

**2016-13 AN ORDINANCE BY  
THE MUNICIPALITY OF  
PRINCETON CONCERNING  
CONSTRUCTION CODE  
ENFORCEMENT AND AMENDING  
THE “CODE OF THE BOROUGH  
OF PRINCETON, NEW JERSEY,  
1974” AND THE “CODE OF THE  
TOWNSHIP OF PRINCETON, NEW  
JERSEY, 1968.”**

WHEREAS, the Borough of Princeton and Township of Princeton pursuant to the provisions of the New Jersey Municipal Consolidation Act, N.J.S.A. 40:43-66.35, consolidated as Princeton on January 1, 2013; and

WHEREAS, pursuant to N.J.S.A. 40:43-66.64, the Princeton Council on January 1, 2013 adopted a Resolution continuing in effect Ordinances of the former Borough of Princeton and the former Township of Princeton as a new Code for Princeton is prepared; and

WHEREAS, in consultation with the Construction Department, the Princeton Council’s Code Subcommittee has reviewed and updated Chapter 5A.1. of the “Code of the Township of Princeton, New Jersey 1968,” pertaining to Construction Code Enforcement; and

WHEREAS, the Princeton Council wishes to adopt said Code revisions which will become a part of the new Princeton Code at a future date.

NOW, THEREFORE, BE IT ORDAINED by the Princeton Council as follows:

Section 1. Chapter 5A.1 of the “Code of the Township of Princeton, New Jersey 1968” and Chapter 10 of the “Code of the Borough of Princeton, New Jersey, 1974,” both of which are entitled “Construction Code Enforcement,” are hereby repealed.

Section 2. A NEW Chapter 5A.1 of the “Code of the Township of Princeton, New Jersey, 1968,” as set forth on Exhibit A attached hereto and made a part hereof, is hereby adopted to set forth the requirements, regulations and fees in connection with Construction Code

Enforcement in Princeton, and to replace the aforementioned chapters of the “Code of the Township of Princeton, New Jersey, 1968” and “Code of the Borough of Princeton, New Jersey, 1974.”

Section 3. Section 2-101 of the “Code of the Township of Princeton, New Jersey, 1968” and section 2-74 of the “Code of the Borough of Princeton, New Jersey, 1974”, both entitled “Construction Board of Appeals,” are hereby repealed.

Section 4. All ordinances and resolutions or parts thereof inconsistent with this Ordinance are repealed.

Section 5. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portion thereof.

Section 6. This Ordinance shall take effect upon its final adoption and publication as provided for by law. The provisions of this Ordinance shall be applicable within Princeton upon taking effect and shall become a part of the new Princeton Code once completed and adopted.

This ordinance is part of the ongoing process of merging and harmonizing the code provisions of former Princeton Borough and former Princeton Township into a new code for the consolidated municipality of Princeton. It sets forth requirements, regulations and fees in connection with Construction Code Enforcement throughout the municipality.

I, Kathleen K. Brzezynski, Deputy Clerk of Princeton, County of Mercer, State of New Jersey, do hereby certify that the foregoing is a true copy of an ordinance adopted by the Mayor and Council of Princeton at its meeting held March 28, 2016.



Kathleen K. Brzezynski, Deputy Clerk

**EXHIBIT A**

## CHAPTER 5A.1.

### CONSTRUCTION CODE ENFORCEMENT

#### *Article I. Enforcing Agency, Construction Board of Appeals, Fees and Miscellaneous Requirements.*

##### **Sec. 5A.1-1. Enforcing agency — Established; composition; construction; chief administrator.**

There is hereby established in and for Princeton, pursuant to the State Uniform Construction Code Act (P.L. 1975, c. 217; N.J.S.A. 52:27D-119 et seq.) (hereinafter referred to as the "Act"), a state uniform construction code enforcing agency which shall be known as the "Princeton Construction Code Enforcing Agency" (hereinafter referred to as the "enforcing agency").

