

***PLEASE NOTE: FINAL INSPECTIONS MUST BE
MADE***

OR PENALTIES WILL BE ISSUED.

— FAQ'S (FREQUENTLY ASKED QUESTIONS) —

WHY DO I NEED A CONSTRUCTION PERMIT? HOW DOES GETTING A PERMIT BENEFIT ME?

The purpose of the permit process is to protect the health, safety, and welfare of the public. The Building Department has the solemn responsibility to protect the current occupants of a building as well as all future occupants. The department does this by enforcing regulations and construction codes adopted by the State of New Jersey. The purpose of The New Jersey Uniform Construction Code Act, and the regulations it promulgated, is to provide a minimum standard for construction while, encouraging innovation and economy in construction, allow for the use of modern technical methods, eliminate restrictive and unnecessary regulations that increase construction costs, and insure adequate maintenance of structures.

Additionally, when a property is sold, a home inspector hired by the purchaser will request proof that modifications were legally constructed with all the required approvals. When construction without the proper permits is discovered, sometimes years after the work was done, the owner may need to tear down an addition, or make costly repairs to correct violations. Often sales are lost or selling prices are adjusted lower follow these disclosures.

WHAT IF I DO NOT GET A PERMIT?

State of New Jersey law, the Uniform Construction Code (UCC), makes it mandatory that when a Construction Official becomes aware that an owner or his/her agent failed to obtain a required permit prior to commencing construction, the construction Official shall issue a notice of violation/order to pay penalty to the owner of the property. The penalty can be up to \$2000 and an additional \$2000 per week the violation remains outstanding. The violation may lead to a summons to appear in municipal court to enforce the payment of the penalty.

WHO IS RESPONSIBLE TO ACQUIRE A PERMIT THE HOMEOWNER OR THE CONTRACTOR?

It is a joint responsibility. A property owner is responsible for all activity on his/her property. A contractor, registered and/or licensed by the State of New Jersey, is obligated not to perform work that he knows requires a construction permit until the Building Department has issued a permit. The contract between the owner of a property and the contractor should clearly indicate who is responsible for acquiring the construction permit.

An experienced contractor is familiar with the construction codes, the state mandated forms, and the process for applying for a construction permit. A homeowner should be apprehensive with their choice of contractor if the contractor refuses to be responsible for applying for the permit.

CAN AN OWNER OR CONTRACTOR PREPARE CONSTRUCTION PLANS?

The Uniform Construction Code allows a homeowner to prepare his or her own plans for construction, addition, reconstruction, alteration, renovation, or repair of *a single-family residence intended to be used exclusively as his /her primary residence*. For all other plans including other residential uses and all nonresidential work, the seal and signature of the registered architect or licensed engineer who prepared the plans shall be affixed to each sheet of each copy of the plans submitted

A contractor, property owner, or tenant cannot prepare plans for a rental property, multiple-family dwelling unit, or any non-residential use, including commercial businesses. Only a New Jersey licensed design professional (architect or engineer) may prepare plans for these uses.

Exception: For a single-family home or other class III structures, a New Jersey Licensed Electrician or New Jersey Licensed Master Plumber may design and submit plans for electrical and plumbing installations.

WHAT TYPE OF LICENSES WILL MY CONTRACTOR NEED?

The State of New Jersey regulates the construction trades. If any of the work proposed is from a regulated trade documentation of a license or registration from the

appropriate licensing board will be required. Regulated trades in the State of NJ include but are not limited to:

- Master Plumbers
- Electrical Contractor/ Business Permits
- Home Improvement Contractors
- Architects or Engineers
- Burglar Alarm Installer
- Irrigation Contractor
- HVAC Contractor

WHAT IS AN ENERGY CODE COMPLIANCE REPORT, AND HOW DO I PRODUCE ONE?

The Uniform Construction Code, more specifically the Energy Sub-code requires that when an area that is going to include conditioned air (heating or cooling) the area must be energy efficient. There are multiple methods of demonstrating Energy Sub-code compliance. The most common utilized method to demonstrate compliance for a single-family dwelling is to utilize a software program available free from the US Department of Energy called REScheck. REScheck will generate an energy code compliance report that will document your compliance to the Energy Sub-code. This software can be found at: <https://www.energycodes.gov/rescheck>.

DOES THE BOROUGH HAVE A COPY OF MY SURVEY?

No. A copy of a survey may have been included with your closing paperwork when your home or property was last sold, or may be with your insurance or mortgage documents. Unfortunately, surveys that were produced only for the transfer of ownership do not always include all of the required details needed for a permit. At a minimum, a survey will need to indicate:

All existing and proposed structures

All dimensions of the lot and structures

All adjacent streets and waterways

DOES A PERMIT EXPIRE? HOW MUCH TIME DO I HAVE TO PERFORM THE WORK?

Construction must begin within one year of the permit issue date. Once the work begins, the permit expires if the work is abandoned for a period of more than six months.

WHY DO I NEED FOR A CERTIFICATE OF OCCUPANCY?

A certificate of Occupancy (CO) is required for all new structures or additions, structures or portion of structures that have undergone a change of use, or structures that the work was so extensive it was determined to be a reconstruction under the Rehabilitation Sub-code.

CAN THE BOROUGH INSPECTORS RECOMMEND A CONTRACTOR? HOW DO I FIND A GOOD CONTRACTOR?

