

ORDINANCE NO. 2022- 20

ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 91, "FEES AND LICENSES" ARTICLE 1, "FEES GENERALLY" SECTION 1, "SCHEDULE OF FEES," AND SUBSECTION 3 "UNIFORM COMMERCIAL CODE FEES" OF THE MUNICIPAL CODE OF THE BOROUGH OF KENILWORTH.

WHEREAS, on March 9, 2016, the Borough of Kenilworth Municipal Council adopted Ordinance 2016-01, amending its fees for various pursuant to the Uniform Construction Code; and

WHEREAS, the Borough of Kenilworth Municipal Council finds that it is in the best interests of the Borough and its citizenry to amend and modify such sections of its Fees as set forth in the Borough Code so that they are more consistent with the updated Uniform Construction Code fees; and

WHEREAS, pursuant to N.J.S.A. 40:48-1, the governing body of a municipality may make, amend, repeal, and enforce such other ordinances, regulations, rules and by-laws not contrary to the laws of this State or Federal Government, as it may deem necessary and proper for the good of government, order and protection of person and property, and for the preservation of the public health, safety and welfare of the municipality and its inhabitants, and as may be necessary to carry into effect the powers and duties conferred and imposed by this subtitle, or by any law; and

NOW, THEREFORE, BE IT ORDAINED by the Borough Council of the Borough of Kenilworth in the County of Union, New Jersey as follows:

SECTION 1. The foregoing whereas clause is incorporated herein by reference and made a part hereof.

SECTION 2. Chapter 91, "Fees and Licenses," Article 1, "Fees Generally," Section 1, "Schedule of Fees," shall be amended as follows.

Note: Additions are shown in **bold and underlined** and deletions are shown as ~~stricken~~.

§ 91-1 **Schedule of Fees and Licenses.**

A. The following schedule of fees is hereby established with respect to licenses, permits and activities required or regulated under the provisions of various chapters of the Code of the Borough of Kenilworth. Applications for and the issuance of such licenses and permits shall be subject to the provisions of the specific chapter of the Code which is indicated for each type of license or permit. The business, activity or operation for which the license or permit is required shall be subject to all regulations set forth in the chapter to which reference is made.

Chapter of Code/Type of Application, License or Permit	Fee
Chapter 55, Alarm Devices	
First 12 alarm sensors/heads	\$50
Each additional group of 25 alarm sensors/heads	\$17
Chapter 57, Alcoholic Beverages	
*Plenary retail consumption license (per year)	\$1,550
*Plenary retail distribution license (per year)	\$775
Club license (per year)	\$150
Identification of employees	
Fingerprinting (each)	\$35*

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*New Jersey State Bureau of Investigation currently charges \$35, payable by certified check. In the event of a change in its fee schedule, this fee shall be accordingly changed.

Identification card (each)	\$10
One-day permit for sale on designated premises by civic, religious or educational organizations	\$50
One-day permit for sale by other organizations	\$75

Chapter 59, Amusements, Coin-Controlled

Each game licensed to a proprietor	\$50
Each game licensed to a distributor	\$50
Each game distributed by a distributor	\$300
Each game distributed by a distributor-proprietor	\$400
Coin-controlled music machine (per machine per year)	\$50

Chapter 66, Bicycles

Fee for release of bicycle from impoundment	\$10
License fee, per bicycle	
When licensed period has more than 1 year before the expiration date	\$0-50
When remaining licensed period shall be less than 1 year before the expiration date	\$0-25

Chapter 75, Cats

License fee	
Unneutered cat, each	\$13 10
Neutered cat, each	\$10
Delinquent fee <u>for renewals</u> <u>(on or after March 1, 2023)</u>	\$0-50 5.00

Chapter 83, Dogs

License fee: \$9, effective January 1, 2011, and \$10 effective February 1, 2011. Fee includes a state registration fee of \$1 and \$0.20 for the State of New Jersey Pilot Clinic fund. In addition, to the above fee, there shall be an additional fee of \$3 for any dog which has not had its reproductive capacity permanently altered through sterilization pursuant to Section 12 of P.L. 1941, c. 151.

