

CITY OF CAPE MAY, COUNTY OF CAPE MAY, STATE OF NEW JERSEY

ORDINANCE NO. 295-2015

AN ORDINANCE AMENDING CHAPTER 199 OF  
THE CAPE MAY CITY CODE REGARDING  
CONSTRUCTION PERMIT FEES

WHEREAS, Chapter 199, entitled Construction Codes, Uniform, of the Cape May City Code ("City Code") describes the fees which must be paid to the City of Cape May (the "City") in connection with various construction permits issued by the City; and

WHEREAS, the construction permit fees have not been updated since 2009; and

WHEREAS, the City wishes to update the construction permit fees.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Cape May, County of Cape May, State of New Jersey, as follows:

1. Chapter 199 of the Cape May City Code is hereby revised as follows (deleted language is ~~stricken~~, new language is underscored):

**§ 199-1. Enforcing agency established; composition; public right to do business.**

A. There is hereby established in the City of Cape May a State Uniform Construction Code Enforcing Agency to be known as the Department of Construction and Zoning, consisting of a Construction Official, a Zoning Officer, a Floodplain Manager, a Building Subcode Official, a Plumbing Subcode Official, an Electrical Subcode Official, a Fire Protection Subcode Official, and such other subcode 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 of this section shall be filled by a person qualified for such position pursuant to P.L. 1975, c. 217, as amended, and N.J.A.C. 5:23; 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. More than one such official position may be held by the same person; provided that the person is qualified pursuant to P.L. 1975, c. 217 and N.J.A.C. 5:23 to hold each such position.

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

D. All subcode officials, their assistants and staff, and all other personnel working for the Department of Construction and Zoning shall be subject to the procedures and policies of the agency and shall be primarily responsible to the Construction Official.

**§ 199-2. Fee schedule.**

A. Construction permit fees. The fees for any construction permit required pursuant to the State Uniform Construction Code Act, N.J.S.A. 52:27D-119 et seq., and the state regulations promulgated pursuant thereto shall be the sum of all of the applicable subcode fees listed herein. All such fees must be paid in full before any required permit can be issued by the Construction Code Official or appropriate subcode official.

(1) Building subcode fees.

(a) Fees for new construction shall be based upon the volume of the structure. Volume shall be computed in accordance with N.J.A.C. 5:23-2.28. The new construction fee shall be in the amount of ~~\$0.0033~~\$0.038 per cubic foot of volume for buildings and structures of all use groups and types of construction as classified in Articles 3 and 4 of the Building Subcode, N.J.A.C. 5:23-3.14; except, however, that the fee shall be ~~\$0.019~~\$0.028 per cubic foot of volume for Use Groups A-1, A-2, A-3, A-4, A-5, F-1, F-2, S-1 and S-2, and the fee shall be ~~\$0.0010~~\$0.0011 per cubic foot for structures on farms, including commercial farm buildings under 5:23-3.2(d), with the maximum fee for such structures on farms not to exceed \$4,443. ~~The New Jersey State permit surcharge fee for all other construction shall be \$1.70 per \$1000 of value of construction. The minimum permit surcharge fee shall be \$1.00.~~ There shall be a minimum fee of \$65 under this Subsection.

(b) Fees for renovations, alterations and repairs or site construction associated with ~~premanufactured construction, and the external utility connection for premanufactured construction~~ any other construction which cannot be computed in cubic feet shall be based upon the estimated cost of work ~~\$45 per \$1,000 of estimated labor and material cost. The fee shall be in the amount of \$30 per \$1,000 for the first \$50,000, prorated. From \$50,001 to and including \$100,000, the additional fee shall be in the amount of \$25 per \$1,000 of estimated cost, prorated. Above \$100,000, the~~

~~additional fee shall be in the amount of \$20 per \$1,000 of estimated cost, prorated provided that the~~The minimum fee shall be ~~\$30~~\$65. For the purpose of determining estimated cost, the applicant ~~shall~~may be required to submit to the Construction Official such cost data as may be available 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 Construction Official shall make the final decision regarding estimated cost.

(c) Fees for additions shall be computed on the same basis as for new construction for the added portion.

(d) Fees for combination renovations and additions shall be computed as the sum of the fees computed separately in accordance with Subsection A(1)(a) and (b) above.

(e) The fee for tents, in excess of 900 square feet or ~~more than~~5030 feet in any dimension, shall be \$250.

~~(f) The fee for roofing and siding work completed on any structure shall be \$50, except that where the proposed roofing and siding repair does not exceed 25% of existing, there shall be no fee required.~~

~~(g)~~(f) The fee for an aboveground swimming pool shall be \$150 for a pool with a surface area greater than 550 square feet; the fee in all other cases shall be \$75. The fee for an in-ground swimming pool shall be \$200 for a pool with a surface area greater than 550 square feet; the fee in all other cases shall be \$100.

~~(h)~~(g) The fee for structures for which volume cannot be computed, such as open structural towers, such as antenna towers, shall be a flat fee of ~~\$150~~\$200.

~~(i)~~(h) Fees for retaining walls shall be as follows: (A) The fee for retaining wall with a surface greater than 550 square feet that is associated with a Class 3 residential structure shall be \$200. (B) The fee for a retaining wall with a surface area of 550 square feet or less that is associated with a Class 3 residential structure shall be \$100. The minimum fee shall be \$100.

~~(j)~~(i) The fee for the construction of a new fence over six feet in height, or renovations, alterations and repairs thereto, shall be based on the same schedule set forth in Subsection A(1)(b) above, with a minimum fee of ~~\$50~~\$65.

~~(k)(j)~~ Fees for minor construction work shall be based upon the estimated cost of the work. The fee shall be computed as set forth in Subsection A(1)(b) above.

~~(l) There shall be an additional fee of \$60 per hour for review of any amendment or change to a plan that has already been released, or for which the construction permit has been issued.~~

(k) The minimum fee shall be \$65 unless otherwise specified.

(2) Plumbing subcode fees.

(a) The fee shall be in the amount of ~~\$15~~\$20 per fixture, piece of equipment or appliance connected to the plumbing system and for each appliance connected to the gas piping or oil piping system, except as indicated in Subsection A(2)(b) below.

(b) The fee shall be ~~\$82~~\$92 per special device for the following: grease traps, oil separators, refrigeration units, utility service connections, backflow preventers equipped with test ports (double-check valve assembly, reduced pressure zone and pressure vacuum breaker backflow preventers), steam boilers, hot-water boilers (excluding those for domestic water heating), active solar systems, sewer pumps and interceptors. There shall be no inspection fee charged for gas service entrances.

