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BULLETIN NO.

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Subject: **Standard Forms and Fees**

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Reference: N.J.A.C. 5:23-4.5

N.J.A.C. 5:23-4.17, 4.18, 4.20

All municipal and State code enforcement offices must use the adopted Standard Forms as listed in N.J.A.C. 5:23-4.5. These forms were designed and developed over a period of ten years to serve multiple purposes for the various types of code enforcement offices that would be using them. On the Subcode Technical Sections F110 to F150, these multiple purposes are: to provide a work site address, a condensed job summary and inspection guideline, and a place to record fees.

The Department of Community Affairs designed these technical sections to accommodate hundreds of different municipal fee ordinances and the State fee schedule as specified in N.J.A.C. 5:23-4.20. All Department code enforcement offices and on-site agencies have very specific guidelines that state exactly which fees may be charged.

For example, on the Electrical Subcode Technical Section F120, there are items labeled pool lights, burglar alarms, and fractional h.p. motors, but N.J.A.C. 5:23-4.20 provides for no special fees for these items. For fee calculation purposes, they must be counted as electrical fixtures or devices whenever the Department or an on-site agency acts as the subcode official.

The Standards for Municipal Fees in N.J.A.C. 5:23-4.18 are not that specific. The Department has always recognized that municipalities need flexibility concerning the types of code enforcement fees they charge. Municipal fees may be different for different types of fixtures. In the example above, a municipality may establish a fee for pool lights and burglar alarms. The important thing to remember is that these fees must be established by municipal ordinance. If your ordinance does not provide for a specific fee, then the municipality may not charge that fee even if there is a place to enter it on the standard form.

Construction officials should review practices in their office to ensure that no type of fee provided for on the form is charged unless it is specifically authorized by the fee ordinance. They should also ensure that, where on-site agencies act as subcode officials, no type of fee is charged that is not authorized in the State fee schedule at N.J.A.C. 5:23-4.20.

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