



# TOWN OF DOVER

## MAYOR AND BOARD OF ALDERMEN

### ORDINANCE NO. 13-2022

#### ORDINANCE OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER AMENDING CHAPTER 150, CONSTRUCTION CODES, UNIFORM.

**BE IT ORDAINED** by the Mayor and Board of Aldermen of the Town of Dover, County of Morris and State of New Jersey as follows:

Preventers

#### Section 1

The Code of the Town of Dover, Chapter 150, CONSTRUCTION CODES, UNIFORM shall be amended as follows to change the Construction Department Fees.

§ 150-2. Fees; recommendation for fee changes; state surcharge, is replaced with the following:

#### § 150-2. Fees; recommendations for fee changes; state surcharge.

##### A. Construction Department fees

- (1) Plan review fee. The fee for plan review shall be 20% of the amount to be charged for a new construction permit.
- (2) 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, 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 the building, plumbing, electrical or fire protection work shall be \$100.
- (3) Building volume or cost. The fees for new construction or alteration are as follows:
  - (a) 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 \$0.035 per cubic foot of volume for buildings and structures of Use Group R5, except that the fee shall be \$0.043 per cubic foot of volume for all other Use Groups. The minimum fee for new construction shall be \$175.
  - (b) The unit rate for large, open-volume, single story spaces in buildings, such as barns, silos, greenhouses, warehouses, distribution centers, and other agricultural, and storage-use occupancies, shall be the amount of \$0.033 per cubic foot of volume. (1) For the purpose of calculating the volume to determine the fee for these spaces, the height shall be limited to 20 feet notwithstanding the fact that the actual height of the space may be greater than 20 feet;
  - (c) Fees for renovations, alterations and repairs.

[1] Fees for renovations, alterations and repairs of Use Group Type R5 shall be based upon the estimated cost of the work.

[a] The fee shall be in the amount of \$35 per \$1,000.

[b] From \$50,001 to and including \$100,000, the additional fee shall be in the amount of \$30 per \$1,000 of the estimated cost above \$50,000.

[c] Above \$100,000, the additional fee shall be in the amount of \$25 per \$1,000 of the estimated cost above \$100,000.

[2] Fees for renovations, alterations and repairs of all other Use Group types shall be based upon the estimated cost of the work.

[a] The fee shall be in the amount of \$40 per \$1,000.

[b] From \$50,001 to and including \$100,000, the additional fee shall be in the amount of \$35 per \$1,000 of the estimated cost above \$50,000.

[c] Above \$100,000, the additional fee shall be in the amount of \$30 per \$1,000 of the estimated cost above \$100,000.

~~[3] For the purpose of determining estimated cost, the applicant shall submit to the Construction Official such cost data as may be available produced by the architect or engineer of record or by a recognized estimating firm or by the contractor. A bona fide contractor's bid, if available, shall be submitted.~~

- [4] The Construction Official shall make the final decision regarding estimated cost.
- [a] Fees for additions shall be computed on the same basis as for new construction for the added portion, except that the minimum fee for an addition shall be \$175.
  - [b] Fees for combination renovations and additions shall be computed as the sum of the fees computed separately in accordance with Subsection A(3)(a) and (b) above.
  - [c] In order to provide for the training and certification and technical support programs required by the Act, the enforcing agency shall collect a surcharge fee to be based upon the volume of new construction within the municipality. Said fee shall be accounted for and forwarded to the Bureau of Housing Inspection. This fee shall be in the amount as set forth in N.J.A.C. 5:23-4.19(b). For the purpose of calculating this fee, volume shall be computed in accordance with N.J.A.C. 5:23-2.28.
  - (d) The fee for the installation or replacement of roofing, siding or radon in Use Group R5 shall be \$100
  - (e) The fee for the installation of an above-ground pool in Use Group R5 shall be \$100
  - (f) The fee for the installation of an in-ground pool in Use Group R5 shall be \$150
  - (g) The fee for the installation of asbestos or lead abatement in Use Group R5 shall be \$100
  - (h) The minimum fee for any permit issued for the building Subcode shall be \$100.

(4) Plumbing fixtures and equipment.

