

BOROUGH OF EATONTOWN NOTICE OF ADOPTED ORDINANCE 17-2010

Please take notice that the following ordinance was passed on final consideration by the Mayor and Council of the Borough of Eatontown, following a third reading at a regular meeting of said governing body, held on Wednesday, August 25, 2010. Any exhibits and/or attachments referred to are on file in the Borough Clerk's office, according to the New Jersey State Records Retention Schedule established by N.J.S.A. 47:3-15 et seq. and approved by the State Records Committee.

BY ORDER OF MAYOR AND COUNCIL OF THE BOROUGH OF EATONTOWN
KAREN R. SIANO, MMC, BOROUGH CLERK

ORDINANCE 17-2010 OF THE BOROUGH OF EATONTOWN AMENDING SECTION 89-104.1 OF THE CODE OF THE BOROUGH OF EATONTOWN ENTITLED "TAX MAP REVISION FEES FOR SUBDIVISIONS" IN ORDER TO REFLECT FEE CHANGES

WHEREAS, the Borough Code of the Borough of Eatontown (the "Borough") provides a fee schedule for tax map revisions for all subdivisions; and

WHEREAS, the Borough Council desires to amend the current tax map fees for subdivisions, as well as to provide for new GIS maintenance fees.

NOW, THEREFORE, BE IT ORDAINED, by the Borough Council of the Borough of Eatontown, County of Monmouth and State of New Jersey that Section 89-104.1 of the municipal code, entitled "Tax map revision fees for subdivisions" is hereby amended as follows (Additions are underlined and deletions are struck-through):

1. 89-104.1 Tax map revision fees for subdivisions.

The following fees are established for Tax Map revisions for subdivisions under this chapter:

A. Fees and escrows for minor subdivision/consolidation:

Fee	Escrow accepted upon deposit
\$100 per lot	None

B. Major subdivisions:

<u>Fee for tax map maintenance</u>	Escrow accepted upon deposit
<u>Lots 1 through 10: \$150 per lot</u>	<u>None</u>
<u>First 20 lots: \$90 per lot</u> <u>Lots 11 through 20: \$75 per lot</u>	None
Lots 21 through 50: \$80 <u>\$50</u> per lot	None
Lots 51 through 100: \$60 per lot <u>Lots 51 and more: \$25 per lot</u>	None
More than 100 lots: \$40 per lot	None

C. ~~Deliverables. The fee for Tax Map revision includes revision on existing Tax Map as well as GIS Parcel Feature Class.~~ The following fees for GIS maintenance shall apply to all minor and major subdivisions:

Fee for GIS maintenance

Escrow accepted upon deposit

Lots 1 through 10: \$75 per lot

None

Lots 11 through 20: \$55 per lot

None

Lots 21 through 50: \$40 per lot

None

Lots 51 and more: \$25 per lot

None

BE IT FURTHER ORDAINED, that if any section, paragraph, subsection, clause or provision of this Ordinance shall be adjudged by the courts to be invalid, such adjudication shall apply only to the section, paragraph, subsection, clause or provisions so adjudicated, and the remainder of the Ordinance shall be deemed valid and effective; and

BE IT FURTHER ORDAINED, that any ordinances or parts thereof in conflict with the provisions of this Ordinance are repealed to the extent of such conflict; and

BE IT FURTHER ORDAINED, that this Ordinance shall take effect upon passage and publication in accordance with applicable law.

BOROUGH OF EATONTOWN NOTICE OF ADOPTED ORDINANCE 16-2010

Please take notice that the following ordinance was passed on final consideration by the Mayor and Council of the Borough of Eatontown, following a third reading at a regular meeting of said governing body, held on Wednesday, August 25, 2010. Any exhibits and/or attachments referred to are on file in the Borough Clerk's office, according to the New Jersey State Records Retention Schedule established by N.J.S.A. 47:3-15 et seq. and approved by the State Records Committee.

