

CHAPTER XIII

FIRE PREVENTION

13-1 UNIFORM FIRE SAFETY ACT.

13-1.1 Local Enforcement.

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

(Ord. 9-3-85 § 44-1)

13-1.2 Agency Designation.

The local enforcing agency shall be the Bureau of Fire Prevention of the Rockaway Township Fire Department.

(Ord. 9-3-85 § 44-2)

13-1.3 Duties.

The local enforcement agency shall enforce the Uniform Fire Safety Act and the Codes and regulations adopted under it in all buildings, structures, and premises within the established boundaries of the Township of Rockaway, except for owner-occupied one (1) and two (2) family dwellings and individual dwelling units in multiple-family units which shall faithfully comply with the Uniform Fire Safety Act, the Uniform Fire Code and the regulations prescribed by this chapter.

(Ord. 9-3-85 § 44-3; Ord. #97-24 § 1)

13-1.4 Life Hazard Uses.

The local enforcing agency established by subsection 13-1.2 of this chapter shall carry out the periodic inspections of life hazard uses required by the Uniform Fire Code on behalf of the Commissioner of Community Affairs.

(Ord. 9-3-85 § 44-4)

13-1.5 Organization.

The local enforcing agency established by subsection 13-1.2 shall be a part of the Township Fire Department and shall be under the direct supervision and control of the Chief of the Township Fire Department.

(Ord. 9-3-85 § 44-5)

13-1.6 Appointments; Term of Office; Removal.

- a. *Appointment of Fire Official.* There shall be a Fire Official appointed in accordance with N.J.A.C. 4A:4-1.1 et seq.
- b. *Inspectors.* Such inspectors as may be necessary in the local enforcing agency shall be appointed by the Appointing Authority upon the recommendation of the Fire Official.
- c. *Removal from Office.* Inspectors of the enforcing agency shall be subject to removal by the Appointing Authority upon the concurrence of the Fire Official for inefficiency or misconduct. Each inspector to be removed shall be afforded an opportunity to be heard by the Township Council.

(Ord. 9-3-85 § 44-6; Ord. #08-16 § 1; Ord. #12-08)

13-1.7 Board of Appeals.

Pursuant to Section 15 and 17 of the Uniform Fire Safety Act, any person aggrieved by any order of the local enforcement agency shall have the right to appeal to the Township Construction Board of Appeals.

(Ord. 9-3-85 § 44-7)

13-1.8 Annual Registration Fee for Life Hazard Uses.

The annual registration fees for life hazards uses, as defined in the Uniform Fire Code N.J.A.C. 5:70-2.4 et seq., shall be the amounts set forth in the uniform Fire Code N.J.A.C. 5:70-2.9(a) and (b), as such regulations are amended and modified from time to time.

(Ord. #04-38 § 1)

13-1.9 Application Fee for Permits for Certain Activities.

The application fee for permits for activities set forth in the Uniform Fire Code N.J.A.C. 5:70-2.7, shall be the amounts set forth in the Uniform Fire Code N.J.A.C. 5:70-2.9(c), as such regulations are amended and modified from time to time.

(Ord. #97-4 § 1; Ord. #04-38 § 2)

13-2 SMOKE DETECTORS.

13-2.1 Definitions.

As used in this section:

Approved Rating Organization shall mean any of the following: Underwriters Testing Laboratories, Factory Mutual Research Corp., or National

Bureau of Standards, NFPA Standard No. 74, 1975, or any amendments or supplements thereto.

Construction Official shall mean the person appointed pursuant to the State Uniform Construction Code Act, namely, R.S. 52:27D-119, et seq., its amendments and supplements and Township ordinances.

Dwelling unit shall mean a building or a portion of a building arranged for the use of one (1) or more individuals living alone or together as a single housekeeping unit with living, sanitary and sleeping facilities, but not including trailers, tents or house trailers.

Fire Official shall mean the person appointed pursuant to the Uniform Fire Safety Act, its amendments and supplements and Township ordinances.

Smoke detector shall mean an instrument approved by an approved rating organization for the detection of ionized gases or products of combustion produced by burning or smoldering materials.
(Ord. 5-5-87 § 1)

13-2.2 Requirements.