The enforcing agency shall consist of the construction official, the building subcode official, the electrical subcode official, the fire protection subcode official, subcode officials for such additional subcodes as the Commissioner of the Department of Community Affairs of the State shall hereafter adopt as part of the Act with the exception of an elevator subcode official which responsibility the municipality transfers to the Department of Community Affairs, and such employees, assistants and staff as are required by such officials. The construction official shall be the chief administrator of the enforcing agency and, after consultation with the subcode officials, he or she may adopt such rules of procedure for the internal governance of the enforcing agency as are not inconsistent with the law, regulation or this chapter.

##### **Sec. 5A.1-2. Construction and subcode officials — Qualifications; appointment; terms; vacancies; powers and duties; onsite inspection agencies.**

(a) The construction official and subcode officials shall possess such qualifications as are prescribed by the Act and regulations adopted by the Commissioner of the Department of Community Affairs. More than one such official position may be held by the same person, but in that case the person shall possess the qualifications required for each such position.

(b) Each such official shall be appointed by the mayor with the advice and consent of the council for a term of four years calculated from January 1 of the year of appointment, but terms of office shall be subject to tenure rights as provided by law. Vacancies occurring other than by expiration of term shall be filled for the unexpired term only.

(c) The construction and subcode officials shall have such powers and duties as are prescribed by law, regulation or ordinance for the enforcement of the Act.

(d) In lieu of any particular subcode official, an onsite inspection agency may be retained by contract pursuant to N.J.A.C. 5:23-1.1 et seq.

**Sec. 5A.1-3. Enforcing agency — Part-time personnel; dispersal of personnel; central office; reorganization.**

The construction official, the subcode officials and the employees, assistants and staff supporting them need not work exclusively for the enforcing agency nor need they be located in one office or building. However, for purposes of enforcement of the Act and regulations pertaining thereto, all such persons, wherever located, shall be subject to the procedures and policies of the enforcing agency, and the subcode officials, employees, assistants and staff shall be primarily responsible to the construction official. Furthermore, regardless of whether the aforementioned personnel are dispersed in different locations, the public shall have the right to do business at one enforcing agency center, except in case of emergency or unforeseen or unavoidable circumstances. Such central office shall be designated by the construction official after consultation with the mayor and council. Any reorganization necessary to provide for the coordination of dispersed personnel, so as to enable the enforcing agency to take timely action in the performance of its duties, is delegated to the mayor and council.

**Sec. 5A.1-4. Construction board of appeals — Established; powers and duties; composition; fees.**

A construction board of appeals is hereby established to hear and decide appeals from decisions of the enforcing agency and to exercise and perform such other powers and duties as are or shall be prescribed by law, regulation or ordinance. It shall be known as the "Princeton Construction Board of Appeals" and shall consist of five regular members and at least five alternate members in accordance with the below.

The board shall also include two special members, one of whom shall be a licensed professional engineer with municipal construction experience, and one of whom shall be a builder. The special members shall serve as additional members of the board in any case involving an appeal of municipal fees pursuant to N.J.S.A. 40:55D-53.2 et seq.

Each regular, alternate and special member shall be qualified by experience or training to perform the duties of a member of the board.

The board may adopt such rules as to its procedures and for its internal governance as are not inconsistent with law, regulation or this chapter. Applications of appeal to said board shall be accompanied by a fee in the sum of one hundred dollars. The application shall not be considered complete unless accompanied by this appeal fee. In the case of an appeal based on the failure of the enforcing agency as established in section 5A.1-1 of this chapter to act within any time frame specified, the fee shall be waived.

**Sec. 5A.1-5. Same — Qualifications of members.**

(a) At least one regular member of the board shall be a registered architect or licensed professional engineer with building construction experience, or other person as qualified as a building subcode official. At least one regular member shall be as qualified as a plumbing subcode official. At least one regular member shall be as qualified as an electrical

subcode official. At least one regular member shall be as qualified as a fire protection subcode official. At least one regular member shall be certified as a fire official.

(b) The requirements of section 5A.1-5(a) above shall not be construed as requiring that there be a separate regular member in each of the qualification categories above. One regular member may satisfy these requirements with regard to more than one such qualification category. No more than two members shall be selected from the same business or profession. Each member shall have had at least three years' experience in construction, design or supervision as a licensed engineer or registered architect, or in the alternative, five years' experience in construction, design or supervision as an architect or engineer with a bachelor's degree in architecture or engineering, respectively, from an accredited institution of higher education, or in the further alternative, ten years' experience in construction, design or supervision as a journeyman in a trade or as a contractor.

