



Legislation Details (With Text)

File #: 22-1601 **Version:** 1 **Name:**
Type: Resolution **Status:** Adopted
File created: 10/31/2022 **In control:** Engineering
On agenda: 3/1/2023 **Final action:** 3/1/2023

Title: Dept./ Agency: Engineering
Action: () Ratifying (X) Authorizing () Amending
Type of Service: Refund
Purpose: To provide refunds for overpayment of construction permit fees.
Entity Name: Dynamic Home Creations, LLP
Entity Address: 1109 E 2nd Street, Plainfield, New Jersey 07062
Amount: \$837.00
List of Property:
(Address/Block/Lot/Ward)
24 Eckert Avenue/Block 3603/Lot 16/South Ward
Additional Information:
A Certification of Funds in the amount of \$837.00 is attached.
The refund will be provided for Permit #22-CP-000323; 24 Eckert Avenue, Newark, New Jersey 07112 (Block 3603, Lot 16) (South Ward).

Sponsors: Council of the Whole

Indexes:

Code sections:

Date	Ver.	Action By	Action	Result
3/1/2023	1	Municipal Council	Adopt	Pass

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WHEREAS, Dynamic Home Creations LLP, 1109 E 2nd Street, Plainfield, New Jersey 07062 submitted an application to the Uniform Construction Code Office (the "UCC Office") for a Construction Permit to perform new construction of a three family install property located at 24 Eckert Avenue, Newark, New Jersey 07112; and

WHEREAS, Dynamic Home Creations LLP, paid a relevant fee in the amount of Eight Hundred Thirty-Seven Dollars and Zero Cents (\$837.00), (which consists of Plan Review Fees and Construction Permit Fees), as per the attached Construction Permit Document relating to Permit Number 22-CP-000323; and

WHEREAS, the permit for the construction, specifically, Permit #22-CP-000323, for 24 Eckert Avenue, Newark, New Jersey 07112/Block 3603/Lot 16, was voided by the Construction Official because, the miscalculation sum of the scope of the building portion of the project. The contractor entered an incorrect amount and the building technical section reflected this incorrect calculation; and

WHEREAS, Dynamic Home Creations LLP is requesting that building permit fees be recalculated based on the error of the contractor putting the incorrect amount for the estimated cost of their building permit scope of work 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 Dynamic Home Creations LLP, is voidable and a partial refund be issued in the amount of Eight Hundred Thirty-Seven Dollars and Zero Cents (\$837.00), against Permit #22-CP-000323.

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 Eight Hundred Thirty-Seven Dollars and Zero Cents (\$837.00) to Dynamic Home Creations LLP, 1109 E 2nd Street, Plainfield, New Jersey 07062 against fees paid towards Permit #22-CP-000323.

2. The Construction Official of the Uniform Construction Code Office, 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 Eight Hundred Thirty-Seven Dollars and Zero Cents (\$837.00) 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	B2022

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 Dynamic Home Creations LLP, 1109 E 2nd Street, Plainfield, New Jersey 07062, in the amount of \$837.00, against fees paid towards Permit #22-CP-000323.