

**ORDINANCE NO. 2021-08**

**ORDINANCE OF THE TOWNSHIP OF FRANKLIN, COUNTY OF HUNTERDON, STATE OF NEW JERSEY TO AMEND, REVISE AND SUPPLEMENT CHAPTER 182, "FEES," OF THE CODE OF THE TOWNSHIP OF FRANKLIN TO CORRECT A TYPO AND TO PROVIDE FOR A PENALTY FOR FAILING TO COMPLY WITH SECTION 182-12.**

**WHEREAS**, the Township previous adopted Ordinance 2021-01 to make revisions to the Fire Prevention Code and Fee for Fire Prevention Code; and

**WHEREAS**, it was brought to the Township Committee's attention after the adoption of the ordinance that the acronym used for the smoke and carbon monoxide certificate "CSDCMAC" was changed to "CSACMAPFEC"; and

**WHEREAS**, the Township Committee wishes to revise the Ordinance to use the correct acronym; and

**WHEREAS**, the Township's Fire Inspector through the Fire District has made a request to the Township Committee to add a penalty provision to Section 182 for noncompliance with the required inspections.

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

Section 1:

§182-12 (B) shall be amended as follows:

- B. The application fee for a certificate of smoke detector and carbon monoxide alarm compliance (~~CSDCMAC~~ CSACMAPFEC), 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~~ CSACMAPFEC) received more than ten (10) business days prior to the change of occupancy: \$60.
  - (2) Requests for a (~~CSDCMAC~~ CSACMAPFEC) received four (4) to ten (10) business days prior to the change of occupancy: \$100.
  - (3) Requests for a (~~CSDCMAC~~ CSACMAPFEC) 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
- (5) An owner who sells, leases, rents or otherwise permits to be occupied for residential purposes any premises subject to the provisions of this section when the premises do not comply with the requirements hereof, or without complying with the inspection and certification requirements hereof, shall be subject to a penalty up to five hundred (\$500.00) dollars. This penalty shall be separate and distinct from penalties assessed under the Uniform Fire Safety Act, N.J.S.A. 52:27D-198.3. Penalties shall be paid within 30 days of issuance.
- (6) No certificate shall be issued if any penalties are assessed under this section or under the Uniform Fire Safety Act Penalty enforcement act until such penalties are collected.

Section 2:

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 3:

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

Section 4:

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 June 10, 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 July 08, 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/89349807549> 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: Jul 08, 2021 07:30 PM Eastern Time (US and Canada)

Join Zoom Meeting

<https://us02web.zoom.us/j/89349807549>

Meeting ID: 893 4980 7549

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