

## Chapter 42, BUILDING CONSTRUCTION; UNIFORM CONSTRUCTION CODES

[HISTORY: Adopted by the Township Committee of the Township of Jackson 12-28-1976 as part of Ord. No. 61-76.<sup>EN(1)</sup> Amendments noted where applicable.]

### GENERAL REFERENCES

- Code Enforcement Officer -- See Ch. 7.
- Moving of buildings -- See Ch. 43.
- Unsafe buildings and structures -- See Ch. 44.
- Dwellings unfit, etc. -- See Ch. 53.
- Fire prevention -- See Ch. 61.
- Floodplain management -- See Ch. 62.
- Housing standards -- See Ch. 68.
- Land use and development regulations -- See Ch. 109.

### § 42-1. Applicability of state provisions; enforcing agency.

The New Jersey State Uniform Construction Code as promulgated by the Department of Community Affairs shall be applicable to all construction in the Township of Jackson. The municipal enforcing agency to enforce the provisions of said code shall be the Division of Inspections.

### § 42-2. Collection of fees.

The fees as set forth in this chapter shall be collected by the Township of Jackson.

**§ 42-3. Construction permit fees. [Amended 2-22-1977 by Ord. No. 5-77; 4-12-1977 by Ord. No. 9-77; 6-14-1977 by Ord. No. 32-77; 11-9-1977 by Ord. No. 60-77; 4-27-1981 by Ord. No. 16-81; 3-28-1983 by Ord. No. 16-83; 9-8-1985 by Ord. No. 29A-85; 6-26-1989 by Ord. No. 21-89; 9-11-1989 by Ord. No. 30-89; 12-27-1989 by Ord. No. 53-89; 4-9-1990 by Ord. No. 19-90; 12-10-1990 by Ord. No. 58-90; 10-7-1991 by Ord. No. 36-91]**

The fee for construction permits shall be the sum of the subcode fees listed in Subsections A through D of § 42-4 and paid before the permit is issued.

**§ 42-4. Subcode fees. [Amended 9-8-1985 by Ord. No. 29A-85; 10-7-1991 by Ord. No. 36-91; 12-14-1992 by Ord. No. 24-92; 12-27-1995 by Ord. No. 43-95; 2-5-1996 by Ord. No. 3-96; 5-22-2000 by Ord. No. 10-00; 7-24-2000 by Ord. No. 14-00; 4-26-2004 by Ord. No.**

**17-04; 9-25-2007 by Ord. No. 32-07; 5-26-2009 by Ord. No. 12-09]**

Under the provisions of this chapter, the following fee schedules are established:

- A. Building subcode fees. All fees charged pursuant to this chapter shall be rounded in accordance with standard mathematical practices (i.e., \$105.43 becomes \$105, and \$198.67 becomes \$199).
- (1) Plan review.
    - (a) For the purpose of N.J.A.C. 5:23-4.18(b)1, the plan review fee shall be 20%.
    - (b) The minimum plan review fee shall be:
      - [1] Residential: \$75.
      - [2] Commercial: \$100.
    - (c) Request for permit refund. The amount paid as the plan review fee will be deducted from the total permit fee upon issuance. The plan review fee of 20% is nonrefundable.
    - (d) The State of New Jersey training fee shall be collected at the rate in effect at the time of the permit issuance per N.J.A.C. 5:23-4.19(b) and shall be rounded to the nearest whole dollar.
  - (2) New construction. The fee shall be based upon the volume of the structure.
    - (a) Volume computation shall be determined by N.J.A.C. 5:23-2.28; use groups and types of construction are classified and defined in accordance with the provisions of the code most recently adopted by the Township's Building Department in accordance with the Department of Community Affairs, Uniform Construction Code.
    - (b) New construction, all use groups (per cubic foot of volume).
      - [1] All use groups with the exception of S-1 and S-2: \$0.40 per cubic foot of volume.
      - [2] Use groups S-1 and S-2: \$0.032 per cubic foot of volume.
      - [3] Minimum fees for Subsection A(2)(b)[1] and [2].
      - [4] Structures on farms used exclusively for the purpose of storage of food or grain or sheltering of livestock: \$0.012 per cubic foot of volume.
  - (3) Modular and premanufactured buildings and moving houses.
    - (a) Basic unit set footing and foundation. Fee is based on the estimated cost of work.

Refer to Subsection A(4)(a)[1], [2] and [3] for fee per thousand.

- (b) Minimum fee: \$200.
- (4) Renovations, alterations and repairs, etc.
  - (a) Fees shall be based on the estimated cost of work. (For the purpose of determining the estimated cost, the applicant shall submit to the Construction Official such cost data as may be available, produced by an architect or engineer of record or by a recognized estimating firm or by the contractor. A bona fide contractor's bid may be required. The Construction Official shall make the final decision regarding the estimated cost.)
    - [1] One dollar to \$50,000 (per thousand).
      - [a] Residential: \$28.
      - [b] Commercial: \$30.
    - [2] Fifty thousand one dollars to \$100,000 (per thousand).
      - [a] Residential: add \$22.
      - [b] Commercial: add \$24.
    - [3] Over \$100,000 (per thousand).
      - [a] Residential: add \$18.
      - [b] Commercial: add \$20.
    - [4] Minimum fee.
      - [a] Residential: \$75.
      - [b] Commercial: \$100.
  - (b) For the combination of addition and renovation, etc., the sum of the fees shall be computed separately as additions and renovations.
- (5) Fences.
  - (a) Per linear foot.
    - [1] Residential: \$0.20.
    - [2] Commercial: \$0.25.
    - [3] No permit required for fences less than six feet in height unless serving as a

barrier surrounding swimming pools.

