

ORDINANCE NO. 3766

AN ORDINANCE AMENDING THE CODE OF THE TOWNSHIP OF FRANKLIN, COUNTY OF SOMERSET, STATE OF NEW JERSEY, MORE PARTICULARLY CHAPTER 146, CONSTRUCTION CODES, UNIFORM, SECTION 146-2, FEES.

SUMMARY

An ordinance amending the Construction Codes, Uniform Fees, including changes to waiver of fees, temporary certificate of occupancy, certificate of occupancy and annual construction permits and increases to building, plumbing, electrical and fire subcode fees.

BE IT ORDAINED by the Township Council of the Township of Franklin, County of Somerset, State of New Jersey that the Code of the Township of Franklin be and it is hereby amended as follows:

SECTION I

Chapter 146, Construction Codes, Uniform, Section 146-2, Fees, is hereby amended as follows:

§ 146-2. Fees. [Amended 3-24-1977 by Ord. No. 844; 4-23-1981 by Ord. No. 1051; 8-13-1981 by Ord. No. 1065]

- A. A construction permit will be valid for one year from the date of issuance, and the fee shall be the sum of the subcode and surcharge fees in Subsection C(1) through (6) and C(8) and (9) hereafter listed and shall be paid prior to the issuance of a construction permit. [Amended 4-11-1989 by Ord. No. 1478]
- B. At the time of issuance of any construction and/or demolition permit(s), where the permittee possesses 21 or more cubic yards of construction and/or demolition waste materials, the Construction Official shall provide to the permittee written instruction on proper disposal and recycling of the construction and/or demolition waste materials. [Added 12-11-2007 by Ord. No. 3728EN]
- (1) The Construction Official shall also furnish to the permittee a notification of construction/demolition activity form. The permittee shall complete and execute the form and transmit it via facsimile to the Somerset County Department of Health - CEHA Operations within 48 hours of the issuance of a construction and/or demolition permit.
- (2) Violation of any provision of this section shall be subject to the penalties imposed pursuant to Chapter 1, Article II, General Penalty.
- C. Waiver of fees.
- (1) Fees are hereby waived for public institutions, ~~churches~~ and volunteer fire companies. Fees may also be ~~waived or~~ reduced by up to fifty percent 50% for community organizations and charitable institutions receiving tax-exempt status under the Internal Revenue Code ~~and for buildings being rebuilt immediately after destruction by fire or acts of nature~~; provided, however, that such waivers as set forth hereinabove for community organizations and charitable institutions receiving tax-exempt status under the Internal Revenue Code ~~and for buildings being rebuilt immediately after destruction by fire or acts of nature~~ shall be so waived or reduced only by resolution of the Township Council of the Township of Franklin *Fees for work done without benefit of permits or which result in violation notices being generated will not be eligible for reductions.*
- (2) Fees are hereby waived for any disabled person or a parent or sibling of a disabled person for construction, reconstruction, alteration or improvement designed and undertaken solely to promote accessibility by disabled persons to

his/her own living unit. For the purposes of this subsection, "disabled person" shall mean a person meeting the definition of "disabled person" set forth in N.J.S.A. 52:27D-126e of the State Uniform Construction Code. [Added 11-12-1998 by Ord. No. 3018]

- (3) In situations where the Health Officer declares a general water emergency, fees associated in this chapter may be waived by resolution of the Township Council (effective April 28, 2004). [Added 2-14-2004 by Ord. No. 3590]

D. Fees. [Amended 11-26-1991 by Ord. No. 1682; 5-28-1996 by Ord. No. 1956; 9-9-2002 by Ord. No. 3319; 8-12-2003 by Ord. No. 3392]

- (1) The building subcode fees shall be as follows:

(a) New construction:

[1] Up to 100,000 cubic feet, the fee shall be computed by volume multiplied by ~~0.0320~~ **0.0370**.

[2] ~~Increase of 0.0025% or based on the average new home 60,000 cubic feet by 0.0235 equals 1,410. The existing fee equal 1260.00 the difference if \$150.~~

(b) New construction: Over 100,000 cubic feet, the fee shall be computed by volume multiplied by ~~0.015~~ **0.037 for the first 100,000 cubic feet and 0.015 for all cubic footage 100,001 and over.**

(c) New construction: commercial farm buildings and structures on farms, the fee shall be computed by volume multiplied by 0.0008 to a maximum of \$1,145.

