

ORDINANCE 2025-09

ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 91, "FEES AND LICENSES" ARTICLE I, "FEES GENERALLY" SECTION 1.3, "UNIFORM CONSTRUCTION CODE FEES," 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, on September 6, 2023, the Borough of Kenilworth Municipal Council adopted Ordinance 2023-18, 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 1.3, "Uniform Construction Code Fees," shall be amended as follows.

Note: The following Fee Schedule will repeal and replace the existing § 91-1.3 "Uniform Construction Code Fees," section in its entirety.

§ 91-1.3 Uniform Construction Code fees.

A. Uniform Construction Code fees shall be as follows:

Building Subcode fees:

(1) Uniform Construction Code municipal enforcing fee shall be as follows:

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(a) The fee for plan review shall be 25% of the amount to be charged for a new construction permit.
(b) 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 listed herein. The minimum fee for a basic construction fee for building, plumbing and fire shall be \$100.

(2) New Structure fees shall be as follows:

New Construction/ Additions :	\$60 Minimum
Volume of Bldg Cubic Feet X = \$ VOLUME FEE	
(a) Use Groups B,H,I-1,I-2,I-3,M,E,R-2,R-5 and U	\$0.045
(b) Use Groups A-1,A-2,A-3,A-4,F-1,F-2,S-1 & S-2	\$0.050
(c) Commercial Farm Bldgs : Max fee not to exceed \$1,000	\$0.008

(3) Renovations, alterations, repairs and minor work fees. The applicant shall submit cost data by architect or engineer of record, a recognized estimating firm or by contractor bid. The agency shall make the final decision regarding estimated cost.

Renovations, Alterations, Repairs & Minor work fees :

Minimum	\$ 100.00
(a) All Use Groups. Estimated cost up to and including \$50,000: \$ ____ per \$1,000	\$ 40.00
(b) All Use Groups. Portion of cost from \$50,001 to \$100,000. :\$ ____ per \$1,000	\$ 35.00
(c) Portion of cost over \$100,000: \$ ____ per \$1,000.	\$ 30.00

(4) Pools.

(a) In-ground pools	\$ 200.00
(b) Above ground pools	\$ 300.00

(5) The fee for roofing and siding shall be :

(a) Roofing & siding Use Groups R-3 R-5	\$ 100.00
(b) Roofing(all other use groups):	
(c) Up to \$50,000: \$ ____ per \$1,000	\$ 40.00
(d) \$50,001 to \$100,000. :\$ ____ per \$1,000	\$ 35.00
(e) over \$100,000: \$ ____ per \$1,000.	\$ 30.00

(6) The fee for an Open tower structure shall be:

(a) Open tower structure up to & inc 30 ft in height	\$ 200.00
(b) Open tower structure over 30 ft in height	\$ 300.00

(7) The fee for Tank Abatement or removal shall be as follows:

\$ 250.00

(8) The fee for demolition shall as follows:

(a) Residential	\$ 325.00
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(b) Commercial	\$ 525.00
(9) The fee for Asbestos abatement shall be, plus the certificate of occupancy on asbestos	\$ 100.00
	\$ 100.00
(10) The fee for signs shall be \$2.50 per square foot, with a minimum	fee of : \$100.00
(11) The fee for Radon Remediation shall be:	minimum
(a) Up to \$50,000: \$ ____ per \$1,000	\$ 40.00
(b) \$50,001 to \$100,000. :\$ ____ per \$1,000	\$ 35.00
(c) over \$100,000: \$ ____ per \$1,000.	\$ 30.00
(12) The fee for Retaining Walls: (All Use Groups) shall be:	
(a) Up to \$50,000: \$ ____ per \$1,000	\$ 40.00
(b) \$50,001 to \$100,000. :\$ ____ per \$1,000	\$ 35.00
(c) over \$100,000: \$ ____ per \$1,000.	\$ 30.00
(13) The fee for Fences over 6 feet shall be :	
(a) Fences over 6ft ____ per \$1,000	\$ 40.00
(b) Up to \$50,000: \$ ____ per \$1,000	\$ 35.00
(c) \$50,001 to \$100,000. :\$ ____ per \$1,000	\$ 30.00
(14) The fee for Solar shall be:	
(a) Residential	\$ 100.00
(b) Commercial	\$ 200.00
(15) The fee for Certificates shall be as follows:	
(a) Certificate of Occupancy Residential	\$ 100.00
(b) Certificate of Occupancy Commercial	\$ 200.00
(c) Temporary Certificate of Occupancy	\$ 30.00
(16) The fee for certificates of continued occupancy shall be as follows:	
CCO -Residential / reinspection	\$175/\$80
CCO- Commercial	\$ 275.00
(17) Change of Contractor fee:	\$ 75.00
(18) The fee for plan review of a building for compliance under the alternate systems and nondepletable energy source provisions of energy subcode shall be as follows:	

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(a) Use Group R-3, R-4 & Light Commercial structures having and indoor temperature controlled from a single point is	\$ 125.00
(b) All other structures are	\$ 1,000.00

(19) State Training and certification fees (current fees pursuant to N.J.A.C. 5:23-4.19)	
(a) New Structures are the volume of the structure X _____	\$0.0016
(b) Alterations (including asbestos abatement) are _____ per \$1000.00	\$0.80

(20) Zoning permits (fences, driveways, sheds, etc.):	\$100.00
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(21) Zoning Letter (zoning classification, rebuilds, verifications, etc.):	\$125.00
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(22) The fee for a permit for the removal of a building or structure from one lot to another or to a new location on the same lot shall be \$5 per \$1,000 of the sum of the estimated cost for moving, for new foundations and for placement in a complete condition in the new location, provided that the minimum fee shall be \$25.00
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B. Electrical Subcode fees shall be as follows:	Minimum fee \$100
(1) For the purpose of computing the fee, the term "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 & Devices	
1 to 5	\$ 85.00
Each Additional 25	\$ 45.00