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<u>Unneutered dog, each</u>	<u>\$18</u>
<u>Spayed/neutered dog, each</u>	<u>\$15</u>
<u>Delinquent fee for renewals (on or after March 1, 2023)</u>	<u>\$5</u>
Replacement (lost) tag: \$1	
Chapter 87, Entertainment and Amusement Places	
Carnival (per carnival)	\$200
Circus (per day)	\$200
Chapter 97, Fireworks and Firearms (Added 5-25-1983 by Ord. No. 83-10; amended 6-28-1983 by Ord. No. 83-16; 4-23-2008 by Ord. No. 2008-06)	
Article I, Sale of Fireworks; Firing of Firearms and Fireworks	
Fingerprinting (payable by certified or bank check, or cash)	\$25
Borough of Kenilworth charges \$25 for the fingerprinting and processing of individuals. Any additional fees reflecting the processing cost for other state or federal authorities or agencies will also be collected and are payable directly to the authority or agency by certified or bank check.	
Chapter 104, Garage Sales	
Garage sale license	\$10
Out-of-door sale license	\$10
Chapter 112, Grading, Excavations and Landfills	
Application fee	\$50
Chapter 116, Industrial Waste	
Annual rate schedule	
Flow (million gallons per year)	\$167.06 or \$0.16706 per 1,000 gallons
Biochemical oxygen demand (tons per year, per ton)	\$206.10
Suspended solids (tons per year, per ton)	\$226.12
Alternate	\$367.07 per million gallons per year
Chapter 144, Peddling and Soliciting	

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Application fee \$50

Permit License fee (valid for 30 days) \$1250

Property Damage Fee \$250

Chapter 150, Property Maintenance

Article V, Responsibilities of Creditors and Mortgage Holders for Vacant, Abandoned and Foreclosed Properties

Initial registration fee for each ~~vacant and abandoned~~ property \$500
(must be accompanied by the registration form)

Renewal fee, first year \$1,500

Renewal, second year \$3,000

All additional renewals, per year \$5,000

With regard to properties under foreclosure, at the time of initial registration each registrant shall pay a nonrefundable annual registration fee of \$500 for each property. Subsequent non-refundable annual renewal registrations of properties and fees in the amount of \$500 are due within 10 days of the expiration of the previous registration.

Chapter 154, Article I, Special Sales

License fee \$25

Renewal license fee \$15

Chapter 160, Shopping Carts

Fee for redemption of confiscated carts \$10

Storage charge (per month) \$3

Chapter 165, Smoke Detectors and Lock Boxes

Article I, Smoke Detectors

Smoke and carbon monoxide detector inspections

Inspections

For which the applicant requests turnaround within 2 weeks \$50

For which the applicant requests turnaround within 1 week \$75

For which the applicant requests turnaround within 3 business days \$100

Reinspections: If required, the second inspection is included for no additional charge and thereafter an additional \$50 per each

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subsequent inspection

All payments for above are to be made payable to:

Kenilworth Fire Prevention Bureau

491 Washington Avenue

Kenilworth, New Jersey 07033

Chapter 165, Smoke Detectors and Lock Boxes

Article II, Key Lock Box Emergency Access System

Registration for a key lock box \$150

Reinspection, per key in the lock box \$25

Chapter 167, Soil Erosion and Sediment Control

Application for soil erosion and sediment control plan \$50

Chapter 170, Streets and Sidewalks

Section 170-17, street opening permit \$500

Reinspection fee for each additional inspection required for \$200
final approval

Driveway and sidewalk permit \$100

Reinspection fee \$100

Chapter 179, Taxicabs and Limousines

License fee for business operation (per year) \$75

License fee per vehicle (per year) \$50

License fee per driver (per year) \$75

Chapter 181, Tennis Courts

Family permit \$6

Individual permit \$4

Chapter 181A, Towing

Initial license application \$500

Resubmission if initial application is incomplete \$250

Renewal of license \$250

B. Fees not associated with specific Code provisions.

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Type	Per-Item Fee
Pickup and disposal of: White goods: refrigerators, air conditioners, freezers, washers, dryers, stoves and water heaters (per unit)	\$3575
Furniture Dresser, couch, love seat, recliners, desk, dining room/kitchen table, buffet, server, credenza, hutch, entertainment center, large media stand, mattress, bistro sets	\$3575
Sleeper sofa, sectionals End table, small tv stand, box spring, bed frame and boards, small computer desk, small tables, large chair, rocking chair	\$40100
Dining room/kitchen chairs/ <u>Lawn chair</u>	\$525 for 1 st ; <u>\$5 for each additional piece</u>
Fixtures Sinks, vanities, toilets	\$1050
Bathtub	\$4075
Jetted bathtub	\$50100
Ceiling fans	\$25
Doors/windows/fencing/outdoor	
Storm window, storm door, door	\$140
Lawn furniture (<u>individual pieces</u>)	\$1025
Window	
Single	\$1025
Double	\$2050
Triple	\$3075
Wood or plastic fencing (per 8-foot section)	\$1025
Household	
Vacuum	\$25
Exercise equipment	
Treadmill, elliptical	\$2575
Exercise bike, weight bench	\$1550
Wood products Must be cut into 3-foot pieces and placed into a thirty-two-	\$1040

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Type	Per-Item Fee
gallon container (per container)	
Duplicate tax bill	\$5
Duplicate tax sale certificates	\$100
Mailing of notice of tax sale	\$25
C. Charges for purchase of:	

Item	Fee
Zoning Book	\$20
Zoning Map	\$2
Municipal Code Book	\$400
Master Plan	\$40

SECTION 3. Chapter 91, “Fees and Licenses,” Article 1, “Fees Generally,” Section 1, “Schedule of Fees,” Subsection 3, “Uniform Commercial Code fees” shall be amended to include updated fees as follows.

