

TOWNSHIP OF HARDING

ORDINANCE #06-2023

**“ORDINANCE OF THE TOWNSHIP OF HARDING, COUNTY OF MORRIS,
STATE OF NEW JERSEY, REVISING CONSTRUCTION FEES, CHAPTER
171, SECTION 4 THROUGH CHAPTER 171, SECTION 6”**

WHEREAS, Harding Township has established Construction Fees for projects within the Township, codified at Chapter 171, Section 4 through Chapter 171, Section 6; and

WHEREAS, based upon updated regulations, including, but not limited, the Department of Community Affairs (“DCA”), have required the code to be updated; and

WHEREAS, based upon the updated regulations and for other various issues, Harding Township wishes to revise the Construction Fees; and

WHEREAS, Harding Township wishes to amend the coding pertaining to its fees based upon the updated requirements; and

NOW, THEREFORE, BE IT ORDAINED, by the Township Council of the Township of Harding, County of Morris, State of New Jersey, as follows:

Purpose: The purpose of this ordinance is to update Chapter 171, Section 4 through Chapter 171, Section 6 of the Municipal Code with the proposed modifications to the Construction Fees for projects within the Township of Harding.

SECTION 1. The Municipal Code, Chapter 171, Section 4, “Adjustment of Fees” is hereby modified and edited pursuant to the attached **Exhibit A**.

SECTION 2. The Municipal Code, Chapter 171, Section 5, “Construction Fees” is hereby modified and edited pursuant to the attached **Exhibit A**.

SECTION 3. The Municipal Code, Chapter 171, Section 6, shall now be entitled “Construction Fees,” and is hereby modified and edited pursuant to the attached **Exhibit A**.

SECTION 4. The Municipal Code, entitled “Fire Subcode Fees,” which was formerly codified at Chapter 171, Section 6, shall now be codified as Chapter 171, Section 15. No modification or edits are hereby made to that section and the fees shall remain consistent with the previously codified section.

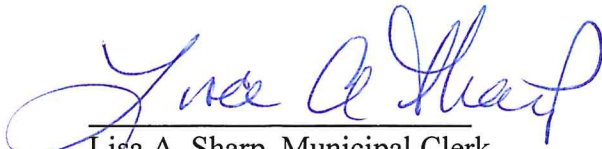
SECTION 5. This ordinance may be renumbered for the purposes of codification.

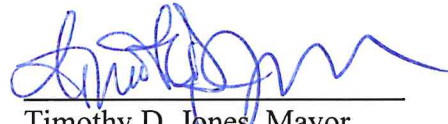
SECTION 6. This ordinance shall take effect twenty (20) days following final passage, approval, and publication as required by law.

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ATTEST

TOWNSHIP OF HARDING


 Lisa A. Sharp, Municipal Clerk


 Timothy D. Jones, Mayor

INTRODUCED: April 17, 2023

ADVERTISED: April 20, 2023

Vote on Introduction:

	MOTION	FOR APPROVAL	AGAINST APPROVAL	ABSTAIN
Ms. Chipperson		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Dr. Lacz	1st	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Platt		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Yates	2nd	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Jones		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Exhibit A

§ 171-4. Adjustment of fees.

These fees shall be adjusted by the municipality effective January 1 of each year commencing in 2011 in accordance with any percentage increase in inflation in the twelve-month period prior to the effective date as measured by the Consumer Price Index. All fees shall be set annually by resolution of the governing body.

§ 171-5. Construction Code Fees.

A. General

- (1) The fee for plan review shall be 20% of the amount to be charged for a new construction permit and shall be paid at the time of the application for a permit or, at the discretion of the Construction Official, be paid at the time of granting the permit. Plan review fees are not refundable.
- (2) The fee to be charged for a construction permit shall be the sum of the basic construction fees plus all applicable surcharges, flat fees and special fees, such as elevator or sign fees. This fee shall be paid before a permit is issued.
- (3) The fee to be charged for a certificate for occupancy shall be paid before the certificate is issued. This fee shall be in addition to the construction permit fee.
- (4) Fees shall be rounded to the nearest dollar amount or to the next larger dollar amount.
- (5) State Training Fee- This fee shall be in accordance with the prevailing New Jersey State permit surcharge fees pursuant to N.J.A.C. 5:23-4.19(b) of the New Jersey Uniform Construction Code.
- (6) The fee of \$68 per hour or part thereof shall be charged for all plan review revisions. Said fee shall be remitted to the Township of Harding at the time of the revision. No revision shall be released until payment is received by the Township.

