

BERLIN BOROUGH
ORDINANCE NO. 2018-07

**AN ORDINANCE OF AMENDING AND SUPPLEMENTING CHAPTER 129 OF THE CODE OF
THE BOROUGH OF BERLIN ENTITLED, “CONSTRUCTION CODES, UNIFORM”
IN THE COUNTY OF CAMDEN AND STATE OF NEW JERSEY**

WHEREAS, the Mayor and Council of the Borough of Berlin have received certain recommendations from the Construction Code Official regarding modifications to the Uniform Construction Code; and

WHEREAS, it has been determined to be in the best interest of the health, safety and welfare of the Borough of Berlin to repeal and replace Chapter 129 of the Code of the Borough Berlin.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Borough Council of the Borough of Berlin as follows:

Section 1: Section 129-1 through 129-6 is hereby repealed in its entirety and replaced with the following:

§129-1. Enforcing agency; subcode officials.

- A. There is hereby established in the Borough of Berlin a State Uniform Construction Code Enforcing agency, to be known as the “Department of Code Enforcement and Inspections,” consisting of a Construction Official, Building Subcode Official, Electrical Subcode Official, Fire Subcode Official, Plumbing Subcode Official, Elevator Subcode Official and such other subcode officials for additional subcodes as the Commissioner of the Department of Community Affairs, State of New Hersey, shall hereafter 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, an on-site 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 per 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 the Borough of Berlin, 59 South White Horse Pike, Berlin, New Jersey, except for emergencies and unforeseen or unavoidable circumstances. Office hours are 8:30 a.m. to 4:30pm., Monday through Friday.

§129-2. Appeals.

All appeals will be handled by the Camden County Construction Board of Appeals pursuant to N.J.A.C. 5:23-4.40.

§129-3. Permit required; exceptions.

A permit shall be required for all general construction work except for:

- A. Ordinary repairs as provided for in N.J.S.A. 5:23-2.7 of the State Uniform Construction Code which do not violate any of the regulations.

§129-4. Construction Permit Fees.

- A. The fee for a construction permit shall be the sum of the subcode fees listed in N.J.A.C. 5:23-4.20 before the permit is issued.
- B. Fees not covered by N.J.A.C. 5:23-4.20 are imposed as follows. (This shall only be used as a quick reference sheet. If any questions, refer to N.J.A.C. 5:23.)

- (1) Building fees.

- (a) Trades.

- [1] Fees for single trade permits: a minimum fee of \$75 for all trades.

- [2] Fees for new construction and additions: a minimum fee of \$75 for all trades BPFEM subcodes. Fees for additions shall be computed on the same basis as for new construction for the added portion. Fees for combination renovations and additions shall be computed as the sum of the fees computed separately in accordance with the estimated costs per \$1,000 and cubic volume.

- [a] All use groups, per cubic foot of volume: \$0.042.

- [b] For all large open volume buildings in use groups A-1, A-2, A-3, A-4, A-5, F-1, F-2, S-1, and S-2, Per cubic foot of volume \$0.040

- (b) Fees for renovations, alterations, repairs and minor work.

- [1] The fees shall be based on the estimated cost per \$1,000 x \$34 minimum \$75.

- (c) Fees for demolition or removal permits.

- [1] R-5 structures less than 5,000 square feet: \$150

- [2] All other structures: \$250. [Amended 3-4-2013 by Ord. No. 2013-02]

- (d) Fees for signs:

- [1] Each square foot of surface area: \$1.80; minimum fee of \$46.

- [2] Ground signs:

- [a] For the first 100 square feet: \$2.50 per square foot.

- [b] For the next 400 square feet: \$1.90 per square foot.

