



2017
BOROUGH OF DUMONT
ORDINANCE

MEMBERS	AYE	NAY	ABSTAIN	ABSENT
CORREA	✓			
DI PAOLO				✓
GEIST	✓			
MANNA	✓			
MORRELL	✓			
RIQUELME	✓			
MAYOR KELLY				
TOTALS	5			1

Ordinance No. 1530
Date: November 9, 2017
Page: 1 of 11
Subject: Chapter 182-2 of the Borough Code
Purpose: Replace
Dollar Amount: _____
Prepared By: Gregg Paster, Esq.

Offered by: Manna
Seconded by: Morrell

Certified as a true copy of an Ordinance Introduced and Passed by the Governing Body of the Borough of Dumont on the above date at a Public Meeting by:

Susan Connelly

Susan Connelly, RMC, Municipal Clerk
Borough of Dumont, Bergen County, New Jersey

BOROUGH OF DUMONT
BERGEN COUNTY, NEW JERSEY
ORDINANCE AMENDING BY REPLACEMENT OF SECTION 182-2 OF
THE MUNICIPAL CODE OF THE BOROUGH OF DUMONT
BUILDING CONSTRUCTION FEES

WHEREAS, the Borough collects fees for permits to perform construction, renovations and building improvements, to defray costs of administration and inspection; and

WHEREAS, due to increased costs of labor and administration, the current fee schedule has been deemed inadequate; and

WHEREAS, the Borough Council now seeks to revise and amend the construction fee schedule as is required from time to time.

NOW THEREFORE, BE IT ORDAINED, by the Mayor and Council of the Borough of Dumont, that Section 182-2 of the Borough of Dumont Municipal Code be and hereby is revised by and replaced with what follows:

Part II, Chapter 182-2. Fees.

Fees.

A. General.

(1) The fee for plan review shall be a percentage of the fee for a construction. Plan review fees are not refundable.

(2) The fee to be charged for a construction permit will be the sum of the subcode fees plus all applicable 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 of occupancy shall be paid before a certificate is issued. This fee shall be in addition to the construction permit fee.

B. Plan review fees. Fees shall be computed as 20% of the fee for the construction permit.

C. Construction permit fees. The fee for a construction permit shall be the sum of all subcode fees, the required certificate fee, and the New Jersey training fee. A minimum construction permit fee for any one subcode shall be \$75 for residential and \$150 for commercial for all subcodes.

(1) Building subcode fees.

(a) New construction and additions.

[1] New construction and additions for Residential Use Group R5: \$0.040 per cubic foot. However, the minimum fee for a building subcode fee under this section shall be \$350.

[2] New construction and additions for all other use groups: \$0.050 per cubic foot. However, the minimum fee for a commercial permit under this section shall be \$1,000.

(b) For alteration work, including but not limited to roofing, siding, repairs and modifications, to a structure for all R-5 residential use groups, the fee shall be \$25 per \$1,000 of estimated construction costs, with a minimum fee of \$75 for the residential use.

(c) For alteration work, including but not limited to roofing, siding, repairs and modifications, to a structure for all other use groups, there shall be a cost of \$30 per \$1,000 of construction costs, with a minimum fee of \$150 for all commercial uses.

(d) Removal permit fee, for moving a structure from one location to another, shall be \$25 per \$1,000 of all cost incurred in moving the structure, plus the permit fee for the new foundation based on the volumetric computation in Subsection

C(1)(a).

(e) Demolition permit fee (removal of structure or in-ground pool from property):

[1] One- and two-family dwellings, Use Group R5: \$150.

[2] Removal of accessory structures or miscellaneous structures, Use Group U: \$50.

[3] All other use groups: \$750.

(f) Demolition permit fee (removal or abandonment of a tank):

[1] Tank located on Use Group R5 property: \$75.

[2] Tank located on all other use groups' property: \$150.

(g) Installation of in-ground storage tanks (each), all use groups: \$75.

