

BUSINESS GUIDE:
AN INTRODUCTION AND
OVERVIEW FOR DOING
BUSINESS IN
EAST ORANGE



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The information contained herein should be considered only as a reference and is not intended to supersede existing state statutes, municipal ordinances and/or other regulations.

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1) GETTING STARTED:

IS MY BUSINESS AN APPROVED USE FOR THE AREA WHERE I WANT TO BE LOCATED?

The City of East Orange is broken down into many Zone Districts. Each District has Permitted Principal Uses and Permitted Accessory Uses. The purpose of designating specific Zone Districts is to avoid incompatible uses or activities in proximity to each other.

The permitted uses can be found by reviewing the Zoning Map to determine the Zone District of a specific location and then by referencing the Zoning Ordinance which outlines the specific criteria for each Zone District.

If you would like to see if a particular type of business can be located within East Orange, first consult the Zoning Ordinance to see if any District includes your business as a permitted Use. If your Use is permitted within a Zone District, the Zoning Map can then show where that Use can be located.

Appointments can be scheduled with the Zoning Officer to assist you in reviewing your proposed business and discussing where it may be permitted within the various Zone Districts.

In order to locate a business within a Zone District that does not allow that Use, a Zoning Variance must be obtained from the Zoning Board.

Remember, just because you believe your business fits in a certain category does not mean that it is an Approved Use.

For example, a retail business cannot be located within East Orange LI (Light Industrial) Zone District without a variance issued by the Zoning Board.

Once you have determined that you are permitted to conduct your business within a Zone District, new buildings must adhere to the Bulk Area Requirements within that Zone.

Bulk Area Requirements include items such as the distance of the building to the property lines, heights of structures, location and size of signage, etc.

New building construction must obtain either Planning Board or Zoning Board site plan approvals (see section 2) prior to issuance of a building permit. Bulk and Area criteria can be found in the Zoning Ordinance.

Alterations to existing buildings and/or parking facilities will likely require building permits and may require an amended site plan approval from either the Planning Board or Zoning Board (based on which Board gave the original site plan approval).

Copies of the Official Zoning Map can be obtained in the Department of Public Works on the 3rd Floor of City Hall.

Dates to Remember:

Planning Board meets the 1st Wednesday each month at 7:00

Zoning Board meets the 2nd Wednesday each month at 7:00PM.

All meetings are held at East Orange City Hall, Council Chambers.

2) DO I NEED TO OBTAIN ANY APPROVALS FROM THE GOVERNING BODY OR ANY OTHER BOARDS?

If your Use is not an Approved Use for the Zone District, a **Use Variance** must be obtained from the Zoning Board.

If you are changing the Use of an existing building, or if you plan on making changes to the Building, Signage, Parking Areas, Ancillary Buildings or Structures, but your Use is still an Approved Use within the Zone District, you may need to obtain an **Amended Site Plan Approval** from the Planning Board.

NOTE: If the Applicant is a Corporation, the Applicant **must** be represented by an attorney at any Board hearings.

If your site plan approval is granted by either the Planning or Zoning Board, you will then need to post a Performance Guarantee, or other approved method of financial assurance. The estimate of the costs on which the financial assurance is based, must be approved by the engineer and both the amount and the type of financial assurance must be approved by the Law Department.

You will also need to make sure that there are adequate escrow funds deposited in your account. The escrow account funds cover the cost of the City professionals to review submissions and perform inspections.

Construction Permits

Construction permits are required when you make any changes to the building, including any interior or exterior demolition, electrical, plumbing, fire systems, or interior and exterior building construction activities.

The Construction Department is guided by different regulations than the Planning and Zoning Boards. They must adhere to the Uniform Construction Code (UCC). The UCC has stringent requirements for construction materials and practices, as well as fire suppression requirements. It is very important to have a professional architect or engineer review your UCC Use Group (which is different from the City Approved Uses for Zone Districts) and incorporate the appropriate construction details for your business into your building.

All electrical and plumbing work must be performed by NJ Licensed contractors.

****NOTE****

Food related businesses will also need approval from the City Health Department 973-266-5490

3) WHAT PERMITS WILL I NEED FROM THE CITY AND HOW CAN I OBTAIN THEM?

- CONSTRUCTION PERMITS

The Construction Department is guided by the NJ State Department of Community Affairs and the Uniform Construction Code. The Construction Department is managed by the Municipal Construction Official.

There are Four (4) Primary disciplines for which to obtain permits. They are:

Building
Electrical
Fire

Plumbing

All permits are applied for through the Construction Department.

Generally, each discipline is divided into two primary categories: Subcode review, conducted by the Subcode Officials; and inspections, conducted by each discipline's Inspector(s).

Subcode Officials review plans and drawings to ensure that they meet the UCC requirements for your business' Use Group. Approval by the Subcode Official and the Construction Official are required to obtain a permit. Construction Office Permits generally fall into five categories:

- BUILDING PERMITS
 - DEMOLITION PERMITS
 - ELECTRICAL PERMITS
 - FIRE PERMITS
 - PLUMBING PERMITS
- Once a permit has been issued, you or your contractor must contact the Construction Office to arrange for inspections of the work at various stages. The Inspectors will check to make sure that the work is in compliance with the permit. Each inspection will be marked as either Pass or Fail. Once all inspections have been completed and passed, the Construction Official will issue you a certificate to occupy the building and conduct your business.

- TEMPORARY USE PERMITS

Temporary Use permits can be issued by the Planning Board for Construction related activities (such as an office trailer) or the Licensing Division for special events (such as tents associated with an employee or customer appreciation event).

Temporary Use applications can be obtained from the City of East

Orange Construction and Zoning office on the 3rd Floor of City Hall. The Municipal Code describing Temporary Use Authorization can be found under the “Ordinances” section of the website.

4) *URBAN ENTERPRISE ZONE*

The UEZ Program exists to foster an economic climate that revitalizes designated urban communities and stimulates their growth by encouraging businesses to develop and create private sector jobs through public and private investment.

In order to participate in the UEZ Program, your business must be:

- [Registered](#) with the State of New Jersey
- Located within one of the [32 designated zones](#)
- Be in tax compliance with the State of NJ
- Certified by the New Jersey UEZ program

All Certification Applications are entered online using the **UEZ Business Certification System**, accessible through [NJ Premier Business Services](#). Refer to the [step-by-step instructions](#) for assistance.

Helpful information is available on the UEZ [Forms & Instructions](#) web page.

Benefits to Businesses

Reduced Sales Tax – currently 3.5%

Tax Free Purchases on certain items such as capital equipment, facility expansions, and upgrades

Financial Assistance from agencies such as NJEDA

Subsidized unemployment insurance costs for employees who earn less than \$4,500 per quarter

Energy Sales Tax Exemption for qualified manufacturing firms with at least 250 employees, 50% of whom are working in manufacturing

Tax Credit Options (owners may elect one of the following)

- Up to \$1,500 for new permanent full-time employees hired
- Up to 8% Corporate Business Tax credit on qualified investments.

5) MUNICIPAL CONTACT INFORMATION

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Comprehensive Planning

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973-266-5486

Janis Nelson, Land Use Administrator
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973-266-5486

Carolyn Whitehead, Zoning Official
Carolyn.whitehead@eastorange-nj.gov
973-266-5449

6) Additional Contact Information

SBA Small Business Development Center
1 Washington Park, Newark, New Jersey, 07102 - Phone: (973) 353-1927

New Jersey Redevelopment Authority
126 W State St, Trenton, NJ 08608 Phone: (609) 599-3316