(d) Alterations, renovations and repairs:

[1] ~~R3 and R4 Residential, multiplied by estimated cost of construction.~~

[a] Minimum fee: \$50.

[b] ~~\$15 per \$1,000 up to \$50,000.~~

[c] ~~\$12 per \$1,000 for \$50,001 to \$100,000.~~

[d] ~~\$10 per \$1,000 over \$100,000.~~

[2] All other uses, multiplied by estimated cost of construction.

[a] Minimum fee: \$50.

[b] \$23 per \$1,000 up to \$50,000.

[c] \$18 per \$1,000 for \$50,001 to \$100,000.

[d] \$15 per \$1,000 over \$100,000.

- (2) Flat fees shall be as follows:

(a) Reroof (R3 and R5), residential: \$50.

(b) Re-siding (R3 and R5), residential: \$50.

(c) Swimming pools (R3 and R5).

[1] Aboveground: ~~\$50.~~ **75**.

[2] In-ground: ~~\$75.~~ **150**

- (d) Sheds: \$25.
  - [1] One hundred square feet to 250 square feet and above: \$75.
  - [2] Over 250 square feet fee will be computed by volume of structure
- (e) Fences over 6 feet high: \$25.
- (f) ~~Antenna, mast, satellite dish:~~
  - ~~[1] R3 and R4: \$50.~~
  - ~~[2] All others: \$100.~~
- (f) Retaining walls Use groups R3 & R5 \$150.00, all other uses based on cost of construction
- (g) Radon: \$50 per vent stack.
- (h) Underground storage tank (UST) installation (R3 and R5): \$35.
- (i) Aboveground storage tank (AST) installation (R3 and R5): \$35.
- (j) Asbestos removal: \$100.
- (k) Temporary structures, tents, temporary trailers: ~~\$50.~~ 90
- (l) Moving structures: \$100 plus construction permits for all work associated with relocating and reconstruction of the structure.
- (m) Demolition:
  - [1] R3 and R5 and farm buildings under 5,000 square feet and less than 30 feet in height: \$75.
  - [2] All other use groups: \$100
- (n) Signs: \$50.
- (3) State surcharge fees shall be as follows: State permit fees shall be in accordance with N.J.A.C. 5:23-2 as same may be amended from time to time.
- (4) Expedited plan review fees will be \$75.00 per hour per subcode plus administration. Work will be done on an overtime basis.
- (5) There shall be an additional fee of \$60.00 per hour (minimum 1 hour) for review and processing of any amendment or change to a plan or application that has already been released.
- (6) Special inspections Saturdays, Sundays, Evenings or otherwise outside of normal business hours will be \$100.00 per hour with a two hour minimum per subcode required.
- (7) Plumbing fees shall be as follows:
  - (a) ~~Fees for each fixture, appliance, backflow preventor: \$10.~~ \$25.00\$10.00 per fixture, piece of equipment or appliance connected to the plumbing system, and for each appliance connected to the gas piping or oil piping system, except as indicated in (b) below.
  - (b) ~~Water heater: \$30.~~ \$65.00 per special device for the following: grease traps, oil separators, refrigeration units, utility service connections, backflow preventers equipped with test ports, steam boilers, hot water boilers, active solar systems, sewer pumps and interceptors, gas piping and oil piping.

- (c) ~~Fuel oil piping: \$60.~~ \$50.00 per residential backflow preventer (required to be inspected yearly).
- (d) ~~Gas piping: \$60.~~ \$100.00 per Commercial or industrial backflow preventer (required to be inspected yearly.)
- (e) Minimum plumbing fee shall be \$50.00.
- (e) ~~Steam boiler: \$60.~~
- (f) ~~Hot water boiler: \$60.~~
- (g) ~~Sewer pump: \$60.~~
- (h) ~~Interceptor/separator: \$60.~~
- (i) ~~Grease trap: \$60.~~
- (j) ~~Water cooled air conditioning or refrigeration unit: \$60.~~
- (k) ~~Sewer connection: \$60.~~
- (l) ~~Water service connection: \$60.~~
- (m) ~~Active solar system: \$60.~~
- (n) ~~Other: \$50.~~