(h) On all building lots, the applicant for a building permit for a new single-family house, garden apartment building, or townhouse building shall be required to post an engineering escrow of \$2,500 for residential and \$3,000 for commercial; or, at the Construction Official's discretion, for an addition to an existing structure, an escrow of \$1,000. This escrow is for plot plan review, engineering inspections of nonpublic improvements and a review of the final as-built plan. If, because of extraordinary land topography, drainage concerns, retaining walls in excess of five feet in height or other similar out-of-the-ordinary considerations, the Construction Official deems that additional Borough Engineer time will be needed to ensure proper technical installation, he may require the applicant to post an additional engineering escrow.

(i) Other fees.

[1] Microwave receiving antenna: \$75.

[2] Fence permits:

[a] Use R5 on individual lots: \$40

[b] All other uses: \$150.

[3] Lighted signs: \$150.

[4] Swimming pools:

[a] In-ground for Use Group R-5: \$350; engineering escrow of \$1,500.

[b] Aboveground for Use Group R5: \$60.

[c] In-ground: \$250; engineering escrow of \$1,500.

[5] Asbestos abatement: \$150.

[6] Open structural tower: \$500.

(j) In Zones, B-2, LI, the applicant for a building permit shall be required to post an engineering escrow of \$2,500 for plot plan review and engineering inspections of nonpublic improvements and final as-built plan review. In exceptional circumstances, additional escrows may be required for engineering review. Any unused escrow shall be refunded to the applicant.

(k) In-ground swimming pool requirements.

- [1] Soil-moving permit must be completely filled out showing amount of soil to be disturbed, amount of soil to be removed and amount of soil to be exported.
- [2] Cut and fill calculations shall agree with soil-moving permit.
- [3] Drainage calculations.
- [4] All seepage pits being installed shall have a percolation test.
- [5] Site plan showing all topographical contours prepared by a registered design professional.
- [6] Total rear yard coverage for accessory structures and/or use not exceed 25%.
- [7] Pool shall be a minimum of 10 feet from all property lines, nor nearer to any street line than 25 feet.
- [8] Pool equipment, walkways, decking and pool patios shall be a minimum of 10 feet from all property lines.
- [9] Cabanas (under 150 square feet) shall be a minimum of five feet from all property lines.

(2) Plumbing subcode fees, as provided for in this chapter, shall be a minimum fee of \$75 for all residential structures and a minimum fee of \$150 for all commercial structures. These fees shall be in addition to the fees, which are set forth in the subsections of this section, for the specific work proposed.

- (a) Fixtures, which include water closet, urinal, bathtub, lavatory, shower, floor drain, sink, dishwasher, drinking fountain, washing machine, hose bib, garbage disposal, stacks, bidet, and fuel oil piping (each): \$30.
- (b) Gas piping, LP gas tank, water heater (each): \$50.
- (c) Interceptor/separator, backflow preventer, water-cooled or A/C refrigeration unit, and active solar system (each): \$40.
- (d) Sewer connection, water service connection, stacks (each): \$75.
- (e) Grease trap: \$75.
- (f) Sewer pump: \$75.
- (g) Steam boiler and hot water boiler (each): \$75.

(3) Electric subcode fees, as provided for in this chapter, shall be a minimum fee of \$75 for all residential structures and a minimum fee of \$150 for all commercial structures. These fees shall be in addition to the fees, which are set forth in the subsections of this section, for the specific work proposed.

- (a) Rough and final wiring (1 to 50) outlets including switching, lighting and receptacle outlets, detectors, light poles, fractional HP motors, emergency and exit lights, communication points, alarm devices: \$75; each additional 25 outlets: \$30.
- (b) Range/oven: \$30.
- (c) Dryer, electric: \$30.
- (d) Water heater, electric: \$30.
- (e) Heating, electric, baseboard, space heater, air handler: \$30.
- (f) Furnace, gas or oil, residential central HVAC, solar heat: \$40.

