

# ORDINANCE

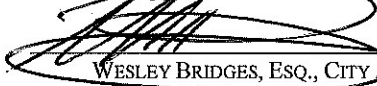
No. 23-055

1<sup>st</sup> Reading SEP 07 2023  
Public Hearing SEP 21 2023  
2<sup>nd</sup> Reading & Passage SEP 21 2023  
Withdrawn \_\_\_\_\_ Lost \_\_\_\_\_

Date to Mayor SEP 25 2023  
Date Returned SEP 28 2023  
Date Resubmitted to Council \_\_\_\_\_

Approved as to Form and Legality

Factual content certified by

  
WESLEY BRIDGES, ESQ., CITY ATTORNEY

JAMES BEACH, INTERIM DIRECTOR OF HOUSING & ECONOMIC DEVELOPMENT

Councilman /woman \_\_\_\_\_ presents the following Ordinance:

## AN ORDINANCE AMENDING CHAPTER 42 OF THE CODE OF THE CITY OF TRENTON TO ADJUST CONSTRUCTION AND INSPECTION FEES

WHEREAS, the City of Trenton desires to adjust certain construction and inspection fees to ensure that the City Inspection Division can continue to operate efficiently; and

WHEREAS, such fees have not been increased since 2013; and

WHEREAS, the inflation rate since 2014 is 29%; and

WHEREAS, the City of Trenton shall adjust all permit and inspection fees in Chapter 42 of the Code of the City of Trenton accordingly.

NOW, THEREFORE, BE IT ORDAINED, by the City Council of the City of Trenton, County of Mercer, that the Code of the City of Trenton be amended as follows (deletions are struck through and additions are underlined):

### Section 1. Amending Chapter 42-12 (Permit Fees)

#### § 42-12. Permit fees.

##### A. Construction fees.

(1) Fees for new construction and additions shall be based upon the volume of the structure. Volume shall be computed in accordance with N.J.A.C. 5:23-2.28.

(a) For new construction for Use Groups B, E, H-1, H-2, H-3, H-4, I-1, I-2, I-3, M, R-1, R-2, R-3, R-4, R-5, T and U, the fee shall be ~~\$0.054~~ \$0.07 per cubic foot of volume; and

(b) For new construction for Use Groups A-1, A-2, A-3, A-4, F-1, F-2, S-1 and S-2, the fee shall be ~~\$0.030~~ \$0.04 per cubic foot of volume.

##### (2) Other work.

(a) For all other work, fees shall be as based on estimated cost as follows:

\$50,000 or less	\$40 <u>\$54</u> per \$1,000
\$50,001 to \$100,000	\$37 <u>\$48</u> per \$1,000
\$100,001 and above	\$30 <u>\$39</u> per \$1,000

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- (b) For the purposes of determining estimated cost of the work, the applicant shall submit such cost data as may be available as produced by the architect or engineer of record, by a recognized estimating firm or by the contract. The Construction Official shall make the final decision regarding estimated cost.
- (a) The minimum fee for a permit for alteration, renovation and minor work shall be ~~\$35~~ \$45.
- (3) For additions, the fee shall be computed on the same basis as for new construction for the added portion.
- (4) For a combination of renovations and additions, the fee shall be computed as the sum of the fees compounded separately.
- (5) For modular homes, the fee shall be a flat rate of ~~\$503~~ \$648 plus ~~\$0.05~~ \$0.07 per cubic foot for foundations and attached garages.

## B. Plumbing fixtures and equipment.

- (1) For all fixtures and appliances, except as listed below, the fee shall be ~~\$53~~ \$68 for the first three fixtures. Thereafter, each additional fixture shall be ~~\$25~~ \$32 for residential uses and ~~#35~~ \$45 for commercial uses, except for water heaters, which shall be ~~\$80~~ \$103 for residential uses and ~~\$100~~ \$129 for commercial uses (~~\$25~~ \$32 for new homes).
- (2) For active solar systems, backflow preventers, gas piping, grease traps, hot water boilers (excluding those for domestic water heating), interceptors and fuel oil piping, oil separators, refrigeration units, sewer pumps, steam boilers, utility services connections, LP gas tanks and water-cooled air-conditioning units, the fee shall be ~~\$114~~ \$147 per special device. There shall be no inspection fee for gas service entrances.