~~(c) The fee for lawn sprinkler systems with backflow preventers shall be \$82~~\$92.

(d) The fee for a water heater shall be ~~\$50~~\$65.

(e) The minimum fee shall be \$50\$65 unless otherwise specified.

(f) The fee for domestic boiler backflow and low water cutoff devices shall be ~~\$15~~\$20.

(3) Electrical fixtures and devices. The fee shall be as follows:

(a) For the first block consisting of one to 50 receptacles, fixtures or devices, the fee shall be ~~\$50~~\$65; for each additional block consisting of up to 25 receptacles, fixtures or devices, the fee shall be ~~\$10~~\$15. For the purpose of computing this fee, receptacles, fixtures or devices shall include lighting fixtures, wall switches, convenience receptacles, sensors, dimmers, alarm devices, smoke and heat detectors, communications outlets, light

standards eight feet or less in height, including luminaries, emergency lights, electric signs, exit lights or similar electric fixtures and devices rated 20 amperes or less, including motors or equipment rated less than one horsepower (hp) or one kilowatt (kW).

(b) For each motor or electrical device rated from one hp or one kW to 10 hp or 10 kW; for each transformer or generator rated from one kW or one kva to 10 kW or 10 kva; for household electric cooking equipment rated up to 16 kW; for each fire, security or burglar alarm control unit; for each receptacle rated from 30 amperes to 50 amperes; for each light standard greater than eight feet in height, including luminaries; and for each communications closet, the fee shall be ~~\$35~~\$45.

(c) For each spa, hot tub, hydro-massage bathtub, underwater lighting fixture; for each motor or electrical device rated from greater than 10 hp or 10 kW to 50 hp or 50 kW; for each transformer or generator rated from greater than 10 kW or 10 kva to 45 kW or 45 kva; for each electric sign rated from greater than 20 amperes to 225 amperes, including associated disconnecting means; for each receptacle rated greater than 50 amperes; and for each utility load management device, the fee shall be ~~\$56~~\$65.

(d) For each motor or electrical device rated from greater than 50 hp or 50 kW to 100 hp or 100 kW; and for each transformer or generator rated from greater than 45 kW or 45 kva to 112.5 kW or 112.5 kva, the fee shall be ~~\$116~~\$130.

(e) For each motor or electrical device rated greater than 100 hp or 100 kW; and for each transformer or generator rated greater than 112.5 kW or 112.5 kva, the fee shall be ~~\$576~~\$650.

(f) The fee charged for electrical work for each permanently installed private swimming pool, as defined in the building subcode, or fountain shall be a flat fee of ~~\$50~~\$65 which shall include any required bonding and associated equipment such as filter pumps, motors, disconnecting means, switches, required receptacles, and heaters, etc. For public swimming pools, the fee shall be charged on the basis of number of electrical fixtures and rating of electrical devices involved in accordance with Subsection A(3)(a) through (e) above. The fee charged for panelboards shall be charged in accordance with Subsection A(3)(h).

(g) The fee charged for the installation of single- and multiple-station smoke or heat detectors and fire, burglar or security alarm

systems in any one- or two-family dwelling shall be a flat fee of ~~\$50~~\$80 per dwelling unit. For fire, burglar and security alarm systems and detectors in buildings other than one- or two-family dwellings, the fee shall be charged in accordance with Subsection A(3)(a) and (b) above.

(h) For each service equipment, panelboard, switchboard, switchgear, motor-control center or disconnecting means rated from 100 amperes or less, the fee shall be ~~\$50~~\$65. For each service equipment, panelboard, switchboard, switchgear, motor-control center or disconnecting means rated from 110 amperes to 225 amperes, the fee shall be ~~\$100~~\$125. For each service equipment, panel board, switchboard, switchgear, motor-control center or disconnecting means rated from ~~250~~226 amperes to 400 amperes, the fee shall be ~~\$150~~\$175. For each service equipment, panel board, switchboard, switchgear, motor-control center or disconnecting means rated from ~~450~~401 amperes to 800 amperes, the fee shall be ~~\$200~~\$225. For each service equipment, panel board, switchboard, switchgear, motor-control center or disconnecting means rated from ~~1,000~~801 amperes and above, the fee shall be ~~\$600~~\$650.

(i) For installations consisting of multimeter stacks, the fee shall be based on the ampere rating of the main bus and not upon the number of meters or rating of disconnects on the meter stack. Individual load side panel boards shall be charged in accordance with Subsection A(3)(h) above. There shall be no additional fee charged for the concurrent installation of individual feeder conductors.

(j) For motors or similar devices requiring concurrent installation of individual controls, relays and switches, the fee shall be based only upon the rating of the motor or device. There shall be no additional fee charged for the concurrent installation of individual circuit components, for example, controllers, starters, and disconnecting means.

(k) For each replacement of wiring involving one branch circuit or part thereof, the fee shall be ~~\$25~~\$35, and for electrical work requiring replacement of service entrance conductors or feeder conductors only, the fee shall be in accordance with Subsection A(3)(h) above, based on the designated ampere rating of the overcurrent device of the service or feeder.

(l) The fee charged for process equipment shall be based on the ampere rating of the overcurrent device protecting the conductor feeding the process equipment or the cutoff device.

(m) For the purpose of computing these fees, all electrical and communications devices, utilization equipment and motors that are part of premises wiring, except those that are portable plug-in type, shall be counted.

(n) For photovoltaic systems, the fee shall be based on the designated kilowatt rating of the solar photovoltaic system as follows:

[1] One to 50 kilowatts, the fee shall be ~~\$50~~\$75.

[2] Fifty-one to 100 kilowatts, the fee shall be ~~\$100~~\$150.

[3] Greater than 100 kilowatts, the fee shall be ~~\$600~~\$650.

(o) The minimum fee shall be ~~\$50~~\$65 unless otherwise specified.

(4) Fire subcode fees. For fire protection and hazardous equipment, sprinklers, standpipes, detectors (smoke and heat), underground tanks, pre-engineered suppression systems, gas- and oil-fired appliances not connected to the plumbing system, kitchen exhaust systems, incinerators and crematoriums, the fee shall be as follows:

(a) The fee for 20 or fewer heads shall be \$100; for 21 to and including 100 heads, the fee shall be ~~\$150~~\$175; for 101 to and including 200 heads, the fee shall be ~~\$300~~\$350; for 201 to and including 400 heads, the fee shall be ~~\$600~~\$850; for 401 to and including 1,000 heads, the fee shall be ~~\$950~~\$1,150; for over 1,000 heads, the fee shall be \$1,550.