**BY ORDER OF MAYOR AND COUNCIL OF THE BOROUGH OF EATONTOWN
KAREN R. SIANO, MMC, BOROUGH CLERK**

**ORDINANCE 16-2010 OF THE BOROUGH OF EATONTOWN AMENDING CHAPTER 89 OF THE
BOROUGH CODE ENTITLED "LAND USE" TO ESTABLISH A NEW RIPARIAN ZONE**

WHEREAS, the Borough of Eatontown (the "Borough") desires to designate riparian zones, and to provide for land use regulation therein in order to protect the streams, lakes, and other surface waters located within the Borough; and

WHEREAS, pursuant to N.J.A.C. 7:15-5.25(g)3, municipalities are required to adopt an ordinance that prevents new disturbance for projects or activities in riparian zones; and

WHEREAS, the Borough Council has determined that it is appropriate to amend Chapter 89 of the Borough Code in order to implement these changes, and to comply with N.J.A.C. 7:15-5.25(g)3.

NOW, THEREFORE, BE IT ORDAINED, by the Borough Council of the Borough of Eatontown, County of Monmouth and State of New Jersey, that Article XXIV entitled "Riparian Zone" shall be made a part of the Land Use Ordinances of the Borough of Eatontown. Said Ordinance shall read as follows:

ARTICLE XXIV. Riparian Zone

Section 89-128. Definitions.

The definitions of the words and/or terms utilized in this Ordinance shall be as defined or described in the Water Quality Management Planning rules, N.J.A.C. 7:15, the Stormwater Management Rules, N.J.A.C. 7:8, and/or Flood Hazard Area Control Act Rules, N.J.A.C. 7:13, as they exist as of the effective date of this Ordinance and as they may be amended over time.

Section 89-129. Establishment and Protection of Riparian Zones.

- A. Except as provided in Sections 89-130 and 89-131 below, riparian zones adjacent to all surface water bodies shall be protected from avoidable disturbance and shall be delineated as follows:
- (1) The riparian zone shall be 300 feet wide along both sides of any Category One water (C1 water), and all upstream tributaries situated within the same HUC 14 watershed.
 - (2) The riparian zone shall be 150 feet wide along both sides of the following waters not designated as C1 waters:
 - (a) Any trout production water and all upstream waters (including tributaries);
 - (b) Any trout maintenance water and all upstream waters (including tributaries) within one linear mile as measured along the length of the regulated water;
 - (c) Any segment of a water flowing through an area that contains documented habitat for a threatened or endangered species of plant or animal, which is critically dependent on the surface water body for survival, and all upstream waters (including tributaries) within one linear mile as measured along the length of the regulated water; and
 - (d) Any segment of a water flowing through an area that contains acid producing soils.
 - (3) For all other surface water bodies, a riparian zone of 50 feet wide shall be maintained along both sides of the water.
- B. If a discernible bank is not present along a surface water body, the portion of the riparian zone outside the surface water body is measured landward as follows:
- (1) Along a linear fluvial or tidal water, such as a stream, the riparian zone is measured landward of the feature's centerline;
 - (2) Along a non-linear fluvial water, such as a lake or pond, the riparian zone is measured landward of the normal water surface limit;
 - (3) Along a non-linear tidal water, such as a bay or inlet, the riparian zone is measured landward of the mean high water line; and

(4) Along an amorphously-shaped feature such as a wetland complex, through which water flows but which lacks a discernible channel, the riparian zone is measured landward of the feature's centerline.

- C. The applicant or designated representative shall be responsible for the initial determination of the presence of a riparian zone on a site, and for identifying the area of the riparian zone on any plan submitted to the Borough of Eatontown in conjunction with an application for a construction permit, subdivision, land development, or other improvement that requires plan submissions or permits. This initial determination shall be subject to review and approval by the municipal engineer, governing body, or its appointed representative, and, where required by State regulation, the New Jersey Department of Environmental Protection.

Section 89-130. Variances.

To the extent allowed by the Stormwater Management Rules (N.J.A.C. 7:8), the Flood Hazard Area Control Act Rules (N.J.A.C. 7:13), and the Highlands Water Protection and Planning Act Rules (N.J.A.C. 7:38), new disturbances for projects or activities in the riparian zone established by this Ordinance may be allowed through the Zoning Board of Adjustment review and approval of a variance, provided the disturbance is proposed to be located on a pre-existing lot (existing as of the effective date of this ordinance) when there is insufficient room outside the riparian zone for the proposed use otherwise permitted by the underlying zoning; there is no other reasonable or prudent alternative to placement in the riparian zone, including obtaining variances from setback or other requirements that would allow conformance with the riparian zone requirements; and upon proof by virtue of submission of appropriate maps, drawings, reports and testimony, that the disturbance is:

- A. Necessary to protect public health, safety or welfare;
- B. To provide an environmental benefit;
- C. To prevent extraordinary hardship on the property owner peculiar to the property; or
- D. To prevent extraordinary hardship, provided the hardship was not created by the property owner, by not allowing a minimum economically viable use of the property based upon reasonable investment.

