



Legislation Details (With Text)

File #: 24-0707 **Version:** 1 **Name:** Refund monies for overpayment of construction permit fees
Type: Resolution **Status:** Adopted
File created: 5/7/2024 **In control:** Engineering
On agenda: 6/5/2024 **Final action:** 6/5/2024

Title: Dept./ Agency: Engineering
Action: () Ratifying (X) Authorizing () Amending
Type of Service: Refund
Purpose: Refund monies for overpayment of construction permit fees.
Entity Name: Eileen Barros
Entity Address: 641-643 South 18th Street, Newark, New Jersey 07103
Amount: \$681.00
List of Property:
(Address/Block/Lot/Ward)
641-643 South 18th Street/Block 351/Lot 20
Additional Information:
Permit #22-CP-002085/641-643 South 18th Street, Newark, New Jersey 07103/Block 351/Lot 20
A Certification of Funds in the amount of \$681.00 is attached.

Sponsors: Council of the Whole

Indexes:

Code sections:

Date	Ver.	Action By	Action	Result
6/5/2024	1	Municipal Council	Adopt	Pass

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WHEREAS, Luis Se Sousa Da Costa, 940 Grove Street, Elizabeth, New Jersey 07202, submitted an application to the Uniform Construction Code Office (the “UCC Office”) for a Construction Permit to install a three-family escape stair way with three exit lights on property located at 641-643 South 18th Street, Newark, New Jersey 07103; and

WHEREAS, Eileen Barros paid a relevant fee in the amount of Six Hundred Eighty-One

Dollars and Zero Cents (\$681.00), (which consists of Plan Review Fees and Construction Permit Fees), as per the attached Construction Permit Document relating to Permit #22-CP-002085; and

WHEREAS, the permit for the construction, specifically, permit #22-CP-002085, for 641-643 South 18th Street, Newark, New Jersey 07103/Block 351/Lot 20, was voided by the Construction Official because the plumbing contractor mistakenly added 3 A/C units and 3 condensers when submitting his permit request. Therefore, Eileen Barros provided an overpayment; the plumbing technical section reflected this incorrect calculation; and

WHEREAS, Eileen Barros is requesting that plumbing permit fees be recalculated based on the non-installation of the 3 condensers and the 3 A/C units, and a refund be issued for such overpaid amounts; and

WHEREAS, it is the determination of the Construction Official of the Department of Engineering, on behalf of the City of Newark, that the permit issued to and paid for by Eileen Barros, is voidable and a partial refund be issued in the amount of Six Hundred Eighty-One Dollars and Zero Cents (\$681.00), against Permit #22-CP-002085.

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE CITY OF NEWARK, NEW JERSEY, THAT:

1. The Director of the Department of Finance is hereby authorized to issue a refund check in the amount of Six Hundred Eighty-One Dollars and Zero Cents (\$681.00), to Eileen Barros, 641-643 South 18th Street, Newark, New Jersey 07103 against fees paid towards Permit #22-CP-002085.
2. The Construction Official of the Uniform Construction Code Office, the Department of Engineering, on behalf of the City of Newark is hereby authorized to make appropriate entries to reflect the partial refund made.
3. The State of New Jersey Uniform Construction Code Regulations, N.J.A.C. 5:23-4.18 et seq., governing the refund of application fees provides that the Construction Permit Fees, of which Plan Review Fees forms are part, shall be returned back to the applicant due to an overcharge.
4. Attached is a Certification of Funds from the Director of the Department of Finance, which states: (1) that there are sufficient funds in the amount of Six Hundred Eighty-One Dollars and Zero Cents (\$681.00), for the purpose set forth herein above; and (2) that the line appropriation which shall be charged is as follows:

<u>Business Unit</u>	<u>Department</u>	<u>Division/Proj.</u>	<u>Account #</u>	<u>Bud. Ref.</u>
NW026			38750	B2024

5. A fully executed copy of this Resolution, shall be filed in the Office of the City Clerk by the Construction Official for the Department of Engineering.

STATEMENT

This Resolution authorizes the Director of the Department of Finance to issue a refund check

made payable to Eileen Barros, 641-643 South 18th Street, Newark, New Jersey 07103, in the amount of **Six Hundred Eighty-One Dollars and Zero Cents (\$681.00)**, against fees paid towards Permit #22-CP-002085.