

§ 26-1.17. Development Review Fees.¹ [Ord. No. 5-97 § 1; Ord. No. 8-97 ; Ord. No. 7-01 § 1; Ord. No. 8-04 § 1; Ord. No. 6-07 § 1; New]

Upon filing an application for development, the developer shall pay an escrow fee to the Borough of South Toms River, by certified check, cash or bank money order, based upon the schedule set forth below. All applications shall be accompanied by a \$25 nonrefundable administrative fee for purposes of defraying the costs of the administrative officer (Land Use Secretary or other similar office.) Proposals regarding more than one application type shall pay a cost equaling the sum of the costs for the component elements of that plat. Proposals requiring a combination of approvals, such as subdivision, site plan and/or variance, shall pay a cost equal to the sum of the cost for each element. All such escrow fees shall be used to pay for all professional fees incurred by the Borough's Land Use Board in reviewing such applications. In addition, all such escrow fees are minimum requirements for review of applications. The developer shall be responsible to deposit into the escrow account any and all sums which are necessary to reimburse the Board for all professional fees incurred in reviewing such applications after the initial escrow deposit has been exhausted.

- a. Informal Concept Plan Review. \$200.
- b. Subdivision.
 1. Minor subdivision. Preliminary and final; \$500, plus \$50 per lot. Re-review fees shall be required for additional submissions as per 26-1.17d.
 2. Major subdivision.
 - (a) Preliminary plat; \$1,500, plus \$50 per lot. Re-review fees shall be required for additional submissions as per 26-1.17d.
 - (b) Final; 50% of the fees paid for preliminary and major subdivision. Re-review fees shall be required for additional submissions as per 26-1.17d.
- c. Site Plan.
 1. Minor site plan; preliminary and final; \$850. Re-review fees shall be required for additional submissions as per 26-1.17d.
 2. Major site plan.
 - (a) Preliminary; \$1,500 plus \$500 per acre or any portion above one acre. Re-review fees shall be required for additional submissions as per 26-1.17d.
 - (b) Final; 50% of the fees paid for preliminary and major site plan. Re-review fees shall be required for additional submissions as per 26-1.17d.
- d. The fees paid under paragraphs b, c, and e are estimated to cover the cost incurred by the Board for review of the initial application. Additional fees totaling 50% of the original fee shall be posted by the applicant for each plan review submitted after the original submission.

1. Editor's Note: See also subsection 26-3.13, Guarantees Required, paragraph j., Inspection Fees for On-Site and Off-Site Bonded Improvements (Escrow Deposits).

- e. Extension of Preliminary or Final Approval. \$500.
- f. Variance.
 - 1. Hear and decide appeals: \$250.
 - 2. Interpretation of Zoning Regulation or Map: \$250.
 - 3. Hardship bulk variance: \$250.
 - 4. Use variances: \$500.
- g. Conditional Uses. \$1,000.
- h. Certificate of Subdivision. \$25.
- i. Zoning Permit or Change of Use Permit. \$25.
- j. Administrative Fee for Accessory Structures. Notwithstanding any other provision of this section, the administrative fee for an application for approval of any accessory structure shall be \$25.
- k. The cost for the preparation of a resolution for preliminary or final approval shall be a minimum of \$200.
- l. Protection or release of performance guaranty or maintenance guaranty: \$100. The resolution fee shall be collected by the Borough Clerk at the time of release.
- m. Whenever the fees paid under paragraphs b, c, e, f4 and g shall exceed \$5,000, the fees shall be deposited in a banking institution or savings and loan association in this State insured by an agency of the Federal Government or in any other fund or depository approved for such deposits by the State of New Jersey in an account bearing interest of the minimum rate currently paid by the institution or depository on time or savings deposits. The Secretary of the Land Use Board shall notify the applicant, in writing, of the name and address of the institution or depository in which the deposit is made and the amount of the deposit. If the amount of interest earned on the deposit exceeds \$100 that entire amount shall belong to the applicant and shall be refunded to him by the Borough on an annual basis or at the time the deposit is repaid or applied for the purpose it was deposited; provided, however, that the Borough may retain both administrative and custodial expenses, a sum equivalent to no more than 33 1/3% of the entire amount which shall be in lieu of all other administrative and custodial expenses. In the event that the interest paid on a deposit for a year does not exceed \$100, same is to be retained by the Borough.
- n. Exemption from Payment of Fees. In accordance with N.J.S.A. 40:55D-8, any philanthropic, fraternal or religious nonprofit organization holding a tax exempt status under the Federal Internal Revenue Code of 1954 is hereby exempt from the payment of any fees charged under this chapter by virtue of the provisions of N.J.S.A. 40:55D-1, et seq.
- o. The Borough of South Toms River hereby waives the collection of fees associated with obtaining zoning permits for the issuance of permits for the construction, reconstruction, alteration, or improvement designed for the purposes of (a) roofing or siding, (b) windows or

doors, (c) electrical or plumbing work within the interior of an existing structure, (d) remodeling or interior renovations to existing homes which do not alter the exterior footprint of the existing building. The aforementioned provisions apply only to existing public or private structures or any facilities contained therein. This section will not relieve the applicant of permit fees which are charged by governmental agencies other than the Borough of South Toms River. This provision is intended to relieve property owners of the fee associated with a Zoning Permit when separate building permits must be obtained to commence construction. Applicants are not relieved of the obligation of obtaining a Zoning Permit, however, under the circumstances described herein the fee for obtaining the Zoning Permit has been waived.

p. Public record copying charges:

First page to tenth page	0.75*
Eleventh page to twentieth page	0.50*
All pages over 20	0.25*

* To the extent the cost the Borough actually incurs for duplication exceeds the foregoing rate, the person requesting the documents shall be charged the actual cost the Borough incurs for such copies. For example, if the documents are sent to an off-site facility for copying, the actual charges incurred to the Borough will be levied.

When the nature, format, manner of collation or volume of records to be inspected, examined or copied are such that the record cannot be reproduced by ordinary document copying equipment and ordinary business size or involves extraordinary expenditure of time and effort or if the medium requested is not one the Borough normally maintains, in addition to the actual cost of duplicating the record, a special service charge shall be levied equal to the cost the Borough incurs for providing the copies.

Prior to a request being processed that requires special handling, the Borough Clerk shall advise the requestor of such costs and the records shall not be reproduced unless the requestor agrees to pay the costs.

Research and Retrieval Fees for Public Documents Plus postage, if applicable, and copying fees \$10 per hour

- q. The cost for the purchase of a printed copy of Chapter 26, Land Development Regulations of the Revised General Ordinances of the Borough of South Toms River shall be the actual cost to the Borough to purchase these printed copies, plus an additional 15% administrative fee.
- r. Copies of minutes of meetings of the Land Use Board shall be available at a cost as established in paragraph p above.
- s. The fee for a copy of decision of the Land Use Board as referred in subsection 26-1.6h shall be \$10 for the first page and each additional page shall be \$1.

- t. The fee for publication of the notice of the decision as required in subsection 26-1.6i shall be as advised by the Borough Clerk.
- u. Tax Map Revisions. For tax map revisions, which includes subdivisions and consolidations and individual condominium parcels, the fees shall be as follows: **[Added 2-24-2020 by Ord. No. 2020-1]**
 - 1. Application fee: \$0.
 - 2. Escrow amount: \$500 plus additional \$75 per lot, subdivision or consolidation and individual condominium parcel.