## C. Electric fixtures and devices.

- (1) For one to 20 receptacles or fixtures, the fee shall be ~~\$63~~ \$75, and ~~\$10~~ \$13 for each additional 20 receptacles or fixtures. For the purpose of computing this fee, receptacles or fixtures and motors or devices of one horsepower or one kilowatt or less.
- (2) For each motor or electrical device:
  - (a) Greater than one horsepower and less than or equal to 10 horsepower, and for transformers and generators greater than one kilowatt and less than or equal to 10 kilowatts: ~~\$25~~ \$32.
  - (b) Greater than 10 horsepower and less than or equal to 50 horsepower, for each service entrance or subpanel less than or equal to 200 amperes, and for all transformers and generators greater than 10 kilowatts and less than or equal to 45 kilowatts: ~~\$90~~ \$116.
  - (c) Greater than 50 horsepower and less than or equal to 100 horsepower, for each service panel, service entrance or subpanel greater than 200 amperes and less than or equal to 1,000 amperes, and for each transformer or generator greater than 45 kilowatts and less than or equal to 112.5 kilowatts: ~~\$175~~ \$226.
  - (d) Greater than 100 horsepower, for each service panel, service entrance or subpanel greater than 1,000 amperes, and for each transformer or generator greater than 112.5 kilowatts: ~~\$820~~ \$1,058.
- (3) For the purposes 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.

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D. Fire protection and hazardous equipment. The minimum fee for items in this section shall be \$100.

(1) Detectors,

(a) For detectors (smoke, heat and sprinkler heads), the fees shall be as follows:

<b>Heads or Detectors</b>	<b>Fee</b>
20 or fewer	<del>\$120</del> <u>\$175</u>
21 to 100	<del>\$250</del> <u>\$322</u>
101 to 200	<del>\$450</del> <u>\$606</u>

<b>Heads or Detectors</b>	<b>Fee</b>
201 to 400	<del>\$1,100</del> <u>\$1,419</u>
401 to 999	<del>\$1,550</del> <u>\$2,000</u>
1,000 to 1,999	<del>\$2,625</del> <u>\$3,386</u>
2,000 to 2,999	<del>\$4,375</del> <u>\$5,645</u>
3,000 or greater	<del>\$5,250</del> <u>\$6,773</u>

(b) In computing these fees, the number of each shall be counted separately, and two separate fees shall be charged.

(2) For each standpipe: ~~\$401~~ \$517.

(3) For each independent pre-engineered system: ~~\$161~~ \$208.

(4) For each gas or oil fired appliance that is not connected to the plumbing system: ~~\$81~~ \$104.

(5) For each kitchen exhaust system: ~~\$81~~ \$105.

(6) For incinerator: ~~\$365~~ \$471.

(7) For each crematorium: ~~\$365~~ \$471.

(8) For fire pump installation, the fees shall be set forth in Subsection A(2)(a) of this § 42-12.

(9) Spray booths: \$350

(10) Underground water service: \$400

(11) Underground water storage: \$200

(12) Jockey pump: \$250

(13) Fire Extinguishers

(a) 1-20 extinguishers: \$75

(b) 21-50 extinguishers: \$100

(c) 51-100 extinguishers: \$175

(14) Fire Alarm Control Panel (FACP): \$200

(15) Air sampling smoke detector: \$450

(16) Smoke control system: \$450

(17) Solar Systems

(a) R3/R5 solar system: \$125

(b) All other solar systems: \$250

E. Other permits.

(1) For a demolition permit for Use Group R-3:

(a) For a structure of less than 5,000 square feet and less than 30 feet in height for one- or two-family residences: ~~\$132~~ \$170, plus \$250 for each sidewall repair.

(b) For all other use groups: ~~\$242~~ \$312.

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- (2) For permit for the removal of a building or structure from one lot to another or to a new location on the same lot, the fee shall be ~~\$24~~ \$31 per \$1,000 of the estimated cost of the work. For new foundation placement in a completed condition in the new location, the fee shall be based on the cubic content.
- (3) For a permit to construct a sign, the fee shall be ~~\$2.42~~ \$3.12 per square foot of surface area of the sign, computed on one side only for double-faced signs.
- (4) The minimum fee shall be: ~~\$81~~ \$105.

