

**COUNTY OF BERGEN
BOROUGH OF PARAMUS
ORDINANCE No. 2022-03**

**AN ORDINANCE TO AMEND PART II, GENERAL LEGISLATION, CHAPTER 229
AND APPENDIX A460-19, FEES, LAND USE, OF THE REVISED GENERAL
ORDINANCES OF THE BOROUGH OF PARAMUS**

BE IT ORDAINED, by the Mayor and Council of the Borough of Paramus, County of Bergen and State of New Jersey, that Part II, General Legislation, Chapter 229, Appendix A460-19, Fees, Land Use, of the Code of the Borough of Paramus, is hereby amended as follows:

Section 1. The current text of Borough Ordinance, Part II, General Legislation, Chapter 229, Article I, Appeals, Subsection 229-1, Appeals; variance and condition use applications, and Appendix A460-19, Fees, Land Use, shall hereby be repealed and replaced as follows:

Article I, § 229-1 Application Fees and Escrow Fees.

- A. At the time of filing of an application for development, soil movement, or appeals, the applicant shall pay the following nonrefundable application fees payable to the "Borough of Paramus" personal check, certified check, bank money order, or by credit card where applicable. Applications for development or appeals requiring a combination of requests shall pay a fee equal to the sum of the fee for each element. The exception to this is that any case involving multiple bulk variances shall pay only one bulk variance fee. Remitted fees for informal review of a concept plan shall be a credit toward fees for review of the application for development pursuant to the Municipal Land Use Law at N.J.S.A. 40:55D-10.1.
- B. In addition to the required application fees established below, the applicant shall be required to establish one (1) or more escrow accounts with the Borough to cover the reasonable costs of professional review of applications for development, review and preparation of documents, and professional consultation required as a result of an application, set forth herein. Services may include the services of a duly licensed surveyor, planner, engineer, attorney, or any other official or person who would provide services to ensure that an application complies with the standards set forth in the Code and whose testimony may be solicited to give further information to the Borough or the approving authority in any area addressed by any of the applicant's experts. The escrow fees shall be paid separate and apart from than the application fees by personal check, certified check, or bank money order made payable to the "Borough of Paramus." Escrow fees shall be replenished by the applicant within 10 days upon request by the Building Department.
- C. Nonprofit organizations and places of worship may make request to the Township Council for the waiving of the application fee requirements pursuant to this section. Waiver of fees shall not apply to required escrow funds.

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D. No fee or escrow shall be charged in the case of an application for development for a firehouse or first aid building.

E. The Borough shall collect the following fees and escrows for applications for development, soil movement, and appeals:

	Fee	Escrow
A. Subdivisions	Fee	Escrow
(1) Concept (N.J.S.A. 40:55D-10.1)	\$250	\$0
	The amount shall be credited toward fees for the review of the application for development.	
(2) Minor subdivision	\$450	
Lot line adjustment(s) or up to three (3) building lots being created:	\$1,000	
(3) Amended minor subdivision	\$250	\$625
(4) *Preliminary major subdivision		
2-10 lots	\$2,150	\$1,500
11-20 lots	\$2,500	\$2,000
21-30 lots	\$3,000	\$2,500
31 or more lots	\$3,500	\$4,500
(5) Final major subdivision		
2-10 lots	\$2,000	\$500
11-20 lots	\$2,150	\$1,000
21-30 lots	\$2,500	\$1,500
31 or more lots	\$3,000	\$2,000
(6) Preliminary and final (simultaneous)		
2-10 lots	\$2,500	\$1,500
11-20 lots	\$3,000	\$2,000
21-30 lots	\$3,500	\$2,500
31 or more lots	\$4,000	\$4,500
(7) Amended preliminary and/or final subdivision	\$650	\$1,000
(8) Modification of a condition to a prior approval where notice is not	\$500	\$375