**Sec. 5A.1-6. Same — Appointment and terms of members; alternate members; chairperson; disqualification; compensation.**

(a) Members of the construction board of appeals shall be appointed by the mayor with the advice and consent of the council for terms of four years each, calculated from January 1 of the year of appointment; except, that of the members first appointed, one shall be appointed for a term of one year, one for a term of two years, one for a term of three years and two for terms of four years. Members shall serve after the expiration of their terms until their successors are appointed and qualified.

(b) Vacancies occurring other than by expiration of term shall be filled for the unexpired term only.

(c) The mayor with the advice and consent of the council shall appoint at least five alternate members of the board to serve during the absence or disqualification of any member. Alternate members shall be appointed to staggered terms, in the same manner as the initial appointment of regular members. Alternate members shall be so chosen so that there will be at least one alternate member in each qualification category set forth in section 5A.1-5(a) above. In addition, service by alternate members shall meet the provisions of N.J.A.C. 5:23A-1.3.

(d) The mayor with the advice and consent of council shall designate one of the regular members to serve as chairperson and another member to serve as vice-chairperson of the board. The vice-chairperson shall serve as chairperson in the event of absence or disqualification of the chairperson.

(e) No member or alternate member of the board shall be a member of the enforcing agency nor shall any member or alternate member pass on any question in which he or she is engaged as contractor or material dealer or in which he or she has been involved in the preparation of plans or specifications or in which he or she has any personal or professional interest.

(f) Members and alternate members of the board shall receive no compensation for their services as such, but they shall be reimbursed for all necessary expenses incurred by them in the performance of their duties.

**Sec. 5A.1-7. Schedule of fees.**

The following fees shall be paid to and collected by the enforcing agency prior to the issuance of any of the permits or certificates hereinafter mentioned in this section in connection with the Act and such fees shall be administered as hereinafter set forth:

(a) Prototype review: An amount equal to twenty percent of the fee for a construction permit for the project. The plan review fee shall be paid at the time of submission of an application for a permit and it shall be credited toward the fee due for a construction permit, when issued. Plan review fees are not refundable.

(aa) Prototype review fee: An amount equal to five percent less than the plan review fee.

(b) Construction permit: An amount equal to the sum of the following subcode and elevator fees, but not less than seventy-five dollars (\$75.00) for Use Groups R-3, R-4 and R-5. All other Use Groups shall not be less than seventy-five dollars (\$75.00). Minimum fees for all construction permits including a change of contractor shall be fifty dollars (\$50.00).

(1) BUILDING SUBCODE FEE:

- a. For new construction with regard to all Use Groups except for R-3, R-4 and R-5, the amount of \$.0800 per cubic foot of building or structure volume.
- b. For new construction with regard to R-3, R-4, and R-5 Use Groups, the amount of \$.0250 per cubic foot of the building or structure volume.
- c. For renovations, alterations and repairs with regard to all Use Groups except for R-3, R-4 and R-5, the amount of seventeen dollars (\$17.00) per one thousand dollars (\$1,000.00) of estimated cost up to and including seventy-five thousand dollars (\$75,000.00); sixteen dollars (\$16.00) per one thousand dollars (\$1,000.00) of estimated cost over seventy-five thousand dollars (\$75,000.00) and up to and including one hundred fifty thousand dollars (\$150,000.00); and fifteen dollars (\$15.00) per one thousand dollars (\$1,000.00) of estimated cost over one hundred fifty thousand dollars (\$150,000.00) of estimated cost over one hundred and fifty thousand dollars (\$150,000.00). For the purpose of determining estimated cost, the applicant shall submit to the enforcing agency, if applicable, cost data produced by the architect or engineer of record or by a recognized estimating firm or by the contractor. A bona fide contractor's bid, if available,

shall be submitted. The enforcing agency shall make the final decision regarding estimated cost.

