

**AN ORDINANCE AMENDING CHAPTER 13, SECTION 4.1(a)(1) TO UPDATE
THE TOWNSHIP'S CONSTRUCTION PERMIT FEE ORDINANCE**

I. PURPOSE

WHEREAS, the Township of West Orange (the "Township") intends to update its Building Subcode Fees within its Construction Permit Fee Ordinance to correct a long-standing typographical error; and

WHEREAS, the Township Construction Official has suggested that the Building Subcode Fees be updated as proposed below;

NOW, THEREFORE, BE IT ORDAINED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF WEST ORANGE, in the County of Essex and State of New Jersey, that Chapter 13, Section 4.1(a)(1) of the Township Code shall be and hereby is re-affirmed and re-adopted, and is hereby amended as follows:

II. AMENDMENTS

13-4.1 Construction Permit Fee.

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, \$0.025 per cubic foot of building or structure volume, provided that the minimum fee shall be one hundred twenty-five (\$125.00) dollars, and certificate of occupancy, fifty (\$50.00) dollars.

III. REPEAL OF CONFLICTING ORDINANCES

Any Ordinances of the Township in conflict with this Ordinance are hereby repealed to the extent of such conflict.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

**Honorable Susan McCartney
Council President**

**Honorable Robert D. Parisi
Mayor**

**Karen J. Carnevale, R.M.C.
Municipal Clerk**

Introduction: September 9, 2014

Adopted: September 23, 2014

LEGISLATIVE HISTORY

This legislation is intended to update the Township's Building Subcode Fees within its Construction Permit Fee Ordinance to correct a long-standing typographical error. On May 23, 2000, Ordinance No. 1703-00 was adopted, which provided that the Building Subcode Fee for new construction would be \$0.018 per cubic foot of building or structure volume. On April 26, 2005, Ordinance No. 2012-05 was adopted, which increased the Building Subcode Fee for new construction to \$0.025 per cubic foot of building or structure volume. On October 2, 2007, Ordinance No. 2146-07 was adopted, which added a flat fee to be charged for retaining walls, shed type structures and swimming pools, and declared that the maximum fee that can be charged for obtaining a temporary certificate of occupancy is \$30.00, in accordance with State regulations. However, in Ordinance No. 2146-07, a decimal point was misplaced, mistakenly changing the Building Subcode Fee for new construction to \$0.25 per cubic foot of building or structure volume, increasing that fee by 100 times. The Construction Official has stated that the actual fee charged has been \$0.025 per cubic foot of building or structure volume since he started working for the Township in 2006. It has recently come to the Construction Official's attention that the fee listed in the Ordinance is incorrect. Thus, the proposed ordinance would correct the typographical error.