

CONSTRUCTION CODES, UNIFORM

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[HISTORY: Adopted by the Township Committee of the Township of Barnegat 12-20-76 as Ord. No. 1976-Amendments noted where applicable.]

GENERAL REFERENCES

Fire prevention — See Ch. 46.

Be it ordained by the Township Committee of the Township of Barnegat, in the County of Ocean and State of New Jersey:

§ 39-1. Enforcing agency established; subcode officials designated.

- A There is hereby established in the Township of Barnegat, a State Uniform Construction Code enforcing agency to be known as the "Building Official's Office," consisting of a Construction Official, Plumbing 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 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 (1) 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. Salaries for individuals holding such positions shall be determined by the Township Committee.
- C. The public shall have the right to do business with the enforcing agency at one (1) office location, except for emergencies and unforeseen or unavoidable circumstances.

§ 39-2. Fees

- A [Amended 6-6-77 by Ord. No. 1977-13; 6-6-83 by Ord. No. 1983-12; 12-17-84 by Ord. No. 1084-31; 5-17-93 by Ord. No. 1993-19; 11-6-00 by Ord. No. 2000-47; 9-2-03 by Ord. No. 2003-30] The fee for a construction permit shall be the sum of the subcode fees as listed hereof and shall be paid before the permit is

(1) Building subcode fees:

(a) New construction 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. Use groups and types of construction are as classified and defined in N.J.A.C. 5:23-Subchapter 3 Subcodes and Subchapter 4 Enforcing Agencies; Duties; Powers; Procedures.

Minimum fee shall be \$35.00

[1] New construction (except as in [2] [a] and [b] below):

**[a] Per cubic foot of volume ... \$0.027
[Amended 8-2-04 by Ord. No. 2004-36]**

[2] Other use groups

[a] Use Groups A-1, A-2, A-3, A-4, A-5, F-1, F-2, S-I, and S-2 0.015

[b] Structures on farms, including commercial farms exclusively for food, sheltering of livestock the fee shall be \$0.0008 [Amended 8-2-04 by Ord. No. 2004-36]

[c] Maximum fee 1145.00 [Amended 8-2-04 by Ord. No. 2004-36]

(b) Renovations, alterations, repairs, and minor repairs - Fee based on the estimated cost of work. To determine the estimated cost, the applicant shall submit to the Construction Code Official such cost data as may be

available produced by the architect or engineer of record, or by a recognized estimating firm, or by bona fide contractor's bid if available shall be submitted. The Construction Code Official shall make the final decision regarding the estimated cost.

- [1.] \$1.00-\$50,000.00..... \$24.00 per
[Amended 8-2-04 by \$1,000.00
Ord. No. 2004-36]
- [2] \$50,001.00-\$100,000.00 add 18.00
[Amended 8-2-04 by per \$1,000.00
Ord. No. 2004-36]
- [3] Over 100,000.00 add
\$15.00 per
\$1,000.00

(c) Additions: Fees shall be computed on the same basis as for new construction for the added portion.

(d) Combination renovations and additions: Fees shall be the sum of the fees computed separately as renovation, addition.

(e) Demolition: The fee shall be as follows:

- [1] R-3 and R-4 buildings or structures 50.00
[Amended 8-2-04 by Ord. No. 2004-36]
- [2] All other use groups385.00

(f) Demolition of fuel storage tanks: The fee shall be as follows:

- [1] R-3 and R-4..... \$35.00
- [2] All other use groups..... \$100.00

(g) Relocation of buildings or structures: For the relocation of buildings and structures to a new location (including premanufactured

construction, assembly or components transported to a construction site) the fee shall be based on the following estimated cost:

- [1] Transportation and moving.
- [2] New foundation.
- [3] Placement of structure in a completed condition at the new site.
- [4] External utility connections.
 - [a] 1.00- 50,000.00 20.00 per \$1,000.00
 - [b] \$50,001.00-\$,100,000.00 add 17.00 per \$1,000.00
 - [c] Over 100,000.00 add \$15.00

The applicant shall submit a copy of the Contract Proposal Cost Data by the architect or engineer of record, a recognized estimating firm or by contract bid. The Construction Code Official shall make the final decision regarding the estimated cost.

