

ORDINANCE NO. 2009-16

ORDINANCE OF THE BOROUGH OF RED BANK,  
COUNTY OF MONMOUTH, NEW JERSEY  
AMENDING AND SUPPLEMENTING  
CHAPTER XI, ABUILDING AND HOUSING@  
SECTION 11-1, "STATE UNIFORM CONSTRUCTION CODE@

**BE IT ORDAINED** by the Governing Body of the Borough of Red Bank that Chapter XI of the Revised General Ordinances of the Borough of Red Bank, Monmouth County, ABuilding and Housing@ is hereby amended and supplemented as follows:

**SECTION ONE:** Section 11-1, "State Uniform Construction Code@ is amended and supplemented to the following extent (*strikeouts denote deletions, double underlined text denote additions*):

**11-1.1 Enforcing Agency Established; Qualifications.** [Unchanged]

**11-1.2 Board of Appeals Established.** [Unchanged]

**11-1.3 Fees.** The fees to be charged by the local Uniform Construction Code Enforcing Agency shall be as follows:

- a. *Plan Review Fee.* The fee for plan review shall be 20 percent of the amount to be charged for a new construction permit. The minimum plan review fee shall be ~~\$55.00~~ 75.00.
- b. 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 pieces of 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. The minimum fee for a basic construction permit covering any or all of building, plumbing, electrical, or fire protection work shall be ~~\$55.00~~ 75.00.

0. *Building Subcode Fees:*

- ( ) Building volume of cost: The fees for new construction or alteration are as follows:
  - (0) 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 ~~\$0.03~~ 0.04 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 ~~\$0.025~~ 0.035 per cubic foot of volume for use groups R-3 and R-4.
  - (1) Fees for renovations, alterations and repairs shall be based upon the estimated cost of the work.
    - ( ) The fee for use groups R-3 and R-4 shall be in the amount of ~~\$20.00~~ 30.00 per \$1,000.00.
    - (i) The fee for all other use groups shall be in the amount of ~~\$25.00~~ 35.00 per \$1,000.00.
    - (ii) [Unchanged]
- (a) [Unchanged]
- (b) [Unchanged]
- (c) Special fees: Structures for which volume cannot easily be

computed.

- (0) Antenna masts, antenna towers, and/or satellite dish transceivers:

(i) The fee to erect a roof mounted radio or television antenna exceeding 12 feet in height shall be ~~\$25.00~~ 35.00, plus \$1.00 for each additional foot above 12 feet.

(ii) [Unchanged]

(iii) [Unchanged]

- (1) Fencing:

(i) Applicable fencing fee shall be ~~\$35.00~~ 50.00 for the first 200 lineal feet of fence or fraction thereof and \$10.00 for each additional 100 lineal feet of fence or fraction thereof.

(ii) [Unchanged]

- (2) [Unchanged]

- (3) Private swimming pools:

(i) The fee for the installation of an inground swimming pool shall be ~~\$150.00~~ 175.00.

(ii) The fee for the installation of an above ground swimming pool exceeding 24 inches in depth or having a surface area in excess of 250 square feet shall be ~~\$100.00~~ 125.00.

- (4) [Unchanged]

- (5) Signs: There is no permit requirement for a sign not greater than 25 square feet in surface area (one side) and not more than 6 feet above the ground (mounted height) which is not served by an electrical circuit directly connected to the sign, if it meets the other conditions specified in the regulations (N.J.A.C. 5:23-2.14(b)6). When applicable, the fee shall be ~~\$50.00~~ or \$2.00 per square foot of surface area whichever is greater. In case of double faced signs, the area of only one side shall be used for the purpose of fee computation.

- (6) [Unchanged]

- (7) Tents: The fee for tents in excess of 900 square feet or more than 30 feet in any dimension shall be ~~\$125.00~~ 150.00.

- (8) Fees for retaining walls shall be as follows:

a. A retaining wall with a surface area greater than 550 square feet that is associated with a Class 3 residential structure shall have a flat fee of \$200.00.

b. A retaining wall with a surface area of 550 square feet or less that is associated with a Class 3 residential structure shall have a flat fee of \$100.00.

- (9) (10) The minimum Building Subcode Fee unless otherwise specified shall be ~~\$55.00~~ 75.00.