§ 91-1.3 Uniform Construction Code fees.

A. Uniform Construction Code municipal enforcing fees shall be as follows:

- (1) The fee for plan review shall be 20% of the amount to be charged for a new construction permit.
- (2) The basic construction fee shall be the sum of the parts computed on the basis of volume or cost of construction, plumbing, electrical and fire protection fees as listed herein. The minimum fee for a basic construction fee for building, plumbing and fire shall be \$60.
 - (a) Use Groups B, H, I-1, 2, 4, M, E, R-1, 2, 3, 4, 5, U (per cubic foot): \$0.038.
 - (b) Up to \$50,000: \$34 per \$1,000.
 - (c) \$50,000.01 to \$100,000: \$26 per \$1,000.
 - (d) Over \$100,000: \$22 per \$1,000.
- (3) Use Groups A-1, 2, 3, 4, 5, F-1, 2, S-1, 2 (per cubic foot): \$0.021
 - (a) Up to \$50,000: \$34 per \$1,000.
 - (b) \$50,000.01 to \$100,000: \$26 per \$1,000.
 - (c) Over \$100,000: \$22 per \$1,000.

AB. New construction and additions.

- (1) Minimum fee: ~~\$50~~ \$60.
- (2) Use Groups B, H, I-1, 2, 4, M, E, R-1, 2, 3, 4, 5, U (per cubic foot): \$0.038.
 - (a) Up to \$50,000: \$34 per \$1,000.
 - (b) \$50,000.01 to \$100,000: \$26 per \$1,000.
 - (c) Over \$100,000: \$22 per \$1,000.
- (4) Deck or balcony (all use groups):
 - (a) Up to \$50,000: \$34 per \$1,000.
 - (b) \$50,000.01 to \$100,000: \$26 per \$1,000.

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- (c) Over \$100,000: \$22 per \$1,000.
- (5) Fence (all use groups):
 - (a) Up to \$50,000: \$30 per \$1,000.
 - (b) \$50,000.01 to \$100,000: \$23 per \$1,000.
 - (c) Over \$100,000: \$19 per \$1,000.
- (6) Signs (all use groups): \$65.
- (7) Pylon:
 - (a) Up to 100 square feet: \$6 per square foot.
 - (b) 101 to 400 square feet: \$4.75 per square foot.
 - (c) Over 400 square feet: \$3.50 per square foot.
- (8) Wall or ground:
 - (a) Up to 100 square feet: \$3 per square foot.
 - (b) 101 to 400 square feet: \$2.10 per square foot.
 - (c) Over 400 square feet: \$1.40 per square foot.
- (9) Pool, in-ground (all use groups):
 - (a) Less than or equal to 550 square feet: ~~\$106~~200.
 - (b) Greater than 550 square feet: ~~\$210~~250.
- (10) Pool, aboveground (all use groups):
 - (a) Less than or equal to 550 square feet: ~~\$79~~100.
 - (b) Greater than 550 square feet: ~~\$140~~170.
- (11) Temporary structures (all use groups): \$129.
- (12) Open structural towers:
 - (a) Up to \$50,000: \$34 per \$1,000.
 - (b) \$50,000.01 to \$100,000: \$26 per \$1,000.
 - (c) Over \$100,000: \$22 per \$1,000.

BC. Rehabilitation.

- (1) Minimum fee: ~~\$50~~60.
- (2) 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:
 - (a) Up to \$50,000: \$34 per \$1,000.
 - (b) \$50,000.01 to \$100,000: \$26 per \$1,000.
 - (c) Over \$100,000: \$22 per \$1,000.
- (3) Use Groups R-3 and R-5 (only), roofing and siding: \$65 (flat rate).
- (4) Roofing (all other use groups):

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- (a) Up to \$50,000: \$34 per \$1,000.
- (b) \$50,000.01 to \$100,000: \$26 per \$1,000.
- (c) Over \$100,000: \$22 per \$1,000.

(5) Siding:

- (a) Up to \$50,000: \$34 per \$1,000.
- (b) \$50,000.01 to \$100,000: \$26 per \$1,000.
- (c) Over \$100,000: \$22 per \$1,000.