(b) Minimum fee.

[1] Residential: \$75.

[2] Commercial: \$100.

(6) Wood decks.

(a) Per square foot.

[1] Residential: \$0.20.

[2] Commercial: \$0.25.

(b) Minimum fee.

[1] Residential: \$75.

[2] Commercial: \$100.

(7) Retaining walls, bulkheads and docks.

(a) The fee for a retaining wall, bulkhead or dock with a surface area greater than 550 square feet that is associated with a Class 3 residential structure shall be \$150.

(b) The fee for a retaining wall, bulkhead or dock with a surface area of 550 square feet or less that is associated with a Class 3 residential structure shall be \$75.

(c) The fee for a newly constructed retaining wall, bulkhead or dock of any size at other than a Class 3 residential structure shall be based on the cost of the construction; minimum fee: \$100.

(8) Fireplace and masonry chimneys, wood stoves and chimneys.

(a) Minimum fee.

[1] Residential: \$75.

[2] Commercial: \$100.

(9) Installation of swimming pools/spas.

(a) The fee for an aboveground swimming pool or spa shall be \$100 for a pool with a surface area greater than 550 square feet; the fee for pools or spas under 550 square feet shall be \$50.

(b) The fee for an in-ground swimming pool or spa shall be \$150 for a pool with a surface area greater than 550 square feet; the fee for pools or spas under 550 square

feet shall be \$75.

(c) Public/commercial pool or spa shall be \$300.

(10) Installation of temporary structures and/or other structures for which volume cannot be computed.

(a) No permit requirement for garden-type utility sheds not exceeding 100 square feet in area and 10 feet in height.

(b) Structures exceeding 100 square feet in area; fee based on cubic foot of volume. Refer to Subsection (A)(2)(b)[1] and [2].

(c) Minimum fee.

[1] Residential: \$75.

[2] Commercial: \$100.

(d) The fee for tents in excess of 16,800 square feet or more than 140 feet in any dimension shall be \$92.

(11) Demolition of structure.

(a) Use Group R, less than 2,000 square feet and 30 feet high or less shall be \$150 for each structure.

(b) All others shall be \$250.

(12) The fee for a permit to construct a sign.

(a) Fees for pylon signs shall be \$4 per square foot for the first 100 square feet, \$3 per square foot for the next 400 square feet and \$2 per square foot thereafter.

(b) Fees for ground signs or wall signs shall be \$2 per square foot for the first 100 square feet, \$1.50 per square foot for the next 400 square feet and \$1 per square foot thereafter.

(c) The minimum fee.

[1] Residential: \$75.

[2] Commercial: \$100.

(13) Asbestos removal.

(a) Asbestos hazard abatement per Uniform Construction Code 5:23 Subchapter 8.<sup>EN(2)</sup>

- [1] Each permit issued: \$90.
  - [2] Each certificate: \$28.
  - [3] Removal of non-friable asbestos-containing materials; minimum fee: \$100.
- (14) Lead abatement.
- (a) Lead abatement permit: \$140.
  - (b) Lead abatement clearance certificate: \$28.
- (15) Reroof existing structure. The fee for roofing work completed on structures of Group R-3 or R-5 shall be \$60.
- (16) Re-siding existing structure. The fee for siding work completed on structures of Group R-3 or R-5 shall be \$60.
- (17) The fee for plan review of a building for compliance under the alternate systems and nondepletable energy provisions of the energy source provisions of the energy subcode shall be \$274 for one- and two-family dwellings (Group R-3 and R-5 of the building subcode), and for light commercial structures having the indoor temperature controlled from a single point, and \$1,369 for all other structures.
- (18) Building minimum fees.
- [1] Residential: \$75.
  - [2] Commercial: \$100.
- B. Plumbing subcode fees. All fees charged pursuant to this chapter shall be rounded in accordance with standard mathematical practices (i.e., \$105.43 becomes \$105, and \$198.67 becomes \$199).
- (1) Fixtures and equipment.
- (a) Each fixture, piece of equipment or appliance connected to the plumbing system and each appliance connected to the gas piping or oil piping system, except as indicated in Subsection B(1)(b) below: \$12.
  - (b) Minimum fee.
    - [1] Residential: \$75.
    - [2] Commercial: \$100.
- (2) The plumbing subcode fee shall be \$12 per fixture or stack fixtures to be installed. For the purpose of computing the fee, fixtures or stacks shall include, but not be limited to, all sinks, urinals, water closets, bathtubs, shower stalls, laundry tubs, floor drains,

drinking fountains, dishwashers, garbage disposals, clothes washers, hot-water heaters, or smaller devices. In addition, the following subcode fees shall be paid in connection with the issuance of permits for the following:

(a) Water service.

[1] The installation or replacement of a water service: \$65.

[2] The installation of a second water meter for external use of an irrigation system.

[a] Residential: \$50.

[b] Commercial: \$65.

(b) Sewer service.

[1] The installation or replacement of a sewer service: \$65.