- [c] Thereafter: \$1.25 per square foot.
- [3] Pylon signs:
 - [a] For the first 100 square feet: \$5.00 per square foot.
 - [b] For the next 400 square feet: \$3.75 per square foot.
 - [c] Thereafter: \$2.50 per square foot.
- (e) Fees for roofing and siding (Use Group R-5 only).
 - [1] Each roofing job: \$75.
 - [2] Each siding job: \$75.
- (f) Fees for tents.
 - [1] Tents in excess of 900 square feet or 30 feet in any direction: \$120.
- (g) Fees for asbestos abatement.
 - [1] Administrative fee: \$150.
 - [2] Certificate of approval: \$50.
- (h) Fees for fences.
 - [1] All fences: \$75.
- (i) Grading.
 - [1] Single-family residential lots (more than 500 square feet): N/A.
 - [2] Commercial lots:
 - [a] From 500 square feet up to 10,000 square feet: N/A.
 - [b] Ten thousand one square feet to an acre (43,560 square feet): N/A.
 - [c] And each acre or fraction thereof: N/A.
- (j) Swimming pools.
 - [1] Aboveground: \$150.
 - [2] In-ground: \$200.
- (k) Fees for retaining walls.
 - [1] Retaining wall with a surface area greater than 550 square feet that is associated with a Class 3 residential structure: \$189.
 - [2] Retaining wall with a surface area of 550 square feet or less that is associated with a Class 3 residential structure: \$95.

- [3] Newly constructed retaining wall of any size other than a Class 3 residential structure: based on the cost of construction, which is \$32 per \$1,000.
- (1) Solar installations shall be \$250 flat fee.
- (2) Plumbing fees.
 - (a) Total number of fixtures x \$15. (Fixtures or stacks shall include, but are not limited to, lavatories, kitchen sinks, slop sinks, urinals, water closets, bathtubs, floor drains, drinking fountains, dishwashers, garbage disposals, clothes washers, hot-water heaters, gas-fired appliances.)
 - (b) Total number of special devices x \$91 [Special devices shall include grease traps, oil separators, water-cooled air-conditioning units, refrigeration units, utility service connection, backflow preventers, steam boilers, hot-water boilers (excluding those for domestic water heating), active solar systems, sewer pumps, interceptors and fuel-oil piping.] (c) Replacement electric water heater: \$40.
 - (d) Annual tests: \$75.
- (3) Electrical fees.
 - (a) Fixtures and devices to be counted for these items include lighting outlets, wall switches, smoke detectors, fluorescent fixtures, convenience receptacles or similar fixtures, motors or devices of one (1) hp. or less, and carbon monoxide detectors. Motors or electrical devices and all motors (except those in plug-in appliances) shall be counted, including control equipment, transformers, and all heating, cooking or other devices consuming or generating electrical current.
 - [1] One to 50: \$75.
 - [2] For each additional 25 or fraction thereof: \$40.
 - (b) Each motor or electrical device, greater than one (1) hp. and less than or equal to ten (10) hp., and for transformers and generators greater than one KW and less than or equal to 10 KW.
 - [1] Each motor or electrical device: \$15.
 - [2] Replacement electric water heater: \$35.
 - (c) For each motor or electrical device greater than ten (10) hp. and less than or equal to fifty (50) hp., for each service entrance or subpanel less than or equal to 200 amps, and for all transformers and generators greater than 10 KW and less than or equal to 45 KW.
 - [1] Each motor or electrical device: \$60.
 - (d) For each motor or electrical device greater than fifty (50) hp. and less than or equal to one hundred (100) hp., for each service panel, service entrance or subpanel less than or equal to 1,000 amps, and for all transformers and generators greater than 10 KW and less than or equal to 45 KW.

[1] Each motor or electrical device: \$116.

- (f) For each motor or electrical device greater than one hundred 100 hp., for each service panel, service entrance or subpanel greater than 1,000 amps, and for each transformer or generator greater than 112.5 KW.

[1] Each motor or electrical device: \$576.

- (g) Installation of a single- or multiple-station smoke or heat detectors and fire, burglar or security alarm systems in any one- or two-family dwelling shall be a flat fee.

[1] Each dwelling unit: \$36.

- (h) Annual electrical inspections of swimming pools, spas or hot tubs.

[1] Each unit: \$75.

- (i) Private swimming pools, spas, hot tubs: \$150.

- (j) Photovoltaic systems.

[1] One (1) to fifty (50) KW: \$258.

[2] Fifty-one (51) to one hundred (100) KW: \$315.

[3] One hundred and one (101) KW and greater: \$976.

[4] All supporting and attachment systems shall be computed as an alteration.

- (4) Fire subcode fees:

- (a) Fire sprinkler heads.

Number of Sprinkler Heads	Fee
1 to 20	\$91
21 to 100	\$168
101 to 200	\$321
201 to 400	\$831
401 to 1,000	\$1,050
Over 1,000	\$1,469

- (b) Fire alarm and smoke detector systems.

