

ORDINANCE 2014-09

AN ORDINANCE OF WANTAGE TOWNSHIP, COUNTY OF SUSSEX, STATE OF NEW JERSEY AMENDING CHAPTER IX OF THE CODE OF WANTAGE TOWNSHIP PROVIDING FOR LOCAL ENFORCEMENT OF THE NEW JERSEY UNIFORM FIRE CODE.

WHEREAS, the Uniform Fire Safety Act, N.J.S.A. 52:27D-192 et seq. was enacted for the purpose of establishing a system for the enforcement of uniform, minimum, fire safety standards throughout the State of New Jersey;

WHEREAS, the New Jersey Department of Community Affairs has promulgated uniform, minimum, fire safety standards that have been made a part of the New Jersey Uniform Fire Code (N.J.A.C. 5:70.1 et seq.);

WHEREAS, the Uniform Fire Safety Act authorizes municipalities to provide for local enforcement of these standards and to establish local enforcement agencies for that purpose;

WHEREAS, it is in the best interest of Wantage Township to have the Uniform Fire Code enforced locally; and

WHEREAS, the local fire service has agreed to the plan, which is set forth herein, for the administration and enforcement of the Uniform Fire Code.

NOW, THEREFORE, BE IT ORDAINED By the Mayor and Committee of the Township of Wantage, as follows:

Section 1. The Code of Wantage Township is hereby modified to replace Chapter IX in its entirety as follows:

9-1. Local Enforcement. Pursuant to Section 11 of the Uniform Fire Safety Act, N.J.S.A. 52:27D-192 et seq., the New Jersey Uniform Fire Code (N.J.A.C. 5:70-1 et seq.) shall be locally enforced in Wantage Township.

9-2. Agency Designation. The local enforcing agency shall be the Hardyston Township Bureau of Fire Prevention, which shall hereinafter be known as the local enforcing agency.

9-3. Duties.

- (A) Within the established boundaries of Wantage Township, the local enforcing agency shall enforce the Uniform fire Code in all buildings, structures, and premises other than owner-occupied buildings of less than three dwelling units used exclusively for dwelling purposes and buildings, structures, and premises owned or operated by Interstate Agencies or the State.
- (B) The local enforcing agency shall faithfully comply with all the pertinent requirements of the Uniform Fire Safety Act and the Uniform Fire Code.

9-4. Organization of the Local Enforcing Agency.

(A) The Bureau of Fire Prevention established by Section 2 of this ordinance shall be Created and supervised by the Township of Hardyston and shall meet all of the Requirements of the applicable law and regulations.

(B) Appointment of Fire Official

The chief administrative officer of the Bureau of Fire Prevention shall be a State-certified fire official appointed by the governing body of the Township of Hardyston consistent with the procedures set forth in the applicable law and regulations. The governing body of the Township of Hardyston may appoint inspectors and other employees of the enforcing agency consistent with applicable laws and regulations. All life hazard inspectors shall be certified by the State.

9-5. Life Hazard Uses. The Bureau of Fire Prevention established by Section 2 of this ordinance shall carry out the periodic inspections of life hazard uses required by the Uniform Fire Code on behalf of the Commissioner of the New Jersey Department of Community Affairs.

9-6. Non-life Hazard Uses.

(A) In addition to the registrations and permits required by the Uniform Fire Code, all other uses subject to Uniform Fire Code inspections shall register with the Bureau of Fire Prevention. These uses shall be inspected once per year and shall pay an annual fee of \$50.00.

(B) Uses requiring registration with the State as life hazard uses shall not be required to register or pay fees pursuant to this section.

(C) Vacant buildings that create a fire hazard shall be charged and inspected according to the schedule, above.

(D) Owners of more than one use at a given location shall pay a full fee for the largest use and one-half fee or fees for any subsequent use or uses.

9-7. Permits

(A) The application fees for the permits listed in N.J.A.C. 5:70-2.7 shall be as specified in the Uniform Fire Code.

9-8. Board of Appeals. Pursuant to N.J.S.A. 52:27D-206b; 208d, any person aggrieved by any action of the local enforcing agency shall have the right to appeal to the Construction Board of Appeals of the County of Sussex.

9-9. Enforcement, Violations and Penalties. Enforcement, violations, and penalties shall be managed in conformity with the Uniform Fire Safety Act, the Uniform Fire Code and all other laws of the State of New Jersey.

Section 2 Partial invalidity.

If any section, subsection, clause or phrase of this ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this ordinance.

Section 3 Effective date.

This ordinance shall become effective upon adoption and publication in accordance with Law.

William DeBoer, Mayor

ATTEST:

James R. Doherty, Administrator/Clerk

NOTICE is hereby given that the above ordinance was introduced and passed upon first reading at a meeting of the Mayor and Committee of the Township of Wantage, in the County of Sussex, New Jersey, held on the 10th day of April 2014. It will be further considered for final passage after public hearing at a meeting of the Mayor and Committee to be held in the Municipal Building, 888 Route 23 South, in the Township of Wantage, on April 24, 2014, at 7:00 P.M., and during the preceding week copies of the ordinance will be made available at the Clerk's office in the Municipal Building to members of the general public.

James R. Doherty, Administrator/Clerk