(h) Swimming pools: [Amended 8-2-04 by Ord. No. 2004-36] The fee shall be as follows:

- [1] R-3 and R-4 above ground..... \$45.00
- [2] Residential in-ground..... 31.15.00
- [3] All other use groups 225.00

(i) Storage sheds and similar structures: The fee shall be as follows:

[1] 1-100 sq. ft., exempt from subsection A(1)(a) minimum fee \$35.00 [Amended 8-2-04 by Ord. No. 200436]

[2] 101 sq. ft. or larger - Same as New construction subsection A(1)(a)

(j) Tents in excess of 900 sq. ft. or more than 30 feet in any dimension the fee shall be . \$90.00 ended 8-2-04 by Ord. No. 2004-36]

Roofing: The fee shall be as follows:

(k) [1] R-3 and R-4 Use groups, exempt from subsection A(1)(a) minimum fee. \$35.00 [Amended 8-2-04 by Ord. No. 200436]

[2] All other use groups 50.00

(l) Siding: The fee shall be as follows:

[1] R-3 and R-4 Use groups \$35.00

[2] All other use groups \$50.00

(m) Decks: The fees shall be based on estimated costs as subsection A(1)(b) Renovations, alterations. The estimated cost shall be calculated as 1 square foot equals 58.00.

(n) Premanufactured fireplaces, free-standing stoves, fireplaces, heaters, etc., except gas fireplaces the fee shall be \$46.00

(o) Signs: The fee shall be 1.00 per square feet surface area of the sign computed on one side only on double-faced signs.

Minimum fee \$15.00

(p) Sunrooms and screen rooms.. \$50.00 [Added 8-2-04 by Ord. No. 2004-36]

(2) Plumbing Subcode:

(a) Minimum fee\$35.00

(b) Fixtures and appliances: The installation of plumbing per fixture or stack shall include but not be limited to water closets, bathtubs, shower stalls, laundry tubs, floor drains, drinking fountains, dishwashers, clothes washers, hot water heaters, roof drains, hose bibs or similar devices the fee shall be as follows:

[1] Per fixture and appliance\$10.00

(c) Modular and premanufactured structures building drains and water piping installed onsite shall be\$45.00

(d) Special device:

[1] R-3 and R-4 the installation of a boiler (hot water or steam), air conditioners (refrigeration and condense piping, sewer pumps, etc.) \$35.00

[2] All other use groups the installation of grease traps, oil interceptors, backflow preventors, sewer injectors, (hot water or steam), air conditioning (refrigeration and condense piping), refrigeration \$45.00

(e) Gas and/or oil piping shall be as follows:

[1] R-3 and R-4.....\$35.00

[2] All other use groups..... 50.00

(f) Lawn irrigation 50.00

(g) Sewer connection

[1] R-3 and R-4 40.00

[2] All other use groups 60.00

(h) Water connection

- [1] R-3 and R-4 \$40.00
- [2] All other use groups..... \$60.00

(i) Water heater replacement same fuel, exempt from subsection A(2)(a)

- Minimum fee \$35.00
- [Amended 8-2-04 by Ord. No. 2004-36]

(3) Fire subcode:

(a) Minimum fee \$35.00

(b) [Amended 8-2-04 by Ord. No. 2004-36]
Gas or oil fired appliances not connected to the plumbing system, exempt from subsection (3)(a)

- [1] 1st unit \$35.00 each
- [2] 2nd and up 25.00 each

(c) Fire suppression systems

- [1] 1-20 heads 50.00
- [2] 21-100 heads \$120.00
- [3] 101-200 heads \$230.00
- [4] 201-400 heads \$594.00
- [5] 401-1,000 heads \$822.00
- [6] Over 1,000 heads \$1,050.00

(d) Fire alarms, detectors fees to be computed as fire suppression systems. In computing fees for heads and detectors, the number for each to be computed separately.