[1] For one to 12 detectors and alarm devices: \$65.

[2] For each additional 25 detectors and devices: \$20.

[3] For one- and two-family dwellings only: \$33.

- (c) Standpipe fee.
 - [1] Each standpipe: \$289.
- (d) Independent pre-engineered system, to include voice alarm, manual fire alarm, replacement of a fire control panel.
 - [1] Each system: \$140.
- (e) Gas- or oil-fired appliances, which are not connected to the plumbing system.
 - [1] Each appliance: \$75.
- (f) Commercial kitchen exhaust system.
 - [1] Each system: \$150.
- (g) Incinerators or crematorium.
 - [1] Each: \$500.
- (h) The fee for the installation or removal of flammable or combustible liquid tanks.
 - [1] Each tank: \$65.
- (i) Residential electric or gas cloth dryer.
 - [1] Each: \$75.
- (j) Wood stove.
 - [1] Each stove: \$75.
- (5) Elevator fees.
 - (a) All elevator fees shall be as mandated by the Division of Community Affairs.
- (6) Mechanical fees.
 - (a) The fee for a mechanical inspection in a Use Group R-5 structure by a mechanical inspector shall be \$60 for the first device and \$15 for each additional device. No separate fee shall be charged for gas, fuel oil, or water piping connections associated with mechanical equipment inspected.
- (7) (Reserved)
- (8) Certificate of occupancy fees.
 - (a) Certificate of occupancy shall be 10% of the cost of the building subcode permit fee for all use groups; minimum fee of \$95.
 - (b) Certificate of occupancy pursuant to a change of use group: \$120.
 - (c) Certificate of occupancy (tenant R-2 Use Group): \$95.
 - (d) Temporary certificate of occupancy: no charge for the initial certificate; each sixty-day extension: \$30.

- (9) Fee for a code variation.
 - (a) Code variation per subcode:
 - [1] Class I structures: \$748.
 - [2] Class II and III structures: \$151.
- (10) State of New Jersey training fees.
 - (a) New buildings and additions, per cubic foot of volume: \$0.00371.
 - (b) For alterations and renovations, the total cost of construction: x \$1.90 per \$1,000 of value of construction.
 - (c) The minimum permit surcharge fee shall be \$1.

129-5. Private agency use.

When the enforcing agency uses the services of a private on-site inspections and plan review agency to enforce one or more subcodes, the fees charged to the municipality by the private on-site agency shall be a percentage of those fees charged by the Department of Community Affairs' current fee schedule pursuant to N.J.A.C. 5:23-4.12(k) and N.J.A.C. 5:23-4.20. Such fees may change and become effective without further notice as provided in N.J.A.C. 5:23-4.20.

129-6. Biannual report; surcharge fee; monthly report

- A. The construction Official shall, with the advice of the subcode officials, prepare and submit to Council biannually a report and any other expenses of the municipality attributable to the enforcement of the State Uniform Construction Code Act.
- B. 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 \$0.0016 per cubic foot of volume of new construction and \$0.008 per dollar value of alteration and renovation construction. Said surcharge fee shall be remitted the Department of Community Affairs, State of New Jersey, on a quarterly basis.
- C. A municipal monthly activity report (Form R-810) shall be filed with the Department of Community Affairs on a monthly basis in accordance with N.J.A.C. 5:23-4.5(d).

Section 2: All other Ordinances or parts of Ordinances inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

Section 3: If any section, paragraph, subdivision, clause or provision of this Ordinance shall be adjudged invalid, such subdivision, clause or provision and the remainder of this Ordinance shall be deemed valid and effective.

Section 4: This Ordinance shall take effect immediately upon final passage and publication as required by law.

BOROUGH OF BERLIN



By: James Bilella, Mayor

ATTEST:

Lois Sahina, RMC, Borough Clerk

I, Lois Sahina, Clerk of the Borough of Berlin, hereby certify the foregoing to be a true and correct copy of an Ordinance adopted by the Mayor and Borough Council at their meeting of February 8, 2018 in the Municipal Building, 59 South White Horse Pike, Berlin, New Jersey.

Introduced: February 8, 2018

Adopted: April 12, 2018