~~(b) The fee for one to 12 detectors shall be \$50; for each additional detector, the fee shall be in the amount of \$2.~~

(b) For fire pumps, the fee shall be based on the GPM rating of the fire pump as follows:

[1] 1-250gpm, the fee shall be \$175.

[2] 251-500gpm, the fee shall be \$250.

[3] 501-1,000gpm, the fee shall be \$350.

[4] Greater than 1,000gpm, the fee shall be \$500.

(c) The fee for each standpipe shall be \$250\$330.

(d) The fee for each independent pre-engineered system shall be \$100\$150.

(e) The fee for each gas- or oil-fired appliance or heating and air conditioning system that is not connected to the plumbing system shall be \$100.

(f) The fee for each kitchen exhaust system shall be \$150.

(g) The fee for each incinerator shall be \$365\$500.

(h) The fee for each crematorium shall be \$365\$500.

(i) For single- and multiple-station smoke or heat detectors and fire alarm systems in any one- or two-family dwellings, there shall be a flat fee of \$50\$65 per dwelling unit. For detectors and fire alarm systems in buildings other than one- or two-family dwellings, the fee shall be charged in accordance with Subsection A(4)(b) above.

(j) The fee for automatic or manual fire alarm systems with up to five devices shall be \$100; for each five devices in addition to this, the fee shall be \$25 per zone. shall be for 20 or fewer detectors \$100; for 21 to and including 100 detectors, the fee shall be \$175; for 101 to and including 200 detectors, the fee shall be \$350; for 201 to and including 400 detectors, the fee shall be \$850; for 401 to and including 1,000 detectors, the fee shall be \$1,150; for over 1,000 detectors, the fee shall be \$1,550. Minimum fee shall be \$50.

(k) The fee for fireplaces, wood-burning stoves, and solid-fuel burning appliances shall be \$50\$100 for one- and two-family dwellings. For all other uses, the fee shall be \$25\$45 per \$1000 of estimated cost of work, with a minimum fee of \$50.

(l) The fee for installation, removal, or abandonment of underground storage tanks shall be \$50\$100 for one- and two-family dwellings, and \$100 for all other uses. For all other uses, the fee shall be \$200.

(m) The fee for replacement of an existing transmission means as per N.J.A.C. 5:23-2.17A(c)5v shall be \$75.

(n) The minimum fee shall be \$65 unless otherwise specified.

(5) Fees for certificates and other permits are as follows:

(a) The fee for the demolition of a structure shall be as follows: single family dwellings and detached garages shall be \$200. All other use groups of structures shall be \$400. The fee for demolition of a one- and two-family dwelling shall be \$200. The fee for demolition of a detached garage shall be \$200. The fee for demolition of a shed shall be \$100. The fee for demolition of all other structures shall be \$400. Partial demolition shall be charged at the rate of \$45 per \$1,000 of estimated cost.

(b) The fee for a permit for the removal of a building or structure from one lot to another or to a new location on the same lot shall be \$46 per \$1,000 of the sum of the estimated costs for moving, for new foundations and for placement in a completed condition in the new location.

(e)(b) The fee for a permit to construct a sign over 25 square feet shall be \$28 per square foot of the surface area of the sign; provided, however, that in the case of double-faced signs, the area of the surface of only one side of the sign shall be used for purposes of the fee computation. The minimum fee shall be \$50.

(d)(c) The fee for a permit for lead hazard abatement work shall be \$150. The fee for a lead abatement clearance certificate shall be \$50.

(e)(d) Asbestos hazard abatement. There shall be an administrative fee of \$100 for each construction permit and an administrative fee of \$50 for each certificate of occupancy issued following the successful completion of an asbestos hazard abatement project.

(6) The fee for plan review shall be 25% of the amount to be charged for the construction permit and shall be paid before the plans are reviewed. The amount paid for this fee shall be credited towards the amount of the fee to be charged for the construction nonrefundable.

(a) There shall be an additional fee of \$65 per subcode for review of any amendment or change to a plan that has already been released or for which the construction permit has been issued.

(7) Fees for certificates of occupancy shall be as follows:

(a) Fee for certificate of occupancy shall be 15% of the construction permit fees; provided, however, that the minimum fee shall be ~~\$50~~\$150.

(b) The fee for a certificate of continued occupancy shall be \$85, plus \$50 for each subcode inspection.

(c) The fee for certificate of occupancy granted pursuant to a change of use shall be \$150.

~~(d) The fee for a certificate of occupancy granted pursuant to a change of use group shall be \$150. The fee for a temporary certificate of occupancy shall be \$100.~~

(e) There shall be no fee charged for a certificate of approval issued pursuant to N.J.A.C. 5:23-2.23j.

~~(f) There shall be no fee for a certificate of compliance. The fee for a certificate of compliance shall be \$30.~~

(g) No person or entity shall accept transfer of title and occupy or permit the occupancy of any structure, portions of a structure, or unit therein without receiving from the transferor or from the Construction Official a certificate of continued occupancy.

~~(g)~~(h) The fee for inspections and plan review of an elevator shall be as determined by the State of New Jersey, Department of Community Affairs, which shall be responsible for elevator subcode for the City of Cape May. Reports on elevator inspections shall be furnished to the Construction Official.

~~(h)~~(i) The fee for plan review of a building for compliance under the alternate systems and renewable energy source provisions of the energy code (Green Building) shall be \$345 for one- and two-family dwellings (Group R-3 or R-5 of the building subcode), and for light commercial structures having the indoor temperature controlled from a single point, and \$1,725 for all other structures.

~~(i)~~(j) The fee for an application for a variation in accordance with N.J.A.C. 5:23-2.10 shall be ~~\$600~~\$825 for Class I structures

and ~~\$200~~\$300 for Class II and Class III structures. The fee for resubmission of an application for a variation shall be ~~\$250~~\$325 for Class I structures and ~~\$100~~\$150 for Class II and Class III structures.

~~(j)~~(k) All amounts collected for construction fees shall be rounded to the nearest dollar amount.

~~(k)~~(l) State of New Jersey mandated training fees.