2. *Plumbing Subcode Fees:*

- (l) For installation or replacement of plumbing fixtures and devices, such as but not limited to water closets, urinals, bidets, bath tubs, showers, lavatories, sinks, floor drains, dishwashers, drinking fountains, washing machines, hose bibbs, water heaters, trap primers, plumbing stacks, gas appliance connections and other similar devices, the fee shall be ~~\$20.00~~ 25.00 per device.
- (a) For installation or replacement of special fixtures and devices, such as but not limited to grease traps, backflow preventers, oil separators, interceptors, water-cooled air conditioning units, commercial refrigeration units, steam boilers, hot water boilers, commercial cooking equipment, gas piping, sewer pumps, automatic fuel shut-off devices, and fuel oil piping; the fee shall be ~~\$50.00~~ 75.00 per system or device.
- (b) For utility service installations and/or connections, including potable water, sewer, and combined fire service/domestic water connections, the fee shall be ~~\$100.00~~ 125.00 per connection.
- (c) Other plumbing subcode fees:
  - (1) Reserved.
  - (2) Roof drains, footing drains, and sump pumps (per device or system - ~~\$50.00~~ 75.00).
  - (3) Active solar systems - \$100.00.
- (d) LPG Tanks
  - (0) Tanks Located Above Ground.
    - (l) Up to 500 gallons, the fee shall be ~~\$75.00~~ 100.00.
    - (i) From 501 to 2,000 gallons, the fee shall be ~~\$125.00~~ 150.00.
  - (1) Tanks Located Below Ground.
    - (l) Up to 2,000 gallons, the fee shall be ~~\$150.00~~ 200.00.
- (e) Mechanical Inspection. For a Mechanical Inspection performed by a mechanical inspector, or a plumbing inspector, in a structure of Groups R-3, R-4, or R-5, the fee shall be a flat fee of ~~\$55.00~~ 75.00.

3. *Electrical Subcode Fees:*

- (l) For installation or replacement of outlets, receptacles, fixtures, including lighting outlets, wall switches, fluorescent fixtures, convenience receptacle or similar fixture, line voltage smoke detectors, burglar alarm systems, and motors or devices of less than one horsepower or one kilowatt, the fee shall be as follows:
  - (0) From 1 to 50 devices, the fee shall be \$75.00.
  - (1) For each additional 25 devices, the fee shall be ~~\$35.00~~ 50.00.

- (a) For each motor or similar electrical device, the fees shall be as follows:
  - (0) For 1 to 10 horsepower, the fee shall be \$35.00;
  - (1) For 11 to 50 horsepower, the fee shall be \$75.00;
  - (2) For 51 to 100 horsepower, the fee shall be ~~\$125.00~~ 150.00.
  - (3) For over 100 horsepower, the fee shall be \$450.00.
- (b) For transformers and generators over 1 kilowatt, the fees shall be as follows:
  - (0) For up to 10.0 hp/kW, the fee shall be \$35.00;
  - (1) For over 10 hp/kW up to 50 hp/kW, the fee shall be \$75.00;
  - (2) For over 50 hp/kW up to 100 hp/kW, the fee shall be \$125.00;
  - (3) For over 100 hp/kW up to 150 hp/kW, the fee shall be ~~\$175.00~~ 225.00, and shall increase by ~~\$50.00~~ 100.00 for every 50 hp/kW over 150 hp/kW.
- (c) For electrical service entrance, service panel, sub-panel installations or replacements, the fees shall be as follows:
  - (0) For up to 100 amps, the fee shall be \$75.00;
  - (1) For 101 amps up to 200 amps, the fee shall be ~~\$140.00~~ 125.00;
  - (2) For 201 amps up to 300 amps, the fee shall be ~~\$160.00~~ 200.00;
  - (3) For 301 amps and over, the fee shall be ~~\$240.00~~ 250.00 plus \$500.00 for every 100 amps or fraction thereof over 400.
- (d) [Unchanged]
- (e) The fees to be charged for other electrical equipment or fixtures not specified above are as follows:
  - (0) Protective signaling systems: This includes but is not limited to fire alarm devices, smoke and heat detectors, burglar alarm devices, nurse call-systems, communications systems, etc.
    - (i) For 1 to 50 devices the fee shall be ~~\$75.00~~ 100.00;
    - (ii) For each additional 25 devices the fee shall be ~~\$35.00~~ 50.00.
  - (1) Swimming pools:
    - (i) Above ground, the fee shall be ~~\$75.00~~ 100.00;
    - (ii) In ground, the fee shall be ~~\$125.00~~ 200.00.
- (f) The minimum electrical subcode fee shall be ~~\$55.00~~ 75.00.
- (g) The fee for the annual electrical inspections of swimming pools, spas or hot tubs shall be ~~\$400.00~~ 125.00.
- (h) Area Lighting:
  - (0) For 1 to 5 standards (greater than 8 feet), the fee shall be ~~\$40.00~~ 100.00;
  - (1) For more than 5 standards, the fee shall be ~~\$40.00~~ 15.00.

for each standard.

