

PLEASE TAKE NOTICE the following ordinance was introduced and passed on first reading at the August 6, 2018 meeting of the Mayor and Borough Council and will be considered for second reading and final passage during the meeting scheduled to begin at 8:00 p.m. on August 20, 2018 in the Municipal Building, located at 555 Brighton Avenue, Spring Lake Heights, at which time and place any person desiring to comment on this ordinance will be given the opportunity to be heard. A copy of the ordinance is available in the clerk's office.

Janine Gillis, Borough Clerk

**BOROUGH OF SPRING LAKE HEIGHTS
ORDINANCE NO. 2018-09**

**AN ORDINANCE AMENDING AND SUPPLEMENTING
CHAPTER X ENTITLED "BUILDING AND HOUSING" OF THE REVISED GENERAL
ORDINANCES OF THE BOROUGH OF SPRING LAKE HEIGHTS**

Chapter X of the General Ordinances of the Borough of Spring Lake Heights is hereby amended or supplemented as follows (new text is double underlined, text to be deleted is ~~struck through~~ and notations to the reader and changes in subparagraph designations either with or without changes to content are italicized):

SECTION 1:

10-1 STATE UNIFORM CONSTRUCTION CODE ENFORCING AGENCY.

10-1.1 Code Enforcement Office.

- a. There is hereby established in the Borough of Spring Lake Heights a State Uniform Construction Code Enforcing Agency to be known as the Borough of Spring Lake Heights Uniform Construction Code Enforcing Agency, 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 hereafter adopt as part of the State Uniform Construction Code. The Construction Official shall be the Chief Administrator of the Enforcing Agency. The Mayor and Council of the Borough shall have the power to provide by resolution for the appointment of and to delineate the functions, powers, duties, and responsibilities of all enforcing agency officials that are necessary and proper for the operation of the Uniform Construction Code Enforcing Agency.
- b. Each official position created in paragraph a. 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 approved 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 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 (1) office location except for emergencies, and unforeseen or unavoidable circumstances.
- d. The Governing Body, as authorized by law, may contract with another municipality or multiple municipalities and designate a host community for a regional construction office to serve in lieu of a designated Spring lake heights Construction Office

10-1.2 Construction Permit Fees.

- a. General. The Fees and costs for all permits includingf but not limited to construction permits, sub-code permits and such other permits as may be required shall be those fees established by resolution of any designated host community in a regional construction office to which the Borough of Spring Lake is a party. The Governing Body shall also adopt such resolution setting fees under this Chapter as required by the participatory municipalities in the regional construction office.

In the event that the Borough of Sopring lake heights is not a member of a regional construction office the fees shall be as follows:

The fee for a construction permit shall be the sum of the subcode fees listed in paragraphs a,2(a) through a,2(d)(7) hereof and shall be paid before the permit is issued. In all cases, all fees shall be rounded to the next dollar.

1. Plan Review Fee: The fee for plan review shall be twenty (20%) percent of the amount to be charged for a construction permit. The minimum fee shall be \$50.00.
2. Basic Construction Fee: The basic construction fee shall be the sum of the parts computed on the basis of the volume or the cost of construction, the number of plumbing fixtures and pieces of equipment, the number of electric fixtures and devices and 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 building, plumbing, electric or fire protection work shall be \$60.00, except as herein noted.
 - (a) Building volume or cost: The fees for new construction or alteration are as follows:
 - (1) 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 cost shall be in the amount of \$0.027 per cubic foot of volume for buildings and structures of all use groups and types of construction. The minimum fee shall be \$150.00.
 - (2) Fees for renovations, alterations and repairs shall be based upon the estimated cost of the work. The fee shall be in the amount of \$24.00 per \$1,000.00 or fraction thereof up to a limit of \$50,000.00. From \$50,001.00 to and including \$100,000.00, the additional fee shall be in the amount of \$18.00 per \$1,000.00 of the estimated cost above \$50,000.00. Above \$100,000.00, the additional fee shall be in the amount of \$15.00 per \$1,000.00 of estimated cost above \$100,000.00.
 - (3) Fees for additions shall be computed on the same basis for new construction for the added portion. The minimum fee shall be \$100.00.
 - (4) Fees for combination renovation and additions shall be computed separately in accordance with items in paragraphs a,2(a)(2) and (3) above. The minimum fee shall be \$100.00
 - (5) The fee for each fireplace shall be \$60.00.

10-1.4 Fire Protection Subcode Official.

- a. *Establishment of Position.* There is hereby created the position of Fire Protection Subcode Official for the Borough of Spring Lake Heights.
- b. *Duties.* The Fire Protection Subcode Official shall work under the direction of the Construction Official and he shall have administrative responsibility for administering the Fire Protection Subcode of the State Uniform Construction Code within the Borough of Spring Lake Heights. He shall inspect and/or supervise the inspection of fire protection work in construction projects under way to insure that compliance with plans and specifications approved in accordance with the State Uniform Construction Code is achieved.
- c. *Compensation.* The salary for said position shall be ~~two thousand (\$2,000.00) dollars per annum for the year in which this subsection is adopted and thereafter~~ as set forth in the annual salary ordinance of the Borough of Spring Lake Heights.

10-2 HOUSING CODE.

10-2.7 Certificate of Occupancy.

- h. A Certificate of Occupancy to be issued under the terms of this subsection shall be issued by the Public Officer. The fees for the issuance of a Certificate of Occupancy, which fees shall be paid together with the application shall be as follows:

Yearly, winter and summer rentals	\$100.00 per dwelling unit
Title transfers (sales)	\$100.00
Sales of multi-family dwellings or apartments	\$15.00 per dwelling unit and <u>100 per building unit with a minimum of \$85.00</u>
Rooming houses	<u>\$85.00 which includes a maximum of five (5) sleeping rooms; \$7.00 additional for each bedroom over five (5).</u> <u>\$100 per building and \$10.00 per sleeping room</u>
Additional fee required from applicants seeking a Certificate of Occupancy with no more than six (6) days but less than ten (10) calendar days prior to occupancy	\$50.00
Additional fee required from applicants seeking a	\$100.00

Certificate of Occupancy
with five (5) calendar days
or less prior to occupancy

Reinspection fee of \$25.00 if a reinspection is required before issuance of a Certificate of Occupancy.

- o. At least one half (1/2) of the floor area shall have a ceiling height of at least seven six and one-half (6 1/2') (7) feet. The floor area of that part of any room where the ceiling height is less than five (5') feet shall not be considered as part of the floor area in computing the total floor area of the room for the purposes of determining the maximum permissible occupancy thereof.
- p. No room in a dwelling may be used for sleeping if the floor level of that room is

SECTION 2: REPEALER All Ordinances or parts thereof inconsistent with the provisions of this Ordinance are hereby repealed as to such inconsistency.

SECTION 3: SEVERABILITY If any section, paragraph, subdivision, clause or provision of this Ordinance is adjudged to be invalid, such adjudication shall apply only to section paragraph, subdivision, clause, or provision so adjudged and the remainder of this Ordinance shall be deemed valid and effective.

SECTION 4: EFFECTIVE DATE This Ordinance shall take effect upon its passage and publication according to law.