- d. For renovations, alterations and repairs with regard to Use Groups R-3, R-4 and R-5, the amount of fifteen dollars (\$15.00) per one thousand dollars (\$1,000.00) of estimated cost up to and including seventy-five thousand dollars (\$75,000.00); fourteen dollars (\$14.00) per one thousand dollars (\$1,000.00) of estimated cost over seventy-five thousand dollars (\$75,000.00) and up to and including one hundred fifty thousand dollars (\$150,000.00); and thirteen dollars and fifty cents (\$13.50) per one thousand dollars (\$1,000.00) of estimated cost over one hundred fifty thousand dollars (\$150,000.00). For the purpose of determining estimated cost, the applicant shall submit to the enforcing agency, if available, cost data produced by the architect or engineer of record, by a recognized estimating firm or by the contractor. A bona fide contractor's bid, if available, shall be submitted. The enforcing agency shall make the final decision regarding estimated cost.
- e. For additions with regard to all Use Groups except for R-3, R-4 and R-5, the amount of \$.0850 per cubic foot of building or structure volume for the added portion.
- ee. For additions with regard to R-3, R-4 and R-5, the amount of \$.080 per cubic foot of building or structure volume for the added portion.
- f. For combinations of renovations and additions, the sum of the fees computed separately for renovations and for additions.
- g. For the following structures for Use Group U or for structures for which volume cannot be computed, the following flat fees shall be charged:

Asbestos removal	\$ 70.00 + \$14.00 (CO)
Fence(s) (six feet or more in height)	
Residential (R)	\$ 75.00
Fence(s) (six feet or more in height)	
Commercial	\$15.00 Per \$1,000.00
Radon mitigation	\$ 75.00
Swimming Pool Aboveground	\$100.00
Swimming Pool Inground	\$200.00
Tanks Inground (removal/modifications)	\$150.00
Tanks Aboveground storage	
(installation, removal, modification)	\$ 75.00
Temporary Construction Trailer	\$100.00
Temporary Construction Fence	\$ 0.00
Tennis courts	\$100.00
Tent(s) A-5	\$ 75.00

(2) FIRE PROTECTION SUBCODE FEES:

Description	Number of Devices	Residential	Number of Devices	Commercial	Number of Devices	Both Residential & Commercial
a. Smoke detectors	1-12 12-24	\$40.00 \$60.00	1-12 12-25 25>	\$ 60.00 \$ 75.00 \$100.00 25> 1.00 each		
b. Duct-type smoke detectors					Each	\$ 25.00
c. Oil or gas fired appliances					New Replacement	\$ 50.00 \$ 25.00
d. Kitchen hood exhaust system		\$50.00	Type II Type I	\$ 75.00 \$100.00		
e. Pull stations-manual					Each	\$ 10.00
f. Wood stove/fireplace					Each	\$ 50.00
g. Gas fired manufactured fireplace & flue		\$45.00			Each	\$50.00
h. Signaling devices (strobes)					Each	\$ 5.00
i. Residential sprinklers (per)	dwelling unit	\$50.00				
j. Stand pipe riser					Each Riser	\$230.00
k. Fire pump						\$200.00
k1 Fire pump testing						\$100.00
l. Sprinkler system (wet/dry) (heads) (standard type)					1-20 20-50 50-100 100>	\$ 65.00 \$100.00 \$200.00 \$2.00 per head
m. Early fire suppression response (type heads)					1-20 20-50 50-100 100>	\$ 40.00 \$ 75.00 \$100.00 \$1.50 per head
n. Fire protection (2) minimum fee and change of contractor:						\$ 50.00
o. Special fire suppression system (Dry Chemical Water, CO2 and Halon)						\$85.00 per installation

local system only including major suppression						
p. Above ground storage tanks (per tank)						\$46.00
q. Incinerators						\$365.00
r. Administrative fee						15% of total fee paid
s. Fire mains – per diameter inch						\$100.00
t. Dry pipe valves						\$25.00 each
u. Preaction valves						\$25.00 each
v. Hydro testing of fire supply lines 2 hour test as per nfpa @ \$40.00 per hr.						\$80.00
w. Electronic fire/smoke control door releases						\$10.00

(3) PLUMBING SUBCODE FEE:

