

ORDINANCE 985
ORDINANCE OF THE BOROUGH OF BARRINGTON,
COUNTY OF CAMDEN, STATE OF NEW JERSEY,
AMENDING CHAPTER 53, CONSTRUCTION CODE
ENFORCING AGENCY, IN THE CODE OF THE
BOROUGH OF BARRINGTON

BE IT ORDAINED by the Mayor and Borough Council of the Borough of Barrington, County of Camden, and State of New Jersey, that Chapter 53, Construction Code Enforcing Agency, is hereby amended in the Code of the Borough of Barrington, as follows:

ARTICLE I. SECTION 53-1 Enforcing Agency; Sub Code Official.

There is hereby established in the Borough of Barrington a State Uniform Construction Code enforcing agency to be known as the “Construction Code Enforcing Agency of the Borough of Barrington,” consisting of a Construction Official, Building Sub Code Official, Electrical Sub Code Official, Fire Protection Sub Code Official, Plumbing Sub Code Official and such other sub code officials for such additional sub codes as the Commissioner of the Department of Community Affairs, State of New Jersey shall adopt as part of the State Uniform Construction Code. The Construction Official shall be the chief administrator of the enforcing agency. Other Inspectors as required by this or other Ordinance as deemed necessary by the governing body may also be established.

A. Certificate of Occupancy; Property Maintenance; Compliance Required. A Rental Certificate of Occupancy or Resale Certificate of Occupancy is required in the Borough

of Barrington every time a residential or residential rental unit changes owners, users, or occupants. A Rental Certificate of Occupancy or Resale Certificate of Occupancy shall be issued by the Construction Official of the Borough of Barrington prior to occupancy by a new owner on resale, new rental user, or occupancy. Either Certificate shall not be issued until an inspection has been requested and completed by the Borough of Barrington Construction Department, and a “pass” inspection has been issued by and filed with the Borough Construction Department of the Borough of Barrington. The purpose of this inspection for either Certificate is to ensure that the property is habitable, and or meets the minimum standards for health and life safety requirements under the codes of the Borough of Barrington and the codes and laws of the State of New Jersey.

B. Residential Resales. All residential buildings and or structures shall be inspected and a Resale Certificate of Occupancy shall be issued prior to the resale of any residential building and or structure in the Borough of Barrington. An issued Resale Certificate shall be good for (60) days from issuance in the event a property does not change ownership during said time period.

C. Residential Rentals. All residential rentals, single unit dwelling, or two or three unit dwelling, or multi-dwelling unit (four or more) shall be registered and inspected and a Rental Certificate of Occupancy shall be issued prior to any re-renting of new occupancy. The Owner/Landlord of a single unit dwelling, or a two to three unit dwelling shall be registered with the Construction Department of the Borough of Barrington. For multi-dwelling units (four of more), the Owner/Landlord shall register with the Construction Department and file a copy of the Certificate of Registration with the New Jersey Bureau of Housing with the Clerk of the

Borough of Barrington. No person, group of persons, association, partnership, business, or corporation thereof, who owns, manages, conducts or operates a residential rental unit or units shall rent, lease, let or sublet or permit the same to be occupied or re-rented by another without first securing from the Borough of Barrington Construction Office a Rental Certificate of Occupancy for said residential rental unit.

D. Certificate Required.

1. No Certificate shall be issued by the Construction Department until a “pass”, inspection has been received. An application for inspection shall be provided by the Construction Department. The application shall be completed and filed by the owner, landlord, or landlord management, and the required fee paid prior to an inspection being scheduled. A copy of the list of items to be inspected shall be provided to the applicant as part of the application form.

2. For use in implementing the inspection the agency will incorporate the International Property Maintenance Code, 2006, The Uniform Fire Code, The International Fire Code, New Jersey edition 2006, and portions of the International Residential Code, New Jersey edition 2006 and or it may be amended from time to time.