Section 89-131. Exceptions.

To the extent allowed under the Stormwater Management Rules (N.J.A.C. 7:8), and the Flood Hazard Area Control Act Rules (N.J.A.C. 7:13), and subject to review and approval by the New Jersey Department of Environmental Protection to the extent required by those rules, the following disturbances for projects or activities in the riparian zone established by this Ordinance are allowed:

- A. Redevelopment within the limits of existing impervious surfaces;
- B. Linear development with no feasible alternative route;
- C. Disturbance that is in accordance with a stream corridor restoration or stream bank stabilization plan or project approved by the New Jersey Department of Environmental Protection;
- D. Disturbance necessary to provide for public pedestrian access or water dependent recreation that meets the requirements of the Freshwater Wetlands Protection Act rules, N.J.A.C. 7:7A, the Flood Hazard Area Control Act rules, N.J.A.C. 7:13, or the Coastal Zone Management rules, N.J.A.C. 7:7E; or
- E. Disturbance with no feasible alternative required for the remediation of hazardous substances performed with New Jersey Department of Environmental Protection or Federal oversight pursuant to the Spill Compensation and Control Act, N.J.S.A. 58:10-23.11a et seq. or the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, 42 U.S.C. §§9601 et seq.

Section 89-132. Appeals, Conflicts, And Severability.

- A. Any party aggrieved by the location of the riparian zone boundary determination under this Ordinance may appeal to the Planning Board or Zoning Board of Adjustment Engineer under the provisions of this Ordinance. The party contesting the location of the riparian zone boundary shall have the burden of proof in case of any such appeal.
- B. Any party aggrieved by any determination or decision of the Planning Board or Zoning Board of Adjustment Engineer under this Ordinance may appeal to the Council of Borough of Eatontown. The party contesting the determination or decision shall have the burden of proof in case of any such appeal.
- C. Conflicts: All other ordinances, parts of ordinances, or other local requirements that are inconsistent or in conflict with this ordinance are hereby superseded to the extent of any inconsistency or conflict, and the provisions of this Ordinance shall apply.
- D. Severability:
 - (1) Interpretation: This Ordinance shall be so construed as not to conflict with any provision of New Jersey or Federal law.

- (2) Notwithstanding that any provision of this Ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, all remaining provisions of the Ordinance shall continue to be of full force and effect.
- (3) The provisions of this Ordinance shall be cumulative with, and not in substitution for, all other applicable zoning, planning and land use regulations.

Section 89-133. Enforcement.

A prompt investigation shall be made by a representative of Eatontown Borough or its consultant, of any person or entity believed to be in violation hereof. If, upon inspection, a condition which is in violation of this Ordinance is discovered, an enforcement action in accordance with Section 89-111 may be initiated in order to prevent or mitigate the violation. Additionally, a civil action in the Special Part of the Superior Court, or in the Superior Court, if the primary relief sought is injunctive or if penalties may exceed the jurisdictional limit of the Special Civil Part, may be initiated by the filing and serving of appropriate process. Nothing in this Ordinance shall be construed to preclude the right of the Borough of Eatontown, pursuant to N.J.S.A 26:3A2-25, to initiate legal proceedings hereunder in Municipal Court. The violation of any section or subsection of this Ordinance shall constitute a separate and distinct offense independent of the violation of any other section or subsection, or of any order issued pursuant to this Ordinance. Each day a violation continues shall be considered a separate offense.

BOROUGH OF EATONTOWN
NOTICE OF ADOPTED BOND ORDINANCE 15-2010

The ordinance published herewith has been finally adopted by the governing body of the Borough of Eatontown, in the County of Monmouth, State of New Jersey, by the recorded affirmative votes of at least two-thirds (2/3rds) of the full membership of the governing body on June 9, 2010, and the twenty (20) day period of limitation within which a suit or proceeding questioning the validity of such ordinance can be commenced, has begun to run from the date of the first publication of this statement.