- (a) For the purpose of computing fees:
  - [1] Plumbing fixtures shall include, but not be limited to, stacks, lavatories, kitchen sinks, slop sinks, sinks, urinals, water closets, bathtubs, shower stalls, laundry tubs, floor drains, washing machine connections and similar fixtures.
  - [2] Plumbing appurtenances shall include, but not be limited to, devices, a manufactured device or an on-the-job assembly of component parts, which is adjunct to the basic piping system and plumbing fixtures, pressure-reducing valves, backflow prevention devices, backwater valves, vacuum breakers, grease traps, interceptors and similar devices.
  - [3] Plumbing appliances shall include, but not be limited to, hot-water heaters, tankless heaters, heat exchangers, water storage tanks, solar panels, water pressure booster systems, sump pumps, dishwashers, ice makers, instant hot-water coils, sewerage ejectors, garbage disposal units, sterilizers, aspirators, water-cooled air-conditioning units, condensation piping, water conditioners and similar equipment.
- (b) The fee for the installation or replacement of a plumbing fixture shall be \$100 for the first fixture and \$2 for each additional plumbing fixture.
- (c) The fee for the installation or replacement of a plumbing appurtenance and/or special device shall be \$100 for the first appurtenance and \$2.00 for each additional plumbing appurtenance and/or special device.
- (d) For cross connections and backflow preventers that are subject to testing, requiring reinspection annually, the fee shall be \$50 for each device when tested (twice annually) and \$100 for each device when broken down and tested (once annually).
- (e) The fee for the installation or replacement of a plumbing appliance shall be \$100 for the first \$2.00 for each additional device.
- (f) The fee for the installation of a house or building sewer and/or water service pipe is \$100.
- (g) The fee for the installation of a lawn sprinkler system shall be \$100 the first head and \$2.00 for each additional sprinkler head.
- (h) The fee for the installation or replacement of subsoil drains shall be \$100.
- (i) The fee for the removal or abandonment in place of a sewage disposal system and/or septic tank shall be \$100.
- (j) The fee for the installation or replacement of roof drains and/or area drains shall be \$100 for the first drain \$2.00 per additional drain.
- (k) The fee for gas piping is \$100 for the first appliance \$2.00 per each additional gas appliance connection.
- (l) The fee for the installation or replacement of LP tanks, oil lines and/or oil tank piping shall be \$100 for the first tank/line \$2.00 per additional line.
- (m) The minimum fee for any permit issued for the plumbing subcode shall be \$100.

(5) Electrical fixtures and devices.

- (a) The fees shall be as follows:

- [1] For any receptacles or fixtures, the fee shall be in the amount of \$100 for the first receptacle/fixture \$2.00 Per additional receptacle fixture.

For the purpose of computing this fee, receptacles or fixtures shall include lighting outlets, wall switches, fluorescent fixtures, convenience

receptacles or similar fixtures and motors or devices of less than one horsepower or one kilowatt.

- [2] For each motor or electric device greater than one horsepower and less than or equal to 10 horsepower and for the transformers and generators greater than one kilowatt and less than or equal to 10 kilowatts, the fee shall be 125.
- [3] For each motor or electrical device greater than 10 horsepower and less than or equal to 50 horsepower, for each service panel, service entrance or subpanel less than or equal to 200 amperes and for all transformers and generators greater than 10 kilowatts and less than or equal to 50 kilowatts, the fee shall be \$150.
- [4] For each motor or electrical device greater than 50 horsepower and less than 100 horsepower, for each service panel, service entrance or sub panel greater than 200 amperes and less than 1,000 amperes and for transformers and generators greater than 50 kilowatts and less than or equal to 112.5 kilowatts, the fee shall be \$175.
- [5] For each motor or electrical device greater than or equal to 100 horsepower, for each service panel, service entrance or subpanel equal to or greater than 1,000 amperes and for each transformer or generator equal to or greater than 112.5 kilowatts, the fee shall be \$375.
- [6] For each Photovoltaic Systems the fee shall be: Up to 50 Kilowatts \$100.00, greater than 50 Kilowatts up to 100 kilowatts \$300.00, greater than 100 Kilowatts \$600.00
- [7] For each radon system, the fee shall be \$100.

(b) For the purpose of computing these fees, all motors except those in plug-in appliances shall be counted, including control equipment, generators, transformers and all heating, cooking or other devices consuming or generating electrical current.

(c) The minimum fee for any permit issued for the electrical Subcode shall be \$100.

(6) Fire protection and other hazardous equipment. Fees for 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 shall be as follows:

- (a) The fee for heads or alarm devices shall be \$100 for the first head or alarm and \$2.00 per additional device(s) shall be charged.
- (b) The fee for each standpipe shall be \$300.
- (c) The fee for each pre-engineered system shall be \$125.
- (d) The fee for each gas or oil-fired appliance not connected to the plumbing system shall be \$100.
- (e) The fee for each kitchen exhaust system shall be \$150.
- (f) The fee for each incinerator shall be \$400.
- (g) The fee for each crematorium shall be \$400.
- (h) The fee for fireplace venting or metal chimney shall be \$100.
- (i) The fee for a smoke control system shall be \$125
- (j) The fee for a fire pump shall be \$200.
- (k) The fee for fire extinguishers shall be a flat rate of \$100
- (l) The fee for a fuel storage tank shall be \$100 for R-5 and \$300 for all other use groups
- (m) The fee for a sprinkler control valve shall be \$100
- (n) The fee for solar installation shall be \$100
- (o) The minimum fee for any permit issued for the fire Subcode shall be \$100.