3. The inspection shall be completed within 14 days following the date that a complete application is filed with the appropriate fees paid to the Construction Department. No Certificate shall be issued unless the condition of the rental unit, or resale property complies with the listed Codes or as may be amended from time to time. The Certificate shall be signed by the

Construction Official after a “pass” inspection by a qualified inspector, who is an employee of the Borough of Barrington.

4. Every rental unit shall be required to renew the Rental Certificate of Occupancy annually at the start of each calendar year, and be required to “pass” the required inspection for same. In addition to the required annual inspection, for rental units there will be required a new Certificate and inspection each time a new tenant wishes to occupy the unit.

ARTICLE II. SECTION 53-2 Construction Board of Appeals.

The Construction Board of Appeals to hear appeals from decisions by the enforcing agency shall be the Camden County Construction Board of Appeals, for violations of relating to the Uniform Construction Code, and the Borough of Barrington Municipal Court when violations relate to Rental or Resale Certificate of Occupancy.

ARTICLE III. SECTION 53-3 Fees.

Construction Permit Fees – The maximum fee for a construction permit shall be the sum of the sub code fees listed in subsection A (1) through (6) hereof and shall be paid before the permit applied for is issued. All contractors, sub-contractors, workmen, shall disclose to the property owner(s) the actual cost of all construction permit fees.

A. The building sub code fees shall be:

1. Use Groups: B,E,H,I-1,I-2,I-3,M,R-1,R-2,R-3,R-4,R-5 and U per cubic volume of building or structure times (\$.035) with a \$250.00 minimum fee for all new

construction and additions. Garden type sheds and similar structures, accessory to 1 and 2 family dwellings

- a. 100 to 200 sq.ft. \$75.00 minimum fee
- b. 201 sq.ft. and over \$200.00 minimum fee
- c. Open structure w/o walls \$100.00 minimum fee

2. Use Groups: A-1, A-2, A-3, A-4, A-5, F-1, F-2, and S-2, per cubic volume of building or structure times (\$.020), with a \$200.00 minimum fee for all new construction and additions.

3. Farm Use Buildings: used exclusively for food, sheltering or the housing of livestock, per cubic volume times (\$.0010).

4. Renovations, Alterations, Repair, and Minor Work Fees:

a. Open Deck Structures:

- 1. Under 100 sq.ft. \$75.00 minimum fee
- 2. 101 to 200 sq.ft. \$150.00 minimum fee
- 3. 201 to 400 sq.ft. \$200.00 minimum fee
- 4. 401sq.ft. and over \$250.00 minimum fee

b. All other work:

1. Estimated cost up to and including \$50,000.00 shall be \$30.00 per thousand dollars of estimated costs

2. Estimated cost up to and including \$50,000.00 to and including \$100,000.00 shall be \$23.00 per thousand dollars of estimated costs.

3. Estimated cost from \$100,000.00 and above shall be \$23.00 per thousand dollars of estimated costs.

c. Handicapped Fees. Pursuant to the authority under N.J.S.A. 52:27D-12e, no construction permit fee shall be required from a homeowner for residential construction, reconstruction, alteration, improvement or repair of structure, and related devices installed or erected for the sole purpose to promote accessibility by the handicapped; handicapped being defined under N.J.S.A. 51:27d-126e; and conforming to the current N.J.A.C. 5:23.7 Barrier Free Code, and any subsequent amendments or additions thereto. By “waiving of the fees”, this in no way “waives” the right of the enforcing agency to request plans, and requiring inspections for compliance with adopted codes.

d. Roofing and Siding Permits for R-3, and R-5

1. Residential Uses - \$65.00 plus \$5.00 per thousand in costs.

e. Demolition and Removal Fees:

1. \$125.00 for all structures less than 3000 sq.ft. in area and less than 30 feet in height, one or two family residences, and for structures on farms, including commercial farm buildings.

2. \$175.00 for all other structures including underground storage tanks.

3. \$75.00 for all above ground storage tanks.

5. Sign Permit Fees. The permit fee for the construction, erection or installation of a sign shall be based on the square footage of the surface area (computed for one side of double faced signs) at a rate of \$5.00 per square foot, for any free standing and pylon type sign, and \$2.50 per square foot for any wall sign with a minimum fee of \$75.00.