- (e) Fire pumps the fee shall be \$50.00
- (f) Standpipe systems each 229.90
- (g) Engineering suppression system \$92.00

- (h) Independent preengineered system \$92.00
- (i) Incinerators the fee shall be \$365.00
- (j) Crematoriums the fee shall be \$365.00
- (k) Spray booths and dipping operations .. \$92.00
- (1) Fuel dispensing units in the case of service stations the fee shall be per island ... \$135.00
- (m) Installation and removal of tanks
 [Amended 8-2-04 by Ord. No. 2004-36]
 [11 R-3 and R-4 \$35.00
 [2] All other use groups....\$100.00
- (4) Electric subcode fees:
 - (a) Minimum fee \$35.00
 - (b) Fixtures or receptacles (receptacles and fixtures shall include lighting outlets, wall switches, electrical discharge fixtures, convenience receptacles or similar fixtures, and motors or devices of less than one horsepower or one kilowatt, burglar, fire, and communication devices, etc.) the fee as follows:
 - [1] 1-25 \$35.00
 - [2] Each additional 25 \$5.00
 - (c) Motors or electrical devices (each)
 - [1] 1-9 horsepower \$9.00
 - [2] 10-50 horsepower 40.00
 - [3] 51-100 horsepower \$100.00
 - [4] Over 100 horsepower 450.00
 - (d) Transformers and generators Kilowatt or Kilovolt (each):
 - [1] 0-9 \$9.00

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- [2] 10-45 \$40.00
- [3] 46-100\$100.00
- [4] Over 100\$450.00
- (e) Service panels, entrance or subpanel (each)
 - [1] 0-200 amps \$40.00
 - [2] 201-400 amps\$100.00
 - [3] 401-1000 amps\$200.00
 - [4] Over 1000 amps\$450.00
- (f) For the purpose of computing fees above, all motors and plug-in appliances shall be counted, including control equipment, generators, transformers and heating, cooking or other devices consuming or generating electrical current.
- (g) Signs each shall be \$35.00
- (h) Irrigation system \$25.00
[Added 8-2-04 by Ord. No. 2004-36]
- (i) Pools: [Added 8-2-04 by Ord. No. 2004-36]
 - Above-ground R-3 and R-4 \$45.00
 - Inground..... \$75.00
 - Commercial S115.00
- (5) Elevator subcode fees:
 - (a) Elevator devices where applicable shall be in accordance with N.J.A.C. 5:23-12.6.
- (6) Certificate of occupancy fees and other permits:
 - (a) Certificate of occupancy \$28.00
 - (b) Certificate of occupancy for change of use 85.00
 - (c) Certificate of continued occupancy
\$85.003904

- (d) Temporary certificate of occupancy extension not due to prior approvals..... \$25.00
- (e) Certificate of approval for equipment having been determined a hazard by N.J.A.C. 5:23-2.23(i) \$45.00
- (f) Certificate of completion for asbestos abatement \$85.00
- (g) Certificate for lead abatement \$85.00
- (h) Electrical certificate of compliance for public pools..... 45.00
- (i) Reinstate a lapsed construction permit for each subcode \$35.00
- (j) Fees miscellaneous for an item for which a fee has not been established \$35.00
- (k) Plan review: the fee shall be 20% of the new construction fee.
- (1) Variations applications
 - Ⓜ ~~Class~~ buildings \$594.00
 - Ⓜ ~~Class I~~ buildings (45.00) Resubmitted variation fee:
 - Ⓜ ~~Class II~~ buildings. . . . \$229.00
 - Ⓜ ~~Class III~~ buildings \$25.00
- (n) Annual permits issued for all subcodes based on the number of maintenance workers
 - Ⓜ ~~15 workers~~
 - \$ 6 6 7 . 0 0
 - [2] Over 25 workers, each additional worker..... \$150.00