[1] Pursuant to N.J.A.C. 5:23-4.19, in order to provide for the training and certification and technical support programs required by state law, the City of Cape May shall collect a surcharge fee to be based upon the volume of new construction within the municipality. Said fee shall be accounted for and forwarded to the State of New Jersey Department of Consumer Affairs Division of Codes and Standards in the manner herein provided.

[2] Amount. This fee shall be in the amount of ~~\$0.00334~~\$0.00371 per cubic foot volume of new buildings and additions. Volume shall be computed in accordance with N.J.A.C. 5:23-2.28. The fee for all other construction shall be ~~\$1.70~~\$1.90 per \$1,000 of value of construction.

[3] Remitting and reporting. The municipality shall remit fees to the Bureau of ~~Heusing Inspection~~Codes and Standards, Department of Community Affairs, on a quarterly basis, in conjunction with report number R-840B, State Training Fee Report, in accordance with N.J.A.C. 5:23-4.5(e). Fees remitted shall be for the quarter. Checks shall be made payable to Treasurer, State of New Jersey.

~~(8) Fees for miscellaneous zoning reviews in connection with applications for building and zoning permits shall be as follows:~~

~~(a) New buildings:~~

~~[1] One and two family dwellings: \$100.~~

~~[2] All other buildings: \$200.~~

~~(b) Additions and accessory buildings:~~

~~[1] One and two family dwellings: \$45.~~

~~[2] Garages, storage sheds and decks: \$45.~~

~~[3] — All other buildings: \$75.~~

~~(c) — Signs, fences, pools, satellite antennas, driveways, sidewalks, curb cuts, and other reviews not listed: \$35.~~

~~(d) — Fees for official letters in reply to a zoning inquiry shall be as follows:~~

~~[1] — Zoning verification: \$50.~~

~~[2] — Continued certificate of occupancy: \$50.~~

~~(9) — Cape May City permits. All City permits shall have a flat fee of \$50, which flat fee shall be in addition to any applicable zoning review fees as set forth in Subsection A(8) above.~~

B. The Construction Official shall, with the advice of the subcode officials, prepare and submit to the City Council a biannual report recommending a fee schedule based on the operating expenses of the agency, and any other expenses of the municipality fairly attributable to the enforcement of the State Uniform Construction Code Act.

C. The enforcing agency shall report annually at the end of each fiscal year to the Bureau of Housing Inspection Codes and Standards, and not later than July 31, the total amount of the surcharge fee collected in the fiscal year.

(1) The fee for development-wide inspection of structures after the issuance of a certificate of occupancy pursuant to N.J.A.C. 5:23-2.35 shall be an amount equal to either the hourly base salary paid to a licensed code official performing the work, multiplied by the number of hours worked, or to the hourly fees charged to the municipality by a professional contracted to provide such services pursuant to N.J.A.C. 5:23-2.35, subject to the accounting procedures and limits set forth below.

(a) Hourly charges shall be limited only to municipal or consulting professional charges for inspections, review of plans and supporting documents and preparation of reports and documents and shall accurately reflect the hours engaged in these activities.

(b) The only costs that shall be added to any such charges shall be actual out-of-pocket expenses of any consulting engineer hired for this purpose, including normal and typical expenses incurred in

performing inspections and reviewing plans and supporting documents for the required corrective work.

(c) The developer shall not be billed and no charge shall be made to any escrow amount or deposit for any municipal clerical or administrative functions, overhead expenses, meeting room charges or any other municipal costs and expenses except as provided for in this subsection, nor shall a municipal enforcing agency professional add any charge to his expenses.

(d) Payments shall be charged to the escrow, and shall be made by the Chief Financial Officer of the municipality, and a final accounting shall be provided, in accordance with the procedure set forth in paragraphs (c) and (d) of N.J.S.A. 40:55D-53.2. Payments shall be made from any such escrow by the Chief Financial Officer only upon approval of the Construction Official.

(e) The municipality shall place in escrow all monies paid by the developer for this purpose. The escrow shall be held in any account maintained by the municipality in the same manner as that established for the deposit of escrow funds paid by professional review services, inspection fees, and performance and maintenance guarantees as provided for at N.J.S.A. 40:55D-53.1.

(f) Appeals of any changes levied by the municipality pursuant to this subsection shall be made to the Construction Board of Appeals in accordance with the procedures set forth in N.J.S.A. 40:55D-53.2a and N.J.A.C. 5:23A.

**§ 199-3. Fire limits.**

The fire limits of the City are hereby established as follows: All that land and premises located within the City of Cape May known as the Primary Historic District as defined in Chapter 525, Zoning, and as delineated therein. The Construction Official shall prepare and submit to City Council, biannually, a report reevaluating the delineation of the fire limits. This report shall indicate the recommendations of the Construction Official, the Building Subcode Official, and the Fire Subcode Official regarding those areas which would be designated as within the fire limits, with the reasons therefor.

**§ 199-4. Copy filed with state.**

A certified copy of this chapter, together with any amendments hereafter adopted, shall be forwarded to the New Jersey State Department of Community Affairs.

**§ 199-5. ~~Certificate of continued occupancy.~~Certificate of Zoning Compliance.**

A. The purpose of this section is to require an inspection of buildings, structures, or units prior to the transfer of title to determine compliance with Chapter 525 (Zoning Ordinance) ~~and this chapter.~~

B. Transfer of building, structures, or units. No person or entity shall sell or transfer title to any building, structure, portion of structure, or unit in a structure until such person or entity shall have first requested and obtained a certificate of ~~continued occupancy~~zoning compliance certifying the following:

- (1) That there has not been a change of use;
- (2) Designation of the unit(s) or structures covered by the ~~certification of continued occupancy~~zoning compliance;
- (3) That the building, structure, part of the structure, or unit(s) in the structure, as the case may be, are in compliance with the provisions of Chapter 525 (Zoning Ordinance) ~~and this chapter.~~

~~C. No person or entity shall accept transfer of title and occupy or permit the occupancy of any structure, portions of a structure or unit therein without receiving from the transferor or from the Construction Official a certificate of continued occupancy.~~

~~D.C.~~ Exceptions: Where a certificate of occupancy has been issued in connection with new construction within two years of a transfer; in such case where a portion of a new structure or unit(s) therein is transferred within two years subsequent to the issuance of a certificate of occupancy, a certificate of ~~continued occupancy~~zoning compliance shall not be required.

