

ORDINANCE 2023-18

ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 91, “FEES AND LICENSES” ARTICLE I, “FEES GENERALLY” SECTION 1, “SCHEDULE OF FEES AND LICENSES,” OF THE MUNICIPAL CODE OF THE BOROUGH OF KENILWORTH.

WHEREAS, on March 21, 2022, the Borough of Kenilworth Municipal Council adopted Ordinance 2022-20, amending its Schedule of Fees and its Uniform Construction Code Fees; and

WHEREAS, on March 1, 2023, the Borough of Kenilworth Municipal Council adopted Ordinance 2023-2, further amending its Schedule of Fees and its Uniform Construction Code Fees; and

WHEREAS, on April 5, 2023, the Borough of Kenilworth Municipal Council adopted Ordinance 2023-9, amending its Schedule of Fees and its Uniform Construction Code Fees; 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 I, “Fees Generally,” Section 1, “Schedule of Fees and Licenses,” shall be amended as follows.

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

§ 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 57, Alcoholic Beverages

*Plenary retail consumption license (per year)	\$1,550 <u>1,860</u>
*Plenary retail distribution license (per year)	\$775 <u>930</u>
Club license (per year)	\$150 <u>180</u>
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 170, Streets and Sidewalks

Section 170-17, street opening permit	\$500
Reinspection fee for each additional inspection required for final approval	\$200
Driveway and sidewalk permit	\$100 <u>\$150</u>
Reinspection fee	\$100

B. Fees not associated with specific code provisions.

Pick up and disposal of:

<u>Pick up by Borough at Curb</u>	<u>Disposal by Resident at DPW Yard</u>
<u>(Prices are per item)</u>	<u>(Prices are per item)</u>

~~White goods: refrigerators, air conditioners, freezers, washers, dryers, stoves and water heaters (per unit)~~

~~\$75~~

White goods containing freon: dehumidifiers, refrigerators, freezers, air conditioners (per unit)

\$75 \$50

All metal products NOT containing freon

\$25 FREE

Furniture

Dresser, couch, love seat, recliners, desk, dining room/kitchen table, buffet, server, credenza, hutch, entertainment center, ~~large~~ media stand, mattress, bistro sets, etc.

\$55

Sleeper sofa, sectionals, foam mattress (i.e., Tempur-Pedic)

\$65

End table, small tv stand, box spring, bed frame and boards, ~~small~~-computer desk, small tables, large chair, rocking chair

\$35

Dining room/kitchen chairs/lawn chair

\$25 for 1st;
\$5 for each additional piece

\$15

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Area Rugs/Remnants (no larger than 5' x 6') \$85 \$50
(Each 5'x 6' piece shall be considered a separate item)

Fixtures

Sinks, vanities, toilets, mirrors \$5065 \$35

Bathub \$7580 \$40

Jetted bathtub/Hot tub \$100 \$65

Ceiling fans \$2530 \$15

Doors/windows/fencing/outdoor

Storm window, storm door, door \$4045 \$35

Lawn furniture (individual pieces) \$2530 \$15

Window (no bigger than 3' width x 4' height) \$10055 \$35
Single \$25
Double \$50
Triple \$75

Wood or plastic Fencing (per 8-foot section panels) \$2540 \$25

Household Items

Vacuum \$2530 \$10

Exercise equipment \$85 FREE
Treadmill, elliptical \$75
Exercise bike, weight bench \$50

Garbage bags without food (20 to 32 Gallons) \$20 \$10
(Each 20 to 32 Gallons bag shall be considered a
separate item)

Wood products

Must be cut into 3-foot pieces and placed into a thirty- \$4050 \$35
two-gallon container (per container)

§ 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.
- (3) The fee for a Certificate of Occupancy – Residential shall be \$60.
- (4) The fee for a Certificate of Occupancy – Non-Residential shall be \$150.
- (5) The fee for a Certificate of Compliance – Residential shall be \$50 per unit with a

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minimum fee of \$100.

- (6) The fee for a Certificate of Compliance – Non-Residential shall be \$200.
- (7) The fee for a Certificate of Approval shall be \$25.
- (8) The fee for a Zoning Application shall be \$50.
- (9) The fee for a Zoning Verification Letter shall be \$200.

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.

Number of Outlets and Devices	Fee
1 to 50	\$60
Each additional 25	\$45 \$25

§ 91-1.4 Advanced Payment; Receipt; and Proof of Residency.

- A. Only residents of the Borough shall be permitted to drop off any items listed in Section 9.1 of this Ordinance.
- B. All residents that wish to drop off items listed in Section 9.1 of this Ordinance must provide the Clerk with advanced payment and proof of residency prior to dropping off said items at the DPW yard. The Borough Clerk will provide a receipt to each resident as proof of payment of the above fees. Only residents of the Borough shall be permitted to drop off any items lists in Section 9.1.
- C. No items set forth in Section 9.1 of this Ordinance are permitted to be dropped off by any resident unless they provide the DPW yard with proof of residency and a copy of a receipt of payment issued by the Borough Clerk.

§ 91-1.5 Drop off Times.

- A. Drop off of items will only be accepted by the DPW yard at those times designated by the Superintendent of the Department of Public Works, a copy of which shall be kept on file in the Clerk’s Office.

SECTION 3. 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 4. Any ordinances or parts thereof in conflict with the provisions of this Ordinance are repealed to the extent of such conflict.

SECTION 5. This Ordinance shall take effect upon final passage and publication according to law.


Linda Karlovitch, Mayor

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INTRODUCTION					COUNCILPERSON	FINAL ADOPTION						
Moved	Sec.	Aye	Nay	Abs.		NP	Moved	Sec.	Aye	Nay	Abs.	NP
						JOSEPH FINISTRELLA			X			
X		X				WILLIAM MAURO			X			
		X				SCOTT PENTZ			X			
		X				FRED PUGLIESE						X
		X				SAVINO SCORESE		X	X			
	X	X				JOHN ZIMMERMAN	X		X			
Introduced: August 16, 2023					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: September 6, 2023					Angela Lazzeri Angela Lazzeri, Borough Clerk							