



**2019
BOROUGH OF DUMONT
ORDINANCE**

| MEMBERS | AYE | NAY | ABSTAIN | ABSENT |
|-------------|-----|-----|---------|--------|
| CHAE | ✓ | | | |
| ENGLESE | ✓ | | | |
| LaBRUNO | ✓ | | | |
| MANNA | ✓ | | | |
| ROSSILLO | ✓ | | | |
| STEWART | ✓ | | | |
| MAYOR KELLY | | | | |
| TOTALS | 6 | | | |

Ordinance No. 1557
Date: February 19, 2019
Page: 1 of 6
Subject: Uniform Fire Safety Act
Purpose: Enforcement
Dollar Amount: _____
Prepared By: David Lafferty, Esq.

Offered by: LaBruno
Seconded by: Chae

Certified as a true copy of an Ordinance Adopted at 2nd Reading by the Governing Body of the Borough of Dumont on the above date at a Public Meeting by:

Susan Connelly
Susan Connelly, RMC, Municipal Clerk
Borough of Dumont, Bergen County, New Jersey

An Ordinance of the Borough of Dumont, County of Bergen, State of New Jersey

**AN ORDINANCE AMENDING CHAPTER 216 OF THE DUMONT BOROUGH CODE
TO ENACT THE UNIFORM FIRE SAFETY ACT AND PROVIDE FOR
ENFORCEMENT THEREOF**

WHEREAS, the Borough Code of the Borough of Dumont currently provides for the adoption of the Fire Prevention Code of 1976; and

WHEREAS, The Uniform Fire Safety Act (P.L. 1983, c. 383) was enacted for the purpose of establishing a system or the enforcement of minimum fire safety standards throughout the State

of New Jersey; and the Uniform Fire Safety Act authorizes municipalities to provide for local enforcement and to establish enforcement agencies for that purpose; and WHEREAS, it is in the best interest of the Borough of Dumont to have the Uniform Fire Safety Act enforced locally;

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Dumont, County of Bergen and State of New Jersey as follows:

Section 1. Chapter 216, Articles I and II of the Borough Code of the Borough of Dumont are hereby repealed and replaced as set forth herein.

Section 2. Chapter 216 of the Borough Code of the Borough of Dumont is amended and/or replaced as follows:

Chapter 216 - Fire Prevention

216-1 ENFORCEMENT OF THE UNIFORM FIRE SAFETY ACT

216-1.1 Local Enforcement.

Pursuant to Section 11 of the Uniform Fire Safety Act (P. L. 1983, p. 383) the New Jersey Uniform Fire Code shall be locally enforced in the Borough of Dumont.

216-1.2 Agency Designation

The local enforcing agency (LEA) shall be the Dumont Bureau of Fire Prevention.

216-1.3 Duties

The local enforcing agency shall enforce the Uniform Safety Act and the codes and regulations adopted under it in all buildings, structures and premises within the established boundaries of Dumont, other than owner occupied one and two-family dwellings, and shall faithfully comply with the requirements of the Uniform Fire Safety Act and the Uniform Fire Code.

216-1.4 Life Hazard Uses

The local enforcing agency established by subsection 216-1.2 of this ordinance shall carry out the annual inspections of the life hazard uses required by the Uniform Fire Code on behalf of the Commissioner of Community Affairs.

216-1.5 Non-Life Hazard Use and Multiple Dwelling Inspection Cycle

The local enforcing agency established by subsection 216-1.2 of this ordinance shall carry out inspections of non-life hazard uses and multiple dwellings on a biennial basis or sooner at the discretion of the fire official.

216-1.6 Organization

The local enforcing agency established by subsection 216-1.2 of this ordinance shall be a part of the Dumont Fire Department and shall be under the direct supervision and control of the Fire Official.

216-1.7 Appointment, Term of Office, Removal

- a. Appointment of Fire Official. The local enforcing agency shall be under the supervision of the fire official.
- b. Inspector and Employee. Such inspectors and other employees as may be necessary for the local enforcing agency to properly carry out its responsibilities shall be appointed by the Mayor and Council of the Borough of Dumont. The appointments may be made upon recommendation of the fire official.
- c. Removal from Office. Inspectors and other employees of the enforcing agency shall be subject to removal by the Governing Body of the Borough of Dumont for the inefficiency or misconduct thereof. Each inspector or employee to be so removed shall be afforded an opportunity to be heard by the appointing authority or a designated hearing officer.
- d. Term of Office. The fire official shall serve for a term of one (1) year. Any vacancy shall be filled for the unexpired term.

216-1.8 Board of Appeals

Pursuant to the Uniform Fire Safety Act, any person aggrieved by any order of the local enforcing agency shall have the right to appeal to the Construction Board of Appeals of Bergen County.