~~E. The fee for a certificate of continued occupancy shall be as set forth in § 199-2A(7)(b).~~

**§ 199-6. Certificate of Flood Damage Prevention Compliance.**

A. The purpose of this section is to require an inspection of buildings, structures, or units prior to the transfer of title to determine compliance with Chapter 258 (Flood Damage Prevention Ordinance).

B. Transfer of building, structures, or units. No person or entity shall sell or transfer title to any building, structure, portion of structure, or unit in a structure until such person or entity shall have first requested and obtained a certificate of flood damage prevention compliance certifying the following:

(1) Designation of the unit(s) or structures covered by the certification of flood damage prevention compliance;

(2) That the building, structure, part of the structure, or unit(s) in the structure, as the case may be, are in compliance with the provisions of Chapter 258 (Flood Damage Prevention Ordinance).

C. An applicant for a certificate of flood damage prevention compliance must submit a flood elevation certificate to the Floodplain Manager before a flood damage prevention certificate may issue.

D. Exceptions: Where a certificate of occupancy has been issued in connection with new construction within two years of a transfer; in such case where a portion of a new structure or unit(s) therein is transferred within two years subsequent to the issuance of a certificate of occupancy, a certificate of flood damage prevention compliance and flood elevation certificate shall not be required.

**§ 199-7. Miscellaneous Fees.**

A. Fees for miscellaneous zoning reviews in connection with applications for building and zoning permits shall be as follows:

(1) New buildings:

(a) One- and two-family dwellings: \$125.

(b) All other buildings: \$200.

(2) Additions and accessory buildings:

- (a) One- and two-family dwellings: \$55.
- (b) Garages: \$55.
- (c) Storage sheds and decks: \$45.
- (d) All other buildings: \$100.
- (3) Signs, fences, pools, satellite antennas, driveways, sidewalks, curb cuts, and other reviews not listed: \$45.
- (4) Fees for official letters in reply to a zoning inquiry shall be \$50 for zoning verification.
- (5) The fee for a Certificate of Zoning Compliance shall be \$75.
- (6) The fee for a Certificate of Compliance with Flood Damage Prevention Ordinance shall be \$75.
- (7) Cape May City permits. All City permits shall have a flat fee of \$65, which flat fee shall be in addition to any applicable zoning review fees as set forth in Subsection D above.

2. All other ordinances in conflict or inconsistent with this Ordinance are hereby repealed to the extent of such conflict or inconsistency.

3. Should any section, paragraph, sentence, clause or phrase of this Ordinance be declared unconstitutional or invalid for any reason, the remaining portions of this Ordinance shall not be affected thereby and shall remain in full force and effect, and to this end the provisions of this Ordinance are hereby declared to be severable.

4. This Ordinance shall take effect within twenty (20) days of final passage and publication as provided by law.

ATTEST:

CITY OF CAPE MAY, a municipal corporation  
of the State of New Jersey

\_\_\_\_\_  
Louise Cummiskey, City Clerk

BY: \_\_\_\_\_  
Dr. Edward J. Mahaney, Jr., Mayor

## NOTICE

This Ordinance was introduced at a regular meeting of the City Council of the City of Cape May, held on September 15, 2015 and will be further considered for final passage during a meeting of the City Council, to be held at the Cape May City Hall Auditorium, 643 Washington Street, Cape May, New Jersey, on October 20, 2015, 7:00 P.M. at which time a Public Hearing will be held.

---

Louise Cummiskey, City Clerk

<b>Roll Call</b>	<b>Ayes</b>	<b>Nays</b>	<b>Absent</b>	<b>Abstain</b>
<b>Dr. Mahaney</b>				
<b>Mr. Murray</b>				
<b>Ms. Pessagno</b>				
<b>Ms. Swain</b>				
<b>Mr. Wichterman</b>				

Introduced:	September 15, 2015
First Publication:	September 23, 2015
2nd Reading & Adoption:	October 20, 2015
Final Publication:	October 28, 2015

CITY OF CAPE MAY, COUNTY OF CAPE MAY, STATE OF NEW JERSEY

ORDINANCE NO. 296-2015

AN ORDINANCE OF THE CITY OF CAPE MAY AMENDING CHAPTER 7, SECTION 7-37.5 OF THE CAPE MAY CITY CODE ENTITLED "RESERVED HANDICAPPED PARKING ON STREET"

WHEREAS, Section 7-37.5 of the Cape May City Code (the "City Code") currently permits handicapped parking at certain designated parking spaces within the City of Cape May (the "City"); and

WHEREAS, N.J.S.A. 39:4-197.6, *et seq.* allows a municipality to issue a permit to a handicapped property owner so as to allow restricted parking for one motor vehicle at a space designated for the sole benefit of such property owner at or adjacent to the property owner's residence;

WHEREAS, Craig Gras, the owner or occupant of 1223 Washington Street (the "Property Owner") has requested that the City Council of the City of Cape May (the "City Council") designate a handicapped parking space in front of the residence; and

WHEREAS, the City Council desires to amend the Code in order to permit handicapped parking at all times at a designated parking space located at 1223 Washington Street in accordance with the terms and conditions set forth herein.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Cape May, County of Cape May, State of New Jersey, as follows:

1. Chapter 7, Section 7-37.5 of the City Code entitled "Reserved handicapped parking on street" is hereby amended as follows (inserted language is underlined, deleted language is ~~strikethrough~~):

**§ 7-37.5. Reserved handicapped parking on street.**

In accordance with N.J.S.A. 39:4-197.7, the following on-street location(s) is (are) designated as Reserved Handicapped Parking Spaces for use by the person named below until such time as that person no longer resides at the property adjacent to the designated parking space:

<u>NAME OF STREET</u>	<u>SIDES</u>	<u>LOCATION</u>	<u>NAME OF PERSON</u>
Hughes Street	South	Beginning 130 feet west from westerly curblineline of Stockton Avenue to a point 22 feet west thereof	Marguerite Graham

Washington Street	South	Beginning 189 feet west from westerly curblineline of Madison Avenue to a point 22 feet west therefrom.	Wingrove Rosewag
Washington Street	West	Beginning 160 feet north from the northerly curblineline of Madison Avenue to a point 20 feet north therefrom.	Carol M. Boyd
Windsor Avenue	West	400' North from the northerly curblineline of North Street to a point 20' therefrom	Harvey Allen
<u>Washington Street</u>	<u>West</u>	<u>835' West from the North/West corner of Washington Street at Sydney Street west on Washington Street 22' to a point.</u>	<u>Craig Gras</u>

Such spaces are for use only by the person so designated provided such persons have been issued a special vehicle identification car or plates or placards by the New Jersey Motor Vehicle Commission, or a temporary placard by the Chief of Police. No other person shall be permitted to park in these spaces. In addition, such designated person shall provide the City Clerk and the Chief of Police with a copy of the vehicle registration of the vehicle to be parked at the designated location, and no other vehicle shall be permitted to park in the designated space. Each designated person shall also notify the City Clerk and Chief of Police of any change in the vehicle and shall provide a copy of the vehicle registration for any replacement vehicle. The designated person shall only be permitted to register one vehicle with the City for such purpose. Such designated parking place shall terminate automatically and without further ordinance either (i) upon the death of the designated person or (ii) at such time that the designated person no longer resides at the property adjacent to the designated location.

