

CONSTRUCTION CODES, UNIFORM

CHAPTER 95

- 95-1. Establishment of Enforcing Agency; Additional Provisions
- 95-2. Fees
- 95-3. Fee Schedule Recommendation; Surcharge
- 95-4. Fire Limits
- 95-5. Rules; Records
- 95-6. Cooperation of Other Officials
- ¹95-7 Public Safety Radio Amplification

GENERAL REFERENCES

Alarm Devices	See Ch. 62
Numbering of Buildings	See Ch. 82
Construction Activities	See Ch. 93
Unfit Dwellings	See Ch. 114
Fire Protection	See Ch. 127
Swimming Pools	See Ch. 190

95-1. ESTABLISHMENT OF ENFORCING AGENCY; ADDITIONAL PROVISIONS:

- A. There is hereby established in the Borough a State Uniform Construction Code Enforcing Agency, to be known as the "Building Department", consisting of a Construction Official, Building Subcode Official, Plumbing Subcode Official, Electrical Subcode Official, Fire Protection Subcode Official and other Subcode Officials for such additional subcodes as the Commissioner of the Department of Community Affairs of the state shall hereafter adopt as part of the State Uniform Construction Code. The Construction Official shall be the Chief Administrator of the Enforcing Agency.
- B. Each official position created in 95-1A hereof shall be filled by a person qualified for such position pursuant to **P.L. 1975, c.127**, as amended, and **N.J.A.C. 5:23**, provided that, in lieu of any particular Subcode Official, an on-site inspection agency may be retained by contract pursuant to **N.J.A.C. 5:23**. More than one (1) such official position may be held by the same person, provided that such person is qualified pursuant to **P.L. 1975, c.127** and **N.J.A.C. 5:23** to hold each such position.
- C. The public shall have the right to do business with the enforcing agency at one (1) office location, except for emergencies and unforeseen or unavoidable circumstances.

¹ ADDED by Ordinance 1,430 Adopted on August 17, 2009 Effective on September 6, 2009

LINCOLN PARK CODE

- D. The Construction Official or the Development Director, or their designee, shall be solely authorized to receive any fee herein provided, and an appropriate receipt therefore shall be given and records thereof maintained.

95-2. FEES:

Fees under this Section shall be in accordance with the fee schedule and any amendments thereto, on file with the Building Department and the Borough Clerk, as authorized by the regulations promulgated by the Commissioner of the Department of Community Affairs of the State of New Jersey pursuant to the Uniform Construction Code Act (**N.J.S.A. 52:27D-119 et seq.**) and any amendments thereto.

95-3. FEE SCHEDULE RECOMMENDATION; SURCHARGE:

- A. The Construction Official shall, with the advice of the Subcode Officials, prepare and submit to the Mayor and Council, bi-annually, a report recommending a fee schedule based on the operating expenses of the agency and any other expenses of the municipality fairly attributable to the enforcement of the State Uniform Construction Code Act.
- B. In order to provide for the training, certification and technical support programs required by the Uniform Construction Code Act and the regulations, the enforcing agency shall collect, in addition to the fees specified in 95-2, a surcharge fee of \$0.0006 per cubic foot of volume of new construction. Such surcharge fee shall be remitted to the Bureau of Housing Inspection, Department of community Affairs, on a quarterly basis for the fiscal quarters ending September 30th, December 31st, March 31st and June 30th, and not later than one (1) month succeeding the end of the quarter for which it is due. In the fiscal year in which the regulations first become effective, such fee shall be collected and remitted for the third (3rd) and fourth (4th) quarter only.

95-4. FIRE LIMITS:

- A. The following fire limits are established pursuant to **N.J.A.C. 5:23**: Beginning in the center line of Boonton Turnpike at the point of the intersection of the center line of Boonton Turnpike with the prolonged dividing line between lots 304 and 320, block 22, as shown on the current tax assessment maps of the Borough; running thence northwesterly along the center line of Boonton Turnpike to the center line of Main Street; thence easterly along the center line of Main Street to the prolonged center line of McKelvey Street; thence northerly along the center line of McKelvey Street to the center line of Station Road; thence easterly along the center line of Station Road; thence easterly along the center line of Station

CONSTRUCTION CODES, UNIFORM

Road to the southerly line of the Erie Lackawanna Railroad; thence southerly along the center line of Station Road to the center line of Main Street; thence easterly along the center line of Main Street to the point of intersection of the center line of Main Street with the prolonged dividing line between lots 304 and 308, block 22; thence southerly along the prolonged dividing line between lots 304 and 308, block 22, and continuing along such dividing line to the southwesterly corner of lot 208, block 22; thence easterly along the dividing line between lots 304 and 308, block 22, to the southeasterly corner of lot 308, block 22; thence southerly along the dividing line between lots 304 and 309, block 22, to the southwesterly corner of lot 304, block 22; thence westerly along the dividing line between lots 304 and 320, block 22, and continuing along the prolonged dividing line between lots 304 and 320, block 22, to the center line of Boonton Turnpike, the point of beginning.