(6) Retaining wall (all use groups):

- (a) Class 3 Residential:
 - [1] Less than or equal to 550 square feet: \$106.
 - [2] Greater than 550 square feet: \$210.
- (b) Other than Class 3 Residential:
 - [1] Up to \$50,000: \$34 per \$1,000.
 - [2] \$50,000.01 to \$100,000: \$26 per \$1,000.
 - [3] Over \$100,000: \$22 per \$1,000.

~~ED.~~ Asbestos abatement.

- (1) Up to \$50,000: \$34 per \$1,000.
- (2) \$50,000.01 to \$100,000: \$26 per \$1,000.
- (3) Over \$100,000: \$22 per \$1,000.

~~DE.~~ Lead hazard abatement: \$196.

~~EF.~~ Radon remediation.

- (1) Up to \$50,000: \$34 per \$1,000.
- (2) \$50,000.01 to \$100,000: \$26 per \$1,000.
- (3) Over \$100,000: \$22 per \$1,000.

~~EG.~~ Demolition.

- (1) ~~Less than 5,000 square feet in area and over 30 feet in height~~ Residential Properties: \$150.
- (2) ~~More than 5,000 square feet in area and over 30 feet in height~~ Commercial Properties: \$450.
 - (a) Each additional square foot over 5,000 square feet: \$150.

~~EH.~~ Tank removal.

- (1) Use Groups R-3 and R-5: ~~\$92~~150.
- (2) All other use groups: ~~\$168~~ 250.

~~HI.~~ Solar panels (all use groups).

- (1) Minimum fee: ~~\$50~~60.

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- (a) Up to \$50,000: \$34 per \$1,000.
- (b) \$50,000.01 to \$100,000: \$26 per \$1,000.
- (c) Over \$100,000: \$22 per \$1,000.

IJ. Plan review: alternate systems and nondepletable energy source provisions of Energy Subcode:

- (1) Use Groups R-3 and R-5: \$383.
- (2) All other use groups: \$1,915.

K. Plumbing fixtures and equipment.

- (1) Fixtures are \$20 each; minimum \$60.
- (2) Water heaters are \$75.

L. Sprinkler systems.

- (1) 1 to 20 sprinkler heads: \$100
- (2) 21 to 100 sprinkler heads: \$200
- (3) 101 to 200 sprinkler heads: \$300
- (4) 201 to 400 sprinkler heads: \$500
- (5) 401 to 1,000 sprinkler heads: \$800
- (6) Over 1,000 sprinkler heads: \$1,050

M. Electrical subcode fee schedule.

(1) For the purpose of computing this fee, the terms “receptacles,” “fixtures,” or “switches” shall include lighting outlets, smoke detectors, heat detectors, fluorescent fixtures, pool bonding, burglar alarm devices, intercom devices, thermostats, telephone outlets, CRT outlets and light standards.

<u>Number of Outlets and Devices</u>	<u>Fee</u>
<u>1 to 50</u>	<u>\$60</u>
<u>Each additional 25</u>	<u>\$15</u>

(2) For the purpose of computing this fee, the term “service panel” shall include service conductors, feeders, switches, switchboards and panel boards. The second meter is extra.

<u>Type</u>	<u>Fee</u>
<u>0 to 225 amps</u>	<u>\$65</u>
<u>226 to 1,000 amps</u>	<u>\$120</u>
<u>1,001 and up</u>	<u>\$520</u>

(3) KVA transformers or generators

<u>Type</u>	<u>Fee</u>
<u>1 KW to 10 KW</u>	<u>\$10</u>
<u>11 KW to 45 KW</u>	<u>\$36</u>
<u>46 KW to 112.5 KW</u>	<u>\$92</u>
<u>113 KW and up</u>	<u>\$457</u>

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(4) 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.

Type _____ Fee _____

1 HP to 10 HP \$20

11 HP to 50 HP \$46

(5) Air conditioners: \$20


SECTION 4. If any section, paragraph, subdivision, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision so adjudged and the remainder of this Ordinance shall remain valid and effective.

SECTION 5. Any ordinances or parts thereof in conflict with the provisions of this Ordinance are repealed to the extent of such conflict.

SECTION 6. This Ordinance shall take effect upon final passage and publication according to law.



Linda Karlovitch, Mayor

INTRODUCTION					COUNCIL PERSON					FINAL ADOPTION					
Moved	Sec.	Ave	May	Abs.	NP					Moved	Sec.	Ave	May	Abs.	NP
		✓				KAY CECERI						✓			
		✓				MARK DAVID						✓			
		✓				JOSEPH FINISTRELLA									✓
		✓				SCOTT PENITZ									
		✓				FRED PUGLIESE						✓			
		✓				JOHN ZIMMERMAN						✓			
Introduced: December 7, 2022						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: December 21, 2022						 Angela Lazzari, Borough Clerk									