Such designated parking place shall not be permitted unless there is no off-street parking available to the designated person at the designated person's residence. For the purposes of this section, the availability of a driveway parking permit pursuant to Section 7-54 shall constitute off-street parking. All determinations as to the availability of off-street parking shall be made by the Chief of Police, in the Chief's sole discretion.

2. All other ordinances in conflict or inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

3. Should any section, paragraph, sentence, clause or phrase of this Ordinance be declared unconstitutional or invalid for any reason, the remaining portions of this Ordinance shall not be affected thereby and shall remain in full force and effect, and to this end the provision of this Ordinance are hereby declared to be severable.

4. This Ordinance shall take effect within twenty (20) days after final passage and publication as provided by law.

ATTEST:

CITY OF CAPE MAY, a municipal corporation of  
the State of New Jersey

\_\_\_\_\_  
Louise Cummiskey, City Clerk

BY: \_\_\_\_\_  
Dr. Edward J. Mahaney, Jr., Mayor

**NOTICE**

This Ordinance was introduced at a regular meeting of the City Council of the City of Cape May, held on September 15, 2015 and was considered for final passage and adopted at a meeting of the City Council held at the Cape May City Hall Auditorium, 643 Washington Street, Cape May, New Jersey, on October 20, 2015.

\_\_\_\_\_  
Louise Cummiskey, City Clerk

<b>Roll Call</b>	<b>Ayes</b>	<b>Nays</b>	<b>Absent</b>	<b>Abstain</b>
<b>Mahaney</b>				
<b>Meier</b>				
<b>Pessagno</b>				
<b>Swain</b>				
<b>Wichterman</b>				

Introduced: September 15, 2015  
First Publication: September 23, 2015  
2nd Reading & Adoption: October 20, 2015  
Final Publication: October 28, 2015

**CITY OF CAPE MAY, COUNTY OF CAPE MAY, STATE OF NEW JERSEY**

**RESOLUTION NO. 209-09-2015**

**REFUND OF OVERPAID 2015 TAXES**

**MOTION:**

**SECOND:**

**WHEREAS**, the 3<sup>rd</sup> quarter 2015 property taxes were paid by the CoreLogic Tax Service and the homeowner; and

**WHEREAS**, the homeowner has requested a refund; and

**WHEREAS**, the Tax Collector of the City of Cape May has calculated the amount of the refund as listed below, and

**WHEREAS**, the specific property and amount of the overpaid taxes are listed below:

<b>PROPERTY OWNER</b>	<b>ADDRESS</b>	<b>BLOCK/LOT</b>	<b>AMOUNT</b>
Childs, Michael E & Nancy Maressa	1116 New York Ave.	1115/11 C-01	\$ 1,467.47

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Cape May, that it authorizes the appropriate officers and officials of the City of Cape May to refund the overpaid taxes as stated above.

I hereby certify the foregoing to be an original resolution adopted by the City Council of the City of Cape May at a meeting held on September 15, 2015

\_\_\_\_\_  
Louise Cummiskey, City Clerk

<b>Roll Call</b>	<b>Ayes</b>	<b>Nays</b>	<b>Absent</b>	<b>Abstain</b>
<b>Wichterman</b>				
<b>Meier</b>				
<b>Pessagno</b>				
<b>Swain</b>				
<b>Mahaney</b>				

cc: CFO  
Tax Collector

**CITY OF CAPE MAY, COUNTY OF CAPE MAY, STATE OF NEW JERSEY**

**RESOLUTION NO. 210-09-2015**

**RESOLUTION APPROVING DONATION OF  
PERSONAL PROPERTY TO ARC**

**MOTION:**

**SECOND:**

**WHEREAS**, the City of Cape May has in its possession certain unclaimed personal property including, without limitation, bicycles (the "Unclaimed Property"); and

**WHEREAS**, the City has attempted to locate the owners of the Unclaimed Property, but has been unable to do so; and

**WHEREAS**, the City has received a request from the Association for Retarded Citizens and would like to donate said personal property.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Cape May, County of Cape May, State of New Jersey, as follows:

1. That the Unclaimed Property is hereby declared to be surplus and not needed for public purposes.

I hereby certify the foregoing to be a true copy of a Resolution adopted by the City Council at a meeting held on September 15, 2015.

\_\_\_\_\_  
Louise Cummiskey, City Clerk

Roll Call	Ayes	Nays	Absent	Abstain
Wichterman				
Meier				
Pessagno				
Swain				
Mahaney				

cc: Police Department  
Superintendent, Public Works

CITY OF CAPE MAY, COUNTY OF CAPE MAY, STATE OF NEW JERSEY

RESOLUTION NO. 211-09-2015

RESOLUTION APPROVING THE SUBMISSION OF A GRANT APPLICATION AND  
THE EXECUTION OF A GRANT AGREEMENT WITH THE NEW JERSEY  
DEPARTMENT OF TRANSPORTATION FOR A BIKEWAY GRANT  
BIKE 2016-CAPE MAY CITY-00007

MOTION:

SECOND:

WHEREAS, the New Jersey Department of Transportation is accepting applications for the Bikeway Grant Program; and

WHEREAS, this program is available to all counties and municipalities in the State of New Jersey; and

WHEREAS, this grant program does not require a local match; and

WHEREAS, the City of Cape May carefully considers grant programs that assist the City in achieving projects and programs that are priorities for the community.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Cape May formally approves that grant application for the above stated project.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as Bike-2016-Cape May City-00007 to the New Jersey Department of Transportation on behalf of the City of Cape May.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the City of Cape May and that their signatures constitute acceptance of the terms and conditions of the grant agreement and approve the execution of the grant agreement.