(c) Lawn/garden sprinklers.

[1] The attachment of lawn or garden sprinkler system to potable water system: \$65.

(d) Special devices. Installation or replacement of special devices: grease traps, oil separators, refrigeration units, steam boilers, hot-water boilers, active solar systems, sewer pumps and interceptors (There shall be no fee charge for gas service entrances.):

[1] Minimum fee.

[a] Residential: \$75.

[b] Commercial: \$100.

(e) Gas fixtures, attachments for installation of a gas fixture or fixtures.

[1] Each gas fixture: \$12.

[2] Minimum fee.

[a] Residential: \$75.

[b] Commercial: \$100.

[3] Propane tank placement.

[a] Residential: \$75.

[b] Commercial: \$100.

- [4] Propane underground piping: \$25.
  - (f) Replacement hot-water heaters.
    - [1] Residential replacement: \$45.
    - [2] Commercial replacement.
      - [a] Under 100 gallons: \$65.
      - [b] Over 100 gallons: \$100.
  - (g) Septic closure.
    - [1] Residential: \$65 (engineer's certification or field inspection at the time of demo).
    - [2] Commercial: \$100 (engineer's certification required).
  - (h) Oil fixtures.
    - [1] Each oil fixture: \$12.
    - [2] Minimum fee.
      - [a] Residential: \$75.
      - [b] Commercial: \$100.
    - [3] Oil underground piping: \$25.
  - (i) Swimming pools, hot tubs and spas.
    - [1] Bottom drain systems installed: \$75.
  - (j) Testing of backflow preventers.
    - [1] Minimum fee for each device: \$50.
  - (k) Plumbing minimum fees.
    - [1] Residential: \$75.
    - [2] Commercial: \$100.
- C. Electrical subcode fees. All fees charged pursuant to this chapter shall be rounded in accordance with standard mathematical practices (i.e., \$105.43 becomes \$105, and \$198.67 becomes \$199).
- (1) 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.

- (a) Minimum fee.
  - [1] Residential: \$75.
  - [2] Commercial: \$100.
- (b) One through 25: \$75.
- (c) Each additional 25: \$17.
- (2) Motors or electrical devices (each).
  - (a) One horsepower to 10 horsepower: \$17.
  - (b) Greater than 10 horsepower to 50 horsepower: \$50.
  - (c) Greater than 50 horsepower to 100 horsepower: \$150.
  - (d) Greater than 100 horsepower to 1,000 horsepower: \$225.
  - (e) Greater than 1,000 horsepower: \$450.
- (3) Transformers and generators (each).
  - (a) One kilowatt to 10 kilowatts: \$17.
  - (b) Greater than 10 kilowatts to 45 kilowatts: \$50.
  - (c) Greater than 45 kilowatts to 112.5 kilowatts: \$150.
  - (d) Greater than 112.5 kilowatts: \$450.
- (4) Service panels, service entrance or subpanel (each).
  - (a) One to 100 amperes: \$50.
  - (b) From 101 to 200 amperes: \$75.
  - (c) From 201 to 600 amperes: \$150.
  - (d) From 601 to 1,000 amperes: \$225.
  - (e) Greater than 1,000 amperes: \$450.
- (5) Computing fees. For the purpose of computing these fees, all motors except those in plug-in appliances shall be counted, including control equipment, generators,

transformers and all heating, cooking or other devices consuming or generating electrical current.

(6) Signs: counted in Subsection C(1) and (2); fixture and devices.

(7) Satellite dish.

(a) Minimum fee.

[1] Residential: \$75.

[2] Commercial: \$100.

(8) Low-voltage systems.

(a) One to 20 devices: \$50.

(b) Each additional device: \$15.

(9) Installation of second water meter.

(a) Minimum fee.

[1] Residential: \$50.

[2] Commercial: \$65.

(10) The fee for the annual electrical inspection of swimming pools, spas or hot tubs shall be \$40.

(11) Pool lighting.

(a) Minimum fee.

[1] Residential: \$40.

[2] Commercial: \$60.

D. Fire subcode fee. All fees charged pursuant to this chapter shall be rounded in accordance with standard mathematical practices (i.e., \$105.43 becomes \$105, and \$198.67 becomes \$199).

(1) Installation of gas-/oil-/wood-/coal-/pellet-fired appliances not associated with the Plumbing Code.

(a) The fee for a gas- or oil-fired appliance that is not connected to the plumbing system shall be \$46.

(b) Each gas- or oil-fired appliance for commercial construction: \$75.