(7) Elevator devices. In accordance with Department of Community Affairs fee structure.

(8) Mechanical Sub-Code fees:

(a) Any replacements and or installations with regards to One and Two family dwellings where appliances such as water heaters, boilers, etc... which fall under the Mechanical Sub-Code, shall be charged \$100.00 for the first appliance and \$2.00 per additional fixture or device.

(b) The minimum fee for any permit issued for the mechanical Subcode shall be \$100.

(9) Certificates and other permits. The fees are as follows:

- (a) The fee for a demolition or removal permit shall be \$200 for one or two-family residences (Use Group R-5 of the Building Subcode); \$100 for other structures in Use Group R-5 lots, and \$300 per story for all other use groups.

- (b) The fee for a permit to construct a sign shall be in the amount of \$5 per square foot surface area of the sign, computed on one side only for double-faced signs. The minimum fee shall be \$100.
- (c) The fee for a certificate of occupancy shall be in the amount of 10% of the new construction permit would be charged by the enforcing agency pursuant to these regulations fee which, the minimum fee shall be \$125
- (d) The fee for a certificate of occupancy granted pursuant to a change of use group shall be \$125.
- (e) The fee for a certificate of continued occupancy shall be \$100.
- (f) There shall be no fee for first temporary certificate of occupancy, subsequent extensions Temporary certificates of Occupancy \$30 each extension.
- (g) There shall be no fee for a certificate of compliance issued for each elevator device inspected on a routine periodic basis. The certificate of compliance for a new elevator device shall be \$85.
- (h) The fee for a plan review of a building for compliance under-the alternate systems and non-depletable energy source provisions of the energy subcode shall be \$200 for one- and two- family homes and for light commercial structures having the indoor temperature controlled from a single point; and \$500 for all other structures.
- (i) The fee for an application for a variation In accordance with N.J.A.C. 5:23-2.10 shall be \$350 for Class 1 structures and \$85 for Class 2 and Class 3 structures. The fee for the resubmitting of an application for a variation shall be \$200 for Class 1 structures and \$50 for Class 2 and Class 3 structures.
- (j) Periodic inspections. Fees for the periodic 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:  
For cross connections and backflow preventers that are subject to testing, requiring reinspection every three months, the fee shall be \$50 for each device when tested(twice annually) and \$100 for each device when broken down and tested (once annually).
- (k)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 employed by the facility and who are primarily engaged in work that is governed by a subcode. Managers, engineers and clerks 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 shall be as follows:
  - [1] One to 25 workers (including foreman): \$600; and each additional worker over 25: \$200.
  - [2] Prior to the issuance of the annual permit, a training registration fee of \$100 per subcode shall be submitted by the applicant to the Department of Community Affairs, Construction Code Element, Training Section, along with a copy of the construction permit (Form F-170). Checks shall be made payable to "Treasurer, State of New Jersey."
- (l) For each public pool (other than one- and two-family dwellings), the fee shall be \$100 for an annual certification.
- (m) The fee for a change of contractor shall be \$35.
- (n) There shall be an additional fee of \$65 per hour for review of any amendment or change to a plan that has already been released.

(10) All fees collected pursuant to this section are nonrefundable.

- B. Report of the Construction Official. On or before February 10 of each year, the Construction Official shall, with the advice of the subcode officials and in consultation with the Municipal Finance Officer, prepare and submit to the governing body a report detailing the receipts and expenditures of the enforcing agency as required by N.J.A. C. 5:23-4.17(b) and indicating his recommendations for a fee schedule, based on the operating expense of the agency.
- C. State surcharge. 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 per cubic foot of volume of new construction as mandated by the Department of Community Affairs. Said surcharge fee 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 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 quarters 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.

## Section 2

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

## Section 3

If any article, section, subsection, paragraph, phrase or sentence is, for any reason, held to be unconstitutional or invalid,

said article, section, subsection, paragraph, phrase or sentence shall be deemed severable.

**Section 4**

This ordinance shall take effect immediately upon final publication as provided by law.

ATTEST:

TOWN OF DOVER, COUNTY OF MORRIS

  
\_\_\_\_\_  
John O. Bennett III, Municipal Clerk

  
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Carolyn Blackman, Mayor

Introduced: May 24, 2022

Advertised: May 27, 2022

Adopted: 6/14/2022