B. Building subcode fees. The fees for new building construction or alterations shall be:

Fees for new construction shall be based upon the volume of the structure. Volume shall be computed in accordance N.J.A.C. 5:23-2.28.

For purposes of calculating the volume to determine the fee for large, open-volume, single-story spaces and buildings, such as barns, silos, greenhouses, warehouses, distribution centers, and other agricultural and storage-use occupancies, the height shall be limited to 20 feet notwithstanding the fact that the actual height of the space may be greater than 20 feet.

- (a) The new construction fee for Use groups R-3, R-4 and R-5 shall be computed in the amount of \$0.070 per cubic foot of volume for the first 60,000 cubic feet and \$0.29 for 60,001 and above.
 - (b) The fee shall be \$0.80 per cubic foot of volume for groups R-1, R-2, B, E, H, I, A, M, F-1, F-2, S-1, S-2 and U
 - (c) The fee for commercial farm buildings under N.J.A.C. 5:23-3.2(d) shall be \$.045 with a maximum fee for such structures on farms not exceeding \$3,000.00 and a minimum fee of \$80.
- (2) Fees for renovations, alterations and repairs, site construction associated with pre-engineered systems of commercial farm buildings, premanufactured construction, and the external utility connections for pre-manufactured construction shall be based upon the estimated cost of work.
- (a) For all Use Groups the fee shall be \$40 for the first \$50,000 of the estimated cost of work \$35 for \$50,001 up to \$150,000 and \$20 for \$150,001 and greater
 - (b) For the purpose of determining estimated cost, the applicant shall submit to the enforcing agency, when required by the Construction Official, such cost data as may be available, produced by the architect or engineer of record, or by a recognized 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 the estimated cost of work.
- (3) Fees for additions shall be computed on the same basis as for new construction for the added portion. Additions shall have a minimum fee of \$400.00.
- (4) Fees for a combination of renovations and additions shall be computed as the sum of the fees computed separately in accordance with this fee schedule.
- (5) The fee for tents, in excess of 900 square feet or more than 30 feet in any dimension, shall be a flat fee of \$175.
- (6) The fee for roofing and siding work completed on a structure in Use Groups R-3 and R-5 shall be a flat fee of \$135.
- (7) The fee for an aboveground swimming pool shall be \$225.
- (8) Radon Remediation will be a flat fee of \$86 per unit.
- (9) The fee for premanufactured garden and utility-type yard sheds, which are from 100 to 200 square feet in area or greater than 10 feet in height and accessory to Use Groups R-3 or R-5 of the building subcode, shall be \$150. The fees for all sheds greater than 200 square feet shall be computed in accordance with new buildings above.
- (10) The fee for fences installed as a pool barrier for Use group R shall be \$100.
- (11) The fee for the installation of a fence over six feet in height and accessory to Use Groups R-3 and R-5 of building subcode shall be \$100. For all other use

groups, the fee shall be \$225.

(12) Fees for retaining walls supporting an unbalanced fill greater than two feet 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 \$495.
- (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 \$295.
- (c) The fee for a newly constructed retaining wall of any size other than a Class 3 residential structure shall be based on the cost of construction. Fees will be computed as \$15 per \$1,000 of the cost of construction.

C. Plumbing subcode fees; plumbing fixtures and equipment.

- (1) For plumbing fixtures and equipment, the fee shall be in the amount of \$30 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 Subsection C (2) below.
- (2) The fee shall be \$110 per special device for the following: grease traps, oil separators, refrigeration an A/C units, utility service connections, backflow preventers equipped with test ports, steam boilers, hot-water boilers (excluding those for domestic water heating), sewer pumps, oil piping, active solar systems, sewer pumps interceptors and other special devices.
- (3) There shall be a flat fee of \$80 for every cross-connection backflow preventer that is subject to annual inspection and re-testing per the Uniform Construction Code.
- (4) The fee for a mechanical inspection in a Use Group R-3 or R-5 structure by a mechanical inspector shall be a flat fee of \$114 for the first installed device, appliance, or piece of equipment and \$80 for each additional device, appliance, or piece of equipment. No separate fee shall be charged for the gas, fuel oil or water-piping connections associated with the mechanical equipment inspected.
- (5) The Minimum fee for a plumbing permit shall be \$80.

