

ORDINANCE #1115

AN ORDINANCE OF THE BOROUGH OF OCEANPORT, COUNTY OF MONMOUTH, STATE OF NEW JERSEY AMENDING CHAPTER 170 UNIFORM CONSTRUCTION CODES, SECTION 170-3 FEES

WHEREAS, the Construction Official has recommended the Borough Council increase fees related to building subcode and general administrative charges for commercial projects because these projects require significantly higher level of departmental resources, especially in the plan review process and a greater number of inspections than a typical residential project; and

WHEREAS, the Borough Council believes it is in the best of the Borough and its residents implement the recommendations of the Construction Official to ensure the Construction Department has sufficient funds to meet the inspection needs of current and future commercial developments within the Borough.

NOW THEREFORE BE IT ORDAINED, by the Borough Council of the Borough of Oceanport, County of Monmouth, and State of New Jersey, that Chapter 284,170 Uniform Construction Codes Section 170-3 be amended as follows:

[additions are underlined and deletions are marked with strike-out]

§170-3 Fees

A. [No change.]

B. General fees:

- (1) The fee for plan review shall be due prior to ~~upon completion of~~ subcode review.
- (2) The fee to be charged for a construction permit will be the sum of the basic construction fee plus all applicable special fees. This fee shall be paid before a permit is issued and proposed work commencing.
- (3) The fee to be charged for a certificate of occupancy shall be paid before a certificate is issued. This fee shall be in addition to the construction permit.
- (4) Fee for temporary certificates of occupancy shall be charged at the time of renewal.
- (5) All fees shall be rounded to the nearest dollar.

C. Fees shall be as follows:

- (1) Plan review fee. The fee for plan review shall be 25% of the amount to be charged for a construction permit. When prototype plans have been released, a plan review fee shall not be collected for permits issued therefrom and the total permit fee shall be reduced by 25%. There shall be an additional plan review fee of \$60~~35~~ per hour for review of an amendment or change to any plan that has already been released per subcode having assigned plan review responsibility to perform such a review in conjunction with the regulations and actual submittal. This fee may be waived at the discretion of the Construction Official in the event the work and review are of a minor nature.
- (2) [No change].
- (3) [No change.]
- (4) [No change].

D. 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 fee shall be in the amount of \$0.035 per cubic foot of volume for buildings and structures of Use Group R5 and ~~\$0.05540~~ per cubic foot of volume for all other use groups and buildings except as follows:
 - (a) The fee shall be \$0.053 per cubic foot of volume of groups A-1, A-3, A-4, A-5, F-1, F-2, S-1, and S-2. For the purposes of calculating the volume to determine the fee for large, open volume, single story spaces in buildings, such as warehouses, distribution centers, and other storage-use occupancies, the height shall be limited to 20 feet notwithstanding the fact that the actual height of the spaces maybe be greater than 20 feet.
 - (b) The fee shall be \$0.0008 per cubic foot for structures on farms, including commercial farm building under N.J.A.C. 5:23-3.2 (d), with the maximum fee for such structures on farms not to exceed \$1,145.
- (2) Fees for renovations, alterations and repairs or site construction associated with pre-engineered systems of commercial farm buildings, pre-manufactured construction, and the external utility connection for pre-manufactured construction shall be based upon the estimated cost of work. The fee for Use Group R-5 shall be in the amount of \$30 per \$1,000. From \$50,001 to and including \$100,000, the additional fee shall be in the amount of \$26 per \$1,000 of estimated cost above \$50,000. Above \$100,000, the additional fee shall be in the amount of \$24 per \$1,000 of estimated cost above \$100,000. The fee for all other use groups shall be in the amount of ~~\$4035~~ per \$1,000. From \$50,001 to and including \$100,000, the additional fee shall be in the amount of ~~\$3534~~ per \$1,000 of estimated cost above \$50,000. Above \$100,000, the additional fee shall be in the amount of ~~\$3029~~ per \$1,000 of estimated cost above \$100,000. For the purpose of determining estimated cost, the applicant shall submit to the agency such cost data as may be available and produced by the architect or engineer of record, or by a recognized estimating firm, or by the contractor. A bonafide contractor's bid, or contract if available, shall be submitted upon request.
- (3) [No change].
- (4) [No change].
- (5) The Building subcode flat fee for a photovoltaic (PV) array installed in any R-5 use group shall be \$225.
- (6) The fee for roof repair coverings for all use groups shall be \$35 per \$1,000 of the estimated cost. ~~In the event the work is of a minor nature type use groups may be calculated at the rate of \$30 per \$1,000 and a minimum fee of \$75.~~
- (7) The repair type vinyl siding and other exterior wall coverings shall be \$175 for R-5 type use groups. The fee for all use groups other than R-5 shall be ~~\$4035~~ per \$1,000 of the estimated cost. In the event the work is of a minor nature and not a total replacement, the fee for R-5 type use groups may be calculated at the rate of \$30 per \$1,000 and a minimum fee of ~~\$975~~.
- (8) The fee charged for a private aboveground swimming pool, as defined in the building subcode, in Use Group R-5 shall be \$125. The fee charged for a private in-ground swimming pool, as defined in the building subcode, in Use Group R-5 shall be \$225. ~~Additional light fixture: \$25.~~ The construction fee for public swimming pools as defined in the building subcode in all other use groups shall be computed and based upon the cubic volume of the structure.
- (9) The fee for replacement barriers surrounding and enclosing public or private swimming pools shall be ~~\$9575~~. Pools will not be permitted to share pool barriers with neighboring property owners. Each pool must be protected by the pool barrier on the lot in which it is located.

(10) The fee for storage sheds and similar structures exceeding 200 square feet in area shall be calculated in accordance with N.J.A.C. 5:23-2.28. The fee for all use groups other than R-5 shall be \$35 per \$1,000 of the estimated cost. The minimum fee for sheds and similar structures that are 200 feet or less in floor area and less than 10 feet in height shall be charged a flat fee of \$75 per unit. No permit fee shall be collected for such structures 100 square feet in area or less.

(11) Temporary structures: The fee shall be ~~\$9575~~ per structure that is subject to and regulated by the UCC.

(12) [No change].

(13) The fees for retaining walls shall be as follows:

- (a) The fee for new or replacement retaining walls with a surface area greater than 550 square feet that is associated with a Class 3 residential structure shall be \$125 and ~~\$9575~~ for regulated retaining walls not exceeding 550 square feet.
- (b) The fee for retaining walls of any size other than a Class 3 residential structure shall be based upon the estimated market value in the amount of ~~\$4030~~ per \$1,000.

E-M [No changes.].

BE IT FURTHER ORDAINED a copy of this Ordinance shall be supplied to the Police Chief and Code Enforcement Officer.

BE IT FURTHER ORDAINED that all other Ordinances or parts of Ordinances, which are inconsistent herewith, are repealed, only to the extent of such inconsistency. All other parts not inconsistent herewith are ratified and confirmed.

BE IT FURTHER ORDAINED this Ordinance shall become effect immediately upon final passage and publication as required by law.

APPROVED ON FIRST READING

DATED: September 18, 2025



STEPHANIE KRAMER

Clerk of the Borough of Oceanport

ADOPTED ON SECOND READING

DATED: October 2, 2025



STEPHANIE KRAMER

Clerk of the Borough of Oceanport

APPROVAL BY THE MAYOR ON THIS 4th **DAY OF** October.


THOMAS TVRDIK

Mayor