(g) Dishwasher, garbage disposal: \$20.

(h) Pools:

[1] Pool with UW lights: \$75.

[2] Storable pool/spa/hot tub: \$75.

[3] Pool and patio bonding: \$75.

(i) Service panels, entrances, subpanels:

[1] Up to 200 amps: \$75.

[2] Over 200 to 400 amps: \$100.

[3] Larger than 400 amps: \$200.

(j) Temporary service:

[1] Residential: \$100.

[2] Commercial: \$200.

(k) HVAC unit, air conditioner, motor, generator, power transformer, compressor:

[1] Up to 20 horsepower or kilowatts: \$40.

[2] Over 20 to 40 horsepower or kilowatts: \$80.

[3] Over 40 to 75 horsepower or kilowatts: \$100.

[4] Over 75 horsepower or kilowatts: \$150.

(l) Load management device on all new residential and commercial central air-conditioning unit installations; a load management device shall be included as part of the installation. The application/inspection fee for this device shall be \$40.

(4) Fire subcode fees, as provided for in this chapter, shall be a minimum fee of \$75 for residential structures and a minimum fee of \$150 for commercial structures. These fees shall be in addition to the fees, which are set forth in the subsections of this section, for the specific work proposed.

(a) Sprinklers:

Number of Heads	Fee
Up to 49	\$200
50 to 99	\$300
100 to 250	Additional \$150
Over 250	\$550

(b) Smoke and heat detectors:

Quantity	Fee
1 to 10	\$75
11 to 50 (each additional 10)	\$20
Over 50 (each additional 10)	\$20
Duct smoke detectors (each)	\$30

(c) Pre-engineered systems which include CO₂ suppression, halon suppression, foam suppression, wet chemical and dry chemical (each): \$100.

(d) Miscellaneous:

- [1]** Stand pipes (each): \$100.
- [2]** Kitchen hood exhaust system (each): \$100.
- [3]** Incinerators (each): \$100.
- [4]** Crematoriums (each): \$100.
- [5]** Gas- and oil-fired appliances (each): \$65.
- [6]** Installation of underground storage tank:
 - [a]** Use Group R5 (each): \$75.
 - [b]** All other use groups (each): \$150.
- [7]** Installation of aboveground storage tank:
 - [a]** Up to 5,000 gallons (each): \$200.
 - [b]** Over 5,000 gallons (each): \$300.
- [8]** Fireplaces, wood-burning stoves, etc.: \$75.
- [9]** Smoke control systems: \$100.
- [10]** Exit signs and emergency lights with battery backup, etc. (per fixture): \$20.

(5) Certificate of occupancy fees:

(a) Certificate of occupancy (CO). New construction fee shall be 10% of the total cost of the construction permit that would be charged by the Department. The minimum fees shall be \$75, and prepayment at time of issuing the construction permit is required.

(b) Temporary certificate of occupancy (TCO) (not refundable): \$40. In addition, a cash bond equal to the cost of uncompleted work must be posted. The cash bond is refundable upon issuance of a permanent certificate of occupancy.

(c) Certificate of continued occupancy (CCO) for the sale of property:

- [1]** One-family residential: \$75, payable to the Borough of Dumont, if the CCO inspection is scheduled 10 or more days prior to the anticipated closing date.
- [2]** Two-family residential: \$85, payable to the Borough of Dumont, if the CCO inspection is scheduled 10 or more days prior to the anticipated closing date.
- [3]** Commercial property: \$100, payable to the Borough of Dumont, if the CCO inspection is scheduled 10 or more days prior to the anticipated closing date.
- [4]** In addition to the fees set forth in this subsection for a CCO, there shall be an additional fee of \$25 if the CCO inspection is scheduled more than four days but less than 10 days prior to the anticipated closing date, or an additional fee of \$100 if the CCO inspection is scheduled less than four days prior to the anticipated closing date.