- a. Each dwelling unit shall have a minimum of one (1) electric with battery back-up or battery operated smoke detector device for each sleeping area. This device should be installed outside the entrance door to each bedroom. Any such detector shall bear a seal, tested and listed by an approved rating organization and shall comply in design to all applicable State, Federal or industrial requirements.
- b. Smoke detectors shall be capable of being installed and maintained by the person(s) entitled to occupy the dwelling unit. Smoke detectors shall consist of an assembly incorporating the detector, control equipment and the alarm sounding device in one (1) unit. They shall have a power supply consisting of a monitored battery or a cord connection to an electrical receptacle which is fitted with a plug restrainer device. The plug-in receptacle shall not be controlled by any switch other than that of the main power supply. Two (2) or more single station smoke detectors assemblies may be interconnected so that actuation of one causes all integral or separate audible alarms to operate.
- c. Upon activation, the smoke detector shall provide an audible alarm which is to be so distributed and have such character so that it can be heard in all rooms of the dwelling unit with its doors closed. The audible signals shall be distinctive from other audible signaling devices which may be used for other purposes in the dwelling unit.

The smoke detector shall be designed for and capable of either self-restoration or manual restoration to normal conditions for operation. No provisions shall be made for deactivation of the audible alarm other than by reactivation of the system.

(Ord. 5-5-87)

13-2.3 Compliance.

- a. The owner of each dwelling unit shall cause the same to be brought into compliance with the terms and provisions of this section within one (1) year of its effective date, provided, however, after the effective date of this section:
 1. No dwelling unit shall be sold or the occupancy changed unless and until the dwelling unit has been brought into compliance with the terms and provisions of this section.
 2. No structural change or repair of a value in excess of five hundred (\$500.00) dollars shall be made to a dwelling unit unless and until the dwelling unit is brought into compliance with the terms and provisions of this section.
 3. No certificate of occupancy shall be issued by the Construction Official for a dwelling unit unless and until the applicant shall have first complied with all the terms and conditions of this section.
- b. The Fire Official, with the advice of the Construction Official, shall have power to modify in writing any of the provisions of this subsection upon written application by the owner or lessee of a dwelling unit when there are practical difficulties in carrying out the strict letter of this subsection with respect to such dwelling unit provided, however, that the spirit of this subsection shall be observed, public safety secured and substantial justice done.
- c. Prior to the sale of any dwelling unit located in the Township, the owner and seller shall certify in writing to the Fire Official full, complete compliance of the property with the terms and provisions of this subsection. The making and submission of a willfully false certification by the owner and seller of a dwelling unit shall be a violation of the terms and provisions of this subsection.
- d. The Township Tax Collector shall provide to each person requesting a tax search from her office, a statement calling attention to the provisions of this subsection and shall inform the person requesting a tax search of the obligation of the owner and seller of real property as

mentioned in paragraph g. hereof to make the certification described herein.

- e. The issuance of a Certificate of Continued Use shall constitute evidence of compliance of the terms of this subsection.
- f. One (1) year from the effective date of this subsection, the Fire Official or agent(s) designated by him may inspect each dwelling unit to determine compliance with this subsection. Thereafter, the Fire Official or agent(s) designated by him may inspect dwelling units on a schedule to be determined by the Fire Official.

(Ord. 5-5-87)

13-2.4 Application Fee for a Certificate of Smoke Detector and Carbon Monoxide Alarm Compliance.

The application fee for a certificate of smoke detector and carbon monoxide alarm compliance as required by the Uniform Fire Code N.J.A.C. 5:70-2.3 shall be the amounts set forth in the Uniform Fire Code N.J.A.C. 5:70-2.9(d), as such regulations are amended and modified from time to time. Local inspectors shall be compensated at a rate of forty (40%) percent of the lowest fee for such inspections as set forth in N.J.A.C. 5:70-2.9(d), as such regulations are amended and modified from time to time.

(Ord. 5-5-87, S 1; Ord. 10-6-87, S 1; Ord. #04-38 § 3)

13-3 EVACUATION OF PREMISES.

13-3.1 Notice to Evacuate; Re-entry Prohibited.

When a fire alarm occurs in any of the below listed occupancies, the occupant so notified shall immediately leave the structure or premises and persons shall not enter or reenter, until authorized to do so by the Department Fire Chief or his representative.

(Ord. #92-13 § 1)

13-3.2 Refusal to Leave.

Any person who shall refuse to leave, interfere with the evacuation of other occupants or continue any operation after having been given an evacuation order, except such work as that person is allowed to perform, shall be deemed in violation of the New Jersey Uniform Fire Code and be subject to a penalty and or arrest as provided in N.J.A.C. 5:18-2.9.

(Ord. #92-13 § 2)

13-3.3 Applicability of Provisions.

Buildings of Use Group B, F, and H as defined in N.J.A.C. 5:18-1.5, with an occupant load of one hundred (100) or more, or more than twenty-five thousand (25,000) square feet, shall be subject to the requirements of subsections 13-3.1 and 13-3.2 above.
(Ord. #92-13 § 3)

13-3.4 Certification of Failure to Evacuate.