D. Electrical subcode fees; electrical fixtures and devices.

- (1) The fee for the first block of outlets consisting of one to 50 receptacles, fixtures or devices shall be \$78, and for each additional block consisting of 25 receptacles, fixtures or devices, the fee shall be \$33. For the purpose of computing this fee, receptacles, fixtures or devices shall include lighting fixtures, wall switches, convenience receptacles, sensors, dimmers, alarm devices, smoke and heat detectors, communication outlets, light standards eight feet or less in height including luminaries, 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) or one kilowatt (kw)

- (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 kva; for each replacement of wiring involved one branch circuit or part thereof; for each storable pool or hydromassage bathtub; for each underwater lighting fixture; for household electric 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 luminaries; and for each communications closet, the fee shall be \$30.
- (3) For each motor or electrical device rated from greater than 10 hp or 10 kw to 50 hp or 50 kw, for service equipment, panel board, switch board, switch gear, 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 from 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 \$78.
- (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 panel board, switch board, switch gear, motor control center or disconnecting means rated from greater than 225 amperes to 1,000 amperes; and for each transformer or generator rated from greater than 45 kw or 45 kva to 112.5 kw or 112.5 kva, the fee shall be \$160.
- (5) For each motor or electrical device rated greater than 100 hp or 100 kw; for each service equipment, panel board, switch board, switch gear, motor control center or disconnecting means rated greater than 1,000 amperes; and for each transformer or generator rated greater than 112.5 kw or 112.5 kva, the fee shall be \$768.
- (6) The fee charged for electrical work for each permanently installed private swimming pool above ground as defined in the building subcode, spa, hot tub or fountain shall be a flat fee of \$191 which shall include any required bonding and associated equipment such as filter pumps, motors, disconnecting means, switches, required receptacles, and heaters, etc., excepting panel boards and underwater lighting fixtures.
- (7) The fee charged for electrical work for each permanently installed private swimming pool in ground as defined in the building subcode, spa, hot tub or fountain shall be a flat fee of \$305 which shall include any required bonding and associated equipment such as filter pumps, motors, disconnecting means, switches, required receptacles, and heaters, etc., excepting panel boards and underwater lighting fixtures.
- (8) For public swimming pools, the fee shall be based on the basis of number of electrical fixtures and ratings of the devices involved in accordance with Subsection D(1) through (5) above.

- (9) The fee charged for the installation of single- and multiple-station smoke or heat detectors and for fire, burglar and security alarm systems and detectors in buildings within all use groups, the fee shall be charged in accordance with Subsection D (1) and (2) above.
- (10) For solar photovoltaic systems, in any use group, the fee shall be based on the total number of solar photovoltaic modules being installed:
 - i. For 1-50 modules, the fee shall be \$129.
 - ii. For 51 to 100 modules, the fee shall be \$181.
 - iii. For 101-250 modules, the fee shall be \$387.
 - iv. For 251-500 modules, the fee shall be \$723.
 - v. Greater than 500 modules is an additional \$1 per module.
 - vi. All other electrical devices, other than the solar photovoltaic modules, shall be a separate fee based on ampere or kilowatt rating of the device.
- (11) 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 panel boards shall be charged in accordance with Subsection D(3), (4) and (5) above. There shall be no additional fee charged for the concurrent installation of individual feeder conductors.
- (12) 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.
- (13) For electrical work requiring the replacement of service entrance conductors or feeder conductors only, the fee shall be in accordance with Subsection D(2) through (5) above based on the designated ampere rating of the overcurrent device of the service or feeder.
- (14) The fee charged for process equipment shall be based on the ampere rating of the overcurrent device protecting the conductor feeding the process equipment or cutoff device.
- (15) 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.
- (16) For the inspection of an electrical service and the issuance of a cut in

card, as part of an electric utility request to install or unblock an electric meter, the fee shall be \$80.