B. The Plumbing Sub Code Fee.

1. The total number of fixtures, pieces of equipment or appliances connected to the plumbing system and stacks shall be \$15.00 per item connected, with the minimum fee being \$75.00.

2. Grease traps, oil separators, watercooled air conditioning units, refrigeration units, utility service connections, backflow preventers, steam boilers, hot water boilers, gas piping, active solar systems, sewer pumps, interceptors, fuel oil piping and L.P. tanks under 2000 gallons shall be \$75.00 for each unit connected.

3. Back flow preventers that are subject to testing and which require inspection annually shall be \$75.00 per device per test.

4. The minimum sub code fee shall be \$75.00

C. The Electrical Sub Code Fees shall be:

1. The total number of electrical fixtures and devices, lighting fixtures, outlets, switches fluorescent fixtures, convenience receptacles, or similar devices or motors less than 1hp or 1kw from 1 to 50 shall be \$50.00.

2. In addition to the fees required in Section C(1), each additional increment of 25 fixtures or devices, motors, of less than 1hp or 1kw shall be \$15.00 per unit.

3. Each service equipment, panel board, switch gear, motor control center, or disconnect rated 225 amps or less shall be \$65.00.

4. Each service equipment, panel board, switch gear, motor control center, or disconnect rated greater than 225 amps but less than 1000 amps shall be \$125.00

5. Each service equipment, panel board, switch gear, motor control center, or disconnect rated greater than 1000amps shall be \$600.00

6. Each motor or device more than 1hp or 1kw and up to 10hp or 10kw shall be \$15.00.

7. Each motor or device more than 10hp or 10kw and not 50hp or 50kw shall be \$65.00.

8. Each motor or device more than 50hp or 50kw and not exceeding 100hp or 112.5kw shall be \$125.00.

9. Each motor or device greater than 100hp or 112.5kw shall be \$600.00

10. The minimum sub code fee shall be \$75.00.

D. Fire Protection Fees:

1. The fee for heads, detectors, signaling, and supervisory devices shall be follows:

20 or fewer	\$85.00
21 to and including 100	\$210.00
101 to and including 200	\$300.00
201 to and including 400	\$800.00

401 to and including 1000	\$1200.00
Over 1000	\$1500.00

Exception: R-3 and R-4 and R-5 shall be calculated at \$15.00 per detector or the minimum sub-code fee. In computing fees for the heads or detectors the number of each shall be counted separately and two fees will be charged.

2. The fee for each standpipe shall be \$300.00
3. The fee for each independent pre-engineered system shall be \$125.00
4. The fee for each gas or oil fired appliance which is not connected to the plumbing system shall be \$65.00
5. The fee for each commercial kitchen exhaust system shall be \$65.00
6. The fee for each incinerator shall be \$460.00
7. The fee for each crematorium shall be \$460.00
8. The fee for each flammable and combustible tank shall be \$75.00
9. The minimum sub-code fee shall be \$75.00

E. Elevator Sub Code Fees. All activities relating to elevator sub code as defined in N.J.A.C. 5:23-12, the New Jersey Department of Community Affairs shall be the sole enforcing agency.

F. Swimming Pool Fees:

1. The Building Permit fee for any above ground pool shall be *\$126.00*
2. The Building Permit fee for any in ground pool shall be *\$300.00*
3. The electrical permit fee for all pools shall be *\$75.00*

4. Certificate of Use; after completion or installation which a certificate of use is required - No Fee.

5. Any specific fencing which is required to meet the swimming pool code shall be \$0.50 per linear foot.

G. Minimum Sub Code Fees:

1.	Building Sub Code fee	\$75.00
2.	Electrical Sub Code fee	\$75.00
3.	Plumbing Sub Code fee	\$75.00
4.	Fire Protection Sub Code fee	\$75.00