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	Fee	Escrow
	required pursuant to N.J.S.A. 40:55D-12.a	
(9)	Modification of a condition to a prior approval where notice is required pursuant to N.J.S.A. 40:55D-12.a	\$375
B. Site Plans		
(1)	Concept (N.J.S.A. 40:55D-10.1)	\$0
	The amount shall be credited toward fees for the review of the application for development	
(2)	Minor site plan	\$1,000
(3)	Preliminary site plan	
	(a) 0 sf to 20,000 sf new construction	\$1,000
	(b) 20,001 sf to 50,000 sf new construction	\$1,000
	(c) 50,001 sf to 100,000 sf new construction	\$2,000
	(d) 100,001 sf to 150,000 sf new construction	\$2,500
	(e) 150,001 sf to 200,000 sf new construction	\$2,500
	(f) 250,001 sf or more of new construction	\$2,500
(4)	Final site plan	
	(a) 0 sf to 20,000 sf new construction+	\$900
	(b) 20,001 sf to 50,000 sf new construction+	\$900
	(c) 50,001 sf to 100,000 sf new construction+	\$900
	(d) 100,001 sf to 150,000 sf new construction+	\$900
	(e) 150,001 sf to 200,000 sf new construction+	\$900
	(f) 250,001 sf or more of new construction+	\$900

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	Fee	Escrow
	*Based on the square footage approved in the preliminary plan for which the application is a final application.	
(5) Combined Preliminary and Final Site Plan		
(a) 0 sf to 20,000 sf new construction	\$2,000	\$1,000
(b) 20,001 sf to 50,000 sf new construction	\$3,000	\$1,000
(c) 50,001 sf to 100,000 sf new construction	\$5,500	\$2,000
(d) 100,001 sf to 150,000 sf new construction	\$8,550	\$2,500
(e) 150,001 sf to 200,000 sf new construction	\$14,000	\$2,500
(f) 250,001 sf or more of new construction	\$30,000	\$2,500
(6) Wireless communications facilities whether minor or major site plan	\$1,650	\$1,000
(7) Amended major site plan (Preliminary and/or final)	\$650	\$900
(8) Amended minor site plan	\$500	\$700
(9) Modification of a condition to a prior approval where notice is not required pursuant to N.J.S.A. 40:55D-12.a	\$250	\$375
(10) Modification of a condition to a prior approval where notice is required pursuant to N.J.S.A. 40:55D-12.a	\$500	\$375
(11) *Multi-family with 3 or more units: preliminary	\$100 per dwelling unit plus \$150 public hearing fee	\$2,500
(12) Multi-family with 3 or more units: final	\$50 per dwelling unit, plus \$46 per dwelling unit (for engineering fee)	\$2,500
C. Variances/Appeal Applications pursuant to N.J.S.A. 40:55D-70		
(1) Appeal	\$250	\$500

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	Fee	Escrow
(2) Interpretation	\$250	\$500
(3) *Bulk (single-family residential)	\$650	\$500
(4) *Bulk (nonresidential)	\$650	\$2,500
(6) Use (N.J.S.A. 40:55D-70d)		
Commercial Development	\$1,150	\$5,000
Residential Development	\$650.00	\$500
D. Access (pursuant to N.J.S.A. 40:55D-34/35/36)	\$450	\$375
E. Zone change	\$2,500	\$1,500
F. Soil Movement- Cubic Yards of Soil to be moved		
Up to and including 400 CY (minor)	\$25, plus permit fee of \$0.10 CY, multiplied by the number of CY to be imported/removed.	
More than 400 CY (Major)	\$75, plus permit fee which is the sum computed at a rate of \$0.10 cy, multiplied by the number of cy to be imported/removed.	
G. Zoning permit		
(1) For fences, walls:	\$25	
(2) For generators and HVAC units:	\$50	
(3) For sheds, detached garages and other accessory structures and uses:	\$50	
(4) For patios and decks:	\$100	
(5) For swimming pools:	\$100	
(6) For residential additions, attached garages, and porches:	\$150	
(7) For new homes:	\$200	
(8) For home occupations:	\$200	
(9) For non-residential uses:	\$200	
(10) For acknowledgement that meets zoning	\$300	
(11) Certification pursuant to N.J.S.A. 40:55D-68	\$300	

