

**AN ORDINANCE UPDATING AND AMENDING GENERAL LEGISLATION,
CHAPTER 55 ENTITLED "CONSTRUCTION CODES, UNIFORM" ARTICLE I
GENERAL PROVISIONS, OF THE CODE OF THE TOWNSHIP OF
PLAINSBORO**

WHEREAS, the Plainsboro Township Committee wishes to update and amend the Code of the Township of Plainsboro Chapter 55, Article I, Section 7 entitled "Schedule of Fees"; and

WHEREAS, the Township Administrative staff has conducted a review comparing its fees to adjacent municipalities; and

WHEREAS, certain amendments by the State of New Jersey Department of Community Affairs (DCA) in 2018, expanded the provisions of ordinary maintenance for which permit fees are no longer collected; and

WHEREAS, the Building Division fees have not been modified since 2015, and

WHEREAS, the DCA requires that the enforcing agency establish fees for enforcement activities, those fees shall be calculated to reasonably cover the municipal costs; and

WHEREAS, the fees proposed represent a realistic approach to ensuring that this requirement is achieved; and

NOW THEREFORE BE IT ORDAINED by the Township Committee of Plainsboro Township, County of Middlesex, State of New Jersey, as follows:

SECTION I

The Code of the Township of Plainsboro, New Jersey, Chapter 55-7 "Schedule of Fees", Article I, "General Provisions" is hereby amended and supplemented as follows:

Enforcing Agency fees shall be as follows:

A. Building Subcode.

1. Plan review fee. The fee for plan review shall be 20% of the amount to be charged for a new construction permit, except the elevator service plan review which shall be in accordance with N.J.A.C. 5:23-12.
2. The basic construction fee shall be in 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 and the number of sprinklers, standpipes and fire alarm devices at the unit rates provided herein plus any special fees.
 - a. Building volume or cost Subcode fees:
 - i. 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 \$0.060 per cubic foot of volume of buildings and structures of all uses and types of construction as classified and defined in the Building

Subcode. The unit rate for large, open-volume buildings, such as barns, silos, greenhouses, warehouses, distribution centers, and other agricultural, recreational, and storage use buildings shall be in the amount of \$0.040 per cubic foot of volume.

- ii. A minimum building subcode fee for additions shall be \$200.
3. The fee shall be \$0.011 per cubic foot for structures on farms, including commercial farm buildings under N.J.A.C. 5:23-3.2(d).
 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.
4. Fees for renovations, alterations and repairs or 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 the work. The fees shall be in the amount of \$30 per \$1,000 up to and including \$100,000. Above \$100,000 the additional fee shall be in the amount of \$25 per \$1,000 of the estimated cost.
 - a. The fee shall be in the amount of \$20 per \$1,000 for all renovations, alterations and repairs for one- or two-family owner-occupied structures (Use R-5 of the building subcode). For the purpose of determining estimated cost, the applicant shall submit to the enforcing agency 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. The department shall make the final decision regarding estimated cost.
5. Fees for additions shall be computed on the basis as for new construction for the added portion.
6. Fees for combination renovations and additions shall be computed as the sum of the fees computed separately, in accordance with Subsections A(2)(a) i and 4 above.
7. The fee for a tent, in excess of 16,800 square feet or more than 140 feet in any dimension, shall be \$250.
8. Flat fees for R-5 only:
 - a. In-ground pool: \$250.
 - b. Aboveground pool: \$100.
 - c. Fence for pool: \$100.
 - d. Storage sheds greater than 200 square feet: \$100
 - e. Retaining wall: as per N.J.A.C 5:23-4.20.
 - f. Wooden deck: Subsection A(2)(a)(4)a above.
 - g. Radon: \$100.

B. Plumbing fixtures and equipment:

1. The fee shall be in the amount of \$30 per fixture, vent or stack, 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 B(2) below. For the purpose of computing this fee,

fixtures, pieces of equipment or appliances connected to the plumbing system shall include but not be limited to water closets, urinals, bidets, lavatories, sinks, showers, floor drains, washing machines, dishwashers, mixing valves, residential water heaters, residential gas-fired appliances, hose bibs, residential backflow preventers, drinking fountains, replacement or installation of residential heat exchangers and condensing units, residential solar systems, roof drains, storm drains, hydronic fan coil units.

2. The fee shall be \$100 per special device. For the purpose of computing this fee, special devices shall include but not be limited to grease traps, oil, sand, or other type separators and interceptors, sewage ejectors, booster pumps, commercial refrigeration units, and air-conditioning units, commercial-industrial solar systems, backflow preventers equipped with test ports (double check valve assembly, reduced pressure zone and pressure vacuum breaker backflow preventer), commercial steam boilers, commercial steam generators, commercial hot-water boilers (excluding those for domestic water heating), commercial hot-water heaters and active solar systems. There shall be no inspection fee charged for gas service entrances.
3. The fee for connection to or demolition of a connection to a sewer, septic or water utility connection shall be \$100.
4. The fee for a mechanical inspection in a one- or two-family owner-occupied structure (Use R-5 of the building Subcode) by a mechanical inspector shall be \$100 for the first device and \$25 for each additional device. No separate fee shall be charged for gas, fuel oil, or water piping connections associated with the mechanical equipment inspected.

c. Electrical fixtures and devices.

