

An ordinance of the Borough of Pine Valley establishing a State Uniform Construction Code enforcing agency, a construction fee schedule, (a construction Board of Appeals) and (fire limits) pursuant to chapter 217, Laws of New Jersey 1975 and title 5, Chapter 23 of the New Jersey Administrative Code

BE IT ORDAINED BY the Mayor and Commissioners of the Borough of Pine Valley as follows.

Section 1.a, there is hereby established in the Borough of Pine Valley a State Uniform Construction Code enforcing agency to be known as the Construction Code Office, consisting of a construction official, building subcode official, plumbing subcode official, electrical subcode official, fire protection subcode official, and such other subcode officials for such additional subcodes as the Commissioner of the Department of Community Affairs, State of New Jersey, shall hereinafter adopt as part of the State Uniform Construction Code. The Construction Official shall be the chief administrator of the enforcing agency.

b. Each official position created in subsection 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, and onsite inspection agency may be retained by contract pursuant to N.J.A.C., 5:23. More than one 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 each such position.

C. The public shall have the right to do business with the enforcing agency at one office location except for emergencies and unforeseen or unavoidable circumstances.

Section 2.a. There is hereby established a Construction Board of Appeals to hear appeals from decisions by the enforcing agency. Such board shall consist of five members. At least one board member shall be a registered architect or licensed professional engineer of building construction experience, and at least one board member shall be as qualified as a plumbing subcode official, and as qualified as an electrical subcode official. No more than two board members shall be selected from the same business or profession. Each board member shall have had at least three years experience in construction design or experience as a licensed engineer or registered architect or, in the alternative, five years experience in construction, design or supervision as an architect or engineer with a bachelors degree in architecture or engineering, respectively, from an accredited institution of higher education, or, as a further alternative, ten years experience in construction, design or supervision as a journeyman in a construction trade or as a construction contractor, subcontractor or inspector.

b. The Mayor, with confirmation of the Commissioners, shall appoint the board members and any alternative members. For the members first appointed, the Mayor and confirmation of Commissioners shall designate the appointee's term so that one shall be appointed for a term of one year, one for a term of two years, one for a term of three years, and two for a term of four years. At the expiration of such terms and thereafter, appointments shall be made for terms of four years. Vacancies shall be filled for the unexpired term.

The mayor with confirmation of the commissioners shall appoint such number of alternates, as may be appropriate, for terms not to exceed four years; or may in the alternative, appoint alternates on a case by case basis.

No regular or alternate board member may be a member of the enforcing agency, the decisions of which are subject to the review of the board.

c. Neither regular nor alternate members of the board shall be compensated for their services on said board.

Section 3a, The fee for a construction permit shall be the sum of the subcode fees listed in (1) through (3) hereof and shall be paid before the permit is issued.

(1) The building subcode fees, other than industrial, shall be:

(a) For new construction, \$.0035 per cubic foot of building or structure volume, provided that the minimum fee shall be \$50.

(b) For renovations, alterations and repairs, \$5. per \$1,000. of the cost of the work, provided that the minimum fee shall be \$5.

(c) For additions, \$.0015 per cubic foot of building or structure volume for the added portion.

(d) For combinations of renovations and additions, the sum of the fees computed separately as renovations and additions.

(2) The plumbing subcode fee shall be \$2 per plumbing fixture, device and plumbing stack to be installed, provided that the minimum fee shall be \$15.

(3) The electrical subcode fee shall be \$1. per electrical fixture and device to be installed; provided that the minimum fee shall be \$15.

(4) The fee for plan review shall be 10% of the amount to be charged for the construction permit and shall be paid before the plans are reviewed. The amount paid for this fee shall be credited toward the amount of the fee to be charged for the construction permit.

(5) The fee for a permit for demolition or removal of a building or structure, other than industrial, shall be \$25. The fee for a permit for demolition or removal of an industrial building or structure shall be a minimum of \$25., plus \$.50 per \$1,000. value over \$25,000., with a maximum fee of \$300.

(6) The fee for a permit for the removal of a building or structure from one lot to another or to a new location on the same lot shall be \$5. per \$1,000. of the sum of the estimated costs of moving, for new foundations and for placement in a completed position in the new location, provided that the minimum fee be \$5. flat fee of \$25.

(8) The fee for an occupancy permit or change of use permit shall be \$5. The fee shall be paid at the time of issuance of the occupancy permit.

(9) The fee for a permit for the installation of an elevator shall be \$37.50

b. The construction official shall, with the advice of the subcode officials, prepare and submit to the Mayor and Commissioners bi-annually, a report recommending a fee schedule based on the operating expenses of the agency, and any other expenses of the municipality fairly attributable to the enforcement of the State Uniform Construction Code Act.

c. 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 \$ 0096 per cubic foot of volume of new construction. Said surcharge fee 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 not later than one month next succeeding the end of the quarter for which it is due. In the fiscal year in which the regulations first become effective, said fee shall be collected and remitted for the third and fourth quarter only.

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

Section 4. The construction official shall use existing Borough personnel as staff. All such dispersed personnel shall be subject to the procedures and policies of the enforcing agency and in the conduct of their duties shall be primarily responsible to the construction official.

Section 5. Fees shall be assessed for plan review, construction permit, certificate of occupancy, demolition permit, moving of building permit, elevator permit, sign permits and fees for reinstatement of lapsed permits in the annual fees and permits ordinances.

Section 6. This ordinance shall take effect on January 1, 1977.

The foregoing ordinance was introduced on first reading at a regular Commissioners meeting held December 20, 1976 at the Clubhouse, Ordinance will be considered for adoption on second reading and public hearing to be held December 31, 1976, at 4:30 P.M.

December 20, 1976

*Robert W. Mather*

Robert W. Mather,  
Borough Clerk