- (c) Installation or replacement of a wood stove, fireplace, solid fuel appliance, flue or chimney under the fire subcode responsibility.
  - [1] Residential: \$46.
  - [2] Commercial: \$75.
- (d) The fee for each crematorium shall be \$365.
- (e) The fee for each incinerator shall be \$365.
- (2) Installation of a residential (R-3, R-4 and R-5) sprinkler system shall be \$75.
- (3) Standpipes, for each unit installed shall be \$229.
- (4) Installation of suppression systems other than sprinklers (CO<sub>2</sub>, gas, foam, dry or wet chemical), for each unit installed, shall be \$100.
- (5) Installation of hood, duct and exhaust systems for each unit installed shall be \$100.
- (6) Installation of smoke/heat detectors (carbon monoxide detectors, notification or initiating devices) and/or sprinkler heads.
  - (a) For single and multiple-station smoke or heat detectors and fire alarm systems in any one- or two-family dwelling, there shall be a fiat fee of \$30 per dwelling unit.
  - (b) One to 20 heads or devices: \$65.
  - (c) Twenty-one to 100 heads or devices: \$125.
  - (d) One hundred one to 200 heads or devices: \$229.
  - (e) Two hundred one to 400 heads or devices: \$594.
  - (f) Four hundred one to 1,000 heads or devices: \$882.
  - (g) One thousand one to 1,500 heads or devices: \$1,050.
  - (h) One thousand five hundred one to 2,000 heads or devices: \$1,500.
  - (i) Over 2,000 heads or devices: \$125 for each additional 100 heads or devices.
- (7) Fuel storage tanks, for each installation/removal.
  - (a) Installation; 500 gallons or less: \$100.
  - (b) Installation; 501 to 1,000 gallons: \$150.
  - (c) Installation; 1,001 to 2,500 gallons: \$250.

- (d) Installation; 2,501 gallons and over: \$500.
- (e) Removal; residential: \$75.
- (f) Removal; commercial: \$100.
- (8) Fire pumps, for each unit installed: \$100.
- (9) Testing of backflow preventers. Required devices that isolate cross connections between the water supply and contaminants that are toxic are required to be tested annually. Where the backflow preventer is installed on the water service that is a dedicated fire line, there shall be a fee assessed for each device in the amount of \$50.
- (10) Installation/removal for each fire suppression water storage tank.
  - (a) Installation; 500 gallons or less: \$100.
  - (b) Installation; 501 to 1,000 gallons: \$150.
  - (c) Installation; 1,001 to 2,500 gallons: \$250.
  - (d) Installation; 2,501 and over: \$500.
  - (e) Removal; residential: \$75.
  - (f) Removal; commercial: \$125.
- (11) Installation of private fire-suppression water mains, hydrants and control valves.
  - (a) Private fire service mains per linear foot: \$0.75.
  - (b) Fire hydrant, for each unit installed: \$50.
  - (c) Control valves, for each unit installed: \$50.
- (12) Minimum permit fee.
  - (a) Residential: \$75.
  - (b) Commercial: \$100.
- E. Elevator inspection fees. All elevator inspection and testing fees shall be in accordance with those fees established and as amended from time to time under the New Jersey Administrative Code, Chapter 5:23-12.6 et seq.
- F. Certificate of occupancy.
  - (1) Certificates.

(a) Certificate of occupancy.

- [1] Use Groups R-3, R-4 and R-5, per unit: \$65.
- [2] Use Groups R-1 and R-2, per unit: \$75.
- [3] All other use groups, per unit: \$150.
- [4] The fee for issuance of a certificate of occupancy for one- and two-family dwellings shall be \$65 per building. In the event that such new construction consists of multiple-family dwellings or condominiums containing more than one unit, each to be occupied separately, then each unit will require a separate inspection and an individual certificate of occupancy, the fee for which shall be \$75 per unit. The fee for commercial and industrial buildings shall be 10%, provided that the minimum fee in all cases shall be \$150.

(b) Temporary certificate of occupancy.

- [1] The fee for the issuance of a temporary certificate of occupancy for one- and two-family dwellings shall be \$30 per building. In the event that such new construction consists of multiple-family dwellings or a condominium containing more than one unit, each to be occupied separately, then each unit will require a separate inspection and an individual temporary certificate of occupancy, the fee for which will be \$30 per unit. The fee for commercial and industrial buildings, or each separate unit within a building to be occupied shall be \$75.
- [2] When the permit applicant chooses to pay the full certificate of occupancy fee at the time of the initial issuance of the temporary certificate of occupancy, there shall be no temporary certificate of occupancy fee for the initial issuance. If the temporary certificate of occupancy is renewed, a temporary certificate of occupancy renewal fee will be charged, even when the certificate of occupancy fee has been paid in full.
- [3] The temporary certificate of occupancy fee and renewal fee shall be paid prior to the renewal of the temporary certificate of occupancy.
  - [a] Residential occupancies: \$30.
  - [b] Commercial occupancies: \$75.

(c) Continued use certificate.

- [1] For Residential R-3, R-4 and R-5 which is requested by the property owner based on Bulletin 06-1. Fee is based on the type of work performed and the required subcodes to inspect. All other residential transfer of ownership or rentals shall be referred to the Housing Division.

- [a] Building: \$30.
- [b] Electrical: \$30.
- [c] Fire: \$30.
- [c] Plumbing: \$30.

[2] For all use groups with the exception of R-3, R-4 and R-5 that are requested by the owner pursuant to the requirements set forth by the Uniform Construction Code as listed under continuous certificate of occupancy and not associated with Township Ordinance, Chapter 45: \$150.

- (d) Change of use: refer to Subsection F(1)(a)[1] through [4], Certificate of occupancy.
- (e) Certificate of approval or compliance: no fee applicable.
- (f) Certificate of occupancy motel/hotel. The fee for issuance of a certificate of occupancy applicable to new construction of a mote/hotel shall be \$50 for each unit.

G. Application for a variation in accordance with N.J.A.C. 5:23-2.10.

(1) Variation.

(a) Variation fee.