(2) For the purpose of computing the fee, the term "Service Panel" shall include conductors, feeders, switches, switchboards, panel boards. (The 2nd meter is extra):	
Type	
0 to 399 amps	\$ 100.00
400 to 1,000	\$ 250.00
1,001 and up	\$ 550.00

(3) Construction pole service or temp pole service:	\$ 200.00
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(4) KVA Transformer or Generator	
Type	
1Kw to 10Kw	\$ 20.00
11Kw to 45 Kw	\$ 46.00
46Kw to 112.5 Kw	\$100.00
113 Kw & greater	\$ 550.00

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(5) For the purpose of computing the fee, all Motors, except those in plug-in appliances, shall be counted including control equipment, generators, transformers & all heating, cooking or other devices consuming or generating electrical current.

Type	
1Hp to 10 Hp	\$ 30.00
11 Hp to 50 Hp	\$ 55.00

(6) Air Conditioners and Air Handlers

Type	
Residential	\$ 30.00
Commercial	\$ 40.00

(7) Pools

(a) In-ground pools	\$ 50.00
(b) Above ground pools	\$ 36.00
(c) Storable Pool/Spa/Hot tub	\$ 30.00

(8) Other Items.

Each of the following items listed below: Electrical heater, Heat pump, Electric Dryer, Range, Surface Units-cook top, hot water heater, oven, dishwasher, gas & oil heaters & commercial exhaust fans , garbage disposal - EACH: \$ 30.00

(9) Photovoltaic System

1 to 50 Kw	\$ 100.00
51 to 100	\$ 250.00
Greater than 100	\$ 500.00

(10) Sign/Outline Light: \$ 30.00

(11) Radon Remediation: \$ 100.00

(12) Baseboard Heat : \$ 40.00

(13) HP Motors 1/HP

(a) 1hp to 10hp	\$ 30.00
(b)11hp to 50hp	\$ 55.00

(14) Annual pool inspections: \$100

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C. Plumbing and Mechanical Subcode fees shall be as follows		Minimum fee \$80
(1) Fixtures are : (Minimum \$80)		\$ 30.00
(2) Water heaters		\$ 80.00
(3) Special Device for Grease traps, Oil Separators, Refrigeration Units, Commercial Backflow preventors, Steam Boilers, hot-water boilers(excluding those for domestic water heating), active solar systems, sewer pumps, interceptors and heating & cooling units in ductwork.		\$ 95.00
(4) Annual Backflow Inspections		\$ 200.00
(5) Service Connection		\$ 150.00
(6) Furnaces, Boilers, Air Conditioning		\$ 100.00
(7) Fuel Oil Piping :		
(a) Residential		\$ 100.00
(b) Non-Residential		\$ 150.00
(8) Unit Heater		\$ 100.00
(9) Sewer Connections		\$ 175.00
(10) Gas Piping per Fixture connected thereto		\$ 35.00
(11) Rain Sensor:		
(a) Residential		\$100.00
(b) Non-Residential		\$150.00
(12) Sewer/Water Cap off		\$150.00
(13) Garbage Disposal		\$40.00
(14) Sump pump		\$ 95.00
(15) Chimney Liner		\$ 75.00
(16) LPG Tank, Oil Tank, Fireplace, Generator		\$ 95.00
(17) Backflow Preventors		\$ 85.00
(18) Lawn Sprinklers		\$ 85.00
(19) Mechanical Other		\$ 95.00
(20) Plumbing Other Special Devices		\$ 95.00
(21) Plumbing Other Fixtures		\$ 30.00

C. Fire Protection Subcode fees are as follows:		Minimum fee \$80
(1) SPRINKLER SYSTEM:		
[a] 1 to 20 Heads		\$ 200.00
[b] 21- 100 Heads		\$ 300.00
[c] 101 to 200 Heads		\$ 400.00
[d] 201 to 400 Heads		\$ 600.00
[e] 401 to 1,000 Heads		\$ 900.00
[f] over 1,001 Heads		\$ 1,200.00

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(2) FIRE ALARM DEVICES - Per building, including fire alarm panels, annunciators, heat detectors, manual pull stations, bells, horn, strobes or any other devices of a fire alarm system:	
1 to 20 (U)	\$ 140.00
21 to 100	\$ 250.00
100 to 200	\$ 475.00
200 to 400	\$ 650.00
400 to 1,000	\$ 800.00
over 1,000	\$ 1,005.00
(3) Tank Removal	
(4) Standpipe System Riser	
(5) Privately owned Fire Hydrants	
(6) Gas or oil -fired appliances not connected to a plumbing system are:	
(7) Special suppression system & Pre Engineered Systems	
(9) KITCHEN EXAUST SYSTEMS:	
Commercial Kitchen Exhaust system	\$ 200.00
Residential kitchen hood exhaust	\$ 200.00
(10) Emergency Smoke Evacuation System	
(11) Fire Pumps	
(12) Solar Panels:	
(a) Residential	\$ 100.00
(b) Non- Residential	\$ 200.00
(13) Incinerator/Crematorium	
	\$ 400.00

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.
X		X				PATRICK BOYLE			X		
		X				JOSEPH FINISTRELLA					X
	X	X				TONI GIORDANO PICERNO			X		
		X				WILLIAM MAURO	X		X		
		X				DOUG PIPER		X	X		
		X				SAVINO SCORESE			X		
						MAYOR KARLOVITCH					
Introduced: June 17, 2025			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: July 2, 2025			 Laura Reinertsen, Borough Clerk								

