

**AN ORDINANCE AMENDING CHAPTER 13, SECTION 4.1 OF THE REVISED
GENERAL ORDINANCES OF THE TOWNSHIP OF WEST ORANGE
(E-CIGARETTE LICENSING-VIOLATIONS AND PENALTIES)**

BE IT ORDAINED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF WEST ORANGE, NEW JERSEY that Chapter 13, Section 4.1 of the Revised General Ordinances of the Township of West Orange be and are hereby amended as follows:

I. PURPOSE

The purpose of this ordinance is to modify the fines set forth in Chapter 13, Section 4.1 of the Revised General Ordinances of the Township of West Orange (the "Township Code") to be amendable by Resolution such that it is amendable in the future by approval of the Township Council, a necessity in an everchanging socioeconomic climate.

II. CHAPTER 13, SECTION 4.1 SHALL BE AND HEREBY IS AMENDED AND SUPPLEMENTED TO INCORPORATE THE FOLLOWING:

§13-4.1 BE AND HEREBY AMENDED AS FOLLOWS:

- The portion entitled "Construction Permit Fee" which specifies the permit fee for any construction permit shall be repealed and replaced by the following language:

The fee for a construction permit shall be the sum of the subcode fees listed in paragraphs a and b hereof and shall be paid before the permit is issued.

a. Building Subcode Fee. The building subcode fee shall be:

1. For new construction and additions, the fee shall be an amount set forth by Resolution based on the size of the building or structure volume.
2. For renovations, repairs and alterations , the fee shall be an amount set forth by Resolution based on the estimated costs of renovations, repairs and alterations.
3. For combinations of renovations, repairs and additions, the sum of the fees computed separately as renovations, repairs and additions.
4. For filling or removal of abandoned in-ground fuel oil storage tanks, , the fee shall be an amount set forth by Resolution.
5. For temporary structures, , the fee shall be an amount set forth by Resolution,

6. Applications for a temporary certificate of occupancy for the second issuance and any renewal thereafter shall be a fee set forth by Resolution,

7. Applications for a variation of the adopted codes:

(a) Residential, an amount determined by Resolution,

(b) Commercial, an amount determined by Resolution.

8. Construction of new retaining walls:

(a) Residential walls with a wall surface area of less than 550 square feet in area shall have a flat fee of an amount prescribed by Resolution.

(b) Residential walls with a wall surface area of more than 550 square feet in area shall have a flat fee of an amount prescribed by Resolution.

(c) Commercial retaining walls of any size shall have a fee as per an alteration.

9. Sheds and garden type structures over 100 square feet in area shall be a flat fee of an amount prescribed by Resolution.

10. For the installation of a swimming pool:

(a) Residential aboveground pool for one- and two-family homes shall have a flat fee of an amount prescribed by Resolution.

(b) Residential inground pools for one- and two-family homes shall have a flat fee of an amount prescribed by Resolution.

(c) All other use groups shall pay a flat fee of an amount prescribed by Resolution for any type of pool.

11. Change of Use.

(a) Change of use review for any space without alteration work shall be a flat fee of an amount prescribed by Resolution. If accompanied by alteration work the minimum fee shall be set forth and paid in accordance with the Resolution.

b. Plumbing Subcode Fee. The plumbing subcode fee for proposed plumbing construction or alteration shall be \$50 for the first fixture, device or plumbing stack to be installed and \$5 for each additional fixture, device or plumbing stack shown in the approved plan for construction or alteration provided that the minimum fee shall be of an amount set forth by Resolution.

1. In addition to the fees set forth above, there are hereby established the fees for issuance of permits for the installation of the following:

(a) Water service connections — an amount prescribed by Resolution.

(b) Hot water heater — an amount prescribed by Resolution.

(c) Gas piping — an amount prescribed by Resolution.

(d) Sewer service connections — an amount prescribed by Resolution.

(e) Boilers — an amount prescribed by Resolution. up to 300,000 BTU and an increased amount prescribed by resolution above 300,000 BTU.

(f) Warm air furnace — an amount prescribed by Resolution.

(g) Air conditioning unit — an amount prescribed by Resolution.

(h) Grease traps, oil separators, back flow preventer, interceptors, fuel oil piping, sewer ejector — an amount prescribed by Resolution.

(i) Oil burner unit — same as gas-fired boilers — subsection d.

(j) Oil tank: residential — an amount prescribed by Resolution.

(k) Lawn sprinkler outlets — an amount prescribed by Resolution per head.

(l) Fire sprinkler heads — an amount prescribed by Resolution per head.

(m) Hose cabinets — an amount prescribed by Resolution per cabinet.

III. REPEAL OF CONFLICTING ORDINANCES

Any Ordinances of the Township which are in conflict with this Ordinance are hereby repealed to the extent of such conflict.

IV. SEVERABILITY

If any part of this Ordinance shall be deemed invalid, such parts shall be severed and the invalidity thereof shall not affect the remaining parts of this Ordinance.

V. EFFECTIVE DATE

This Ordinance shall take effect upon final passage and publication in accordance with the law.

SUSAN MCCARTNEY, MAYOR

**TAMMY WILLIAMS,
COUNCIL PRESIDENT**

**KAREN J. CARNEVALE, R.M.C.
MUNICIPAL CLERK**

INTRODUCED: June 13, 2023

ADOPTED: June 27, 2023

2798-23
Legislative History

The purpose of this ordinance is to modify the fines set forth in Chapter 13 of the Revised General Ordinances of the Township of West Orange to be subject to adjustment by Resolution.