- [1] Class I structures: \$594.
- [2] Class II and Class III structures: \$130.
- [3] Resubmission fee, Class I structures: \$229.
- [4] Resubmission fee, Class II and Class III structures: \$65.

H. Reinstatement of lapsed permit.

(1) Lapsed permit.

(a) Lapsed permit fees.

- [1] Building: \$30.
- [2] Electrical: \$30.
- [3] Fire: \$30.
- [4] Plumbing: \$30.
- [5] Elevator: \$30.

- I. Fee waivers. The waiver of fees for any municipal corporation or any other organization shall be in accordance with law and shall be deemed exempt.
- J. Administrative fee.
  - (1) Copies of documents: as adopted by the Township of Jackson pursuant to N.J.S.A. 47:1A-2.
  - (2) Copies of plans, revisions and reapproval of plans: as referenced as a minimum fee for each subcode (building, fire, plumbing, electrical and elevator).
  - (3) There shall be an additional fee of \$45 per hour for review of any amendment or change to a plan that has already been released.
  - (4) In any case where the Department of Community Affairs conducts plan review for a local enforcing agency, the fee charged by the local enforcing agency for inspection services shall be 80% of the fee that would otherwise be determined under the local fee schedule.
  - (5) Hourly charges and fees for development-wide inspection of homes after issuance of a certificate of occupancy shall be in such amount as reasonable and necessary in order to ascertain whether a violation exists or verify that any work performed has abated the violation.
    - (a) The hourly charge shall be the amount as the hourly charge set forth at Subsection J(3), Administrative fees, times the number of hours spent by the code official in determining whether a violation exists or verifying that any work performed has abated the violation.
    - (b) Any appeal of a charge levied by the local enforcing agency may be made to the County Board of Appeals.
  - (6) Penalties may be levied by the enforcing agency as follows:
    - (a) Up to \$1,000 per violation for failure or refusal to comply with any lawful order unless the failure to comply is done with knowledge that will endanger the life or safety of any person, in which case the penalty shall be up to \$2,000 per violation.
    - (b) Up to \$2,000 per violation for failure to obtain a required permit prior to commencing construction or for allowing a building to be occupied without a certificate of occupancy.
    - (c) Up to \$2,000 per violation for failure to comply with a stop-work order.
    - (d) Up to \$2,000 per violation for willfully making a false or misleading written statement, or willfully omitting any required information or statement in any

application or request for approval.

(e) Up to \$500 per violation for any violation not covered under Subsection J(6)(a) through (d) above.

(7) Notary fees: There shall be no fee for the first item. For each additional item over the first, a fee will be charged:

(a) Administering an oath or taking an affidavit shall be \$0.50.

(b) Taking proof of a deed shall be \$1.

(c) Taking all acknowledgments shall be \$1.

K. Annual report. The Construction Official shall, with the advice of the subcode officials, prepare and submit to the Township Council, no later than November 30, an annual 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, P.L. 1975, c. 217, as amended.

**§ 42-5.EN(3) Waiver of building permit fees. [Added 8-23-1999 by Ord. No. 17-99]**

A. No person shall be charged a construction permit surcharge fee or enforcing agency fee for any construction, reconstruction, alteration or improvement designed and undertaken solely to promote accessibility by disabled persons to an existing private structure or any of the facilities contained therein.

B. 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.

C. "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 the Federal Social Security Act (42 U.S.C. § 416) or the Federal Railroad Retirement Act of 1974 (45 U.S.C. § 231, et seq.) or is rated as having a 60% disability or higher pursuant to any federal law administered by the United States Veterans Act. For purposes of this section, "blindness" means central visual acuity 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 20° shall be considered as having a central visual acuity of 20/200 or less.

D. No county, municipality, or any agency or instrumentality thereof shall be required to pay

any municipal fee or charge in order to secure a construction permit for the erection or alteration of any public building or part thereof from the municipality wherein the building may be located. No erection or alteration of any public building or part thereof by a county, municipality, school board or any agency or instrumentality thereof shall be subject to any fee, including any surcharge or training fee, imposed by any department or agency of state government pursuant to any law, or rule or regulation, except that nothing contained in this section shall be interpreted as preventing the imposition of a fee upon a Board of Education by either the Department of Education for plan review or by a municipality for the review of plans submitted. [Added 3-13-2006 by Ord. No. 03-06]

(1) Municipal agencies shall include the following:

- (a) Township-owned and -leased structures.
- (b) Fire district structures.
- (c) Municipal Utilities Authority-owned structures.
- (d) Municipal volunteer fire companies-owned structures.
- (e) Municipal volunteer first aid squad-owned structures.

E. Second water meters for single-family dwellings for the purpose of aquaculture use. [Added 3-13-2006 by Ord. No. 03-06]

F. No fee shall be collected for work consequential to a natural disaster when identified by the federal government (FEMA). [Added 3-13-2006 by Ord. No. 03-06]

§ 42-6. (Reserved)<sup>EN(4)</sup>

§ 42-7. (Reserved)<sup>EN(5)</sup>

§ 42-8. (Reserved)<sup>EN(6)</sup>

**§ 42-8.1. Procedure for issuance of certificate of occupancy. [Added 2-22-1977 by Ord. No. 5-77; amended 10-25-1982 by Ord. No. 48-82]**

No single-family dwelling, individual unit of a multifamily dwelling, commercial unit or structure, industrial unit or structure or other type of building or structure intended for occupancy or use by any individual or group of individuals, whether sold or rented, shall be occupied by the vendee, tenant or lessee, as the case may be, after such sale or rental until a certificate of

occupancy has been secured from the Inspection Division.