(17) The fee for the annual electrical inspection of swimming pools, spas or hot tubs, which are required to be inspected pursuant to N.J.A.C. 5:23-2.18C, shall be \$170.

(18) The Minimum Electrical permit fee shall be \$80.

E. Fire protection subcode fees. For fire protection and 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, the fee shall be as follows:

(1) The fee for 20 or fewer heads shall be \$114; for 21 to and including 100 heads, the fee shall be \$205; for 101 to and including 200 heads, the fee shall be \$382; for 201 to and including 400 heads, the fee shall be \$979; for 401 to and including 1,000 heads, the fee shall be \$1,335; for over 1,000 heads, the fee shall be \$1,670.

(2) The fee for one to 12 detectors shall be \$85; and for each additional 10 detectors or portion thereof, the fee shall be in the amount of \$15.

(3) The fee for each standpipe shall be \$370.

(4) The fee for each independent pre-engineered system shall be \$176.

(5) The fee for each gas- or oil-fired appliance that is not connected to the plumbing system shall be \$78.

(6) The fee for each residential kitchen exhaust system shall be \$95. Commercial shall be \$225.

(7) The fee for each incinerator or crematorium shall be \$464.

(8) The fee for a chimney liner shall be \$100.

(9) Smoke Control systems shall be \$290 each.

(10) Fire pumps shall be \$234 each.

(11) Freestanding fire department connections \$234 each.

(12) For single- and multiple-station smoke or heat detectors and fire alarm systems in any one- or two-family dwellings, there shall be a flat fee of \$85 per dwelling unit. For detectors and fire alarm systems in buildings other than one- or two-family dwellings the fee shall be charged in accordance with Subsection E(2) above.

(13) The fee for the installation of a flammable or combustible liquid storage tank in use groups R-3 and R-5 shall be \$125. For all other use groups, the fee shall be \$250 per tank.

(14) The minimum fee for a fire permit shall be \$80.

F. Fees for certificates and other permits are as follows:

- (1) For a demolition or removal permit for a residential one- or two-family dwelling (Use Group R-3 or R-5) and structures on farms including commercial farm buildings under N.J.A.C. 5:23-3.2(d), the fee shall be \$502. For all other use groups, the fee shall be \$669. For the removal of a structure, accessory to use group R-3 or R-5 the fee shall be \$89.
- (2) The removal of an above-ground combustible or flammable liquid storage tank up to 660 gallons in capacity for all use groups shall be \$165. For above-ground tanks over 660 gallons, the fee shall be \$250.
- (3) For the removal or abandonment of an underground flammable or combustible liquid storage tank and accessory to a Use Group R-3 or R-5 shall be \$165. All other use groups shall be \$250.
- (4) The fee for a permit to construct a sign shall be in the amount of \$9 per square foot of surface area of the sign, computed on one side only for double-faced signs. The minimum fee for a sign shall be \$100.
- (5) The fee for a certificate of occupancy shall be \$450 for buildings in Use Groups R-3 and R-5 of the building subcode. For Use Groups A, B, E, F, H, I, M, R1, R2, R4, S, and U in the building subcode, the fee shall be \$457. For buildings requiring the issuance of multiple certificates of occupancy for more than one dwelling or tenant space, the fee shall be \$88 per tenant space, dwelling unit, or other unit area within the building.
- (6) The fee for a certificate of occupancy granted pursuant to a change of use shall be \$202.
- (7) The fee for a certificate of continued occupancy shall be \$202.
- (8) The fee for the first issuance and the renewal of a temporary certificate of occupancy shall be \$45 for all use groups.
- (9) The plan review fee of a building, for compliance under the alternate systems and nondepletable energy source provisions of the energy subcode shall be \$274 for one- and two-family homes (Use Groups R-3 or R-5 of the building subcode), and for light commercial structures having the indoor temperature controlled from a single point, and \$1,369 for all other structures.
- (10) The fee for an application for a variation in accordance with N.J.A.C. 5:23-2.10 shall be \$794 for Class I structures and \$195 for Class II and Class III structures. The fee for a resubmission of an application for a variation shall be \$229 for Class I structures and \$65 for Class II and Class III structures.
- (11) The fee for a permit for lead hazard abatement work shall be \$106. The fee for a lead abatement clearance certificate shall be \$47.

