

**BOROUGH OF WILDWOOD CREST
COUNTY OF CAPE MAY
NEW JERSEY**

ORDINANCE NO. 1493

**ORDINANCE OF THE BOROUGH OF WILDWOOD CREST AMENDING
AND SUPPLEMENTING THE CODE OF THE BOROUGH OF WILDWOOD
CREST ARTICLE I, UNIFORM CONSTRUCTION CODE OF CHAPTER 22
TO ALLOW FOR A WAIVER OF FEES FOR CONSTRUCTION WITHIN A
DISABLED PERSON'S HOME THAT PROMOTES ACCESSIBILITY**

WHEREAS, the Board of Commissioners, of the Borough of Wildwood Crest, for good government, order and the protection of persons and property, and for the preservation of the public health, safety and welfare of the Borough and its inhabitants, desires to supplement and amend the Code of the Borough of Wildwood Crest to allow for waiving of construction permit fees as authorized by N.J.S.A. 52:27D-126(e) for certain disabled persons engaged in construction within their home to promote accessibility.

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners of the Borough of Wildwood Crest, in the County of Cape May, New Jersey, as follows:

Section 1. Ordinance 1226 adopted November 4, 2015, a portion of Ordinance 1421 adopted January 24, 2024, a portion Ordinance 1452 adopted April 9, 2025, a portion Ordinance 1457 adopted June 11, 2025 that had been codified in the Code of the Borough of Wildwood Crest, as Chapter 22, Section 22-3 Fees, and as amended by Ordinance is hereby amended as follows (new language is underlined, removed language is ~~stricken~~):

§ 22-3. Fees.

G. Waiver of Fees. Notwithstanding the provisions of the State Uniform Construction Code Act, or any rules, regulations or standards adopted pursuant thereto, and as authorized by and in accordance with N.J.S.A. 52:27D-126(e), no person shall be charged a construction permit surcharge fee or enforcing agency fee for any construction, reconstruction, alteration or improvement designed and undertaken solely to promote accessibility by disabled persons to an existing private structure or any of the facilities contained therein. This exemption shall apply to any parent or sibling of a disabled person in whose residence the disabled person may reside.

For the purposes of this subsection, "person with a disability" means a person who has the total and permanent inability to engage in any substantial gainful activity by reason of any medically determinable physical or mental disability, including blindness, and shall include, but not be limited to, any resident of this State who has a disability as defined pursuant to the federal Social Security Act (42 U.S.C. s.416), or the federal Railroad Retirement Act of 1974 (45 U.S.C. s.231 et seq.), or is rated as having a 60 percent disability or higher pursuant to any federal law administered by the United States Veterans' Administration.

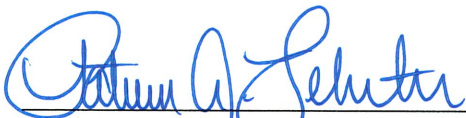
Section 2. The remainder of all other sections and subsections of the aforementioned ordinance not specifically amended by this Ordinance shall remain in full force and effect.

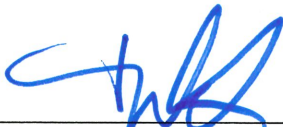
Section 3. All other ordinances in conflict with or inconsistent with this ordinance are hereby repealed to the extent of such inconsistency.

Section 4. If any portion of this ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, such judgment shall not affect or invalidate the remainder of this ordinance, but shall be confined in its effect to the provision directly involved in the controversy in which such judgment shall have been rendered.

Section 5. This ordinance shall become effective twenty (20) days after final passage and advertisement thereof as required by law.

Dated: July 1, 2026



Patricia A. Fekettes, Borough Clerk

Don Cabrera, Mayor

Joseph Franco, Jr. Commissioner

Toni Fuscellaro, Commissioner

Introduced: June 17, 2026
Adopted: July 1, 2026