No. It is inappropriate for an inspector with the authority to enforce the code to recommend contractors. There is a potential for a conflict of interest when an inspector is inspecting work performed by a contractor, he/she recommended. We cannot recommend a contractor.

CAN AN INSPECTOR TELL ME IF THE WORK IS QUALITY WORK?

It is the duty of an inspector to determine if construction work is compliant to the adopted codes. Inspectors should not comment on subjective questions.

As inspectors, we are only there to make sure the work does or does not conform to the minimum code requirements.

WHAT DO I DO IF I AM HAVING A PROBLEM WITH A CONTRACTOR?

The State of New Jersey Division of Consumer Affairs regulates contractors. Their website is <http://www.njconsumeraffairs.gov/>

WHAT CODES DO I USE IN PREPARING MY PLANS?

The codes used in New Jersey can be found on the state website: <http://www.state.nj.us/dca/divisions/codes/codreg/>

DO I NEED A CERTIFICATE OF OCCUPANCY TO SELL MY HOME?

The Borough of Leonia does require a Certificate for Resale/Rental (CRO) for resale or rental of a property in conjunction with a Certificate of Smoke Detector, Carbon Monoxide Detector, and Fire Extinguisher Compliance.

I'M SELLING MY HOUSE; DO I HAVE TO REMOVE MY UNDERGROUND OIL STORAGE TANK?

No. As long as the tank is **still being used** and it is not leaking it may remain in place. A prospective buyer may want you to remove or properly abandon it in place, but that is a contractual negotiation between you and the buyer.

I'M SELLING MY HOUSE, THE BUYER'S INSPECTOR SAID SOME ITEMS ARE NOT "UP TO CODE", DO I HAVE TO BRING IT UP TO CURRENT CODE?

No. Codes are updated every three years, there is no requirement that existing buildings conform to new codes unless work is being done. This is a contractual negotiation between you and the buyer.

CAN I REQUEST A SPECIFIC TIME FOR INSPECTIONS?

No. Unfortunately due to the volume of inspections we cannot guarantee a specific time.

MY HOT WATER HEATER BROKE ON A FRIDAY NIGHT, DO I NEED TO WAIT TILL MONDAY AND GET A PERMIT BEFORE I HAVE IT REPLACED?

No. You are allowed to make emergency repairs and get a permit as soon as possible, but not more than 72 hours later. If an emergency such as this does occur please contact the Building Department and we will put you on our Emergency Work List.

HOW ARE THE FEES FOR PERMITS CALCULATED?

Building permits for new structures and additions are based on a fee per cubic foot of volume. Building permits for alterations are based on a fee per dollar amount of the estimated cost of the work (**IT MUST BE THE CURRENT MARKET VALUE OF BOTH LABOR AND MATERIALS REGARDLESS OF WHO IS DOING THE WORK**). Electric, Plumbing and Fire permits are based on the number of fixtures or appliances being installed.

CAN I USE FORMS FROM ANOTHER TOWN?

Yes. As long as they are the standard New Jersey State forms.

HOW WILL I KNOW WHEN MY PERMIT IS READY?

Once your application is approved, a Construction Office representative will contact the responsible person by phone and let them know that the permit is ready for pick-up and the cost. Permit payments are processed Monday through Friday during our normal business hours.

WHAT METHOD OF PAYMENT CAN I USE TO PICK UP MY PERMIT?

Permits can be paid for using check or money order.

MY NEIGHBOR AND I ARE HAVING A DISPUTE REGARDING THE BOUNDARY LINES OUR PROPERTIES. WHO CAN I CALL IN TOWN HALL TO HELP ME?

Boundary disputes are personal legal matters and are not within the jurisdiction of the municipality (Note: Unless a municipal boundary is the subject of the problem). You should consult an attorney or your title company to assist you.

MY NEIGHBORS TREE HANGS OVER THE FENCE IN MY YARD

You should consult an attorney as this is a private legal dispute and the municipality has no control or jurisdiction.

I WANT TO PUT A SHED AND/OR FENCE IN MY YARD. WHAT DO I NEED?

You will need to fill out an application and submit it along with your survey. On the survey you must highlight the area where the fence/shed will be installed. Also, you must include the rear and side yard setbacks along with the distance from other structures.

I WANT TO GET A DUMPSTER AND CLEAN OUT MY GARAGE. WHAT DO I HAVE TO DO?

You will need to fill out an application and pay the appropriate fee if you are placing the dumpster on public property. If the dumpster is being placed on private property, no application or fee is required.

I WOULD LIKE TO OPEN A BUSINESS IN TOWN, WHAT DO I NEED TO DO?

You will need to fill out a zoning request form to confirm the business you want to open is a conforming use to the zone it is located in. Depending on whether Planning Board approvals are required, the next step is to fill out a business application for a Certificate for Resale/Rental (CRO) and pay the appropriate fee. Once that is

submitted, an inspection is scheduled and conducted. If the inspection has passed and any and all prior approvals have been satisfied the business CRO will be issued.

WHAT DO I NEED TO DO AS THE LANDLORD TO RENT A UNIT IN MY ONE, TWO, OR MULTIPLE FAMILY DWELLING?

You must obtain an application from the Building Department and fill it out correctly along with all the correct paperwork as required in the application. After paying the appropriate fee, an inspection is scheduled and conducted. If the inspection is satisfactory, the CRO is issued at the inspection.