- (j) For photovoltaic systems the fee shall be based on the designated kilowatt rating of the solar voltaic system as follows:
  - (1) 1 to 50 kilowatts, the fee shall be \$75.00;
  - (2) 50 to 100 kilowatts, the fee shall be \$150.00;
  - (3) Greater than 100 kilowatts, the fee shall be \$575.00.

4. *Fire Subcode Fees:*

- (i) Fire protection sprinklers: For installation, relocation, or replacement of fire protection sprinklers, the fees shall be as follows:
  - (1) The fee for 20 or fewer sprinkler heads shall be ~~\$75.00~~ \$100.00;
  - (2) For 21 to and including 100 heads, the fee shall be ~~\$160.00~~ 200.00;
  - (3) For 101 to and including 200 heads, the fee shall be \$375.00;
  - (4) For 201 to and including 400 heads, the fee shall be ~~\$575.00~~ 750.00;
  - (5) For 401 to and including 1000 heads, the fee shall be ~~\$775.00~~ 1000.00;
  - (6) For 1000 heads, the fee shall be ~~\$1400.00~~ 1500.00
- (a) Fire alarm systems: For installation, relocation, or replacement of any fire alarm panel, annunciator, heat detector, smoke detector, manual pull station, bell, horn, strobe, or other types of signaling, supervisory, or indicating devices connected to any automatic or manual fire alarm system, the fees shall be calculated on the number of individual component devices as follows:
  - (0) The fee for 10 or fewer devices, shall be \$100.00;
  - (1) For 11 to and including 20 devices, the fee shall be \$150.00;
  - (2) For 21 to and including 100 devices, the fee shall be \$250.00 ~~plus \$2.50 per device~~;
  - (3) For 101 to and including 200 devices, the fee shall be \$500.00 ~~plus \$2.50 per device~~;
  - (4) For 201 to and including 500 devices, the fee shall be \$850.00 ~~plus \$1.70 per device~~;
  - (5) For ~~over 500~~ 501 or more devices, the fee shall be \$850.00 plus \$1.50 per device for each device beyond 500.
- (b) [Unchanged]
- (c) [Unchanged]
- (d) [Unchanged]
- (e) [Unchanged]
- (f) [Unchanged]
- (g) [Unchanged]

- (h) The fees to be charged for other fire protection devices not specified above shall be as follows:
- (0) The fee for the installation of a solid fuel burning device shall be \$75.00 per device.
  - (1) The fee for the installation of fire escapes is included in the fee as determined for alteration/repairs under the Building Subcode.
  - (2) The fee for asphalt (tar) kettle roofing operations shall be ~~\$75.00~~ 100.00.
  - (3) The fee for the installation of illuminated or self-luminous exit signs and/or emergency lighting units shall be \$10.00 per device. The minimum fee shall be \$55.00.
  - (4) The fees for the installation, removal or abandonment of flammable or combustible liquid storage tanks and dispensing units or pumps shall be as follows:
    - (i) The fee for dispensing units or pumps shall be ~~\$30.00~~ 50.00 per nozzle.
    - (i) The fee for inside tanks installed for residential heating purposes in use groups R-3 and R-4 shall be ~~\$75.00~~ 100.00 per tank.
    - (ii) The fee for the installation, removal, or abandonment of storage tanks shall be:
      - [ ] 0 to 500 gallons capacity, ~~\$75.00~~ 100.00 per tank;
      - [a] 501 to 1000 gallons capacity, ~~\$125.00~~ 150.00 per tank;
      - [b] 1001 to 2000 gallons capacity, ~~\$175.00~~ 200.00 per tank;
      - [c] 2001 to 5,000 gallons capacity, ~~\$340.00~~ 350.00 per tank;
      - [d] Over 5,000 gallons capacity, \$500.00 per tank.
  - (5) The fee for each fire pump shall be ~~\$275.00~~ 300.00.
  - (6) The fee for each fire hydrant installed on private property shall be ~~\$175.00~~ 200.00.
  - (7) The fee for the installation, relocation or replacement, of each fire protection device not otherwise specified above the fee shall be ~~\$10.00~~ 15.00 per device. The minimum fee shall be ~~\$55.00~~ 75.00. Such devices may include but not be limited to voice alarms, speakers, fire department communication devices, control units, etc.
  - (8) The fee for other mechanical systems or equipment regulated by the Fire Protection Subcode and not specifically listed herein shall be ~~\$50.00~~ 75.00 for the first \$1,000.00 of estimated cost and \$25.00 for each additional

\$1,000.00 of estimated cost.

- (9) The minimum Fire Protection Subcode Fee shall be ~~\$55.00~~  
75.00.