- (12) The administrative fee for a construction permit issued for an asbestos hazard abatement project shall be \$106.
- (13) An administrative fee for each certificate of occupancy issued following the successful completion of an asbestos hazard abatement project shall be \$47.
- (14) All monies collected shall be collected under penalty provision of the UCC. All penalties collected shall be retained by the Department of Inspections and shall be placed in a special trust fund to be applied to the cost to the department for training, technical support programs, certification, new equipment, and transportation. An independent fund shall be set up and retained by the Director of Finance to be the Trustee of this account.
- (15) A fee of \$35 shall be charged for a change of contractor. This administrative fee shall be charged whenever a change of contractor occurs when a permit is open, and the Township has to adjust its records to identify the change of contractor.

I. Annual permit requirements and fees.

- (1) 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 (including foremen) 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.
 - a. Fees for annual permits shall be as follows:
 - b. For one to 25 persons, the fee shall be \$667 per worker, and for each additional person over 25 the fee shall be \$232 per worker.
- (2) Prior to the issuance of the annual permit, a training registration fee of \$140 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, Training Section, along with a copy of a 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.

J. Elevator devices.

- (1) Elevator devices will be inspected by NJDCA per the New Jersey Uniform Construction Code. Fee shall be governed by NJDCA.
- (2) The administrative fee for elevator devices in all Use Groups shall be \$110.

This fee is for the administrative work associated with the permit process by Harding Township.

§ 171-6. Other fees

- A. No person shall occupy or use any portion of a commercial or residential building after such building or portion thereof has been vacated, sold, or leased, or when there has been any change in use or occupancy of such building or any portion thereof, until the owner or landlord thereof shall have applied for and secured a certificate of records clearance (CRC) from the Construction Official or his/her designee. Such certificate shall be issued upon compliance with applicable building, property maintenance, zoning, health, safety and fire codes, regulations, ordinances, and statutes of Harding Township and State of New Jersey. The certificate of records clearance (CRC) may require visual inspection of the parts of the building and the portion thereof that has been vacated, sold, or leased, or in which there has been a change in use and occupancy, finding that there are no open violations of State or local codes.
- B. No owner shall permit the sale of a residential or commercial premises covered under this section unless the requisite CRC has been issued. No purchaser shall occupy any premises covered under this section until the requisite CRC has been issued. Owners and purchasers shall be jointly and separately responsible for failure to obtain the requisite CRC required hereunder. The owner or his authorized agent shall submit a written application and payment of fees at least 20 business days prior to the change of ownership on the form provided by the Township.
- C. The appropriate official, when necessary, shall conduct an inspection of the premises in question within a reasonable time, not exceeding 30 days after receipt of an application and payment of the requisite fee, and shall issue a certificate of records clearance (CRC), provided that the standards set forth herein have been satisfied and, in the case of a residential building, that the premises are in compliance with the requirement of the installation of a smoke detector and carbon monoxide detector as required by applicable state statute and/or local ordinance.
- D. If, after inspection by the Township Official, a certificate of clearance may not be issued to the commercial, or residential building or portion thereof because of the existence of a violation of any code or failure to comply with the standards set forth herein, notice shall be given by the Construction Official or Zoning Officer to the owner detailing the violations of applicable laws, regulations, or ordinance. The Zoning Officer shall have the authority to issue any summons or complaint for any violation of any ordinance, statute, or regulation against the owner and/or occupant of the commercial, or residential building or portion thereof wherein the violation exists. In the event any violations are found to exist, there shall be no new occupancy or use of the premises until the criteria has been satisfied for the issuance of the certificate of clearance.
- E. The application fee for a certificate of clearance shall be set by resolution at minimum of

\$250 for any residential or commercial site and may be amended by duly adopted resolution of the Council from time to time. The application shall be on a form prescribed for said purpose and shall be available from the Construction Official or Zoning Official.