installation of hydro massage (no heating unit): Permit Fee \$50.00
- j. Aboveground swimming pool and installation of hot tubs with 120 volts service: Permit Fee \$75.00

k. In-ground swimming pool and installation of hot tubs with 240 volts service: Permit Fee \$125.00

l. All other special fixtures or devices not listed: Permit Fee \$65.00

**5. Motor or Electrical Devices:**

a. Greater than one (1) horsepower to five (5) horsepower: Permit Fee \$12.00

b. Greater than five (5) horsepower to ten (10) horsepower: Permit Fee \$35.00

c. Greater than ten (10) horsepower to fifty (50) horsepower: Permit Fee \$55.00

d. Greater than fifty (50) horsepower to one hundred (100) horsepower: Permit Fee \$75.00

e. Greater than one hundred (100) horsepower: Permit Fee \$250.00

**6. Furnace Replacement/Heat Conversions: Permit Fee \$65.00**

**7. Central Air Conditioning Condenser: Permit Fee \$65.00**

**8. Commercial Cooking Hood Systems with Make-Up Air: Permit Fee \$75.00**

**9. Transformers and Generators:**

a. Greater than one (1) kilowatt to five (5) kilowatts: Permit Fee \$25.00

b. Greater than six (6) kilowatts to ten (10) kilowatts: Permit Fee \$65.00

c. Greater than eleven (11) kilowatts to forty five (45) kilowatts: Permit Fee \$85.00

d. Greater than forty six (46) kilowatts to one hundred twelve (112) kilowatts: Permit Fee \$200.00



- e. Greater than one hundred twelve (112) kilowatts: Permit Fee \$450.00
10. **Swimming Pool** (above or in-ground): including filter motor, switch and receptacle: Permit Fee \$125.00
11. **Annual Commercial Pool Inspection:** Permit Fee \$100.00
12. **Pool Bonding:** Permit Fee \$75.00
13. **Spa, Hot Tub or Fountain:** Permit Fee \$125.00
14. **Motors or similar devices requiring concurrent installation of individual controls, relays and switches:** the Permit Fee shall be based only upon the rating of the motor or device.
- a. Up to two hundred (200) amps: Permit Fee \$150.00
  - b. Two hundred one (201) to three hundred (300) amps: Permit Fee \$200.00
  - c. Three hundred one (301) to four hundred (400) amps: Permit Fee \$250.00
  - d. Each additional one hundred (100) amps over four hundred (400):  
Additional Permit Fee \$75.00
15. **Service Meter Equipment, Subpanel, Feeders and Sub-Feeders:**
- a. One (1) amp to fifty (50) amps: Permit Fee \$50.00
  - b. Fifty one (51) amps to one hundred (100) amps: Permit Fee \$75.00
  - c. One hundred one (101) amps to one hundred fifty (150) amps: Permit Fee \$125.00
  - d. One hundred fifty one (151) amps to two hundred (200) amps: Permit Fee \$175.00
  - e. Over two hundred (200) amps: Permit Fee \$400.00
  - f. Over two hundred (200) amps: Permit Fee \$600.00

**16. Service Feeders, Ranch Circuits and Trenches:**

- a. Each trench for first one thousand (1,000) feet: Permit Fee \$50.00
- b. Each additional one thousand (1,000) feet of trench or part thereof:  
Additional Permit Fee \$15.00

**17. Electrical Signs:**

- a. Permit Fee for Each: \$75.00

**18. Electrical Discharge Lighting System:**

- a. Up to three thousand (3,000) watts: Permit Fee \$90.00
- b. Each additional one thousand (1,000) watts: Additional Permit Fee \$9.00

**19. Protective Signaling System;** including, but not limited to; fire alarms, burglar alarms, nurse call systems, video systems, communications, intercom systems, outlets and other monitoring systems, permit fees shall be as follows:

- a. One (1) to fifty (50) devices: Permit Fee \$75.00
- b. Each additional twenty five (25) devices: Additional Permit Fee \$45.00

**20. Solar Devices:**

- a. Photovoltaic Systems - Permit Fees shall be based on the designated kilowatt rating of the solar photovoltaic system, as follows:
  - 1. One (1) kilowatt to fifty (50) kilowatts: Permit Fee \$150.00
  - 2. Fifty-one (51) kilowatts to one hundred (100) kilowatts: Permit Fee \$300.00
  - 3. Greater than one hundred (100) kilowatts, for each additional one hundred (100) kilowatts: add \$300.00 to the Permit Fee

b. Inverters - Permit Fees shall be based on the kilowatts of the unit as follows:

1. Microinverters (inverters with a rating of less than one kilowatt):  
Permit Fee \$75.00 (regardless of the number of microinverters)
2. From one (1) kilowatt to ten (10) kilowatts: Permit Fee \$35.00
3. From eleven (11) kilowatts to forty five (45) kilowatts: Permit Fee \$75.00
4. Over forty five (45) kilowatts: Permit Fee \$200.00

c. Disconnects and Combiner Panels - Disconnect and Combiner Box Panel Permit Fees are based on the ampere rating as follows:

1. One (1) amperes to one hundred (100) amperes: Permit Fee \$75.00
2. Greater than one hundred (100) amperes to two hundred twenty five (225) amperes: Permit Fee \$180.00
3. Greater than two hundred twenty five (225) amperes to six hundred (600) amperes: Permit Fee \$275.00
4. Greater than six hundred (600) amperes to one thousand (1,000) amperes: Permit Fee \$650.00
5. Greater than one thousand (1,000) amperes: Permit Fee \$750.00

**21. Reactivation of Electrical Service:** Permit Fee \$100.00

**22. Vehicle Battery Charger:** Permit Fee \$100.00

**23. Reinstatement of Lapsed Electrical Subcode Permit:**

- a. First Reinstatement: Permit Fee \$75.00
- b. Second Reinstatement: Permit Fee \$150.00
- c. Third Reinstatement: Permit Fee \$250.00

d. Fourth or Additional Reinstatement: Permit Fee \$400.00

24. **Change of Use Group:** Permit Fee \$100.00

25. **Certificate of Continued Occupancy:** Permit Fee \$100.00

**E. UCC Plumbing Subcode Permit Fees.** All fees charged pursuant to this chapter shall be rounded to the nearest dollar in accordance with standard mathematical practices. For plumbing fixtures and equipment, the fees shall be as follows:

1. **Minimum Plumbing Subcode Permit Fee:** Permit Fee \$75.00
2. **Cross-connections and backflow preventors:** subject to testing, requiring reinspection every twelve (12) months - for each device annually: Permit Fee \$100.00
3. **Fixtures and Stacks.** The permit fee for fixtures, appurtenances, stacks, admittance valves, (devices not equipped with test ports) or appliances connected to the plumbing system, except as otherwise listed, shall be:
  - a. for use R-3, R-4, or R-5: Permit Fee \$18.00 per item
  - b. for all other uses: Permit Fee \$21.00 per item
4. **Piping Replacement;** piping repairs or replacement of piping not resulting in additional fixtures, appliances, equipment or special devices: Permit Fee \$75.00
5. **Special Devices;** including but not limited to; grease traps, oil separators, furnaces, generators, refrigeration units, sump pumps, backflow prevention devices, steam boilers, sewer pumps, ductwork systems, pool heaters, coils and associated drains for air-conditioning systems, steam boilers and hot water boilers and similar and other special devices not listed: Permit Fee \$100.00
6. **Hot Water Heaters:** installation of a water heater:
  - a. New construction in use groups R-3, R-4 and R-5: Permit Fee \$150.00
  - b. All other uses (including direct replacement): Permit Fee \$75.00

**5. Heating and Cooling Equipment:**

- a. Furnace Install – Permit Fee \$100.00
- b. Air Conditioning Condenser Install – Permit Fee \$45.00
- c. Air Conditioning Coil Install – Permit Fee \$25.00
- d. Split Cooling/Heat Pump Units – Permit Fee \$135.00 – Additional Heads – Permit Fee \$25.00 each

**6. Appliances:**

- a. Each appliance connected to the natural gas, propane or oil piping system: Permit Fee \$15.00 each

**7. Public Utilities Connections;** including public water connection and public sewer connection:

- a. For use group R-3, R-4 and R-5: Permit Fee \$150.00
- b. For all other uses: Permit Fee \$200.00

**8. Private Wells;** connections to a private well or an inspection of a pump on a private well: Permit Fee \$100.00

**9. Gas Piping;** new gas piping systems or alterations of an existing system shall be charged based on the number of outlets on the system, even if those outlets are for future appliances. The permit fees shall be:

- a. Minimum gas piping Permit Fee \$85.00
- b. Medical gas piping: Permit Fee \$25.00 per outlet
- c. All other natural gas, propane and oil piping: Permit Fee \$25.00 per outlet

10. **Swimming Pool, Spas or Hot Tub Drains and Vacuum Release Valves;** main drains and associated vacuum release valves:

- a. R-3, R-4 and R-5 uses: drain lines: Permit Fee \$30.00 each drain inlet
- b. Vacuum release: Permit Fee \$60.00 for each device
- c. All other uses: drain lines: Permit Fee \$75.00 for each drain inlet
- d. Vacuum release: Permit Fee \$150.00 per device

11. **Ongoing Inspections;** annual inspection or review of a certification of a cross-connection control device performance test: Permit Fee \$150.00

12. Devices and/or Fixtures Not Listed in the Foregoing: Permit Fee \$65.00

13. **Reinstatement of a Lapsed Plumbing Subcode Permit:**

- a. First Reinstatement: Permit Fee \$75.00
- b. Second Reinstatement: Permit Fee \$150.00
- c. Third Reinstatement: Permit Fee \$250.00
- d. Fourth or Additional Reinstatement: Permit Fee \$400.00

**F. UCC Fire Subcode Permit Fees.** All fees charged pursuant to this chapter shall be rounded to the nearest dollar in accordance with standard mathematical practices.