(8) Mechanical fees

- (a) Water heaters: \$45.00
- (b) Replacement furnaces, boilers and HVAC units: \$60.00 per unit replaced
- (c) Mechanical plan review for R3 & R5 use groups: \$75.00
- (d) Installation and removal of above ground storage tanks under 2001 gallons
  - (1) Use group R3 & R5: \$60.00
  - (2) All other use groups: \$100.00
- (e) Installation of underground storage tanks under 2001 gallons  
\$200.00
- (f) Removal of underground storage tanks under 2001 gallons
  - (1) Use groups R3 & R5 \$60.00
  - (2) All other use groups \$220.00
- (g) Heat producing devices in R-3 & R-5 use groups including but not limited to: fireplaces, solid fuel stoves, furnaces, boilers, metal chimneys, and chimney re-linings: \$50.00

(9) Plan review fees: A nonrefundable fee of 10% of total fees for plan review and prototype plans.

(10) Occupancy permit fee shall be as follows:

- (a) Certificate of occupancy.
  - [1] R3 and R4 residential: \$100.
  - [2] All other use: \$135.

[3] For apartments within the same building the fee shall be \$135.00 for the first 5 units and \$135.00 for each additional 5 units or portion thereof

(b) Continued certificate of occupancy.

[1] R3 and R5 residential: \$100.

[2] All other use groups: ~~\$150.~~ **\$200.00**

(c) Change of use: \$150.

(d) Certificate of approval: no fee.

(e) *Renewal of Temporary Certificate of Occupancy* \$50.00

(f) *Renewal of a lapsed permit that is within the guidelines of N.J.A.C. 5:23-2.16(f)* \$50.00

(11) Electrical subcode fees shall be as follows:

(a) For the purpose of computing these fees, devices, outlets, fixtures and switches shall include but not be limited to burglar alarms, intercom panels, smoke detectors, thermostats, motors, photocells, level probes, temperature sensors and similar items:

[1] For the first 50 devices: ~~\$40.~~ **\$50.00**

[2] Each additional 25 devices or fraction thereof: add ~~\$20.~~ **\$25.00**

(b) For the purpose of computing these fees, the term service, service panel, subpanels, feeders, switches, switchboards, motor control centers, alarm panels, signs, disconnects:

[1] ~~Up to 100 amps: \$40.~~

[2] ~~101 amps up to 200 amps: \$50.~~ **\$75.00**

[3] ~~201 amps up to 1,000 amps: \$100.~~ **\$150.00**

[4] ~~1,000 amps and above: \$400.~~ **\$600.00**

(c) For the purpose of computing these fees, all motors including ranges, ovens, surface units, dryers, air-conditioning units, water heaters, central heat, (oil, gas, electric) baseboard heat units, generators, transformers or other devices consuming, generating or altering electricity:

[1] Motors and electrical devices:

[a] ~~Fractional hp: \$7.~~

[b] **Fractional Hp.** ~~Over one hp up to 10 hp: \$10.~~ **\$25.00**

[c] ~~Eleven hp up to 50 hp: \$45.~~ **\$75.00**

[d] ~~Fifty-one hp up to 100 hp: \$100.~~ **\$150.00**

[e] ~~One hundred one hp up to 500 hp: \$400.~~ **\$600.00**

[f] ~~Each increment of 50 hp or part thereof: add \$10.~~ **\$50.00**

[2] Transformers and generators:

[a] ~~Fractional kw: \$7.~~

[b] **Fractional Hp.** ~~Over one kw up to 10 kw: \$10.~~ **\$25.00**

- [c] Eleven kw up to 50 kw: ~~\$45.~~ \$75.00
  - [d] Fifty-one kw up to 100 kw: ~~\$100.~~ \$150.00
  - [e] One hundred one kw up to 500 kw: ~~\$400.~~ \$600.00
  - [f] Each increment of 50 kw or part thereof, add \$10. \$50.00
- (d) Pools, fountains and similar installations (includes bonding, motor, two outlets and a switch):
- [1] Aboveground: ~~\$60.~~ \$75.00
  - [2] In-ground: ~~\$80.~~ \$150.00
- (e) Light standards (each): ~~\$15.~~ \$25.00
- (f) Trailers (based on fee scheduled): ~~\$60.~~ \$75.00
- (g) Modular office cubicles (each unit): ~~\$10.~~ \$25.00
- (h) Branch circuits (all): \$35.
- (i) Reinspection or reintroduction of service: \$35.
- (j) Minimum fee: \$50.
- (k) All other work requiring review and inspections: Fees are to be based on ~~\$15~~ \$23.00 per \$1,000 of estimated cost (i.e., grounding grids, underground conduits, etc.). For the purpose of determining estimated cost, the applicant shall submit to the Division cost data produced by the architect or engineer of record, or by a recognized estimating firm or by the contractor.