I hereby certify the foregoing to be a true copy of a Resolution adopted by the City Council at a meeting held on September 15, 2015.

\_\_\_\_\_  
Louise Cummiskey, City Clerk

Roll Call	Ayes	Nays	Absent	Abstain
Wichterman				
Meier				
Pessagno				
Swain				
Mahaney				

**CITY OF CAPE MAY, COUNTY OF CAPE MAY, STATE OF NEW JERSEY**

**RESOLUTION NO. 212-09-2015**

**RESOLUTION APPROVING THE SUBMISSION OF A GRANT APPLICATION AND THE EXECUTION OF A GRANT AGREEMENT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE SAFE STREETS TO TRANSIT PROGRAM SST-2016-Cape May City-00007**

**MOTION**

**SECOND**

**WHEREAS**, the New Jersey Department of Transportation is accepting applications for the Municipal Aid Grant Program; and

**WHEREAS**, this program is available to all municipalities in the State of New Jersey; and

**WHEREAS**, this grant program does not require a local match; and

**WHEREAS**, the City of Cape May carefully considers grant programs that assist the City in achieving projects and programs that are priorities for the community; and

**WHEREAS**, the Safe Streets to Transit Program may fund intersection improvements, new sidewalks, safety enhancements, pedestrian signals, traffic calming measures and ornamental lighting.

**NOW, THEREFORE, BE IT RESOLVED** that City Council of the City of Cape May formally approves that grant application for the above stated project.

**BE IT FURTHER RESOLVED** that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as SST-2016-Cape May City-00007 to the New Jersey Department of Transportation on behalf of the City of Cape May.

**BE IT FURTHER RESOLVED** that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the City of Cape May and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

I hereby certify the foregoing to be a true copy of a Resolution adopted by the City Council at a meeting held on September 15, 2015.

\_\_\_\_\_  
Louise Cummiskey, City Clerk

Roll Call	Ayes	Nays	Absent	Abstain
Wichterman				
Meier				
Pessagno				
Swain				
Mahaney				

**CITY OF CAPE MAY, COUNTY OF CAPE MAY, STATE OF NEW JERSEY**

**RESOLUTION NO. 213-09-2015**

**CANCELATION OF REAL ESTATE TAXES  
Block 1061 Lot 44, 817 St. John Street**

**MOTION:**

**SECOND:**

**WHEREAS**, the property known as Block 1061, Lot 44, located at 817 St. John Street, Cape May, New Jersey, was previously assessed as a taxable improvement; and

**WHEREAS**, pursuant to the Agreement of Sale dated February 2, 2015, by and between the City of Cape May and Mary Jane Barrett, the City of Cape May purchased said property. Settlement was held on June 30, 2015, thereby deeming the property to be "tax exempt;" and

**WHEREAS**, all property taxes through the first quarter and second quarter 2015 have been paid in full; and

**WHEREAS**, the taxes billed for the third quarter and fourth quarter 2015 and the first and second quarter 2016 shall be cancelled as a result of the sale and purchase of the property by the City of Cape May municipal government; and

**WHEREAS**, the Tax Assessor has requested the property known as Block 1061, Lot 44, and more commonly known as 817 St. John Street, Cape May, New Jersey be reclassified from a R3 property to a City owned exempt property.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the City of Cape May that the property known as Block 1061, Lot 44 and more commonly known as 817 St. John Street, Cape May, New Jersey be reclassified from a R3 property to a City owned exempt property, and the third quarter and fourth quarter 2015 and first and second quarter 2016 taxes in the total amount of \$2,364.91 shall be cancelled

I hereby certify the foregoing to be an original resolution adopted by the City Council of the City of Cape May at a meeting held on September 11, 2015.

\_\_\_\_\_  
Louise Cummiskey, City Clerk

cc: County Board of Taxation  
Tax Collector  
Tax Assessor

Roll Call	Ayes	Nays	Absent	Abstain
Meier				
Pessagno				
Swain				
Wichterman				
Mahaney				

CITY OF CAPE MAY

RESOLUTION NO. 214-09-2015A

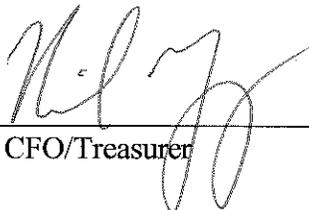
RESOLUTION FOR THE PAYMENT OF BILLS

MOTION:

SECOND:

**BE IT RESOLVED** by the City Council of the City of Cape May, that the following bills, approved for payment by the City Manager, be paid and that the Chief Financial Officer/Treasurer of the City of Cape May, is hereby authorized to draw orders for the amounts of same, as shown on bill list dated September 11, 2015 for payments excluding those related to Swain's Ace Hardware Inc. Total Bill List: \$391,882.02.

Current Fund Appropriations	\$ 248,069.35
Water/Sewer Utility Operating Fund Appropriations	\$ 50,287.60
Tourism Utility Fund	\$ 12,157.19
General Capital Improvements	\$ 25,205.09
Water/Sewer Capital Improvements	\$ 28,960.01
Escrow Special Account	\$ 805.00
Trust Fund	\$ 3.60
Grant Fund	\$ 6,635.00
Beach Utility Fund Appropriations	\$ 18,381.66
Beach Utility Capital Improvements	\$ 160.63
	<u>\$ 390,665.13</u>

  
 \_\_\_\_\_  
 Neil Young, CFO/Treasurer

Roll Call	Ayes	Nays	Absent	Abstain
Mahaney				
Swain				
Wichterman				
Pessagno				
Meier				

I hereby certify the foregoing to be an original resolution adopted by the City Council of the City of Cape May at a meeting held on September 15, 2015.

\_\_\_\_\_  
 Louise Cummiskey, City Clerk

CITY OF CAPE MAY

RESOLUTION NO. 214-09-2015B

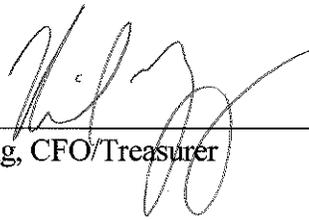
RESOLUTION FOR THE PAYMENT OF BILLS

MOTION:

SECOND:

**BE IT RESOLVED** by the City Council of the City of Cape May, that the following bills, approved for payment by the City Manager, be paid and that the Chief Financial Officer/Treasurer of the City of Cape May, is hereby authorized to draw orders for the amounts of same, as shown on bill list dated September 11, 2015 for payments related to Swain's Ace Hardware Inc:  
Total Bill List: \$391,882.02.