- (o) Training registration fee per subcode for annual permits paid to State of New Jersey \$140.00
- (p) Training, certification and technical support shall be a surcharge paid to the State of New Jersey
 - [1] New construction cubic feet times .0016
 - [2] Alterations except demolitions, estimated cost times \$.0008

B. Report. The Construction Official shall, with the advice of the subcode officials, prepare and submit to the Township Committee biannually, 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. Surcharge fee.

(1) 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 in the current agreement with the Ocean County Construction Inspection Department for Inspection Services a surcharge fee as established from time to time by the New Jersey Department of Community Affairs. Said surcharge fee shall be remitted to the Bureau of Housing Inspections, 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 (1) month next succeeding the end of the quarter for which it is

'Editor's Note: "The regulations" refers to the regulations established by the Commissioner of the Department of Community Affairs.

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. [Amended 11-6-00 by Ord. No. 2000-47]

- (2) The enforcing agency shall report annually at the end of each fiscal year to the Bureau of Housing Inspections, 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.
- D. Permit and inspection fee waivers. Whenever the Construction Code Officials of the Township of Barnegat determine that, pursuant to N.J.A.C. 5:23-6.1 et seq., the eligibility of a proposed solar heating and cooling system pursuant to the standards promulgated under N.J.A.C. 14A:4-1 et seq., the normal permit and inspection fees as set forth hereinabove shall be waived. [Added 5-19-80 by Ord. No. 1980-19]
- E. Exemption for certain nonprofit organizations. [Added 5-19-80 by Ord. No. 1980-19]
- (1) The municipal government and the various autonomous local units of government of the Township of Barnegat are hereby exempted from the payment of building permit fees.
- (2) The Township of Barnegat's first aid squads and volunteer fire departments are hereby exempt from the payment of building permit fees.
- (3) Those churches and synagogues recognized by the United States Government Internal Revenue Service as being tax exempt from income tax, and also being bona fide recognized churches, synagogues or religious edifices are hereby exempted from the payment of building permit fees where such construction is directly related to the operation and/or maintenance of the religious functions of said churches or synagogues.

- (4) The waiver of building fees as stated hereinabove does not exempt the above-exempted parties from applying for and receiving a building permit. They are exempted only from the payment of fees for same.

F. Waiver of building permit fees. [Added 11-6-00 by Ord. No. 2000-47]

- (1) No person shall be charged a construction permit surcharge fee or enforcing agency fee for any construction, reconstruction, alteration or designed and undertaken solely to promote accessibility by disabled persons to an existing private structure or any of the facilities contained therein.**
- (2) A disabled person, or a parent or sibling of a disabled person, shall not be required to pay any municipal fee or charge in order to secure a construction permit for any construction, reconstruction, alteration or improvement which promotes accessibility to his or her own living unit.**
- (3) Disabled person means a person who has a total and permanent inability to engage in any substantial gainful activity by reason of any medically determinable physical or mental impairment, including blindness, and shall include, but not be limited to, any resident of this State who is disabled pursuant to the Federal Social Security Act (42 USC Section 416), or the Federal Railroad Retirement Act of 1974 (45 USC Section 231, et seq.), or is rated as having sixty percent (60%) disability or higher pursuant to any Federal law administered by the United States Veterans Act. For purposes of this paragraph, "blindness" means central visual activity of 20/200 or less in the better eye with the use of a corrective lens. An eye which is accompanied by a limitation in the fields of vision such that the widest diameter of the visual fields subtends an angle no greater**

than twenty (20) degrees shall be considered as having a central visual acuity of 20/200 or less.

§ 39-3. Fire limits.