(l) Residential alarms shall be charged the minimum fee: \$50.00

- (12) Fire subcode fees (fire protection and other hazardous equipment) shall be as follows:

(a) Sprinkler Heads

<u>Number of Heads</u>	<u>Fee</u>
<u>1 to 5</u>	<u>\$75.00</u>
<u>6 to 20</u>	<u>\$100.00</u>
<u>21 to 100</u>	<u>\$175.00</u>
<u>101 to 200</u>	<u>\$200.00</u>
<u>401 to 1,000</u>	<u>\$850.00</u>
<u>Over 1,000</u>	<u>\$1,100.00</u>

(b) Standpipe systems – each riser \$250.00

(c) Sprinkler valves

<u>(1) Alarm Valve</u>	<u>\$100.00 Each</u>
<u>(2) Dry Pipe Valve</u>	<u>\$200.00 Each</u>
<u>(3) Pre-Action Valve</u>	<u>\$200.00</u>
<u>(4) Each Additional Riser</u>	<u>\$200.00</u>

(d) Fire Pumps \$250.00

- (e) Yard Hydrants \$100.00 Each
- (f) Freestanding Fire Dept. Connection \$200.00
- (g) Alarm, supervisory and signaling systems including but not limited to: water flows tamper switches, detectors, emergency lighting: \$50.00 plus a fee per associated device
  - R3 and R5 \$5.00 per device
  - All other use groups \$10.00 per device
- (h) Pre-engineered systems including but not limited to: wet chemical, FM-200, CO2, inergen, foam systems, and any other pre-engineered system not listed: \$200.00 per system
- (i) Smoke control systems \$200.00
- (j) Heat producing devices including but not limited to: fireplaces, solid fuel stoves, furnaces, boilers, metal chimneys, and chimney re-linings \$50.00
- (k) Commercial kitchen exhaust systems and hazardous exhaust systems \$250.00
- (l) Emergency generator systems \$100.00
- (m) Elevator recall \$75.00
- (o) Fire extinguishers
  - (1) 1 to 10 \$50.00
  - (2) each additional 5 \$25.00
- (p) Underground fire main service shall be 2% of construction costs of installation
- (q) Minimum review fee for items not specifically covered: \$50.00

~~(a) Automatic and manual fire alarm systems:~~

~~[1] R3 and R4 smoke detectors:~~

~~[a] (110v/battery backup) 1-3: \$30.~~

~~[b] 4-10: \$55.~~

~~[c] 11-15: \$75.~~

~~[d] 16+: \$100.~~

~~[e] Alarm system: \$75.~~

~~[2] All other use groups:~~

~~[a] Modify existing system:~~

~~[i] One to five devices: \$40.~~

~~[ii] Over five additional devices in lots of 10: \$25.~~

~~[iii] Devices shall include smoke detectors, heat detectors, manual pull stations, bells, horns, strobes and other peripheral devices not itemized in this section.~~

~~[b] Install new system (automatic/manual alarm system up to 10,000 square feet of coverage):~~