H. Certificate Fees:

1. Certificate of Occupancy

a. For Use Groups R-1, R-2, R-3, R-4, and R-5 - \$50.00 per dwelling unit.

b. For all other Use Groups- \$100.00 per dwelling unit.

c. Temporary Certificate of Occupancy Fee - No Fee, except that there shall be a \$50.00 fee for each subsequent extension afterward.

d. Certificate of Continued Occupancy and Use

1.	For All Use Groups	<i>\$175.00</i>
2.	For change of use	<i>\$175.00</i>
3.	For Certificate of Approval	No Fee
4.	For Certificate of Compliance	No Fee

I. Miscellaneous Fees:

A. The fee shall be computed based on the volume of new construction times the current rate set by N.J.A.C. 5:23-4.19 and as amended from time to time.

B. The fee for alterations shall be on the estimated cost material and labor of the alterations per thousand dollars for each sub code involved times the fees set by NJAC 5:23 and amended from time to time.

C. Application for Variation - Applicant must submit fees with variation application:

1.	Class I structures	\$600.00
2.	Class II structures	\$200.00

J. Refunds - Pursuant to N.J.A.C. 5:23-2.27, in the case of discontinuance of a building project, the plan review fee and State Training fees are not refundable.

K. Construction Permit Surcharge Fee (\$1.00 minimum)

1. Volume of new construction from 3(1)a times .00334
2. Cost of renovation work, including all disciplines times \$1.70 per \$1000.00 of the costs.

L. The fee schedule for Property Maintenance Code inspections shall be as follows:

1. Residential Re-sales:
 - a. \$75.00 for the initial inspection.
 - b. \$50.00 for each subsequent re-inspection, as a result of failure.

2. Residential Rentals (3 units or less)
 - a. \$50.00 per unit for registration and initial inspection
 - b. \$50.00 for all re-inspections as a result of failure
3. Residential Rentals (4 or more units)
 - a. \$50.00 per unit for registration and initial inspection
 - b. \$50.00 for all re-inspections as a result of failure.

ARTICLE IV. SECTION 53-4 Severability.

If any section, subsection, part sentence, clause or phrase of this Ordinance shall be declared invalid of judgment by any court of competent jurisdiction, such section, subsection, part, sentence, clause, or phrase shall be deemed to be severable from the remainder of this Ordinance.

ARTICLE V. SECTION 53-5 Repealer.

All Ordinances contrary to the provisions of this Ordinance are hereby repealed to the extent that they are inconsistent herewith.

ARTICLE VI. SECTION 53-6 Effective Date.

This Ordinance shall take effect immediately after final passage and publication as provided by law. With respect to residential re-sales there will be a (30) day grace period for residences listed and under agreement for a scheduled settlement at the time of adoption.

ARTICLE VII. SECTION 53-7 Violations; Penalties.

Any person or corporation who violates any provision of this Chapter shall, upon conviction in the Municipal Court of the Borough of Barrington, or such other court having jurisdiction, be liable to a fine not exceeding \$2,000.00, or imprisonment for a term not exceeding 90 days, or both. Each day that a violation occurs shall be deemed a separate and distinct violation, subject to the penalty provisions of this article.

THE BOROUGH OF BARRINGTON

BY: _____
ROBERT KLAUS, MAYOR

ATTEST:

TERRY SHANNON, BOROUGH CLERK

The foregoing Ordinance was introduced by Mayor and Council at the regular meeting held on June 12, 2012. This Ordinance will be considered for adoption on final reading and public hearing to be held on July 11, 2012 at 8:00 p.m. in the Council Meeting Room, Barrington Borough Hall, 229 Trenton Avenue, Barrington, New Jersey.

The purpose of this Ordinance is the establishment of the Construction Code Enforcing Agency of the Borough of Barrington. A copy of this Ordinance is available at no charge to the general public between the hours of 9:00 AM to 5:00 PM, Monday through Friday (Legal Holidays excluded), at the Office of the Borough Clerk, Barrington Borough Hall, 229 Trenton Avenue, Barrington, New Jersey.