- a. The Plumbing subcode fee shall be that charged by the municipality's plumbing subcode official in accordance with the requirements of the Act. Said fees are as follows:
1. Minimum fee including change of contractor \$50.00
  2. Fixtures and devices:  
 Shall include but not be limited to: Fixtures, appliances or devices connected to the plumbing system including: water closets, lavatories, bidets, urinals, hose bibs, showers, whirlpool tubs, bath tubs, floor drains, sinks, dishwashers, drinking fountains, washing machines, plumbing stacks, roof drains, area drains, sump pumps, pot fillers, ice machines, steam units, condensate drains and back-flow preventers not equipped with test ports and humidifiers. \$15.00 each
  3. Special devices:  
 Grease traps, oil separators, refrigeration units, utility service connections, back-flow preventers equipped with test ports (double check valve assemblies, reduced pressure zones and pressure vacuum breaker back-flow preventers), steam boilers, hot water boilers, pool heaters, active solar systems, sewer pumps and interceptors, provided however,

there shall not be inspection fee charges for gas service entrances. \$95.00

a. Residential lawn sprinklers \$70.00 each

4. Cross-connections:

Backflow preventers and Cross-connections subject to testing quarterly or annually.

Use Groups R-2, R-3, R-4 and R-5

1 to 50 \$35.00 each

50 or more \$15.00 each

All other Use Groups

1 to 50 \$40.00 each

50 or more \$15.00 each

Pursuant to N.J.S.A. 52:27D-126(d), the plumbing subcode official may waive the charge for testing cross connections for all low-income and middle-income units which are a part of Princeton's Affordable Housing program as defined elsewhere in this Code, including but not limited to section 10B-333 of the "Code of the Township of Princeton, New Jersey, 1968," as may be amended.

5. Water Heaters:

Installation or replacement of gas or electric water heaters in R-2, R-3, R-4, and R-5 use groups. \$40.00

Installation or replacement of water heaters for all use groups other than R-2, R-3, R-4, R-5 \$75.00

5a. Pool safety accessories \$45.00

6. Mechanical inspections of the following appliances in Use Groups R-2, R-3, R-4 and R-5 shall include but not be limited to: furnaces, condensers, air handlers, mini-split units, boilers, gas fireplaces, outdoor grills, fire pits, generators, gas lamps, dryers, stoves, cooktops, fuel oil piping, and log lighters.

First appliance \$58.00

Each additional appliance \$15.00

7. Mechanical inspections related to installation of fuel oil piping on fuel tanks.

Use Groups R-3, R-4 and R-5 \$45.00

All other Use Groups \$70.00

8. Mechanical inspections related to natural gas piping and LP gas piping systems.

Each appliance connection: \$15.00

9. Additional mechanical inspection fees for all Use Groups except R-3, R-4 and R-5:

\$10.00 per \$1000.00 of the total cost of piping labor, material and equipment.

10.	Geothermal Wells:	
	Fee for each well	\$20.00
11.	Propane Tanks:	
	Under 125 gallons:	\$30.00 per tank
	Over 125 gallons:	\$50.00 per tank
12.	Dental Office Piping:	
	Excluding waste, vent, water and mechanical piping.	\$300.00 flat fee

(4) ELECTRICAL SUBCODE FEE:

a. The electrical subcode fee shall be that charged by the municipality's electrical subcode official in accordance with the requirement of the Act. Said fees are as follows:

1.	Minimum fee	\$50.00
2.	Electrical fixtures and devices: Lighting outlets, wall switches, fluorescent fixtures, fire protection devices, convenience receptacles or similar devices and motors less than 1-HP or 1-KW (1-25 devices), and for each telecommunications, data or other type of structure wiring devices for all Use Groups	\$40.00
2a.	For each twenty-five (25) additional fixtures, wall switches, convenience receptacles or similar devices, and motors of less than 1-HP or 1-KW	\$ 8.00
3.	Service sub panels	
	Each service panel, service entrance or sub panel less than or equal to 200 amps	
	Use Groups R-3, R-4 and R-5	\$50.00
	All other Use Groups	\$60.00
	Each service panel, service entrance or sub panel greater than 200 amps and less than or equal to 600 amps	
	Use Groups R-3, R-4 and R-5	\$95.00
	All other Use Groups	\$110.00
	Each service panel, service entrance or sub panel greater than 600 amps and less than or equal to 1,000 amps	
	Use Groups R-3, R-4 and R-5	\$230.00
	All other Use Groups	\$250.00
	Each service panel, service entrance or sub panel 1,000 amps or greater	
	Use Groups R-3, R-4 and R-5	\$460.00
	All other Use Groups	\$550.00
4.	Motors:	