KAREN R. SIANO, MMC
BOROUGH CLERK

BOND ORDINANCE 15-2010 PROVIDING FOR VARIOUS GENERAL IMPROVEMENTS IN THE BOROUGH OF EATONTOWN, APPROPRIATING \$1,351,666 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,283,750 OF BONDS AND NOTES OF THE BOROUGH FOR FINANCING PART OF THE COST FOR THE IMPROVEMENTS AUTHORIZED TO BE UNDERTAKEN IN AND BY THE BOROUGH OF EATONTOWN, IN THE COUNTY OF MONMOUTH, NEW JERSEY

BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF EATONTOWN, IN THE COUNTY OF MONMOUTH, NEW JERSEY (not less than two-thirds of all the members thereof affirmatively concurring), AS FOLLOWS:

Section 1. The improvements and purposes described in Section 3 of this Bond Ordinance are hereby authorized as general improvements to be made or acquired by the Borough of Eatontown, County of Monmouth, New Jersey (hereinafter referred to as the "Borough"). For the said improvements or purposes stated in Section 3 of this Bond Ordinance, there is hereby appropriated \$1,351,666, said sum being inclusive of all appropriations heretofore made therefor. A down payment of \$67,916 is herein appropriated from the Capital Improvement Fund as the down payment for the purpose or improvement authorized herein, in accordance with the provisions of the Local Bond Law (N.J.S.A. 40A:2-1 *et seq.*, hereinafter the "Law").

Section 2. For the financing of said improvements or purposes and to meet the part of said \$1,351,666 appropriation not otherwise provided for hereunder, negotiable Bonds of the Borough are hereby authorized to be issued in a principal amount not to exceed \$1,283,750 pursuant to the Law. In anticipation of the issuance of said Bonds, negotiable notes of the Borough in a principal amount not exceeding \$1,283,750 are hereby authorized to be issued pursuant to and within the limitations prescribed by said Law. In the event that Bonds are issued pursuant to this Ordinance, the aggregate amount of notes hereby authorized to be issued shall be reduced by an amount equal to the principal amount of the Bonds so issued. If the aggregate amount of outstanding Bonds and notes issued pursuant to this Ordinance shall at any time exceed \$1,283,750, the moneys raised by the issuance of said Bonds shall, to not less than the amount of such excess, be applied to the payment of such notes then outstanding, at maturity. Each Bond anticipation note issued pursuant to this Ordinance shall be dated on or about the date of its issuance and shall be payable not more than one year from its date, shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law and may be renewed from time to time pursuant to and within the limitations prescribed by the Law. Each of said notes shall be signed and shall be under the seal of said Borough and attested as permitted by law. The appropriate Borough officers are hereby authorized to execute said notes and to issue said notes in such form as they may adopt in conformity with law. The power to determine all matters in connection with this Ordinance and also the power to sell said notes, is hereby delegated to the Chief Financial Officer of the Borough (the "Financial Officer"), who is hereby authorized to sell said notes either at one time or from time to time in the manner provided by law and the Financial Officer's signature upon the notes shall be conclusive evidence as to all such determinations. The Financial Officer is authorized and directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of notes pursuant to this Ordinance is made, such report to include the principal amount, description, interest rate and maturity of the notes sold, the price obtained and the name of the purchaser.

Section 3. The improvements hereby authorized and the purposes for the financing of which said obligations are to be issued are as follows:

Improvement/ Acquisition	Estimated Cost	Capital Improvement Fund (Down payment)	Bonds and/or Notes Authorized	Period of Usefulness (Years)
1. 2010 Road Program including but not limited to Clinton Ave. Phase II, paving various Borough Roads and curb and drainage improvements and, sidewalk replacement, including all improvements, costs, equipment and appurtenances related thereto and/or necessary therefor.	\$450,000	\$22,500	\$427,500	10
2. Acquisition of Machinery and Equipment, including but not limited to computers and related software, copiers (2), video conferencing equipment for Court, blood pressure machines for first aid, above ground lift for garage, and including all improvements, costs, equipment and appurtenances related thereto and/or necessary therefor.	\$218,180	\$11,180	\$207,000	10
3. Improvements to Public Buildings including but not limited to heating & a/c Units for various locations, restroom renovations in Borough Hall, window replacement at the Museum, electronic locks-Wampum Park Restrooms, including all improvements, costs, equipment and appurtenances related thereto and/or necessary therefor.	\$150,073	\$7,573	\$142,500	15
4. Acquisition of Vehicles and Equipment including but not limited to a utility truck-Fire, rear loader garbage truck, pick-up trucks (2) for DPW, tractor and grass cutting equipment for Parks Department, including all improvements, costs, equipment and appurtenances related thereto and/or necessary therefor.	\$358,413	\$17,913	\$340,500	5
5. Improvements to Wolcott Park, constituting the required match for Monmouth County Open Space Grant, including all improvements, costs, equipment and appurtenances related thereto and/or necessary therefor.	\$175,000	\$8,750	\$166,250	15
TOTALS:	\$1,351,666	\$67,916	\$1,283,750	

Section 4. The following additional matters are hereby determined, declared, recited and stated:

- (a) The purposes described in Section 3 of this Bond Ordinance are not current expenses and is property or improvements which the Borough may lawfully acquire or make as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.
- (b) The average period of usefulness is within the limitations of the Local Bond Law, and for all purposes as set forth in Section 3 hereof, the average period of usefulness is 9.85 years.
- (c) The Supplemental Debt Statement required by the Law has been duly made and filed in the office of the Borough Clerk and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey,

and such Statement shows that the gross debt of the Borough determined as provided in said Law is increased by this Bond Ordinance by \$1,283,750 and obligations authorized hereunder will be within all debt limitations prescribed by said Law.

(d) Amounts not exceeding \$250,000 in the aggregate for interest on said obligations, costs of issuing said obligations, engineering costs, legal fees and other items of expense listed and permitted under N.J.S.A. 40A:2-20 of the Law may be included as part of the costs of said improvement and are included in the foregoing estimates thereof.

Section 5. Any grant or other moneys received for the purposes described in Section 3 hereof, except the Open Space Grant for Wolcott Park, in addition to the funds expressly appropriated in Section 3 hereof shall be applied either to direct payment of the cost of the improvement or to payment of the obligation issued pursuant to this Ordinance and the amount of the obligations authorized herein for such purpose shall be reduced accordingly.

Section 6. The governing body of the Borough hereby covenants on behalf of the Borough to take any action necessary or to refrain from taking action in order to preserve the tax exempt status of the debt obligations authorized hereunder and issued as tax exempt obligations as is required under the Internal Revenue Code of 1986, as amended, including compliance with said code with regard to the use, expenditure, investment, timely reporting and the rebate of investment earnings as may be required thereunder.

Section 7. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and interest on the said obligations authorized by this Bond Ordinance. Said obligations shall be direct, unlimited obligations of the Borough, and, unless paid from other revenues of the Borough, the Borough shall be obligated to levy *ad valorem* taxes upon all the taxable property within the Borough for the payment of said obligations and interest thereon without limitation as to rate or amount.

Section 8. The Capital Budget of the Borough is hereby amended to conform with the provisions of this Ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board of the New Jersey Department of Community Affairs showing full detail of the amended capital budget and capital program as approved by the Director of the Division of Local Government Services, is on file with the Borough Clerk and is available there for public inspection.

Section 9. The Borough reasonably expects to reimburse any expenditures towards the costs of the improvements or purposes described in Section 3 of this ordinance and paid prior to the issuance of any bonds or notes authorized by this ordinance with the proceeds of such bonds or notes. No funds from sources other than the bonds or notes authorized herein has been or is reasonably expected to be reserved, allocated on a long-term basis or otherwise set aside by the Borough, or any member of the same "control group" as the Borough, within the meaning of Treasury Regulations Section 1.150-1, pursuant to their budget or financial policies with respect to any expenditures to be reimbursed. This Section is intended to be and hereby is a declaration of the Borough's official intent to reimburse any expenditures towards the costs of the improvements or purposes described in Section 3 hereof to be incurred and paid prior to the issuance of bonds or notes authorized herein in accordance with Treasury Regulations Section 1.150-2, and no action (or inaction) will be an artifice or device in accordance with Treasury regulation 1.148-10 to avoid, in whole or in part, arbitrage yield restrictions or arbitrage rebate requirements.