## F. Certificates and other fees.

- (1) For certificate of occupancy.
  - (a) For all use groups, except those listed below, the fee shall be 10% of the new construction permit fee that would be charged pursuant to these regulations. The minimum fee shall be ~~\$120~~ \$155. For Use Group R-2 there will be an additional charge of ~~\$25~~ \$32 per unit.
  - (b) For Use Group R-3 of less than 5,000 square feet in area and less than 30 feet in height, the fee shall be 10% of the new construction permit fee that would be charged pursuant to these regulations. The minimum fee shall be ~~\$65~~ \$84.
- (2) For a certificate of occupancy granted pursuant to a change of use group, the fee shall be ~~\$174~~ \$225. For Use Group R-2, there will be an additional charge ~~\$25~~ \$32 per unit.
- (3) The fee for the renewal of a temporary certificate of occupancy shall be ~~\$30~~ \$39 each time that it is renewed. There shall be no fee for the initial issuance of a temporary certificate of occupancy.
- (4) For a plan review of a building for compliance under the alternate systems and nondepletable energy source provisions of the energy subcode, for one- and two-family homes (Uses Group R-3), and for light commercial structures which have the indoor temperature controlled from a single point, the fee shall be ~~\$274~~ \$353. For all other structures, the fee shall be ~~\$1,369~~ \$1,766.
- (5) For application for a variation in accordance with N.J.A.C. 5:23-2.10, the fee shall be:
  - (a) Class I structures: ~~\$549~~ \$708.
  - (b) Class II and III structures: ~~\$120~~ \$155.
- (6) For resubmission of an application for a variation:
  - (a) Class I structures: ~~\$229~~ \$295.
  - (b) Class II and III structures: ~~\$65~~ \$84.
- (7) For cross connections and backflow preventers subject to testing and which require reinspection every 12 months, the fee shall be:
  - (a) For each device when tested annually: ~~\$46~~ \$59.
  - (b) For each device when broken down tested annually: ~~\$20~~ \$26.
- (8) For asbestos hazard abatement projects and the certificate of occupancy, the fee shall be a flat fee schedule:
  - (a) An administrative fee for each construction permit issued for an asbestos hazard abatement project: ~~\$100~~ \$129.
  - (b) An administrative fee for each certificate of occupancy issued following the successful completion of an asbestos hazard abatement project: ~~\$20~~ \$26.

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## G. Elevators.

(1) For witnessing acceptance tests and performing inspections, the fees shall be:

(a) For elevator devices in structures not in Use Groups R-3 or R-4 or in an exempted Use Group R-2 structure, the fee shall be as follows:

<b>Structure</b>	<b>Fee</b>
Traction and winding drum elevator	
One to 10 floors	<del>\$243.00</del> <u>\$313</u>
Over 10 floors	<del>\$405.00</del> <u>\$522</u>
Hydraulic elevators	<del>\$216.00</del> <u>\$279</u>
Roped hydraulic elevators	<del>\$243.00</del> <u>\$313</u>
Escalators, moving walks	<del>\$216.00</del> <u>\$279</u>
Dumbwaiters	<del>\$54.00</del> <u>\$70</u>
Stairway chairlifts, inclined and vertical wheelchair lifts	<del>\$54.00</del> <u>\$70</u>

(b) For devices equipped with the following features, the additional fees shall be as follows:

<b>Feature</b>	<b>Fee</b>
Oil buffers, charge per oil buffer	<del>\$43.00</del> <u>\$55</u>
Counterweight governor and safeties	<del>\$108.00</del> <u>\$139</u>
Auxiliary power generator	<del>\$81.00</del> <u>\$104</u>

(c) For elevator devices in structures in Use Group R-3 or Use Group R-4: ~~\$162~~ \$209.

(d) For witnessing acceptance tests of, and performing inspection of, alterations: ~~\$54~~ \$70.

(2) For routine and periodic tests and inspections for elevator devices in structures not in Use Groups R-3 or R-4 or otherwise exempt devices in Use Groups R-2 structures, the fees shall be as follows:

(a) For the six-month routine inspection of elevator devices the fee shall be:

<b>Device</b>	<b>Fee</b>
Traction and winding drum elevator	
One to 10 floors	<del>\$151.00</del> <u>\$195</u>
Over 10 floors	<del>\$194.00</del> <u>\$250</u>
Hydraulic elevators	<del>\$106.00</del> <u>\$137</u>
Roped hydraulic elevators	<del>\$151.00</del> <u>\$195</u>
Escalators, moving walks	<del>\$151.00</del> <u>\$195</u>

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- (b) For the one-year periodic inspection and witnessing of tests of elevator devices, which shall include a six-month routine inspection, the fee shall be:

<b>Device</b>	<b>Fee</b>
Traction and winding drum elevator	
One to 10 floors	<del>\$216.00</del> <u>\$279</u>
Over 10 floors	<del>\$259.00</del> <u>\$384</u>
Hydraulic elevators	<del>\$162.00</del> <u>\$209</u>
Dumbwaiters	<del>\$86.00</del> <u>\$111</u>
Manlifts, stairway chairlifts, inclined and vertical wheelchair lifts	<del>\$130.00</del> <u>\$168</u>

- (c) For the yearly periodic inspection of elevator devices equipped with the following features, the additional fees shall be:

<b>Device</b>	<b>Fee</b>
Oil buffers, charge per oil buffer	<del>\$43.00</del> <u>\$55</u>
Counterweight governor and safeties	<del>\$86.00</del> <u>\$111</u>
Auxiliary power generator	<del>\$54.00</del> <u>\$70</u>

- (d) For the three-year or five-year inspection of elevator devices the fee shall be as follows:

[1] Traction and winding drum elevators, five-year inspection:

[a] One to 10 floors: ~~\$367~~ \$473.

[b] Over 10 floors: ~~\$410~~ \$529.