	Each motor greater than 1-HP and less than 10-HP	
	Use Groups R-3, R-4 and R-5	\$ 10.00
	All other Use Groups	\$ 15.00
	Each motor 10-HP or less than 50-HP:	
	Use Groups R-3, R-4 and R-5	\$ 50.00
	All other Use Groups	\$ 60.00
	Each motor 50-HP and less than 75 HP:	
	Use Groups R-3, R-4 and R-5	\$ 95.00
	All other Use Groups	\$110.00
	Each motor 75-HP and less than 100-HP:	
	Use Groups R-3, R-4 and R-5	\$230.00
	All other Use Groups	\$250.00
	Each motor 100-HP or greater	
	Use Groups R-3, R-4 and R-5	\$460.00
	All other Use Groups	\$550.00
5.	Transformers	
	Each electrical device, transformer and generator greater than 1-KW and less than 10-KW	
	Use Groups R-3, R-4 and R-5	\$ 10.00
	All other Use Groups	\$ 15.00
	Each electrical device, transformer and generator 10-KW or greater and less than 45-KW	
	Use Groups R-3, R-4 and R-5	\$ 50.00
	All other Use Groups	\$ 60.00
	Each electrical device, transformer and generator 45-KW or greater and less than 75-KW	
	Use Groups R-3, R-4 and R-5	\$ 95.00
	All other Use Groups	\$110.00
	Each electrical device, transformer and generator 75-KW or greater and less than 112.5 KW	
	Use Groups R-3, R-4 and R-5	\$230.00
	All other Use Groups	\$250.00
	Each electrical device, transformer and generator 112.5-KW or greater	
	Use Groups R-3, R-4 and R-5	\$460.00
	All other Use Groups	\$550.00
6.	Annual inspection of public and commercial swimming pools	\$50.00

7.	Each permanently installed private swimming pool, spa, hot tub or fountain (including any required bonding and associated equipment)	\$50.00
8.	For each bonding inspection and installation of associated equipment, except panel boards and under waterlighting fixtures	\$50.00
9.	For each light-standard greater than eight (8') feet in height including luminaries	\$10.00
10.	For each communications closet or communication rack system	\$10.00
11.	For each replacement or wiring involving one (1) branch circuit (or part thereof).	\$10.00
12.	For each utility management device	\$10.00

**Sec. 5A.1-8. State training fees.**

(a) In order to provide for training, certification and technical support programs, and as required by the Act and by regulation, the enforcing agency shall collect, in addition to the fees specified above, a surcharge fee as set forth in N.J.A.C. 5:23-4.19.

(b) Such surcharge fee shall be remitted to the Bureau of Housing Inspection, Department of Community Affairs, on a quarterly basis for the fiscal quarter ending September 30, December 31, March 31 and June 30, not later than one month next succeeding the end of the quarter for which it is due. In the fiscal year in which the regulations of such Department first become effective, the surcharge fee shall be collected and remitted for the third and fourth quarters only.

(c) The enforcing agency shall report to the Bureau of Housing Inspection annually at the end of each fiscal year, and not later than July 31, the total amount of the surcharge fees collected in the fiscal year. In the fiscal year in which such regulations first become effective, such report shall be for the third and fourth quarters only.

**Sec. 5A.1-9. Enforcement; violations; penalties.**

Procedures for enforcement of the Act and its regulations are as set forth in such Act and regulations, as amended from time to time. Further, penalties for violations of the Act, its regulations and this chapter shall also be as set forth in such act and regulations, as such penalties may be amended from time to time.