1. For the first block consisting of one to 25 receptacles, fixtures or devices, the fee shall be \$100; for each additional block consisting of up to 25 receptacles, fixtures or devices, the fee shall be \$50. 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 to 10 kw; for each replacement of wiring involving one branch circuit or part thereof; for each storable pool or hydro massage 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 light standard greater than eight feet in height, including luminaries; and for each communications closet, the fee shall be \$25.
3. For each motor or electrical device rated from greater than 10 hp or 10 kw to 50 hp or 50 kw; for each service equipment, panel board, switch board, switch gear, motor control center or disconnecting means rated 200 amperes or less; for each transformer or generator rated from greater than 10 kw or to 45 kw; for each electric sign rated from greater than 20 amperes to 200

amperes, including associated disconnecting means; for each receptacle rated greater than 50 amperes; and for each utility load management device, the fee shall be \$100.

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 200 amperes to 800 amperes; and for each transformer or generator rated from greater than 45 kw to 112.5 kw, the fee shall be \$200.
5. For each motor or electrical device rated greater than 100 hp or 100 kw; or each service equipment, panel board, switch board, switch gear, motor control center or disconnecting means rated greater than 800 amperes; and for each transformer or generator rated greater than 112.5 kw, the fee shall be \$600.
6. The fee charged for electrical work for each permanently installed private swimming pool as defined in the building subcode, spa, hot tub or fountain shall be a flat fee of \$100 which shall include any required bonding, and associated equipment such as filter pumps, motors, disconnecting means, switches, required receptacles and heaters, etc., except panel boards and underwater lighting fixtures. For public swimming pools, the fee shall be charged on the basis of number of electrical fixtures and rating of electrical devices involved in accordance with Subsection C.l. through 5. above.
7. The fee charged for the installation of single- and multiple-station smoke alarms or heat detectors and fire, burglar or security alarm systems in any one- or two-family structure (Use R-5 of the building code) shall be a flat fee of \$50 per dwelling unit. For fire, burglar and security alarm systems and detectors in buildings other than one- or two-family structures, the fee shall be charged in accordance with Subsection C.l. through 5. above.
8. The fee charged for underground wiring shall be \$30 per 100 feet.

D. Fire protection.

For fire protection and hazardous equipment, sprinklers, standpipes, fire alarm devices such as but not limited to manual pull stations, smoke and heat detectors, water flow devices, tamper switches, pre-engineered suppression systems, gas- or 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 sprinkler heads shall be \$120; 21 to 100 sprinkler heads, the fee shall be \$225; 101 to 200 sprinkler heads, the fee shall be \$400; 201 to 400 sprinklers heads, the fee shall be \$1,000; 401 to 1,000 sprinkler heads, the fee shall be \$1,500; over 1,000 sprinkler heads, the fee shall be \$2,000; for each additional block of 500 sprinklers, the fee shall be \$1,000.
2. The fee for each fire suppression standpipe shall be \$300.
3. The fee for a fire pump shall be \$300.
4. The fee for a private underground fire main shall be \$300.
5. The fee for the installation of each private fire hydrant shall be \$200.
6. The fee for smoke, carbon monoxide, and heat detectors and other initiating

devices shall be as follows:

- a. One to five: \$100.
 - b. Six to 10: \$125.
 - c. Eleven to 15: \$150.
 - d. Sixteen to 25: \$200.
 - e. Each additional block of 25 devices shall be \$50.
7. The fee for each independent pre-engineered system shall be \$200.
9. The fee for each kitchen exhaust system shall be as follows:
 - a. Residential: \$100.
 - b. Commercial: \$200.
10. The fee for each gas, oil-fired, or solid fuel appliance under the Fire Protection Subcode shall be \$100.
11. The fee for each fire alarm control panel shall be \$150.
12. The fee for the removal, replacement or installation of a flammable or combustible liquid storage tank shall be as follows:
 - a. Residential: \$100.
 - b. Commercial: \$225.
13. The fee for the installation of portable fire extinguishers and exit signs as required under the Fire Subcode shall be as follows:
 - a. 1 to 5: \$100.
 - b. 6 to 10: \$125.
 - c. 11 to 15: \$150.
 - d. 16 to 25: \$200.
 - e. Each additional block of 25 shall be \$50.
14. Photovoltaic solar installations shall be as follows;
 - a. Residential \$100
 - b. Commercial \$200