(d) Certificate of continued occupancy (CCO) for tenancy changes in apartments and multiple dwellings: \$75 for a single apartment, payable to the Borough of Dumont.

(e) Smoke detector compliance certificate: \$50, payable to Dumont Fire Prevention Bureau.

(f) Certificate of approval \$40, each. (NOTE: Fees for certificates are to be paid upon application, whether a certification is issued or not.)

(g) Certificate of compliance for alteration and addition: \$40.

(h) Certificate, multiple dwellings (per unit): \$40.

(i) Letter for mortgage inspection: \$40.

(j) Reinspection fee: \$125 for each reinspection.

(k) Penalties: any person who violates certificate of occupancy requirements shall be fined a sum of up to \$250 for a first offense; a second offense shall be fined between \$250 and \$500; and a third offense shall be fined not less than \$500 and no more than \$1,000 per certificate of occupancy violation.

(6) Reinstatement of a lapsed construction permit:

(a) Recalculation of the construction permit shall be required utilizing the most current Building Department fee schedule applied to all work which is to be performed.

(b) The reinstatement fee shall be 25% of the recalculated value.

(c) Minimum reinstatement fee: \$75.

(7) Annual construction permit:

(a) The fee for an annual construction permit shall be paid annually. This fee shall be based on the number of maintenance workers who are employed by the facility and who are primarily engaged in work that is governed by a subcode.

(b) Fees shall be as follows:

Number of Workers	Fee (per worker)
1 to 25	\$650
Over 25	\$350
Training fee per subcode	\$100

(8) Application to the Construction Board of Appeals: \$100.

(9) Application for a variance: \$50.

(10) Exemption from fees. Any religious, charitable, benevolent, fraternal or nonprofit association, corporation, or organization shall be exempt from the payment of fees under this chapter. DCA state fees may be required.

(11) The Construction Official shall, on or before February 10 of each year, with the advice of the subcode officials and in consultation with the Municipal Finance Officer, prepare and submit to the governing body a report recommending a fee schedule based on the operating expenses of the agency.

(12) In order to provide for the certification and technical support programs required by the Uniform Construction Code, the enforcing agency shall collect, in addition to the fees specified above, a surcharge fee computed in accordance with N.J.A.C. 5:23-4.19. Said surcharge fees shall be remitted to the Bureau of Housing Inspection, Department of Community Affairs, on a quarterly basis for the fiscal quarters ending September 30,

December 31, March 31 and June 30, and no later than one month next succeeding the end of the quarter for which it is due.

(13) The enforcing agency shall report annually at the end of each fiscal year to the Bureau of Housing Inspection, and not later than July 31, the total amount of the surcharge fee collected in the fiscal year. In the fiscal year in which the regulations first become effective, said report shall be for the third and fourth quarters only.

(14) Fees for any other permits not specifically set forth herein shall be as established by the New Jersey Department of Community Affairs pursuant to the Uniform Construction Code Act,^[1] its amendments and supplements. An additional fee shall be paid by the applicant when plans of a special design are filed with the Borough of Park Ridge and the determination of the Construction Code Official is that said plan shall be forwarded for review to the New Jersey Department of Community Affairs, Trenton, New Jersey, or a state-approved private firm. The fee charged for such review shall be deducted from any other fees required by this chapter or any other municipal ordinance.

^[1]

Editor's Note: See N.J.S.A. 52:27D-119 et seq.

D. The Construction Official shall, on or before February 10, of each year, with the advice of the subcode officials and in consultation with the Municipal Finance Officer, prepare and submit to the governing body a report recommending a fee schedule based on the operating expenses of the agency.

E. In order to provide for the certification and technical programs required by the Uniform Construction Code, the Borough shall collect, in addition to the fees specified above, a New Jersey state permit surcharge fee for all construction based on value and volume in accordance with the latest amendments to the New Jersey Uniform Construction Code (N.J.A.C. 5:23-4.19). Said fees shall be remitted to the Bureau of Housing Inspection, Department of Community Affairs, on a quarterly basis for the fiscal quarter ending September 30, December 31, March 31, and June 30, and no later than one month next succeeding the end of the quarter for which it is due.