A. Procedures.

- (1) Application must first be made to the Inspection Bureau of the Township of Jackson, on a form to be provided, for a certificate of occupancy. Inspection shall be made to determine whether there are any violations of the applicable ordinances of the Township of Jackson. If no such violation is found, a certificate of occupancy shall be issued; otherwise, the owner shall be notified in writing of any such violations found.
- (2) The aforesaid inspection shall be made and either a certificate of occupancy or a notice of violation shall be issued within seven days from the date of application for a certificate of occupancy. If no such inspection is accomplished within the aforesaid seven-day period, the dwelling may be occupied but subject to the right of the Township to cause said dwelling to be inspected and, if a violation is found, to cause said premises to be vacated within 10 days' notice thereof.

B. Standards.

- (1) No certificate of occupancy shall be reissued for any single-family dwelling or for any individual unit of a multifamily dwelling that is not fit for human habitation, occupancy or use and in full compliance of the Township of Jackson relating to building, health, safety or general welfare, and no certificate of occupancy shall be reissued if there are found on the premises defects causing the hazard of fire, accident or other calamities, lack of adequate ventilation, lack of adequate light or sanitary facilities, dilapidation, disrepair or structural defects or uncleanness, so as to tend to cause or spread disease or harbor insects, rodents or vermin.
- (2) [Added 6-12-1979 by Ord. No. 25-79] The following specific standards shall apply when an inspection is being made for the issuance of a certificate of occupancy:
  - (a) The stairways and platforms constituting the entrance to the dwelling or structure shall be of sturdy construction and shall have stairway guards and handrails designed to withstand an applied load of 200 pounds in any direction at any given point. The stairways shall be free of obstructions and debris.
  - (b) Interior floors, walls and ceilings shall be clean and free of cracks, holes or crevices, and any windows shall operate properly and shall be free of any cracks or broken glass.
  - (c) Plumbing fixtures in the kitchen and bathroom shall be structurally sound and shall be sealed so as to prevent the leaking of moisture. Every bath and toilet room shall be lighted and ventilated in accordance with the provisions of the code most recently adopted by the Township's Building Department in accordance with the Department of Community Affairs, Uniform Construction Code. [Amended 4-26-2004 by Ord.

No. 17-04]

- (d) Fire doors shall be required where a garage area for the storage of a motor vehicle is attached to a residential dwelling or dwellings; in addition, overhead garage doors shall be in proper operating condition and shall be properly strung or counterbalanced so as to permit their being opened by a lifting force of 50 pounds or less.
  - (e) Heating ducts shall be properly installed and shall be tight-fitting with no cracks or openings. Chimneys and vents used in connection with a heating system shall comply with the provisions of the code most recently adopted by the Township's Building Department in accordance with the Department of Community Affairs, Uniform Construction Code. All heating systems shall have an emergency on-off switch in a ready accessible location. [Amended 4-26-2004 by Ord. No. 17-04]
  - (f) Basements or cellars shall have structurally sound stairways with railings meeting the requirements of Subsection B(2)(a) above. Basements and cellars should be free of standing water or water leaks or cracks in the foundation or flooring. All pipes for the electrical, heating or plumbing systems shall be properly supported and free of breaks, cracks or other defects. Structural girders and floor joists shall be structurally sound.
  - (g) The premises shall be in a clean and sanitary condition, free of debris, junk cars or other violations of the Township of Jackson. In addition, a certificate as required by § 122-8 of the Jackson Code shall be obtained from the Board of Health.
- C. Each residential single-family, two-family and multiple-dwelling unit shall have installed in each individual dwelling unit an approved smoke detector system installed pursuant to the Uniform Construction Code and inspected by the Inspections Division. When actuated, the detector(s) shall provide an alarm suitable to warn the occupants within the dwelling unit. [Added 5-8-1979 by Ord. No. 15-79<sup>EN(7)</sup>; amended 3-13-2006 by Ord. No. 03-06]
- D. Carbon monoxide detectors are required to be installed in all buildings of Use Groups I-1, R-1, R-2 and in those buildings of Use Group R-3 that require to be registered with DCA as multiple dwellings. Additional buildings, pursuant to the Uniform Construction Code, are required to install carbon monoxide detectors and shall be installed pursuant to Bulletin No. 99-3 and as referenced in N.J.A.C. 5:23-3.20, 6.21A, 6.25A, 6.26A, 6.27 and 6.31. [Added 3-13-2006 by Ord. No. 03-06<sup>EN(8)</sup>]
- E. Any person or corporation who shall violate or fail to comply with the provisions of this section shall be punished by a fine of not more than \$500 or by imprisonment for not more than 90 days, or both.