The Construction Official shall prepare and submit to the Township Committee, biannually, a report reevaluating the delineation of the fire limits. This report shall indicate the recommendations of the Construction Official, the Buildings Official and the Fire Subcode Official regarding those areas which should be designated as within fire limits, with the reasons therefor.

§ 39-4. Repealer.

All ordinances or parts of ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

§ 39-5. Effective date.

This ordinance shall take effect on January 1, 1977.

§ 39-6. BOCA International Property Maintenance Code. [Added 12-31-84 by Ord. No.. 1984-32; amended 11-6-00 by Ord. No. 2000-47]

- A. Purpose. The purpose of this ordinance is to adopt a Property Maintenance Code in and for the Township of Barnegat in order to protect the health, safety and welfare of our township residents.
- B. Adoption of Code. The Building Officials and Code Administrators (BOCA) international Property Maintenance Code together with any change or supplement thereto is adopted and incorporated herein as if fully set forth at length.

- C. Copies on file. Three (3) copies of the Building Official's and Code Administrator's (BOCA) International Property Maintenance Code have been placed on file in the office of the Township Clerk and will remain on file there for the use and examination of the public. Copies shall be available for purchase at a cost determined by a resolution of the governing body of Barnegat Township.
- D. The following sections of the International Property Maintenance Code are hereby revised:
- Section 101.1. Insert: Barnegat.
 - Section 103.6. Insert: Current Agreement with the Ocean County Construction Inspection Department for Inspection ~~in~~ ^{vices}
 - Section 303.14. Insert: May 1-- October 1.
 - Section 602.3. Insert: October 1 - May 1.
 - Section 602.4. Insert: October 1 - May

§ 39-7. Maintaining premises during new construction, alteration or rebuilding of premises. [Added 9-2-86 by Ord. No. 1986-28]

- A. Purpose. The purpose of this ordinance is to ensure that at the time a new building or structure is being erected or a building or structure is being renovated or altered that the site around said construction area is free and clear of debris by being properly stored in a dumpster. [Amended 11-6-00 by Ord. No. 2000-471]
- B. A structure being altered or renovated is herein defined as an existing structure being changed or altered so as to necessitate the obtaining of a building permit pursuant to the New Jersey Uniform Construction Code.
- C. During the renovation or alteration of a structure, all materials being "torn out" or "removed" shall be properly stored in a dumpster at said site or, in the alternative, immediately removed from the site.

D. This section does not apply to the storage of new construction materials which must be neatly stacked or placed upon the property in question and shall be limited to those materials to be installed in the newly renovated or altered structure.

§ 39-8. Permit to be filed. [Added 3-7-88 by Ord. No. 1988-9]

No development or construction or any activity related thereto, authorized under any permit issued by a federal, state or county entity or agency shall commence until a copy or copies of such permits or authorizations are filed with the Construction Official and Zoning Officer of Barnegat. Failure of any individual corporation or partnership to file said permits with the Construction Official and the Zoning Officer shall be considered a violation of the within ordinance.

§ 39-9. Violations and penalties. [Added 3-7-88 by Ord. No. 1988-9]

Any person who violates any one (1) or more sections of this chapter shall be subject to a fine of not more than one thousand dollars (\$1,000.) for each separate offense and/or confinement in the Ocean County Jail for a period of not more than ninety (90) days.

§ 39-10. Construction code services. [Added 7-2-90 by Ord. No. 1990-21]

A. The Mayor and Township Clerk are hereby authorized and directed to enter into and execute a contract with the County of Ocean, designating the County of Ocean as the agent of the municipality for the provision of construction code services required in the provisions of the Uniform Construction Code Act, N.J.S.A. 52:27D-119 et seq. and the regulations promulgated thereunder.3908

- B. A copy of said contract is on file and available for public inspection during normal business hours at the Township Clerk's which is located at 900 West Bay Avenue.**