The Fire Department Chief or his representatives shall certify in writing to the Fire Official, any violations of the above prior to the issuance of any notice of violation or penalty. The certification shall include the name of any occupants who failed to evacuate and the date and time of occurrence.
(Ord. #92-13 § 4)

13-4 FIRE LANES.

13-4.1 Fire Lane at White Meadow Lake.

- a. *Findings.* The Township utilizes a “roadway” leading from White Meadow Lake Property Owner’s Association for the purpose of permitting emergency vehicles and fire vehicles to access a supply of water at all times: and the White Meadow Lake Property Owner’s Association has asked the Township to declare this “roadway” as an official Fire Lane in order to protect its exclusive use by emergency vehicles.
- b. The Township Council does hereby declare the “roadway” hereinafter described as an official Fire Lane, to be used only by emergency vehicles which need to access either White Meadow Lake or to access a supply of water.
- c. The “roadway” is more specifically described as follows:
An existing strip of pavement of varying width running through the northerly portion of the White Meadow Lake Property Owner’s Association “Club House Lot.”
The strip commences at the westerly edge of pavement of White Meadow Road at a point sixty (60’) feet northerly from the centerline of Club House Way and runs westerly and northwesterly approximately three hundred fifty (350’) feet to the water’s edge of White Meadow Lake at the “Boat Ramp.” The strip is limited on the north and south by the existing edge of pavement, except where pavement extends beyond the northerly boundary of the lot. The intended described parcel being wholly in, on and across the lands of the White Meadow Lake Property Owner’s Association (Block 21601, Lot 64).

(Ord. #95-1 § 1)

13-5 RESERVED.

13-6 ADDITIONAL REQUIRED INSPECTIONS AND FEES.

13-6.1 Additional Required Inspections.

a. In addition to the inspections required pursuant to the Act and regulations of the Department of community Affairs, the following additional inspections shall be required:

All structures or parts thereof except owner-occupied one (1) and two (2) family-dwellings and individual dwelling units in multi-family units, R-3 shall be inspected annually. These structures shall include the following as defined in the B.O.C.A. Basic National Building Code as incorporated by reference in N.J.A.C. 5:23-1.1 et seq., the Uniform Construction Code.

- 1. Use Group A assembly (See Section 302.0 of the Uniform Construction Code).
- 2. Use Group B business (See Section 303.0).
- 3. Use Group F factory and industrial (See Section 305.0)
- 4. Use Group H high hazard (See Section 305.0)
- 5. Use Group I institutional (See Section 307.0)
- 6. Use Group I mercantile (See section 308.00)
- 7. Use Group R residential (See Section 309.00)
- 8. Use Group S storage (See Section 310.0)
- 9. Use Group U utility and miscellaneous (See Section 311.0)

(Ord. #97-24 § 3)

13-6.2 Non-Life Hazard Registration Fees.

a. In addition to the fees required pursuant to the Uniform Fire Code, the following annual non-life hazard registration fees shall apply to all structures listed in subsection 13-6.1 above:

- 1. For Use Group A - \$35.00

2. For each use in Use Group B:
 - 1,500 square feet or less - \$50.00
 - 1,501 to 5,000 square feet - \$75.00
 - 5,001 square feet or more - \$150.00
3. For Use Group F - \$150.00
4. For Use Group H - \$150.00
5. For Use Group I - \$50.00
6. For each use in Use Group M:
 - 2,500 square feet or less - \$35.00
 - 2,501 to 5,000 square feet - \$50.00
 - 5,001 square feet or more - \$75.00
7. For each building in Use Group R - \$100.00
8. For each use in Use Group S:
 - 5,000 square feet or less - \$75.00
 - 5,001 square feet or more - \$100.00
9. For each use in Use Group U:
 - 5,000 square feet or less - \$50.00
 - 5,001 square feet or more - \$75.00

All fees collected for non-life hazard registration shall be placed in the local enforcing agency trust account.

(Ord. #97-24 § 3; Ord. #04-38 § 4)

13-6.3 Designation of Uses Not Classified.

Uses not classified in subsection 13-6.1 that are subject to the Uniform Fire Code will be classified as a business use as defined by the Uniform Construction Code.

(Ord. #97-24 § 3)

13-6.4 Exemption from Registration Fees.

All tax exempt structure shall be exempt from annual registration fees.

(Ord. #97-24 § 3)

13-7 PENALTY FOR VIOLATIONS.

Any person, firm, or corporation violating any of the provisions of the Code or failing to comply with any order issued pursuant to any section thereof, upon conviction thereof, shall be punished by a fine not exceeding one thousand (\$1,000.00) dollars or by imprisonment in the County Jail for not exceeding ninety (90) days or a period of community service not exceeding ninety (90) days or any combination of the above.
(Ord. #97-24 § 4)