

ORDINANCE NO. 2021-01

ORDINANCE OF THE TOWNSHIP OF FRANKLIN, COUNTY OF HUNTERDON, STATE OF NEW JERSEY TO AMEND, REVISE AND SUPPLEMENT CHAPTER 182, “FEES,” AND CHAPTER 193, “FIRE PREVENTION,” OF THE CODE OF THE TOWNSHIP OF FRANKLIN TO REVISE FEES AND REQUIREMENTS FOR FIRE PREVENTION.

WHEREAS, the Township’s Fire Inspector through the Fire District has made a request to the Township Committee to revise certain fees charged by the Township for Fire Prevention Related Inspections; and

WHEREAS, the Township’s Fire Inspector through the Fire District has made a request of the Township Committee to create new regulations he believes are necessary to provide the best Fire Prevention possible to the Township.

NOW, THEREFORE, BE IT ORDAINED by the Committee of the Township of Franklin, County of Hunterdon, State of New Jersey that Chapter 182, “Fees,” and Chapter 193, “Fire Prevention,” of the Code of the Township of Franklin shall be amended, revised and supplemented as follows:

Section 1:

§182-12 shall be deleted in its entirety and replaced with the following. No other revisions are being made to Chapter 182.

§182-12 Fire Prevention (Ch. 193)

- A. The application fee for a fire safety permit shall be in accordance with the fees established in the Uniform Fire Code, N.J.A.C. 5:70-2.9(c). A copy of the fees shall be on file with the Fire Prevention Bureau.

- B. The application fee for a certificate of smoke detector and carbon monoxide alarm compliance (CSDCMAC), as required by N.J.A.C. 5:70-2.3, shall be in accordance with the following fees schedule:
 - (1) Requests for a CSDCMAC received more than ten (10) business days prior to the change of occupancy: \$60.
 - (2) Requests for a CSDCMAC received four (4) to ten (10) business days prior to the change of occupancy: \$100.
 - (3) Requests for a CSDCMAC received fewer than four (4) business days prior to the change of occupancy: \$170.
 - (4) A “no-show” or failed inspection shall be subject to a \$25 reinspection fee.
A no-show inspection shall be defined as:
 - (1) The owner/agent failed to meet inspector for inspection or reinspection: or
 - (2) The owner/agent did not have a key or is unable to give the Fire Marshal or designee access to the premises for the scheduled inspection or reinspection;or

- (3) Electrical power to a premises is disconnected and smoke alarm(s) to be tested are powered by electrical current from the building wiring system; or
- (4) Snow/Ice prohibited safe entry into the premises. A clear path removed of snow and ice shall be available from the curb or driveway to the front entrance, if the Inspector deems it is not clear enough for safe travel, the inspection will be marked as a failure and subject to the re-inspection fee

C. Non-life Hazard uses.

Building Size (square feet)	Annual Inspection Fee
0 to 500 <u>499</u>	\$25.00 <u>\$50.00</u>
501 to 1,000 <u>500 to 999</u>	\$50.00 <u>75.00</u>
1,001 to 3,500 <u>1000 to 2,999</u>	\$100.00 <u>\$125.00</u>
<u>3,000 to 5,999</u>	<u>\$150.00</u>
3,501 to 10,000 <u>6,000 to 11,999</u>	<u>\$200.00</u>
10,001 to 30,000 <u>12,000 to 24,000</u>	\$400.00 <u>\$325</u>
30,001 <u>24,999</u> and over	<u>\$600.00</u>

Section 2:

§193-2 shall be amended as follows:

§193-2 Enforcing agency designated.

The local enforcing agency shall be the ~~Commissioners of Franklin Township Fire District No. 1~~ Franklin Township Bureau of Fire Prevention, County of Hunterdon, State of New Jersey. The Fire District Attorney and/or Township Attorney is/are hereby appointed to assist the Bureau of Fire Prevention as to all legal matters.

Section 3:

§193-15E shall be created as follows:

§193-15 Fire Protection Standards

- E. FDC (Fire Department Connections) Visual Notification
 - 1. All new fire department connections shall be designated with a light containing a red lens which shall remaining continuously illuminated and shall be approved by the Fire Official or his designee prior to installation.