Section 10. The provision of this bond ordinance are severable. To the extent any clause, phrase, sentence, paragraph or provision of this ordinance shall be declared invalid, illegal, or unconstitutional, the remaining provisions shall continue in full force and effect.

Section 11. To the extent that any previous Ordinance or resolution is inconsistent with or contradictory hereto, said Ordinance or resolution is hereby repealed or amended to the extent necessary to make it consistent herewith.

Section 12. This Bond Ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by said Law.

BOROUGH OF EATONTOWN NOTICE OF ADOPTED ORDINANCE 14-2010

Please take notice that the following ordinance was passed on final consideration by the Mayor and Council of the Borough of Eatontown, following a third reading at a regular meeting of said governing body, held on Wednesday, July 14, 2010. Any exhibits and/or attachments referred to are on file in the Borough Clerk's office, according to the New Jersey State Records Retention Schedule established by N.J.S.A. 47:3-15 et seq. and approved by the State Records Committee.

BY ORDER OF MAYOR AND COUNCIL OF THE BOROUGH OF EATONTOWN
KAREN R. SIANO, MMC, BOROUGH CLERK

ORDINANCE 14-2010 AMENDING CHAPTER 129 OF THE CODE OF THE BOROUGH OF EATONTOWN ENTITLED "CONSTRUCTION CODES, UNIFORM", SPECIFICALLY SECTION 129-3 IMPOSING VARIOUS FEES AND COSTS

WHEREAS, the Borough of Eatontown has established an ordinance regulating certain construction fees and costs known as Chapter 129 entitled "Construction Codes, Uniform, specifically § 129-3 which imposes various fees and costs; and WHEREAS, said ordinance is in need of updating as per the recommendation of the Construction Official. NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the governing body of the Borough of Eatontown in the County of Monmouth, State of New Jersey, that the following existing ordinance shall be amended and supplemented as follows:

§ Chapter 129-3 shall be replaced in its entirety with the following:

Fee Schedule

New Jersey State Permit Surcharge (Training Fee)

The fee for the New Jersey State Permit Surcharge shall be \$0.00334 per cubic foot of volume for new building and additions as well as \$0.00170 per \$1000.00 of estimated cost of work other than new structures. (Volume shall be computed in accordance with N.J.A.C. 5:23-2.28).

Plan Review Fee

The fee to be charged for plan review shall be 20 percent of the amount charged for the construction permit. Plan review fees are nonrefundable.

The fee for a revision to plans after permits have been issued shall be 10 percent of the effected, revised technical subcode permit fee.

Certificate Fee

The fee to be charged for a certificate shall be paid prior to certificate issuance and shall be in addition to or in lieu of the construction permit fees.

The fee to be charged for a certificate of occupancy shall be based on square footage of construction or occupancy and shall be as follows: up to and including 1000 square feet shall be \$50.00; 1001 through 3000 square feet shall be \$100.00; 3001 through 5000 square feet shall be \$125.00; over 5000 square feet shall be \$150.00. The Certificate of Occupancy for residential use groups shall be charged per living unit.

The fee to be charged for a temporary certificate of occupancy shall be \$50.00 and \$50.00 for each temporary certificate of occupancy extension or renewal thereafter.

The fee to be charged for a continued certificate of occupancy shall be \$100.00.

The fee to be charged for a change of use group shall be \$100.00.

Construction Permit Fees

The fee to be charged for a construction permit shall be the sum of the basic construction fee plus all applicable special fees and shall be paid prior to construction permit issuance.

The basic construction permit fee shall be the sum of the parts computed on the basis of volume or cost of construction; the number of plumbing fixtures and pieces of equipment; the number of electrical fixtures and rating of electrical devices; the number of sprinklers, stand pipes, and detectors (smoke and heat) at the unit rates; and/or the applicable flat fees as provided herein plus any special fees.

The minimum fee for a basic construction permit covering any or and all of the technical subcodes shall be \$65.00 per technical subcode.