Current Fund Appropriations	\$	429.64
Utility Operating Fund Appropriations	\$	301.08
General Capital Improvements	\$	-
Water/Sewer Capital Improvements	\$	-
Escrow Special Account	\$	-
Trust Fund	\$	-
Tourism Utility	\$	16.99
Grant Fund	\$	-
Beach Utility Fund Appropriations	\$	469.18
Beach Utility Capital Improvements	\$	-
	<u>\$</u>	<u>1,216.89</u>

  
\_\_\_\_\_  
Neil Young, CFO/Treasurer

Roll Call	Ayes	Nays	Absent	Abstain
Mahaney				
Swain				
Wichterman				
Pessagno				
Meier				

I hereby certify the foregoing to be an original resolution adopted by the City Council of the City of Cape May at a meeting held on September 15, 2015.

\_\_\_\_\_  
Louise Cummiskey, City Clerk

**CITY OF CAPE MAY, COUNTY OF CAPE MAY, STATE OF NEW JERSEY**

**RESOLUTION NO. 215-09-2015**

**RESOLUTION APPROVING AGREEMENT BETWEEN CITY OF CAPE MAY  
AND SEVEN MILE PUBLISHING AND CREATIVE GROUP, LLC  
INFORMATION GUIDE AND EVENT SCHEDULE**

**MOTION:**

**SECOND:**

**WHEREAS**, the City of Cape May (the "City") desires to enter into an agreement with Seven Mile Publishing and Creative Group, LLC ("Seven Mile"), in the form attached hereto as EXHIBIT A ("Agreement"), to design and produce the 2016 City of Cape May Information Guide and Event Schedule (the "Services");

**WHEREAS**, the City has also reviewed the credentials and experience of Seven Mile, and because of the highly specialized and qualitative nature of the services and the expertise, extensive training and proven reputation that Seven Mile has in the performance of the Services, the City desires to enter into the Agreement as a contract for an extraordinary unspecifiable service contract in accordance with N.J.S.A. 40A:11-5(1)(a)(i);

**WHEREAS**, Seven Mile has completed and submitted a Business Entity Disclosure Certification which certifies that Seven Mile has not made any reportable contributions to a political or candidate committee in the City of Cape May in the previous one year, and that the contract will prohibit Seven Mile from making any reportable contributions through the term of the Agreement.

NOW, THEREFORE, BE IT RESOLVED, by the City of Cape May, County of Cape May, State of New Jersey, that:

1. The Agreement between Seven Mile and the City of Cape May, in the form attached hereto as EXHIBIT A, is hereby approved.
2. That the Mayor and Clerk are hereby authorized and directed to execute the Agreement on behalf of the City of Cape May, and to take any and all other actions necessary to effectuate the purposes thereof.
3. That the Agreement has been reviewed and approved by the City Solicitor as to form, content and legal procedure.
4. This resolution is contingent upon the Agreement for Extraordinary Unspecifiable Services being executed by the Mayor and City Clerk within thirty (30) days from the date of this resolution.

5. A Notice of Award of an Agreement for Extraordinary Unspecifiable Services for the above services shall be published in the *Cape May County Herald Times/Cape May County Herald*.

6. The Business Disclosure Entity Certification shall be placed on file with this resolution.

I hereby certify the foregoing to be an original resolution adopted by the City Council of the City of Cape May at a meeting held on September 15, 2015.

---

Louise Cummiskey, City Clerk

Roll Call	Ayes	Nays	Absent	Abstain
Dr. Mahaney				
Mr. Meier				
Ms. Pessagno				
Ms. Swain				
Mr. Wichterman				

**CITY OF CAPE MAY, COUNTY OF CAPE MAY, STATE OF NEW JERSEY**

**RESOLUTION NO. 216-09-2015**

**RESOLUTION APPROVING AGREEMENT BETWEEN CITY OF CAPE MAY  
AND SEVEN MILE PUBLISHING AND CREATIVE GROUP, LLC  
SUMMER CONCERT SERIES**

**MOTION:**

**SECOND:**

**WHEREAS**, the City of Cape May (the "City") desires to enter into an agreement with Seven Mile Publishing and Creative Group, LLC ("Seven Mile"), in the form attached hereto as EXHIBIT A ("Agreement"), to design and produce the 2016 Cape May City Summer Concert Series Program (the "Services");

**WHEREAS**, the City has also reviewed the credentials and experience of Seven Mile, and because of the highly specialized and qualitative nature of the services and the expertise, extensive training and proven reputation that Seven Mile has in the performance of the Services, the City desires to enter into the Agreement as a contract for an extraordinary unspecifiable service contract in accordance with N.J.S.A. 40A:11-5(1)(a)(i);

**WHEREAS**, Seven Mile has completed and submitted a Business Entity Disclosure Certification which certifies that Seven Mile has not made any reportable contributions to a political or candidate committee in the City of Cape May in the previous one year, and that the contract will prohibit Seven Mile from making any reportable contributions through the term of the Agreement.

NOW, THEREFORE, BE IT RESOLVED, by the City of Cape May, County of Cape May, State of New Jersey, that:

1. The Agreement between Seven Mile and the City of Cape May, in the form attached hereto as EXHIBIT A, is hereby approved.
2. That the Mayor and Clerk are hereby authorized and directed to execute the Agreement on behalf of the City of Cape May, and to take any and all other actions necessary to effectuate the purposes thereof.
3. That the Agreement has been reviewed and approved by the City Solicitor as to form, content and legal procedure.
4. This resolution is contingent upon the Agreement for Extraordinary Unspecifiable Services being executed by the Mayor and City Clerk within thirty (30) days from the date of this resolution.

5. A Notice of Award of an Agreement for Extraordinary Unspecifiable Services for the above services shall be published in the *Cape May County Herald Times/Cape May County Herald*.

6. The Business Disclosure Entity Certification shall be placed on file with this resolution.

I hereby certify the foregoing to be an original resolution adopted by the City Council of the City of Cape May at a meeting held on September 15, 2015.

---

Louise Cummiskey, City Clerk

Roll Call	Ayes	Nays	Absent	Abstain
Dr. Mahaney				
Mr. Meier				
Ms. Pessagno				
Ms. Swain				
Mr. Wichterman				