



## Legislation Details (With Text)

**File #:** 18-0487      **Version:** 1      **Name:** Refund monies for construction permit fees - Solar Mite Solutions - Permit #17-CP-003137  
**Type:** Resolution      **Status:** Adopted  
**File created:** 4/8/2018      **In control:** Engineering  
**On agenda:** 8/8/2018      **Final action:** 8/8/2018

**Title:** Dept/ Agency: Engineering  
Action: ( ) Ratifying (X) Authorizing ( ) Amending  
Type of Service: Refund  
Purpose: Refund monies for construction permit fees  
Entity Name Solar Mite Solutions, LLC  
Entity Address: 1525 Corlies Avenue, Neptune, New Jersey 07753  
Amount: \$280.00  
List of Property:  
(Address/Block/Lot/Ward)  
89-91 Hawthorne/Block 2720/Lot 1.02/South  
Additional Information:  
Certification of Funds in the amount of \$542.00 (Permit Number 17-CP-003137, 89-91 Hawthorne Avenue, \$280.00; and Permit Number 17-CP-003464, 33 Salem Street, \$262.00)

**Sponsors:** Council of the Whole

**Indexes:**

**Code sections:**

Date	Ver.	Action By	Action	Result
8/8/2018	1	Municipal Council	Adopt	Pass

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**WHEREAS**, Solar Mite Solutions, LLC, 1525 Corlies Avenue, Neptune, New Jersey 07753, submitted an application to the Uniform Construction Code Office (the "UCC Office") dated February 22, 2018, for Construction Permits to perform building protection and electrical work for the property located at 89-91 Hawthorne Avenue, Newark, New Jersey 07112; and

**WHEREAS**, Solar Mite Solutions, LLC, paid a relevant fee in the amount of Three-Hundred Fifty Dollars and Zero Cents (\$350.00) (which consists of Plan Review Fees and Construction Permit

Fees) as per the attached Construction Permit Document relating to Permit Number 17-CP-003137; and

**WHEREAS**, the permit for the construction, specifically, Permit Number 17-CP-003137, for 89-91 Hawthorne Avenue, Newark, New Jersey 07112, Block 2720, Lot 1.02, was voided by the Construction Official because the roof mounted solar project has been cancelled by the homeowner, therefore Solar Mite Solutions, LLC, has not and will not be conducting any work associated with this project. Solar Mite Solutions, LLC, made a timely application to the UCC Office for a refund of the fees paid; and

**WHEREAS**, it is the determination of the Construction Official of the City of Newark, that the permit issued to and paid for by Solar Mite Solutions, LLC, is voidable and a refund in the amount of Two-Hundred Eighty Dollars and Zero Cents (\$280.00) (20% of the total Construction Permit Fee, \$70.00, is withheld for Plan Review Services), against Permit Number 17-CP-003137, dated October 13, 2017 may be issued.

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

1. The Director of Finance is hereby authorized to issue a refund check in the amount of Two-Hundred Eighty Dollars and Zero Cents (\$280.00) to Solar Mite Solutions, LLC, 1525 Corlies Avenue, Neptune, New Jersey 07753, against fees paid towards Permit Number 17-CP-003137, dated February 22, 2018.

2. The Construction Official of the Uniform Construction Code Office, Department of Engineering, is hereby authorized to make appropriate entries to reflect the refund made.

3. City Ordinance 7:5-1 (R.O.1966 C.S. 7A:5-1) states, "No refunds of the fees shall be made by the City". But, State of New Jersey Uniform Construction Code regulations N.J.A.C. 5:23-4.18(a), governing the refund of application fees states, the Construction Permit Fees of which Plan Review Fees forms a part, shall be returned back to the applicant, less 20% withheld to cover the Plan Review Services, which fee is non-refundable.

4. Attached is a Certification of Funds from the Director of Finance, which states: (1) that there are sufficient funds in the amount of Two-Hundred Eighty Dollars and Zero Cents (\$280.00) 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	B2018

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

**STATEMENT**

This resolution hereby authorizes the Director of Finance to issue a check made payable to Solar Mite Solutions, LLC, 1525 Corlies Avenue, Neptune, New Jersey 07753, in the amount of Two-Hundred Eighty Dollars and Zero Cents (\$280.00) against fees paid towards Permit Number 17-CP-003137. Certification of Funds also includes \$262.00 payable for Permit Number 17-CP-003464, 33 Salem Street).