~~[i] — Minimum fee: \$150.~~

~~[ii] — Additional per 10,000 square feet: \$75.~~

~~[iii] — Central station alarm: \$75.~~

~~[iv] — Duct smoke detector: \$25.~~

~~[v] — Flame or beam smoke detector: \$50.~~

~~(b) — Automatic sprinkler systems:~~

~~[1] — 1-20 heads: \$75.~~

~~[2] — 21-100 heads: \$120.~~

~~[3] — 101-200 heads: \$175.~~

~~[4] — 201-400 heads: \$500.~~

~~[5] — 401-1000 heads: \$650.~~

~~[6] — 1,000 heads and over: \$900.~~

~~[7] — Each additional riser: \$50.~~

~~[8] — Foam suppression (not pre-engineered): \$150.~~

~~[9] — Fire pump: \$150.~~

~~[10] — Hydraulic calculation review: \$50.~~

~~(c) — Standpipes: \$175.~~

~~(d) — Commercial kitchen hood and hazardous exhaust system: \$75.~~

~~(e) — Kitchen suppression systems (pre-engineered): \$90.~~

~~(f) — Pre-engineered systems \$125.00 per each independent system.~~

~~[1] — CO2 suppression: \$100.~~

~~[2] — Halon suppression: \$100.~~

~~[3] — Foam suppression: \$100.~~

~~[4] — Dry chemical suppression: \$100.~~

~~[5] — Wet chemical suppression: \$100.~~

~~(g) — Gas or oil fired vented appliance:~~

~~[1] — Commercial: \$50.~~

~~[2] — New (residential): \$50.~~

~~[3] — Replacement (residential): \$30.~~

~~(h) — Flammable combustible storage tanks above/below ground.~~

~~Up to 1,000 gallons — Over 1,000 gallons —~~

~~(i) — Residential: Installation/removal and LPG: \$25 — \$75 —~~

~~(ii) — Commercial: \_\_\_\_\_~~

~~Up to and including: \_\_\_\_\_~~

~~1,000 gals. — 2,000 gals. — Over 2,000 — \$50 — \$75 —~~

~~Installation/removal and LPG (includes manifold systems up to qty.) and LNG \$100 \$100~~

~~\_\_\_\_\_ \$200 \$200 \_\_\_\_\_~~

~~\_\_\_\_\_ \$75 \$100 \$200 \_\_\_\_\_~~

~~(iii) Liquid or gaseous product dispensing system: \$50.~~

~~(iv) Tank monitoring system (per tank): \$50.~~

~~(i) Smoke removal system (includes smoke detectors (up to six) not otherwise covered): \$150.~~

~~(j) Emergency generator system: \$75.~~

~~(k) Elevator recall: \$75.~~

~~(l) Automatic smoke/fire control doors or shutters, pair (security locking devices integrated with alarm systems): \$75.~~

~~(m) Emergency and voice communication systems: \$100.~~

~~(n) Incinerators and crematoriums: \$275.~~

~~(o) Minimum fees:~~

~~[1] Residential: \$25.~~

~~[2] Commercial: \$50.~~

(13) Elevator safety subcode fees shall be as follows: The fee for elevator plan review and elevator installation shall comply with the standards listed in NJAC 5:23-12.

(14) Variations shall be as follows:

(a) Class I structures: \$450.

(b) Class II structures: \$150.

(c) Class III structures: \$90.

(d) Reapplication for variation: 25% of original fee

**(15) 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.**

**Fees for annual permits shall be as follows:**

**(a) One to 25 workers (including foremen) \$ 667.00/worker; each additional worker over 25, \$ 232.00/worker.**

(b) Prior to the issuance of the annual permit, a training registration fee of \$ 140.00 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.

16. Hourly charges and fees for development-wide inspection of homes after issuance of a certificate of occupancy shall be in such amount as may be reasonable and necessary in order to ascertain whether a violation exists or to verify that any work performed has abated the violation

(a) The hourly charge shall be the same as the hourly charge set forth at N.J.A.C. 5:23-4.20(b)4 times the number of hours spent by the code official in determining whether a violation exists or verifying that any work performed has abated the violations.

## SECTION II

Each clause, section or subsection of this ordinance shall be deemed a separate provision to the intent that if any such clause, section or subsection should be declared invalid, the remainder of the ordinance shall not be affected.

## SECTION III

All ordinances or parts of ordinances inconsistent with this ordinance are hereby repealed as to the extent of such inconsistency.

## SECTION IV

This ordinance shall take effect immediately upon adoption and publication according to law.

### **ORDINANCE NO. 3766**

This is a true copy of an ordinance adopted by the Township Council Township of Franklin, Somerset County, New Jersey.

Introduced: June 24, 2008  
Public Hearing: August 12, 2008  
Adoption: August 12, 2008  
Notice of Adoption: August 18, 2008  
Effective Date: September 1, 2008

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Ann Marie McCarthy, Township Clerk