

**ORDINANCE OF THE BOROUGH OF  
MERCHANTVILLE, COUNTY OF CAMDEN, STATE OF  
NEW JERSEY AMENDING CHAPTER 15,  
CONSTRUCTION CODE, UNIFORM, IN THE CODE OF  
THE BOROUGH OF MERCHANTVILLE**

**BE IT ORDAINED** by the Mayor and Borough Council of the Borough of Merchantville, County of Camden, and State of New Jersey that Chapter 15, Construction Code, Uniform, is hereby amended in the Code of the Borough of Merchantville, as follows:

**ARTICLE I. SECTION 15-1 Construction Code Department.**

A. There is hereby established in the Borough of Merchantville a State Uniform Construction Code enforcing agency to be known as the "Merchantville Construction Code Department," consisting of a Construction Official, Building Subcode Official, Plumbing Subcode Official, Electrical Subcode Official, Fire Protection Subcode Official and such other officials for such additional subcodes as the Commissioner of the Department of Community Affairs, State of New Jersey, shall hereafter adopt as part of the State Uniform Construction Code. The Construction Official shall be the chief administrator of the enforcing agency.

B. Each official position created in Subsection A hereof shall be filled by a person qualified for such position pursuant to P.L. 1975, c. 217, as amended (N.J.S.A. 52:27D-119 et seq.) and N.J.A.C. 5:23-1.1, provided that, in lieu of any particular subcode official, an on-site

inspection agency may be retained by contract pursuant to N.J.A.C. 5:23-1.1 et seq. More than one such official position may be held by the same person, provided that such person is qualified pursuant to P.L. 1975, c. 217 and N.J.A.C. 5:23-1.1 et seq. to hold each such position.

C. The public shall have the right to do business with the enforcing agency at one location, except for emergencies and unforeseen or unavoidable circumstances.

**ARTICLE II. SECTION 15-2 Construction Official.**

A. Creation. There is hereby created in the Borough the office of Construction Official, who shall be appointed by the Borough Council.

B. Term. The Construction Official shall be appointed for a term of four years in accordance with Section 8 of the Uniform Construction Code Act (N.J.S.A. 52:27D-126).

C. Duties. The Construction Official is the chief administrator of the enforcing agency as defined in the Act and shall have the powers, duties and obligations as provided in the Act and the code.

D. Qualifications of the person appointed to the office of Construction Official shall be as required in the Act and the Code.

**ARTICLE III. SECTION 15-3 Subcode officials.**

A. Creation. There are hereby created the following subcode official positions, which shall be filled by appointment by the Borough Council:

- (1) Building Subcode Official.
- (2) Electrical Subcode Official.
- (3) Plumbing Subcode Official.
- (4) Fire Protection Subcode Official.
- (5) Other such inspectors shall include Energy Official, Premanufactured Home

Official and Asbestos Official.

B. Term. The subcode officials shall be appointed for terms of four years.

C. Duties. The subcode officials shall have the powers, duties and obligations as provided in the Act and the code. The subcode officials need not work exclusively for the enforcing agency. The subcode officials shall be primarily responsible to the Construction Official.

D. Qualifications. The subcode officials shall possess those qualifications which are required in the Act and the code. An individual may serve as a subcode official under one or more subcodes, provided that such individual is so qualified.

**ARTICLE IV. SECTION 15-4 Construction Board of Appeals.**

A person who is aggrieved by any ruling, action, order, or decision of a local enforcing agency that enforces either the State Uniform Construction Code, or the Uniform Fire Code, including without limitation, any refusal to grant an application or failure or refusal to act upon an application, may file an application for a hearing with the Secretary of the Camden County Construction Board of Appeals in accordance with N.J.A.C. 5:23A-2.1 et seq.

**ARTICLE V. SECTION 15-5 Enforcing agency center; central permit office.**

A. The public shall have the right to do business under the Act and the code at one enforcing agency center known and designated as the "Borough of Merchantville, Borough Hall, 1 West Maple Avenue, Merchantville, New Jersey 08109."

B. The central permit office shall be located at the above enforcing agency center and shall operate in accordance with the provisions of the Act and the code.

**ARTICLE VI. SECTION 15-6 Responsibility of personnel to Construction Official.**

All personnel appointed in accordance with the Act and the Code are primarily responsible to the Construction Official and are subject to the procedures and policies of the enforcing agency as defined in the Act. Day-to-day procedures which are necessary to coordinate personnel so as to enable the enforcing agency to perform within the provisions of the Act and the code shall be established by the Construction Official.

**ARTICLE VII. SECTION 15-7 Prior approvals.**

The issuance of a construction permit or certificate of occupancy shall be conditioned upon the prior approvals as such term is defined and enumerated in N.J.A.C. 5:23-1.4; and the following approvals:

A. Merchantville Borough Engineer;

- B. Camden County Department of Health;
- C. Merchantville Sewer Utility; and
- D. Merchantville/Pennsauken Water Commission.

**ARTICLE VIII. SECTION 15-8 Permit required; collection of fee prior to issuance of permit.**

A permit shall be required for all construction except for ordinary repairs as provided for in Section 5:23-2.7 of the State Uniform Construction Code which do not violate any of the regulations. The fees for such permits shall be as hereinafter provided, and shall be collected prior to the issuance of the permit.

**ARTICLE IX.**

All Ordinances contrary to the provisions of this Ordinance are hereby repealed to the extent that they are inconsistent herewith.

**ARTICLE X.**

This Ordinance shall take effect after passage and publication according to law.

**THE BOROUGH OF MERCHANTVILLE**

**BY:** \_\_\_\_\_  
**EDWARD F. BRENNAN, MAYOR**

**ATTEST:**

\_\_\_\_\_  
**DENISE BROUSE, BOROUGH CLERK**

The foregoing ordinance was introduced by Mayor and Council at a meeting held on July 9, 2018. This Ordinance will be considered for adoption on final reading and public hearing to be held on August 13, 2018 at 7:30 p.m. in the Council Meeting Room, Merchantville Borough Hall, 1 West Maple Avenue, Merchantville, New Jersey.

The purpose of this Ordinance is to codify the requirements of the Uniform Construction Code within the Borough of Merchantville. A copy of this Ordinance is available at no charge to the general public between the hours of 8:30 AM to 4:30 PM, Monday through Friday (Legal Holidays excluded), at the Office of the Borough Clerk, Merchantville Borough Hall, 1 West Maple Avenue, Merchantville, New Jersey.