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	Fee	Escrow
(12) For community residences, shelters, adult family day care homes:	\$100	
(13) All other principal uses not specifically identified	\$200	

Section 2. The current title of Borough Ordinance, Part II, General Legislation, Chapter 229, Article II, Escrow Deposits, Application Fees and Professional Payments, shall hereby be amended as follows:

Article II: Escrow Deposits, Application Fees, appeals, and Professional Payments

Section 3. The current text of Borough Ordinance, Part II, General Legislation, Chapter 229, Article II, Escrow Deposits, Application Fees and Professional Payments, Subsection 229-11, estimated cost of improvements, shall hereby be repealed and replaced with:

Section 229-11 Appeals:

- A.** An applicant shall notify, in writing, the governing body, with copies to the Chief Financial Officer, the approving authority and the professional, whenever the applicant disputes the charges made by a professional for a service rendered to the municipality in reviewing applications for development, review and preparation of documents, inspection of improvements, or other charges made pursuant to N.J.S.A. 40:55D-53.2. The governing body or its designee shall within a reasonable time attempt to remediate any disputed charges. If the matter is not resolved to the satisfaction of the applicant, the applicant may appeal to the County Construction Board of Appeals, established pursuant to N.J.S.A. 52:27D-127, any charge to an escrow account or deposit by any municipal professional or consultant, or the cost of the installation of improvements estimated by the Municipal Engineer pursuant to N.J.S.A. 40:55D-53.4. An applicant or his authorized agent shall submit the appeal, in writing, to the County Construction Board of Appeals. The applicant or his authorized agent shall simultaneously send a copy of the appeal to the municipality, approving authority and any professional whose charges are the subject of the appeal. An applicant shall file an appeal within 45 days from receipt of the informational copy of the professional's voucher required by N.J.S.A. 40:55D-53.2c, except that if the professional has not supplied the applicant with an informational copy of the voucher, then the applicant shall file his appeal within 60 days from receipt of the municipal statement of activity against the deposit or escrow account required by N.J.S.A. 40:55D-53.2c. An applicant may file an appeal for an ongoing series of charges by a professional during a period not exceeding six months to demonstrate that they represent a

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pattern of excessive or inaccurate charges. An applicant making use of this provision need not appeal each charge individually.

B. Appeals shall be taken in accordance with the rules and procedures established by the County Construction Board of Appeals.

C. During the pendency of any appeal, the municipality or approving authority shall continue to process, hear and decide the application for development and to inspect the development in the normal course and shall not withhold, delay or deny reviews, inspections, signing of subdivision plats or site plans, the reduction or the release of performance or maintenance guaranties, the issuance of construction permits or certificates of occupancy, or any other approval or permit because an appeal has been filed or is pending under this subsection. The Chief Financial Officer of the municipality may pay charges out of the appropriate escrow account or deposit for which an appeal has been filed. If a charge is disallowed after payment, the Chief Financial Officer of the municipality shall reimburse the deposit or escrow account in the amount of any such disallowed charge or refund the amount to the applicant. If the charge is disallowed after payment to a professional or consultant who is not an employee of a municipality, the professional or consultant shall reimburse the municipality in the amount of any such charge.

Section 4. Any ordinance or part thereof inconsistent with this ordinance is repealed to the extent of such inconsistency.

Section 3. This ordinance shall take effect following adoption and approval in a time and manner provided by law.



ANNEMARIE KRUSZNIS, RMC
Borough Clerk



RICHARD A. LABARBIERA
Mayor

Introduced: January 19, 2022
Final: February 8, 2022