



Legislation Text

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AN ORDINANCE AMENDING TITLE VII, STATE UNIFORM CONSTRUCTION CODE ENFORCING AGENCY, CHAPTER 2, PERMITS AND FEES, SECTION 3, CONSTRUCTION PERMIT, OF THE REVISED GENERAL ORDINANCES OF THE CITY OF NEWARK, NEW JERSEY, 2000, AS AMENDED AND SUPPLEMENTED, TO ADD PROVISION EXEMPTING CITY-OCCUPIED PROPERTIES.

WHEREAS, N.J.S.A. 52:27D-126c states, “No county, municipality, or any agency or instrumentality thereof shall be required to pay any municipal fee or charge in order to secure a construction permit for the erection or alteration of any public building or part thereof from the municipality wherein the building may be located. No erection or alteration of any public building or part thereof by a county, municipality, school board, or any agency or instrumentality thereof shall be subject to any fee, including any surcharge or training fee, imposed by any department or agency of State government pursuant to any law, or rule or regulation”; and

WHEREAS, all fees for permits required by the City and any other Governmental Body for the Construction and development of property to be occupied exclusively by City entities/agencies shall be exempt from payment; and

WHEREAS, the City intends to occupy properties exclusively designated for City agencies.

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

Note: Additions are shown as **underlined and bold**. Deletions are shown as ~~strikethroughs~~.

SECTION 1. Title VII, State Uniform Construction Code Enforcing Agency, Chapter 2, Permit and Fees, Section 3, Construction Permit, of the Revised General Ordinances of the City of Newark, New Jersey, 2000, is hereby amended as follows:

e. Fee Waiver for City- Occupied Properties.

Notwithstanding the provisions of Section 7:2-3.1, the Director of Engineering is hereby authorized to waive building permit fees for properties that are/or will be occupied exclusively by City Agencies.

SECTION 2. Any Ordinance or parts of any Ordinance inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

SECTION 3. The provisions of this Ordinance are severable. To the extent any clause, phrase, sentence, paragraph or provision of this Ordinance shall be declared by a court of competent

jurisdiction to be invalid, illegal, or unconstitutional, the remaining provisions shall continue in full force and effect.

SECTION 4. The Ordinance shall take effect upon final passage and publication in accordance with the laws of the State of New Jersey.

SECTION 5. Codification. This Ordinance shall be a part of the Code of the City of Newark as though codified and fully set forth therein. The City Clerk shall have this Ordinance codified and incorporated in the official copies of the Code. The City Clerk and the Corporation Counsel are authorized and directed to change any Chapter, Article and/or Section number of the Code of the City of Newark in the event that the codification of this Ordinance reveals that there is a conflict between the numbers and the existing Code, and in order to avoid confusion and possible accidental repealers of existing provisions not intended to be repealed.

STATEMENT

This Ordinance amends Title VII, State Uniform Construction Code Enforcing Agency, Chapter 2, Permit and Fees, Section 3, Construction Permit, of the Revised General Ordinances of the City of Newark, New Jersey, 2000, to exempt City-Occupied properties.