5. *Elevator Subcode Fees:*

- (a) For ~~The fees for~~ each elevator installation or replacement, the plan review, fee shall be ~~\$260.00~~ per device. For each ~~for~~  
elevator installation or replacement, in a one or two family dwelling, the plan review fee shall be ~~\$50.00~~ per device. The fee for elevator installation and device acceptance tests, inspections, maintenance tests, and certificate of compliance shall be those as set forth in N.J.A.C. 5:23-12.6(a) and (b).

6. *Asbestos Subcode:* The fee for issuance of a construction permit for each asbestos abatement project shall be ~~\$75.00~~ 100.00.

7. *Lead Abatement:* The fee for issuance of a construction permit for each lead abatement project shall be ~~\$75.00~~ \$100.00.

c. *Certificates and Other Permits:*

0. [Unchanged]

1. *Moving of a Structure or Building:*

- ( ) From one lot within the Borough to another lot or to a new location on the same lot: the fee shall be \$25.00 per \$1,000.00 of the estimated cost of moving. The fee for the new footings, foundation, slab, and/or any other work needed to bring the structure to a completed condition shall be in accordance with Subsection 11-1.3b. above; provided that the minimum fee shall be ~~\$75.00~~ 150.00.

- (a) From a lot within the Borough to a location outside the borders of the Borough: the fee shall be \$25.00 per \$1,000.00 of the estimated cost of moving. The minimum fee shall be ~~\$75.00~~  
150.00.

2. The fee for a certificate of occupancy shall be in the amount of 10 percent of the new construction permit fee which would be charged by the agency pursuant to these regulations. The minimum fee shall be \$150.00 except for structures of less than 5,000 square feet in area and less than 30 feet in height, and structures on farms, including commercial farm buildings subject to N.J.A.C. 5:23-3.2(d), for which the minimum fee shall be ~~\$75.00~~ 100.00.

3. The fee for a certificate of occupancy for buildings of use group R-4; or for certificates of occupancy issued for each individual tenant space in a new structure consisting of multiple tenants of use groups B, M, R-2, and R-3 shall be ~~\$50.00~~ 75.00 per unit.

4. The fee for the first issuance and the renewal of a temporary certificate of occupancy shall not exceed \$30.00.

5. The fee for a certificate of occupancy ranted pursuant to a change of use group shall be \$200.00.

6. The fee for certificate of continued occupancy shall be \$200.00.

7. The fee for plan review of a building for compliance under the alternate systems and non-depletable energy source provisions of the Energy Subcode shall be ~~\$270.00~~ 345.00 for one and two-family homes, and for light commercial structures having the indoor temperature controlled from a single point, and ~~\$1,300.00~~ 1725.00 for all other structures.
8. The fee for an application for a variation in accordance with N.J.A.C. 5:23-2.10 shall be ~~\$500.00~~ 750.00 for Class I structures and \$250.00 for Class II and Class III structures. The fee for resubmission of an application for a variation shall be ~~\$250.00~~ 325.00 for Class I structures and \$125.00 for Class II and Class III structures.
- d. *Periodic Inspections.* Fees for the periodic enforcing agency reinspection of equipment and facilities granted a certificate of approval for a specified duration in accordance with N.J.A.C. 5:23-2.23 shall be as follows:
  0. The fee for elevator device periodic inspections ... [Unchanged]
  1. For cross connections and backflow preventers that are subject to testing, requiring reinspection annually, the fee shall be ~~\$65.00~~ 75.00 for each device when they are tested.
- e. [Unchanged]
- f. *New Jersey Department of Community Affairs Surcharge Training Fee.* In order to provide for the training, certification and technical support programs required by the Uniform Construction Code Act and the Regulations, the enforcing agency shall collect in addition to the fees specified above, a surcharge fee of ~~0.00265~~ 0.00334 mils per cubic foot of volume of new building additions. The fee for all other construction shall be ~~\$1.35~~ 1.70 per \$1000 of value of construction. The surcharge fee shall be remitted to the Department of Community Affairs on a quarterly basis for the fiscal quarter ending March 31, June 30, September 30 and December 31, and not later than one month next succeeding the end of the quarter for which it is due. The minimum permit surcharge fee shall be \$1.00.
- g. [Unchanged]
- h. [Unchanged]

**SECTION TWO:** Any ordinances or portions thereof which are inconsistent with the provisions of this Ordinance are hereby repealed as of the effective date of this Ordinance.

**SECTION THREE:** If any provision of this Ordinance or the application of such provision to any person or circumstance is declared invalid, such invalidity shall not affect the other provisions or applications of this Ordinance which can be given effect, and to this end, the provisions of this Ordinance are declared to be severable.

**SECTION FOUR:** This Ordinance shall take effect immediately upon its passage and adoption according to law.

First Reading: April 27, 2009

Final Reading: May 11, 2009