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

1. The fee for demolition or removal of a building shall be \$100 for a structure of less than 5,000 square feet in area and less than 30 feet in height, for one- or two-family structure (Use R-5 of the building subcode), and structures on farms, including commercial farm buildings under N.J.A.C. 5:23-3.2(d), and \$250 for all other use groups. For the purpose of this section, "demolition" shall mean the razing of a building. This fee is in addition to any fees charged under electric and plumbing for the disconnecting of utilities associated with a building.
2. The fee for a permit to construct a sign shall be in the amount of \$4.00 per square foot surface area of the sign, computed on one side only for double-faced signs. The minimum fee shall be \$100.
3. The fee for a certificate of occupancy shall be in the amount of 10% of the new construction permit fee that would be charged by the enforcing agency. The minimum fee shall be \$120; except for one- and two-family owner-occupied structures (Use R-5 of the building subcode) of less than 5,000 square feet in area and less than 30 feet in height, and structures on farms, including commercial farm buildings subject to N.J.A.C. 5:23-3.2(d), for

which the minimum fee shall be \$65.

4. The fee for a certificate of occupancy granted pursuant to a change of use shall be \$400.
5. The fee for a certificate of continued occupancy shall be \$400.
6. The fee for the first issuance and renewal of a temporary certificate of occupancy shall be \$30.
 - a. Exception: There shall be no fee for the first issuance of the temporary certificate of occupancy, provided the certificate of occupancy fee is paid at that time.
7. The fee for plan review of a building for compliance under the alternate systems and nondepletable energy source provisions of the energy subcode shall be \$400 for one- or two- family structures (Use R-5 of the building subcode), and for light commercial structures having the indoor temperature controlled from a single point, and \$2,000 for all other structures.
8. The fee for an application for a variation in accordance with N.J.A.C. 5:23-2.10 shall be \$821 for Class I structures and \$120 for Class II and Class III structures. The fee for resubmission of an application for a variation shall be \$321 for Class I structures and \$91 for Class II and Class III structures.
9. The fee for a permit for lead hazard abatement work shall be \$196.
10. The fee for a lead abatement clearance certificate shall be \$39.
11. The minimum fee for a Subcode technical section shall be \$100.
12. The fee for a "change of contractor" shall be \$50 per Subcode.
13. For cross-connections and backflow preventers that are subject to testing, requiring reinspection annually, the fee shall be \$60 for each device when they are tested.

F. Annual permit fee requirements are as follows:

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 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.

G. Fees for annual permits shall be as follows:

1. One to 25 workers (including foremen), \$933 for each worker; each additional worker over 25, \$329/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 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.

3. The fees for elevator device inspections and tests shall be as set forth in N.J.A.C. 5:23-12.
 4. The fee for the annual electrical inspection of swimming pools, spas or hot tubs shall be \$175.
- H. The Construction Official shall, with the advice of the subcode officials, prepare and submit to the Township Committee 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.
- I. 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 \$0.00371 per cubic foot of volume of new buildings and additions. Volume shall be computed in accordance with *NJA.C. 5:23-2.28*. The fee for all other construction shall be \$1.90 per \$1,000.00 of value of construction. The municipality shall remit fees to the Bureau on a quarterly basis, in conjunction with report number R-840B State Training Fee Report in accordance with *NJA.C. 5:23-4.5(e)*. Fees remitted shall be for the quarter. Checks shall be made payable to "Treasurer, State of New Jersey."
- J. 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.
- K. Whenever the Township uses a private on-site inspection and plan review agency, a 15% administrative surcharge shall be added to the above fees. This surcharge shall apply only to subcode areas for which the Township has a contract with an on-site agency.
- L. All fees shall be rounded to the nearest dollar amount.
- M. Enforcing Agency fees shall be waived in the following instances:
1. Construction contracted for or conducted by the Township.
 2. The erection or alteration of any public building by a county, municipality, school board or any agency or instrumentality thereof (except that nothing contained in this section shall be interpreted as preventing the imposition of a fee upon a board of education for the review of plans submitted to the Township pursuant to the provisions of N.J.S.A. 52:27D-140).
 3. The construction or rehabilitation of housing units for occupancy by low- or moderate-income households by a New Jersey nonprofit corporation.
 4. Any construction, reconstruction, alteration or improvement designed and undertaken solely to promote accessibility by the handicapped to an existing public or private structure or any of the facilities contained therein.
- N. Fees for development-wide inspections of homes after issuance of a certificate of occupancy shall be in accordance with *NJA.C. 5:23-4.17(d)*. and Article II: Residential Handicapped Accessibility Improvements

SECTION II

In the event that any portion of this Ordinance is found to be invalid for any reason by any Court of competent jurisdiction, such judgment shall be limited in its effect only to the portion of the Ordinance actually adjudged to be invalid, and the remaining portions of the Ordinance shall be deemed severable therefrom and shall not be affected.

SECTION III

This Ordinance shall take effect upon final passage and publication in accordance with the law.

Introduced at a Meeting of the Township Committee of the Township of Plainsboro on **October 11, 2023** and published on **October 16, 2023**. Adopted at a Meeting held on **November 8, 2023** and published on **November 9, 2023**.