**§ 42-8.2. Additional certifications and information prior to certificate of occupancy.**

**[Added 7-25-1978 by Ord. No. 41-78; amended 6-12-1979 by Ord. No. 27-79; 9-8-1980 by Ord. No. 43-80; 9-24-1984 by Ord. No. 38-84; 9-28-1987 by Ord. No. 36-87]**

- A. [Amended 10-7-1991 by Ord. No. 36-91] With the request for a building permit to be submitted to the Township Construction Official, a fee of \$125 and two copies of a plan shall be accompanied by a certification from a New Jersey licensed professional engineer or a New Jersey licensed land surveyor that the plan has been prepared by him and includes all of the hereinafter-listed items. Said certification shall further set forth that the proposed grading and floor elevation that are proposed will not impact detrimentally upon any adjoining owner; if applicable, that said plan conforms to an approved site grading plan or, if not, that the changes are not significant to that approval and will in no way further impact adjoining owners; and further that the plan provides for proper on-site runoff that is adequate to prevent ponding, severe erosion and positive drainage away from the proposed building construction. The map prepared based on survey measurements shall show:
- (1) Property lines and dimensions.
  - (2) Building dimensions and proposed setback dimensions.
  - (3) Existing elevations of the lot and street conditions, spot elevations and contours.
  - (4) Proposed grades to include proposed contours and sufficient spot elevations at the building corners, driveway and yard areas to clearly show impact of new grading.
  - (5) Finished floor grades of house and garage and description of house style (ranch, bi-level, two-story) and critical grade that applies.
  - (6) A description of the building to be constructed, basement, crawl space or slab construction.
  - (7) That grading in area of septic design conforms to septic design parameters, without unsightly mounding.
  - (8) Where applicable, sufficient information to show any impact on adjoining properties, if any.
- B. Foundation as-built plans. Prior to framing, placing the modular units or prefab units on the foundation as constructed, the New Jersey licensed professional engineer or New Jersey licensed land surveyor shall provide a fee of \$10 and two copies of a plan showing the setbacks and elevations as to said as-built foundation and specifically showing the top-of-block elevation and any other critical floor elevation.
- C. As-built survey.
- (1) The plan utilized for a request for a certificate of occupancy, accompanied by a copy of the initial review plans, shall be reviewed by the Township Engineer, who will, in addition to said review, cause an on-site inspection and submit a written report to the

- Construction Code Official as to the status of all improvements required and as-built conditions that conform satisfactorily to the approved plans or, if not, a report that the same neither satisfies the intent of the procedural outline herein or does not conform.
- (2) Upon completion of all building construction and related required site improvements, the applicant shall provide to the Construction Official two copies of as-built plans showing the following on an overall plan, as well as depicting the same data in a tabulation format on the plan:
    - (a) Property lines and dimensions.
    - (b) Existing elevations of the lot and street conditions, as well as contours and critical spot elevations.
    - (c) Finished floor grades of house and garage and description of house style (ranch, bi-level, two-story) and critical grade that applies.
    - (d) All building setbacks.
    - (e) A description of the building constructed, basement, crawl space or slab construction.
    - (f) Where applicable, sufficient information to show any impact on adjoining properties, if any.
  - (3) Said as-built plans shall be accompanied by a certificate from the preparer that the same conforms with the above-listed items and is substantially in conformance with the plan previously submitted for initial review for a building permit. (One copy of each of the previously submitted plans shall be attached.) If alterations have been made, they should be explained by notes or attachments, with explanation of how the changes are different from the approval and have no significant impact on initial intent and not significantly impacting adjoining.
  - (4) The fee for this as-built review shall be \$150. Any additional required reviews requested by the Township Engineer or requested by the Construction Official in accordance with the criteria set forth in the Uniform Construction Code shall require an additional fee of \$75. This shall apply to any rejection of the as-builts submitted or, if an additional review is required, at the request of the applicant on the same site.
- D. The above initial review and as-built foundation shall be accepted by the Construction Code Official as the basis for meeting conditions related to site grading without necessity of the Township Engineer's review and comments.
- E. In addition, in no event shall a certificate of occupancy be issued for any new building or structure or for any renovation or alteration to any existing building or structure unless such building or structure shall be in compliance with Article VI of Chapter 91 of this Code.

[Added 7-23-1990 by Ord. No. 46-90]

- F. In no event shall a certificate of occupancy be issued for any new building or structure or for any renovation or alteration of any existing building or structure until the applicant shall produce a paid receipt or other proof satisfactory to the Construction Official, on a form promulgated by the Township, that any debris resulting from such building renovation or alteration has been disposed of in accordance with law. [Added 7-23-1990 by Ord. No. 46-90]

§ 42-9. (Reserved)<sup>EN(9)</sup>

§ 42-10. (Reserved)<sup>EN(10)</sup>

§ 42-11. **Report recommending fee schedule.**

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.

§ 42-12. (Reserved)<sup>EN(11)</sup>

§ 42-13. (Reserved)<sup>EN(12)</sup>

§ 42-14. **Definitions.** [Added 10-7-1985 by Ord. No. 32A-85]

The following words shall have the meanings indicated:

CONTRACTOR -- Individuals, companies or corporations that have entered into an agreement with the State of New Jersey to perform retrofit installations.

LOW-INCOME -- All individuals who occupy a dwelling unit whose combined income does not exceed 125% of the income poverty guidelines published annually by the Secretary of the United States Department of Health and Human Services.

RETROFIT -- Consists of cleaning the heating system, sealing the combustion chamber and installing a flame-retention head burner. It may include, replacement of the oil filter, installation

of a draft regulator, replacement of the flue pipe and replacement of controls and wiring.