2. The devices shall be located as follows:
 - a. FDC located on the building: The red light shall be located a maximum of three (3) feet above the FDC connection.
 - b. FDC located separate from the building: The red light shall be located to either the right or left of the FDC connection on its own self-supporting post. The red light shall be mounted a maximum of three (3) feet above the FDC connection. The location of the red light and self-supporting post shall not interfere with fire department access to the FDC caps and shall be approved by the Fire Official or his designee before installation.
3. The maintenance of the light shall be the responsibility of the owner of the building and the building's tenant.

Section 4:

§193-17(B)(1)(a) shall be amended as follows:

- (a) Every non-life-hazard use, except single-family and two-family dwellings, shall upon initial application for a certificate of occupancy or upon any change of use within a building, shall file a registration form, as may be approved from time to time by the Bureau of Fire Prevention, and pay the fee set forth ~~herein~~ in Section 182-12(c). Upon receipt of the registration and fee the Bureau of Fire Prevention shall conduct an inspection to determine compliance with this code.

Section 5:

§193-34 shall be amended as follows:

§193-34 Enforcement Authority.

The Fire Marshal/Fire Official or recognized Incident Commander shall enforce the provisions of this chapter.

Section 6:

Article VIII, Interference with Fire Department Operations shall be created as follows:

Article VIII, Interference with Fire Department Operations, Compliance with Orders, Fire Hoses

§193-37 Interference with Fire Department Operations. It shall be unlawful to interfere with, attempt to interfere with, conspire to interfere with, obstruct or restrict the mobility of or block the path of travel of any Fire Department emergency vehicle or personnel in any way or to interfere with, attempt to interfere with, conspire to interfere with, obstruct or hamper any Fire Department operation.

§193-38 Compliance with Orders. A person shall not willfully fail or refuse to comply with any lawful order or direction of the Fire Chief, Fire Marshal or recognized incident commander or interfere with the compliance attempts of another individual at a Fire Department operation.

§193-39 Driving over Fire Hoses. A vehicle shall not be driven or propelled over any unprotected fire hose of the Fire Department, when laid down on any street, alleyway, private drive or any other vehicular roadway or pathway, without the consent of the Fire Chief or recognized Incident Commander in command or another individual of the Fire Department response to said operation.

Section 7:

Article IX, Fire Alarms and Fire Reporting shall be created as follows:

Article VIII, Fire Alarms and Alarm Reporting

§193-40 Fire Alarm Systems, Resetting, Silencing and Failure to Report Activation

A. Fire Alarm Resetting. Activated fire alarm systems which result in a Fire Department and/or the Bureau of Fire Safety being dispatched to that location shall not be cleared or reset without approval from a responding Fire Department officer or their designee, Fire Marshal or Fire Inspector.

B. Silencing Fire Alarm Systems. In other than one- or two-family dwellings, activated fire alarm systems shall not be silenced until it has been clearly determined by responsible on-site personnel that the premises have been evacuated, the system activation is not due to smoke, carbon monoxide or other fire conditions on the premises where the system is located.

C. Failure to report. It shall be a violation of this code for any person or persons, having knowledge of same, to fail to report to the Fire Department and/or Fire Marshal a fire or the activation of any fire protection system or device; or to fail to report the spill or leakage of any flammable or combustible liquid or gas or of any hazardous material immediately upon gaining such knowledge.

Section 8:

Severability. The various parts, sections and clauses of this Ordinance are hereby declared to be severable. If any part, sentence, paragraph, section or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby.

Section 9:

Repealer. Any ordinances or parts thereof in conflict with the provisions of this Ordinance are hereby repealed as to their inconsistencies only.

Section 10:

Effective Date. This Ordinance shall take effect upon final passage and publication as provided by law.

NOTICE

NOTICE is hereby given that the foregoing Ordinance was introduced to pass on first reading at a regular meeting of the Committee of the Township of Franklin held on March 11, 2021 and ordered published in accordance with the law. Said Ordinance will be considered for final reading and adoption at a regular meeting of the Township Committee to be held on April 8, 2021 at 7:30 p.m. or as soon thereafter as the Township Committee may hear this Ordinance Online at <https://us02web.zoom.us/j/89621667276> and/or at the Municipal Building, 202 Sidney Road, Pittstown, New Jersey, at which time all persons interested may appear for or against the passage of said Ordinance.

Christine Burke
Township Clerk

Additional Information:

Scheduled Zoom meeting.

Topic: Town Committee

Time: Apr 8, 2021 07:30 PM Eastern Time (US and Canada)

Join Zoom Meeting

<https://us02web.zoom.us/j/89621667276>

Meeting ID: 896 2166 7276

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