[2] Hydraulic and roped hydraulic elevators:

[a] Three-year inspection: ~~\$270~~ \$345.

[b] Five-year inspection: ~~\$162~~ \$209.

- (3) The fee for inspection of elevators used for construction shall be as follows:

(a) Witnessing acceptance and test:

[1] Traction elevator:

[a] One to 10 floors: ~~\$367~~ \$473.

[b] Over 10 floors: ~~\$410~~ \$529.

[2] Hydraulic elevators: ~~\$216~~ \$279.

(b) Additional charges for devices equipped with the following features shall be as follows:

[1] Oil buffers, charge per oil buffer: ~~\$43~~ \$55.

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(c) The fee for the ninety-day inspection shall be as follows:

[1] Traction elevators:

[a] One to 10 floors: ~~\$151~~ \$239.

[b] Over 10 floors: ~~\$194~~ \$250.

[2] Hydraulic elevators: ~~\$108~~ \$139.

(d) The fee for one-year periodic inspection and witnessing of test shall be as follows:

[1] Traction elevators:

[a] One to 10 floors: ~~\$216~~ \$279.

[b] Over 10 floors: ~~\$259~~ \$334.

[2] Hydraulic elevators: ~~\$162~~ \$209.

(e) The fee for the inspection and witnessing of the five-year test shall be as follows:

[1] Traction elevators:

[a] One to 10 floors: ~~\$367~~ \$473.

[b] Over 10 floors: ~~\$410~~ \$528.

[2] Hydraulic elevators: ~~\$162~~ \$209.

(f) Additional charges for elevators equipped with the following features shall be as follows:

[1] Oil buffers, charge per oil buffer: ~~#43~~ \$55.

## H. Solar Panels.

(1) For solar panels from 1 kw to 10 kw: \$125

(2) For each additional 5 kw: \$125

(3) For each solar panel disconnect:

(4) For each inverter: \$125

(5) For each inverter over 50 kw: \$125

(6) For each microinverter: \$10

## I. Miscellaneous permit fees:

(1) Registration of contractors. The annual fee for registration of contractors shall be ~~\$200~~ \$250.

(2) Fence construction. The fee for a permit to construct a fence shall be ~~\$35~~ \$45 per \$1,000 of estimated cost of the work. A plot plan, survey and/or other documentation detailing the location of the fence shall accompany all applications.

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- (3) Change of contractor. For each change of contractor, the fee shall be \$75.
- (4) Annual pool inspection. The annual pool inspection fee shall be \$150.
- (5) Oil tank removal. The above-ground oil tank removal fee shall be \$129. The below ground oil tank removal fee shall be \$181.

J. Surcharge to state, In order to provide for the training, certification and technical support programs required by the Uniform Construction Code Act and the applicable regulations, the City shall collect in addition to the fees specified above, a surcharge fee of \$0.00334 per cubic foot of volume of new construction and \$0.00170 times the estimated cost of construction for alterations. Such surcharge fee shall be remitted to the Bureau of Construction Code Enforcement, New Jersey Department of Community Affairs, on a quarterly basis for the fiscal quarter ending September 30, December 31, March 31 and June 30, and no later than one month next succeeding the end of the quarter for which it is due.

**Section 2 Severability.** Should any section, clause, sentence, phrase or provision of this article be declared unconstitutional or invalid by a court of competent jurisdiction, such decision shall not affect the remaining portions of this article.

**Section 3 Repealer.** All prior ordinances or parts of same inconsistent with any provisions of this article are hereby repealed to the extent of such inconsistency.

**Section 4 Effective Date.** This ordinance shall take effect upon final adoption and publication in accordance with law.

INTRODUCTION:	MOTION: <i>Frisky</i>				SECOND: <i>Figueroa Kettenburg</i>				ORD. AUTHORED BY:	ADOPTION				MOTION: <i>Harrison</i>				SECOND: <i>Figueroa Kettenburg</i>												
	INTRODUCTION				ADOPTION					INTRODUCTION				ADOPTION				INTRODUCTION				ADOPTION								
	AYE	NAY	NV	AB	AYE	NAY	NV	AB		AYE	NAY	NV	AB	AYE	NAY	NV	AB	AYE	NAY	NV	AB	AYE	NAY	NV	AB					
EDWARDS	✓				✓				GONZALEZ	✓				✓				FRISBY	✓								✓			
FELICIANO	✓				✓				HARRISON	✓				✓																
FIGUEROA KETTENBURG	✓				✓				WILLIAMS	✓				✓																

NV - NO VOTE      AB - ABSENT

Adopted on first reading at a meeting of the City Council of the City of Trenton, NJ on SEP 07 2023

Adopted on second reading after the public hearing on SEP 21 2023

Mayor *[Signature]*  
 President of Council *[Signature]*



Reconsidered by Council – Override Vote AYE  
NAY  
 City Clerk *[Signature]*