

**BOROUGH OF KENILWORTH
ORDINANCE NO. 2016-01**

AN ORDINANCE OF THE BOROUGH OF KENILWORTH AMENDING CHAPTER 78 (CONSTRUCTION CODES, UNIFORM) OF THE CODE OF THE BOROUGH OF KENILWORTH, COUNTY OF UNION, STATE OF NEW JERSEY BY ADDING A UNIFORM FEE SCHEDULE AS REQUIRED BY THE DEPARTMENT OF COMMUNITY AFFAIRS FOR THE SHARED SERVICES OF A CONSTRUCTION OFFICIAL BETWEEN THE BOROUGH OF KENILWORTH AND THE TOWNSHIP OF SPRINGFIELD.

THE MUNICIPALITIES OF SPRINGFIELD AND KENILWORTH SEEK TO JOINTLY ESTABLISH AND ENFORCE BUILDING CODES AND FEES UNIFORMLY AND EQUALLY SO AS TO PROTECT THE HEALTH AND SAFETY OF THEIR RESIDENTS. THE USE OF NATIONAL CODES CONSISTENT WITH THOSE SET FORTH BY THE STATE OF NEW JERSEY, DEPARTMENT OF CONSUMER AFFAIRS, DIVISION OF CODES AND STANDARDS ARE HEREBY INCORPORATED BY REFERENCE FOR DEFINITIONS AND MINIMAL REQUIREMENTS THAT SHALL BE COMPLIED WITH FOR ALL CONSTRUCTION.

HENCE, THE FOLLOWING REVISIONS AND AMENDMENTS ARE ADOPTED BY ORDINANCE.

SECTION 78-5 IS HEREBY ADDED TO CODE OF THE BOROUGH OF KENILWORTH BY THE FOLLOWING:

FEES

a. NEW CONSTRUCTION AND ADDITIONS

i. Minimum Fee	\$	50.00
ii. Use Groups: B, H, I-1, 2, 4, M, E, R, 1, 2, 3, 4, 5, U (per cubic foot)	\$.038
1. Up to \$ 50,000.00	\$	34.00 per \$ 1,000.00
2. \$ 50,000.01 to \$ 100,000.00	\$	26.00 per \$ 1,000.00
3. Over \$ 100,000.00	\$	22.00 per \$ 1,000.00
iii. Use Groups: A-1, 2, 3, 4, 5, F-1, 2, S-1, 2 (per cubic foot)	\$.021
1. Up to \$ 50,000.00	\$	34.00 per \$ 1,000.00
2. \$ 50,000.01 to \$ 100,000.00	\$	26.00 per \$ 1,000.00
3. Over \$ 100,000.00	\$	22.00 per \$ 1,000.00
iv. Deck or Balcony (all use groups)		
1. Up to \$ 50,000.00	\$	34.00 per \$ 1,000.00
2. \$ 50,000.01 to \$ 100,000.00	\$	26.00 per \$ 1,000.00
3. Over \$ 100,000.00	\$	22.00 per \$ 1,000.00
v. Fence (all use groups)		
1. Up to \$ 50,000.00	\$	30.00 per \$ 1,000.00
2. \$ 50,000.01 to \$ 100,000.00	\$	23.00 per \$ 1,000.00
3. Over \$ 100,000.00	\$	19.00 per \$ 1,000.00
vi. Signs (all use groups)	\$	65.00

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vii. Pylon		
1. Up to 100 Square Feet	\$	6.00 per Square Foot
2. 101 to 400 Square Feet	\$	4.75 per Square Foot
3. Over 400 Square Feet	\$	3.50 per Square Foot
viii. Wall or Ground		
1. Up to 100 Square Feet	\$	3.00 per Square Foot
2. 101 to 400 Square Feet	\$	2.10 per Square Foot
3. Over 400 Square Feet	\$	1.40 per Square Foot
ix. Pool: In-Ground (all use groups)		
1. Less than or equal to 550 Square Feet	\$	106.00
2. Greater than 550 Square Feet	\$	210.00
x. Pool: Above-Ground (all use groups)		
1. Less than or equal to 550 Square Feet	\$	70.00
2. Greater than 550 Square Feet	\$	140.00
xi. Temporary Structures (all use groups)	\$	129.00
xii. Open Structural Towers		
1. Up to \$ 50,000.00	\$	34.00 per \$ 1,000.00
2. \$ 50,000.01 to \$ 100,000.00	\$	26.00 per \$ 1,000.00
3. Over \$ 100,000.00	\$	22.00 per \$ 1,000.00
b. REHABILITATION		
i. Minimum Fee	\$	50.00
ii. Use Groups: B-E-H-1, 2, 3, 4, 5 I-1, 2, 3, 4, M, R-1, 2, 4, U, C, A -1, 2, 3, 4, F-1, S-1, 2		
1. Up to \$ 50,000.00	\$	34.00 per \$ 1,000.00
2. \$ 50,001 to \$ 100,000.00	\$	26.00 per \$ 1,000.00
3. Over \$ 100,000.00	\$	22.00 per \$ 1,000.00
iii. Use Groups: R-3 and R-5 (only) Roofing & Siding	\$	65.00 (flat rate)
iv. Roofing (all other use groups)		
1. Up to \$ 50,000.00	\$	34.00 per \$ 1,000.00
2. \$ 50,000.01 to \$ 100,000.00	\$	26.00 per \$ 1,000.00
3. Over \$ 100,000.00	\$	22.00 per \$ 1,000.00
v. Siding		
1. Up to \$ 50,000.00	\$	34.00 per \$ 1,000.00
2. \$ 50,001 to \$ 100,000.00	\$	26.00 per \$ 1,000.00
3. Over \$ 100,000.00	\$	22.00 per \$ 1,000.00