- 1. **Minimum fire subcode permit fee:** Permit Fee \$75.00
- 2. **Appliance – oil or gas (excluding furnace) – R-5:** Per Connection - Permit Fee: \$25.00
- 3. **Appliance – oil or gas (excluding furnace) – other than R-5:** Permit Fee: \$45.00
- 4. **Dry pipe valve and compressor:** Permit Fee: \$250.00
- 5. **Elevator smoke detector recall system:** Permit Fee: \$150.00

6. **Fire alarm control panel – other than R-5:** Permit Fee: \$175.00
7. **Fire alarm control panel – Residential:** Permit Fee \$75.00
8. **Fire alarm, carbon monoxide detection:**
  - a. Smoke and carbon monoxide detectors; one (1) to twenty (20) units – Permit Fee \$75.00
  - b. Twenty one (21) or more units – for each additional up to twenty (20) units: Additional Permit Fee \$50.00
9. **Fire sprinklers:**
  - e. One (1) to twenty (20) heads: Permit Fee \$75.00
  - f. Twenty-one (21) or more heads - each additional up to twenty (20) heads: Additional Permit Fee \$50.00
10. **Gas or oil fired appliance not connected to plumbing system** (each appliance): Permit Fee \$75.00
11. **Tank installation:** Permit Fee \$85.00 each
12. **Tank removal:** Permit Fee \$150.00 each
13. **Fireplace or wood burning stove:** Permit Fee \$75.00
14. **Underground fire main/water tanks:** Permit Fee \$250.00
15. **Suppression Systems Other than Sprinklers:**
  - a. local application systems - pre-engineered (per system): Permit Fee \$150.00
  - b. Total flooding systems: Permit Fee \$180.00
16. **Commercial Kitchen Exhaust Hoods/Ducts - Per Linear Foot:** Permit Fee \$75.00

17. **Residential Kitchen Exhaust Hoods/Ducts** – Per Linear Foot: Permit Fee \$25.00

18. **Standpipe Systems** - Per Unit: Permit Fee \$240.00

19. **Fire Pumps** (each): Permit Fee \$235.00

20. **Devices/Fixtures Not Listed in the Foregoing**: Permit Fee (each) \$65.00

21. **Reinstatement of lapsed Fire Subcode Permit:**

- a. First Reinstatement: Permit Fee \$75.00
- b. Second Reinstatement: Permit Fee \$150.00
- c. Third Reinstatement: Permit Fee \$250.00
- d. Fourth or Additional Reinstatement: Permit Fee \$400.00

**G. UCC Mechanical Subcode Fees**

1. The Mechanical Inspector, or in the absence of a Mechanical Inspector, the Plumbing Subcode Official, shall have the responsibility for the enforcement of provisions of the code, except electrical, for the installation and replacement of heating or cooling equipment or water heaters or other mechanical equipment such as refrigeration, air-conditioning or ventilating apparatus, gas piping or hearing systems, or standby power generators, in existing buildings of use R-3 or R-5.
2. Minimum mechanical subcode fee: Permit Fee \$75.00
3. Mechanical Permit Fee \$15.00 for the first device and \$25.00 for each additional device.
4. Special Devices/Fixtures not listed in the foregoing: Permit Fee (each) \$65.00

**H. Report to the Governing Body.** The Construction Official shall, with the advice of the subcode officials, as appropriate and periodically, prepare and submit to the Mayor and Council, a report recommending an updated fee schedule based on the operating expenses of the Office and any other expenses of the municipality fairly attributable to the enforcement of the State Uniform Construction Code Act.



**I. Training Fee:**

1. In order to provide for the training, certification and technical support programs required by the State Uniform Construction Code Act and its regulations, as amended, the Borough Construction Office shall collect, in addition to the fees specified herein, a surcharge fee of \$0.0006 per cubic foot of volume of new construction. Said surcharge fee shall be remitted to the New Jersey Department of Community Affairs, on a quarterly basis no later than one month next succeeding the end of the quarter for which it is due.
2. The Borough Construction Office shall report annually to the Bureau of Housing Inspection, of the New Jersey Department of Consumer Affairs, the total amount of the surcharge fee collected for the fiscal year.

The foregoing Ordinance was duly adopted following a Public Hearing by the Mayor and Council at their Regular Meeting on November 14, 2023 in the Borough. This Ordinance shall be effective immediately upon publication.

By Order of the Mayor and Council of the Borough of Island Heights

A handwritten signature in black ink, appearing to read 'Sean Asay', with a large, sweeping flourish extending to the right.

**Sean Asay**

**Borough Clerk**