The fee to be charged for a change of contractor shall be \$50.00 per related technical subcode or minimum permit fee (\$65.00) per related technical subcode, when applicable.

The fee to be charged for permit reinstatement shall be \$35.00 per technical subcode. For the purpose of determining estimated cost of construction for renovations, alterations, repairs, and the external utility connection for pre-manufactured construction the applicant shall submit to the department such cost data as may be available and produced by the architect or engineer of record, or by a recognized estimating firm, or by the contractor. A bonafide contractor's bid or contract shall be submitted if available.

The Construction Official and/or Subcode Official shall make the final decision regarding the estimated cost.

Application for a Variation

The fee for an application for a variation in accordance with N.J.A.C. 5:23-2.10 shall be \$650.00 for class I structures and \$150.00 for class II and III structures.

Resubmissions shall be \$275.00 for class I structures and \$75.00 for class II and III structures.

Elevator fees

The fee for elevators/escalators shall fall under the jurisdiction of the State of New Jersey. This borough shall only charge for such items associated with the installation/repair of elevators as covered by this fee schedule (motors, shaft, plan review etc).

Site Clearing fees

The fee for a site clearing (application) shall be \$50.00

General Information

All fees shall be rounded up to the nearest dollar.

All fees to be paid with check or money order made payable to the Borough of Eatontown or with exact cash.

Building Subcode Fees

Minimum building subcode fee	\$ 65.00
New construction or additions (use group R-5 per cubic ft)	\$ 0.0190
(all other use groups per cubic ft)	\$ 0.025
Alteration/renovation of existing structures	
(R-5 use group per \$1000.00 of estimated cost)	\$ 20.00
(all other use groups per \$1000.00 of estimated cost)	\$ 25.00
Shed (greater than 100 sq ft)	\$ 65.00
Swimming pool (above ground)	\$ 75.00
Swimming pool (inground)	\$ 125.00
Fence (pool enclosure or exceeding 6 feet high)	\$ 50.00
Retaining wall (550 sq ft or less)	\$ 85.00
(551 sq ft or greater)	\$ 185.00
Tent (when applicable per N.J.A.C.)	\$ 100.00
Asbestos abatement (per N.J.A.C.)	\$ 75.00
Radon system	\$ 75.00
Lead abatement (per N.J.A.C.)	\$ 75.00
Demolition of structure (R-5 use group)	\$ 85.00
(all other use groups)	\$ 200.00
Sign (as required by N.J.A.C. 5:23-2.14)	\$ 1.00 (per sq ft)
Barrier free parking revisions	\$ 50.00
Temporary structure (greater than 120 sq ft)	\$ 65.00
Fireplace	\$ 100.00
Items/work not fitting other categories will be based on the fee for alteration	

Electrical subcode fees

Minimum electrical subcode fee	\$ 65.00
Electrical devices/fixtures (1-50)	\$ 65.00
(each additional 25 or fraction of)	\$ 5.00

Service entrance (up to 200 amps)	\$ 60.00
(201 through 1000 amps)	\$ 120.00
(1001 amps and above)	\$ 300.00
Subpanel/service panel (100 amps or less)	\$ 75.00
(101 through 200 amps)	\$ 110.00
(201 through 300 amps)	\$ 160.00
(301 through 400 amps)	\$ 210.00
(each 100 amp increase thereafter)	\$ 50.00
Motors/electrical devices (1 through 10 hp)	\$ 10.00
(11 through 50 hp)	\$ 60.00
(51 through 100 hp)	\$ 120.00
(101 through 1000 hp)	\$ 300.00
(over 1000 hp)	\$ 400.00
Transformer/generator/ac condenser (1 through 10 kw)	\$ 20.00
(11 through 45 kw)	\$ 60.00
(46 through 100 kw)	\$ 80.00
(greater than 100 kw)	\$ 300.00
Area lighting pole/ballard (1 through 5)	\$ 40.00
(each over 5)	\$ 10.00
Pool/spa/fountain (above ground pool)	\$ 65.00
(inground pool)	\$ 100.00
(fountain/spa)	\$ 30.00
(each fixture/light)	\$ 5.00
(annual pool certification)	\$ 65.00
Electrical demo (1 st temporary line)	\$ 65.00
(each additional line)	\$ 10.00
Photovoltaic/solar system (1 through 50 kw)	\$ 50.00
(51 through 100 kw)	\$ 100.00
(101 kw and greater)	\$ 300.00
Special devices (each oven, range, dryer and device not fitting other categories)	\$ 10.00