- B. The Construction Official shall prepare and submit to the Mayor and Council, bi-annually, a report re-evaluating the delineation of the fire limits. This report shall indicate the recommendations of the Construction Official, the Building Subcode Official and the Fire Subcode Official regarding those areas; which should be designated as within fire limits, with the reasons therefore.

95-5. RULES; RECORDS:

The Construction Official shall promulgate rules for the administration of the Uniform Construction Code enforcing agency and the Uniform Construction Code Act. Any rule may be amended or repealed by the same procedure prescribed for the adoption for new rules. The Construction Official shall keep comprehensive records of applications, of permits issued, of certificates issued, of inspections made, of reports rendered, of fees collected and of notices or orders issued. He shall retain on file copies of required plans and of all documents related to the construction so long as any part of the building or structure to which they relate may be in existence. All such records shall be open to the public for inspection for good and sufficient reasons at office hours observed by the municipality and shall not be removed from the Division of Code Enforcement.

95-6. COOPERATION OF OTHER OFFICIALS:

The Construction Code Official may request and shall receive, as may be necessary in the discharge of his duties, the assistance and cooperation of all other officials of the municipality.

LINCOLN PARK CODE

95-7. PUBLIC SAFETY RADIO AMPLIFICATION:

- A. No building or structure that is over thirty-five feet in height, exceeds 199,000 square feet in area or contains below grade space or parking shall be altered or constructed without providing adequate radio coverage for the Lincoln Park Police Department, Lincoln Park Fire Department, Emergency Medical Services, Office of Emergency Management and other Borough employees and officials who may be called upon to respond to emergencies.
- B. The frequency range utilized by the Borough, which must be supported by adequate radio coverage, is 450-512 MHz.
- C. For the purpose of this section, "altered" shall mean:
 - 1. The alteration of 25 percent or more of the total square footage of the building or structure; or
 - 2. The cost of the alterations exceeds 200,000.00.
- D. For the purpose of this section, "adequate radio coverage" shall include the following:
 - 1. A minimum signal strength of one micro volt available in 95 percent of the area of each floor of the building when transmitted from the Borough of Lincoln Park communications system; and
 - 2. A minimum signal strength of one micro volt received at the Borough of Lincoln Park communications systems when transmitted from 95 percent of the area of each floor; and
 - 3. A 95 percent reliability factor.
- E. All buildings and structures to which this section is applicable shall be equipped with any of the following to achieve the required adequate radio coverage; radiating cable system(s), internal multiple antenna systems, satellite receivers with necessary comparator cards and any other components needed. If any part of the installed system(s) contains an electrically powered component, the system(s) shall be capable of operating on an independent battery and/or generator system for a period of at least two hours without external power input. The battery system shall automatically charge in the presence of an external power input.

CONSTRUCTION CODES, UNIFORM

- F. Prior to the issuance of a building permit, the Construction Code Official shall require proof that substantiates compliance by the applicant and/or owner of the building or structure, with the provisions of this section. The plans, specifications and whatever other data would be relevant to a determination as to compliance shall be filed by the applicant for the building permit, and same shall be reviewed by the Construction Code Official. Such plan may be reviewed by other departments of the Borough when deemed necessary in the discretion of the Construction Code Official.
- G. Prior to the issuance of a Certificate of Occupancy, the Chief of Police and/or his designee shall test the radio amplification equipment to demonstrate compliance with the provisions of this section. The testing is to be performed at the expense of the applicant for the building permit, or the owner of the building or structure, in which the radio amplification equipment has been installed. The test shall be performed in the presence of the Chief of Police, or his designee, and the Fire Official, or his designee.
- H. In addition to the initial test, the Chief of Police, or his designee, shall require annual tests to be conducted for a determination that the radio amplification system equipment is still functioning at the levels required in this section.
- I. The provisions of this section shall not apply to any single-family dwelling.