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vi. Retaining Wall (all use groups)		
1. Class 3-Residential		
a. Less than or equal to 550 Square Feet	\$	106.00
b. Greater than 550 Square Feet	\$	210.00
2. Other than Class 3-Residential		
a. Up to \$ 50,000.00	\$	34.00 per \$ 1,000.00
b. \$ 50,001 to \$ 100,000.00	\$	26.00 per \$ 1,000.00
c. Over \$ 100,000.00	\$	22.00 per \$ 1,000.00
c. ABESTOS ABATEMENT		
a. Up to \$50,000.00	\$	34.00 per \$ 1,000.00
b. 50,000.01 to \$100,000.00	\$	26.00 per \$ 1,000.00
c. Over \$100,000.00	\$	22.00 per \$ 1,000.00
d. LEAD HAZARD ABATEMENT	\$	196.00
e. RADON REMEDIATION		
i. Up to \$ 50,000.00	\$	34.00 per \$ 1,000.00
ii. \$ 50,001 to \$ 100,000.00	\$	26.00 per \$ 1,000.00
iii. Over \$ 100,000.00	\$	22.00 per \$ 1,000.00
f. DEMOLITION		
i. Less than 5,000 Square Feet in Area and Over 30 Feet in Height	\$	92.00
ii. More than 5,000 Square Feet in Area and Over 30 Feet in Height	\$	168.00
g. TANK REMOVAL		
i. Use Groups: R-3 and R-5	\$	92.00
ii. All other Use Groups	\$	168.00
h. SOLAR PANELS (all use groups)		
i. Minimum Fee	\$	50.00
ii. Up to \$ 50,000.00	\$	34.00 per \$ 1,000.00
iii. \$ 50,000.01 to \$ 100,000.00	\$	26.00 per \$ 1,000.00
iv. Over \$ 100,000.00	\$	22.00 per \$ 1,000.00
i. PLAN REVIEW: ALTERNATE SYSTEMS AND NON-DEPLETABLE ENERGY SOURCE PROVISIONS OF ENERGY SUBCODE		
i. Use Groups: R-3 and R-5	\$	383.00
ii. All other Use Groups	\$	1,915.00

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SECTION 78-6 IS HEREBY ADDED TO CHAPTER 78 OF THE CODE OF THE BOROUGH OF KENILWORTH:

SECTION 78-6. Severability:

Each section, subsection, sentence, clause and phrase of this Article is declared to be an independent section, subsection, sentence, clause and phrase, and the finding or holding of any such portion of this Article to be unconstitutional, void, or ineffective for any cause, or reason, shall not affect any other portion of this Article.

SECTION 78-7 IS HEREBY ADDED TO CHAPTER 78 OF THE CODE OF BOROUGH OF KENILWORTH:

SECTION 78-7. Supersession:

In the event of any conflict pertaining to fees, the schedule of fees set forth in this Ordinance shall supersede and remain controlling.

SECTION 78-8 IS HEREBY ADDED TO CHAPTER 78 OF THE CODE OF THE BOROUGH OF KENILWORTH:

SECTION 78-8. Repealer:

All Borough ordinances and parts of ordinances that are inconsistent with this ordinance are hereby repealed.

EFFECTIVE DATE:

This Ordinance shall be in full force and effect from and after its adoption and its publication as required by law.

Approved: _____

Anthony DeLuca, Mayor

INTRODUCTION						COUNCILPERSON	FINAL ADOPTION					
Moved	Sec.	Aye	Nay	Abs.	NP		Moved	Sec.	Aye	Nay	Abs.	NP
						KAY CECERI						
						LARRY CLEMENTI						
						PETE CORVELLI						
						BRIAN JOHO						
						GERRY LAUDATI						
						NICHOLAS MASCARO						
Introduced: February 10, 2016						I hereby certify the above ordinance was adopted by the Borough Council of the Borough of Kenilworth, County of Union, State of New Jersey on the aforementioned date.						
Final Adoption: March 9, 2016												
						_____ Laura Reinertsen, Borough Clerk						