F. The enforcing agency shall report annually at the end of each fiscal year to the Bureau of Housing Inspection, and not later than July 31, the total amount of the surcharge fee collected in the fiscal year. In the fiscal year in which the regulations first become effective, said report shall be for the third and fourth quarters only.

G. Fees for any other permits not specifically set forth herein shall be as established by the New Jersey Department of Community Affairs pursuant to the Uniform Construction Code Act, its amendments and supplements.

Special design fee.

An additional fee shall be paid by the applicant when plans of a special design are filed with the Borough of Park Ridge and the determination of the Construction Code Official is that said plan shall be forwarded for review to the BOCA office in Chicago, Illinois, the New Jersey

Department of Community Affairs, Trenton, New Jersey, or a state-approved private firm. The fee charged for such review shall be deducted from any other fees required by this chapter or any other municipal ordinance.

Preparation of plans.

All plans must be prepared by either an architect or engineer licensed in the State of New Jersey. Each page of the plans must bear his seal and signature. Owners may prepare plans for their own dwelling or a secondary structure thereto, e.g., a garage; however, these plans must be accompanied by an affidavit.

Adoption of standards by reference.

A. Pursuant to the authority of the State Uniform Construction Code Act (P.L. 1975, c. 217), the Borough of Dumont adopted on December 30, 1976, the New Jersey Uniform Construction Code as constituting the construction standards and regulations within the Borough of Dumont.

B. Said New Jersey Uniform Construction Code shall be incorporated in this chapter by reference and made a part hereof as though it had been set forth herein at length.

C. Copies of said Uniform Construction Code have been placed on file in the office of the Borough Clerk and in the Construction Code Office and shall remain on file for use and examination by the public so long as this chapter shall remain in effect.

Stormwater controls.

Any addition or development to an existing structure which is equal to or greater than 25% of the existing primary dwelling and structure shall comply with the following provisions:

A. The owner of the property shall provide the cut and fill calculations for all soil that is moved.

B. A soil moving permit will be required if 50 or more cubic yards is disturbed by the addition or development. If 300 or more cubic yards is to be distributed, then a soil moving application must be submitted which sets forth the amount of soil disturbed, the amount to be moved on site and the amount to be exported from the site.

C. The owner must provide a site plan showing all topographic features of the property as they existed before the addition or development.

D. If the property has a slope which is equal to or greater than 10% or a six-foot grade change, the topographic changes must be shown on a plan prepared by a licensed professional, and the existing and proposed contours or grades must be clearly set forth on the plan.

E. All stormwater, based upon a twenty-five-year storm event, must be retained on the property. The owner must provide drainage calculations and design for the entire structure, including calculations for existing drainage and calculations for the proposed drainage, all of which must be signed by a licensed professional.

F. All roof leaders from existing and proposed roofs shall be directed into seepage pits, and those pits must be included in the drainage calculations, including the overflow from those pits.

G. An engineering escrow, in the amount of \$1,500, must be posted for review of the drainage calculations, topographic features, and the proposed design and inspection of the addition or development by the Borough Engineer prior to any permit being issued.

H. In exceptional circumstances, the Construction Code Official may require additional escrows for engineering review based upon the circumstances of the addition or development.

Invalidity. If the provisions of any section, subsection, paragraph, subdivision, or clause of this Ordinance shall be judged invalid by a court of competent jurisdiction, such order of judgment shall not affect or invalidate the remainder of any section, subsection, paragraph, subdivision, or clause of this Ordinance.

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

Effective Date. This Ordinance shall take effect upon final passage and publication pursuant to law.

BOROUGH OF DUMONT

James J. Kelly, Mayor

ATTEST:

Susan Connelly, RMC, Municipal Clerk

Introduced: November 9, 2017

Adopted: December 5, 2017