Plumbing subcode fees

Minimum plumbing subcode fee	\$ 65.00
Typical fixture (each w/c, lavatory, sink, floor drain, etc)	\$ 15.00
Boiler/furnace/rooftop unit (R-5 use group)	\$ 40.00
(all other use groups)	\$ 55.00
Low water cut off	\$ 35.00
Water heater	\$ 35.00
Fuel piping (gas, oil, propane, etc)	\$ 35.00
Grease trap/interceptor	\$ 65.00
Water/sewer/gas service (each)	\$ 40.00
Private well	\$ 40.00
Septic (demo, fill)	\$ 40.00
Pump (sewer, etc)	\$ 40.00
Vent stack	\$ 25.00
Fuel fired device (stove, dryer, generator, etc)	\$ 35.00
Ac/ refrigeration/ condensate (each)	\$ 40.00
Auxiliary water meter	\$ 15.00
Solar system	\$ 50.00
Backflow preventer (R-5 use group)	\$ 40.00

(all other use groups)	\$ 65.00
Annual certification (backflow, etc)	\$ 65.00
Special devices (each device not fitting other categories)	\$ 15.00

Fire subcode fees

Minimum fire subcode fee	\$ 65.00
Gas fired appliance (R-5 use group)	\$ 40.00
(all other use groups)	\$ 75.00
Fireplace (gas)	\$ 50.00
(solid)	\$ 65.00
Flue/vent/chimney	\$ 50.00
Kitchen hood exhaust system	\$ 150.00
Pre-engineered system (wet/dry chem. foam, etc)	\$ 150.00
Combustible hood system	\$ 150.00
Smoke control system	\$ 200.00
Incinerator/crematory	\$ 500.00
Fire escape	\$ 100.00
Tank deactivation (each flammable, combustible)	
(abandonment, fill)	\$ 100.00
(removal)	\$ 65.00
Tank installation (each flammable, combustible)	
(up to 500 gallons)	\$ 75.00
(501 through 1000 gallons)	\$ 125.00
(1001 through 2000 gallons)	\$ 150.00
(2001 through 5000 gallons)	\$ 200.00
(5001 through 10000 gallons)	\$ 500.00
(10001 gallons and greater)	\$ 750.00
Commercial fuel pump (service station, etc)	
(1 through 6)	\$ 65.00
(each additional)	\$ 10.00
Underground fire service (first 50 feet)	\$ 100.00
(each additional 50 feet)	\$ 20.00
Fire suppression (1 through 20 heads)	\$ 65.00
(21 through 100 heads)	\$ 120.00
(101 through 200 heads)	\$ 229.00
(201 through 400 heads)	\$ 594.00
(401 through 1000 heads)	\$ 822.00
(1001 heads and greater)	\$1050.00
Fire alarm control panel (R-5 use group)	\$ 50.00
(all other use groups)	\$ 125.00
Detector/alarm/pullstation/signaling device (1 through 20)	\$ 100.00
(21 through 100)	\$ 250.00
(101 through 200)	\$ 350.00
(201 through 400)	\$ 650.00
(401 through 1000)	\$1000.00
(each additional device 1001 and greater)	\$ 10.00
Fire pump	\$ 250.00
Jockey pump	\$ 150.00
Standpipe (first standpipe riser)	\$ 300.00
(each additional standpipe)	\$ 150.00
Special devices (each device not fitting other categories)	\$ 40.00

BE IT FURTHER ORDAINED, that if any section, paragraph, subsection, clause or provision of this Ordinance shall be adjudged by the courts to be invalid, such adjudication shall apply only to the section, paragraph, subsection, clause or provisions so adjudicated, and the remainder of the Ordinance shall be deemed valid and effective; and BE IT FURTHER ORDAINED, that any ordinances or parts thereof in conflict with the provisions of this Ordinance are repealed to the extent of such conflict; and BE IT FURTHER ORDAINED, that this Ordinance shall take effect upon passage and publication in accordance with applicable law.