

ORDINANCE #05-23
AN ORDINANCE AMENDING AND SUPPLEMENTING
CHAPTER XII OF THE REVISED GENERAL ORDINANCES
OF THE BOROUGH OF SAYREVILLE TO AMEND
SECTION 12-1.3 CONSTRUCTION FEES

WHEREAS, the Borough has established Section 12-1.3, "Construction Fees", establishing, among other things, the specific construction fees for the Borough; and,

WHEREAS, the State of New Jersey adopted Bill A573 which permits, among other things, developers to hire private-sector code inspectors if local officials cannot complete a review within three (3) business days of a requested date; and,

WHEREAS, due to recent adoption of Bill A573 by the State of New Jersey, the Borough desires to amend Section 12-1.3, "Construction Fees" to establish a procedure and fee schedule for expedited inspections; and,

WHEREAS, all additions are shown in ***bold italics with underlines***. The deletions are shown as ~~*strikeovers in italics*~~. Those sections of Section 12-1.3 that will remain unchanged are shown in normal type.

BE IT AND IT IS HEREBY ORDAINED by the Mayor and Borough Council of the Borough of Sayreville, in the County of Middlesex, that the Revised General Ordinances of the Borough of Sayreville are hereby amended as follows:

SECTION ONE. Section 12-1.3 shall be amended to include the following subsection (N), "Expedited Inspections; Fees":

N. Expedited Inspections; Fees.

(1) Any person or entity may apply for an inspection of a particular project or site on a day and time convenient to that person or entity. Any such application shall be made, in writing, to the Construction Department on a form to be provided by the Construction Official for such purpose. The Construction Official shall make the necessary arrangements with licensed subcode officials to make the inspection on the day and time requested. If the Construction Official is unable to arrange for the inspection as requested, he or she shall notify the applicant requesting the inspection as soon as possible after the request is made.

(2) Any person or entity applying for an inspection pursuant to subsection (N)(1) hereinabove shall, in addition to any other fees payable pursuant to this chapter, pay to the Construction Department a fee of \$300 for the first four hours or portion thereof that the inspector is on site making such inspection. For each additional hour, or portion thereof, after the first four hours, the applicant shall pay a fee of \$75. The applicant shall deposit \$300 with the Construction Department at the time the application is made. If an inspection exceeds four hours, the applicant shall be billed for the additional time. Any such bill shall be due and payable immediately upon receipt.

SECTION TWO. Severability Clause.

If any article, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance and they shall remain in full force and effect, and to this end the provisions of this ordinance are hereby declared severable. (** sections contain no changes and will remain in full force and effect).

SECTION 3. Repealer.

All other ordinances in conflict or inconsistent with this ordinance are hereby repealed, to the extent of such conflict or inconsistency. In the event of any inconsistencies between the provisions of this Ordinance and any prior ordinance of the Borough, the provisions are hereof shall be determined to govern. All other parts, portions and provisions of the Ordinances of the Borough are hereby ratified and confirmed, except where inconsistent with the terms hereof.

SECTION 4. Effective Date.

This Ordinance shall take effect immediately upon adoption and publication in accordance with the laws of the State of New Jersey.

INTRODUCED/APPROVED ON FIRST READING

DATED: March 27, 2023

Jessica Morelos, R.M.C.
Clerk of the Borough of Sayreville

Christian Onuoha, Councilman
(Planning and Zoning Committee)
Borough of Sayreville

ADOPTED ON SECOND READING

DATED: April 10, 2023

Jessica Morelos, R.M.C.
Clerk of the Borough of Sayreville

Christian Onuoha, Councilman
(Planning and Zoning Committee)
Borough of Sayreville

APPROVAL BY THE MAYOR ON THIS ____ DAY OF _____, 2023.

Victoria Kilpatrick, Mayor
Borough of Sayreville

APPROVED AS TO FORM:

SEAN KEAN, ESQ., Borough Attorney