**Sec. 5A.1-10. Temporary certificates of occupancy.**

Whenever the construction official issues pursuant to the Act (P.L. 1975, c. 217; N.J.S.A. 52:27B-119 et seq.) a temporary certificate of occupancy to a holder of a construction permit,

said construction official shall ensure that said applicant has met the requirements set forth in the regulations for the Act (N.J.A.C. 5:23-2.23). If the holder of a construction permit must complete on-site improvements relating to the construction of a driveway, driveway apron, landscaping, or in any way pertain to improvements relating to drainage, then said construction official, prior to the issuance of said temporary certificate of occupancy, shall require the applicant for said temporary certificate of occupancy to enter into an agreement with Princeton, in a form to be approved by the municipal attorney, whereby said applicant shall agree to complete all of the aforementioned work as required by the construction permit. Further, the applicant shall post with the construction official sufficient security to insure the completion of all of the remaining work required pursuant to the construction permit in order to receive a temporary certificate of occupancy. If a holder of a construction permit must complete other remaining work that that specifically set forth hereinabove, said construction official may require that said additional remaining work be included in the aforementioned agreement with Princeton and further may require the posting of sufficient security to insure the completion of said remaining work before the temporary certificate of occupancy is issued.

## *Article II. Construction Records Clearance.*

### **Sec. 5A.1-11. Certificate of construction records clearance required.**

No building or structure shall be occupied in whole or in part prior to the issuance of a certificate of construction records clearance ("CRC"). A CRC shall be required prior to the sale of any residential or commercial structure.

### **Sec. 5A.1-12. Exceptions to the requirement for certificate of construction records clearance.**

The following conveyances shall be exempt from the requirements of section 5A.1-11 above:

- (a) Transfer of title to correct a previously recorded deed.
- (b) Title eligible to be recorded as an ancient deed.
- (c) Transfer of title between husband and wife, whether or not relating to divorce, or between former spouses if the transfer is incident to an order or judgment from any court of competent jurisdiction.
- (d) Transfer of title relating to new construction for which a Certificate of Occupancy is required.
- (e) Transfer of title by or to an executor, administrator or court order, which affects a distribution of a descendant's estate in accordance with the provisions of the descendant's will or, the interstate laws of the state.
- (f) Transfer of title due to refinancing home equity loans, second mortgages.

(g) Transfer of title by or to a received, trustee in bankruptcy or liquidation, or assignee for the benefit of creditors.

(h) Residential rentals.

**Sec. 5A.1-13. Responsibility to obtain CRC.**

(a) No owner shall permit the sale of a residential or commercial premises or rentals of commercial premises covered under this Article unless the requisite CRC has been issued. No purchaser or commercial tenant shall occupy any premises covered under this Article until the requisite CRC has been issued. Owners, Commercial Tenants and Occupants shall be jointly and separately responsible for failure to obtain the requisite CRC required hereunder. The owner and/or authorized agent shall submit a written application and payment of fees at least ten business days prior to the change of ownership and/or occupancy on the form provided by the municipality.

(b) *Pre-occupancy records inspection.* Prior to the issuance of any such certificate for any transaction, the enforcing agency shall conduct a records inspection to ensure that there are not open construction permits on subject premises. Should there be open permits on subject premises all final inspections and prior approvals shall be obtained and appropriate Uniform Construction Code Certificates shall be issued prior to issuance of the CRC.

**Sec. 5A.1-14. Fees.**

The application fee must be paid for in advance for a CRC in accordance with the following schedule if applied for within:

- (a) 1–5 business days: \$ 125.00
- (b) 6–10 business days: \$ 70.00
- (c) 11–20 business days: \$ 35.00

**Sec. 5A.1-15. Violations and penalties.**

Any person, firm or corporation violating any provisions of this Article shall, upon conviction, be punishable by a fine not exceeding one thousand dollars, imprisonment for a period not exceeding ninety days and/or a period of community service not exceeding ninety days.

**Sec. 5A.1-16. Miscellaneous revisions.**

(a) The issuance of a CRC shall not preclude the imposition of penalties upon the subsequent discovery of Construction Code violations.

(b) CRC certificates are valid for six months from the date of issue unless a change in occupancy has occurred and must be renewed for each occupancy change.