§ 42-15. (Reserved)<sup>EN(13)</sup>

§ 42-16. (Reserved)<sup>EN(14)</sup>

**42-17. Demolition of structures. [Added 12-27-1994 by Ord. No. 38-94]**

- A. Conformity required. On and after the effective date of this section, no person shall demolish any structure except in conformity with the provisions of this chapter.
- B. Permit required.
- (1) The demolition of any structure or building within the Township of Jackson shall require a permit pursuant to the State Uniform Construction Code.
  - (2) A person seeking a permit to demolish a structure or building within the Township shall apply for a permit at the office of the Construction Code Official. Such application shall be on a form provided by the Construction Code Official and shall include:
    - (a) The name and address of the owner of the building or structure to be demolished.
    - (b) The name and address of the contractor that will demolish the building or structure.
    - (c) The certificate of insurance for the contractor showing liability coverage for the contractor and/or owner in the minimum amount of \$300,000.
    - (d) Statements and releases from the telephone, cable television, electricity, water, gas, sewer and other utilities that the service connections and appurtenant equipment has been disconnected, removed, sealed and/or plugged from the structure or building at the street line in a safe manner.
    - (e) Certification from the Construction Code Official that any cesspools, septic systems, well or other subterranean improvements and/or utility systems associated with the structure to be demolished have been removed and/or sealed in accordance with the guidelines established by the N.J.D.E.P., Ocean County Board of Health and Jackson Township Construction Code Official.
    - (f) Proof of eradication of rodents and vermin.
- [1] Before a demolition permit is issued, the contractor shall carry out effective measures for the eradication of any rodents and other vermin that might be caused to seek shelter in a neighboring building or structure as a result of the

demolition activity. This work shall be performed by licensed, qualified exterminators having adequate experience in this type of work.

- [2] The contractor shall submit a certificate from the exterminator verifying that the work has been completed prior to the issuance of the demolition permit.
- [3] The contractor shall secure a fumigation permit from the fire district in which the property is located if the type of fumigation to be performed requires a permit pursuant to 5.70-2.7(a)4 of the Uniform Fire Code. [Amended 3-13-2006 by Ord. No. 03-06]

(g) Proof that the taxes on the property are current.

- C. Permit fee. The fee for a demolition permit shall be determined in accordance with the schedule of subcode fees in Chapter 42, § 42-4A(11). [Amended 3-13-2006 by Ord. No. 03-06]
- D. Restoration of site. Within five working days after the demolition is complete, all debris shall be removed from the site and the excavation resulting from the demolition shall be filled with clean fill unless an extension of time is granted from the Construction Code Official. The site shall be kept free from all unsafe or hazardous conditions by its proper regulation, restoration of established grade and erection of necessary retaining wall and fences.
- E. Violation and penalties. Any person demolishing a structure or building within the Township of Jackson without first having obtained a permit therefor or who, having demolished a structure or building, fails to remove the debris or fill any excavations as provided herein shall be deemed to be in violation of this chapter. A violation of any section or subsection of this chapter shall be punishable by a fine not to exceed \$1,000 or not more than 30 days in jail, or both.

## **Endnotes**

### **1 (Popup)**

Editor's Note: This ordinance repealed former Ch. 42, Building Construction, adopted 3-19-1958, as amended, and provided that the new Ch. 42 take effect no sooner than January 1, 1977.

### **2 (Popup)**

Editor's Note: See N.J.A.C. 5:23-8.1 et seq.

### **3 (Popup)**

Editor's Note: Former § 42-5, Fee for demolition permit, was repealed 9-8-1985 by Ord. No. 29A-85.

### **4 (Popup)**

Editor's Note: Former § 42-6, Fee for permit to move building, was repealed 9-8-1985 by Ord. No. 29A-85.

### **5 (Popup)**

Editor's Note: Former § 42-7, Sign permit fee, was repealed 9-8-1985 by Ord. No. 29A-85.

### **6 (Popup)**

Editor's Note: Former § 42-8, Fee for certificate of occupancy, as amended, was repealed 12-27-1995 by Ord. No. 43-95.

### **7 (Popup)**

Editor's Note: This ordinance also provided for redesignating former Subsection C as Subsection D.

### **8 (Popup)**

Editor's Note: This ordinance also provided for redesignating former Subsection D as Subsection E.

### **9 (Popup)**

Editor's Note: Former § 42-9, Fee for permit to install elevator, was repealed 9-8-1985 by Ord. No. 29A-85.

### **10 (Popup)**

Editor's Note: Former § 42-10, Fee for inspection of elevator, was repealed 9-8-1985 by Ord. No. 29A-85.

### **11 (Popup)**

Editor's Note: Former § 42-12, Surcharge fee, was repealed 3-13-2006 by Ord. No. 03-06.

**12 (Popup)**

Editor's Note: Former § 42-13, Establishment of fire limits required, was repealed 3-13-2006 by Ord. No. 03-06.

**13 (Popup)**

Editor's Note: Former § 42-15, Fee waiver, added 10-7-1985 by Ord. No. 32A-85, as amended, was repealed 3-13-2006 by Ord. No. 03-06.

**14 (Popup)**

Editor's Note: Former § 42-16, Identification of contractors, added 10-7-1985 by Ord. No. 32A-85, was repealed 3-13-2006 by Ord. No. 03-06.