216-1.9 Additional Required Inspections and Fees

a. *Annual Non-Life Hazard Use Registration Fee*

| Area | Registration Fee |
|---------------------------------|------------------|
| Less than 2,000 square feet | \$50.00 |
| 2,001 – 5,000 square feet | \$100.00 |
| 5,001 – 10,000 square feet | \$150.00 |
| Greater than 10,000 square feet | \$200.00 |

b. *Annual Multiple Dwelling Registration Fee*

Up to three units on premises \$65.00. More than three units on premises, \$20.00 per unit.

c. *Uniform Fire Code Permits.* The permit fees established by the Uniform Fire Code (N. J. A. C. 5:70-2.9-3(c)) shall be the fees collected by the local enforcing agency as listed:

| Permit Type | Permit Fee |
|-------------|------------|
| Type I | \$54.00 |
| Type II | \$214.00 |
| Type III | \$427.00 |
| Type IV | \$641.00 |

216-1.10 Remuneration

Upon completion of an inspection, the fire inspector will receive the following:

| | Life Hazard Use (LHU) | Non-LHU | Multiple Dwelling |
|--------------------|-----------------------|---------|-------------------|
| Initial Inspection | 50% of LEA share | \$10.00 | \$10 per unit |
| Re-Inspection | 25% of LEA share | \$5.00 | \$15.00 |

216-2 Identification of Sprinklers and Standpipes

Where sprinkler systems and/or standpipes are required, all fire department connections shall be identified by a red light. The light shall be installed directly above the connection at least six (6) feet and not more than eight (8) feet above the ground level. Illumination shall be provided by a bulb no smaller than twenty-five (25) watts and shall be in operation at all times. It shall be the responsibility of the property owner or their agent to install and maintain this equipment.

216-3 Signs and Placards

Additional signs or placards requested by the fire official shall be located and of such size, distinctive color and design that it is readily visible and shall provide contrast with decorations, interior finish or other signs. No decorations, furnishings, or equipment that impairs visibility of a sign shall be permitted. Once it has been attached to a building or structure, a sign or placard shall not to be removed or altered except by or with permission from the fire official. Exterior placards shall be weather resistant.

216-4 Fire Hydrant Markers

During the months of October 15 through April 15 (winter months), each fire hydrant shall be equipped with a hydrant locator device. This may include a reflective, spring-loaded pole, at least 60 inches in height, installed on, or adjacent to a fire hydrant or a marker mounted to the fire hydrant by a slip-on ring which slips over the threading of the two-and-one-half-inch hydrant cap connection or an equivalent mounting device. Each public or private water utility company shall be responsible for the marking of their own hydrants in accordance with this section. Fire hydrants located on private property shall be the responsibility of the property owner for compliance.

216-5 Violations and Penalties

Any person, firm or corporation violating any of the provisions of this chapter or neglecting to comply with any order or notice issued pursuant thereof shall, upon conviction, be liable to the penalties stated in the Uniform Fire Safety Act.

216-6 Approved outdoor Fire

216-6.1 Classification

An approved outdoor fire is classified as any fire taking place on a residential property within the Borough of Dumont for the sole purpose of providing warmth or recreation, and is contained within an approved device.

216-6.2 Approved Devices

Approved devices include: commercially manufactured chimineas, outdoor fireplaces and fire pits, with a total fuel area not exceeding three (3) feet in diameter and two (2) feet in height.

216-6.3 Type of Fuel

Only seasoned fire wood, natural gas or propane may be used as fuel for outdoor fires.

216-6.4 Location

Outdoor fires cannot be located within twenty (20) feet of any property line and within fifteen (15) feet of any combustible structure. Combustible structures include: dwellings, garages, sheds, decks and fences. No such fire or approved device may be used on any porch, deck, balcony, or any other portion of a building; within any room or space; or under any building overhang.

216-6.5 Screening

All openings in the container or fire pit must be covered with wire mesh or other screening materials that will prevent the passage of sparks or embers.

216-6.6 Nuisance

The fire chief, fire official or any other code enforcement department within the Borough of Dumont may order any chiminea, outdoor fireplace or fire pit, which unreasonably interferes with the health, safety or welfare of neighboring residents or properties, to be immediately extinguished.

216-6.7 Apartments and Multi-family Dwellings

Outdoor fires are prohibited at any R-2 (N.J.A.C. 5:70-4.1) Use Group (apartments and multi-family dwellings).

216-6.8 Extinguishment

Fires must be constantly attended until the fire is extinguished. A garden hose or fire extinguisher shall be located within 10 feet of the approved device.

216-6.9 Enforcement

Any outdoor fire not complying with the above is prohibited. Any person who violates any provision of this section shall be punished by a fine not to exceed \$250. A separate offense shall be deemed committed on each day during or on which a violation occurs or continues.

216-7 Reserved

216-8 Reserved

216-9 Reserved

216-10 Fire Apparatus Access Road

The designated fire apparatus access roads are hereby established as follows: apartments, churches, supermarkets, municipal parking lots, schools, public places of assembly, business establishments and any other establishment or premises deemed necessary by the fire official.

Section 3. All ordinances or parts of ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

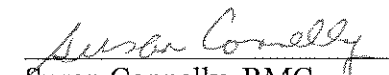
Section 4. If any section, subsection, clause or phrase of this ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the remaining portions of this ordinance.

Section 5. This ordinance shall take effect after the final passage and publication according to law.

BOROUGH OF DUMONT


James J. Kelly, Mayor

ATTEST:


Susan Connelly, RMC
Municipal Clerk

Introduced: February 5, 2019

Adopted: February 19, 2019