

**THE BOROUGH OF RIVERTON
BURLINGTON COUNTY**

ORDINANCE NO. 2013 - _____

AN ORDINANCE OF THE BOROUGH OF RIVERTON AMENDING CHAPTER 69

WHEREAS, the Fire Official of the Borough of Riverton has recommended that the Fire Prevention Code be updated and revised to make it consistent with the current regulations and standards of the State of New Jersey; and

WHEREAS, the Public Safety Committee has recommended that the current code be revised and updated to reflect the current standards and regulations;

NOW THEREFORE BE IT ORDAINED by the Mayor and Council of the Borough of Riverton that Chapter 69, Fire Prevention, be and is hereby amended as follows:

I. Articles I and II of Chapter 69 Fire Prevention be and are hereby rescinded to be replaced by the following two articles:

CHAPTER 69

FIRE PREVENTION

ARTICLE I

- § 69-1. Local enforcement authorized.
- § 69-2. Local enforcing agency designated.
- § 69-3. Agency composition.
- § 69-4. Duties of the local enforcing agency.
- § 69-5. Fire official.
- § 69-6. Fire inspectors.

- § 69-7. Removal.
- § 69-8. Life hazard uses.
- § 69-9. Board of Appeals.
- § 69-10. Fees.
- § 69-11. Permits and other fees.
- § 69-12. Outdoor fires.
- § 69-13. Storage or parking of internal combustion engine vehicles.
- § 69-14. Identification of commercial occupancies.

ARTICLE II

- § 69-15. Designated fire lanes.
- § 69-16. Repealer, severability and effective date.

§ 69-1. Local enforcement authorized.

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 Borough of Riverton.

§ 69-2. Local enforcing agency designated.

The local enforcing agency within the Borough of Riverton shall be the Bureau of Fire Prevention Unit of the Riverton Fire Department.

§ 69-3. Agency composition.

The Bureau shall consist of the Fire Official and such Fire Inspectors as may be required to carry out the intent of the code, as well as any other support staff as may be required.

§ 69-4. Duties of local enforcing agency.

The local enforcing agency shall enforce the Uniform Fire Safety Act and the codes and regulations adopted under it with respect to those buildings, structures and premises within the boundaries of the Borough of Riverton, other than owner-occupied one and two family dwellings, that are subject to the Act and shall faithfully comply with the requirements of the Uniform Fire Safety Act and Uniform Fire Code.

§ 69-5. Fire Official.

The Fire Official shall be appointed by the Council of the Borough of Riverton and serve a term of one year or until his/her successor is appointed.

The Fire Official shall enforce the New Jersey Uniform Fire Code, all related Ordinances of the Borough of Riverton, and those regulations set forth in the New Jersey Administrative Code or adopted locally in accordance with the authority vested by the New Jersey Uniform Fire Code.

The Fire Official shall meet all qualifications for the position as required by law.

The Fire Official shall:

Be in charge of the day to day operations of the Bureau;

Take all action necessary to enforce the provisions of the Fire Safety Act;

Make or cause to be made an investigation of each occurrence of fire within the Borough of Riverton;

Provide the Borough Council, upon request, specific reports relating to the Bureau;

Establish standard operating procedures for the operation of the Bureau.

§ 69-6. Fire Inspectors.

Those Fire Inspectors as may be determined by the Borough of Riverton.

Fire Inspectors shall enforce the code and regulations in accordance with N.J.A.C. 5:71-3.3 (c).

Fire Inspectors shall meet all qualifications for the position as required by N.J.A.C. 5:71 Subchapter 4.

Fire Inspectors shall:

Enforce the Provisions of the Fire Safety Act.

Assist the Fire Official in investigating fires.

Perform such other duties as may be prescribed by the Fire Official.

§ 69-7. Removal.

The Fire Official and Inspectors of the enforcing agency shall be subject to removal by the Governing Body of the Borough of Riverton for unsatisfactory performance or misconduct. Each person to be so removed shall be afforded an opportunity to be heard by the appointing authority or designated hearing officer.

§ 69-8. Life Hazard Uses.

The Bureau shall carry out the registration and 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.

§ 69-9. Appeals.

Pursuant to Sections 15 and 17 of 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 Burlington County.

§ 69-10. Fees.

Required registration and inspections. All fire safety uses shall be registered and inspected annually for compliance with the provisions of this article and the Uniform Fire Safety Act. When in the opinion of the Fire Official there exist conditions likely to cause fire, contribute to the spread of fire, interfere with fire-fighting operations, endanger life or violate the provisions or intent of this code, additional inspections may be made as often as necessary for the purpose of ascertaining these conditions and causing them to be corrected.

Payment of fees. The owner of the building is responsible to register, schedule an inspection and pay the associated fee(s) for buildings containing common or public areas. The tenant/occupant is responsible to register, schedule an inspection and pay the associated fee(s) for the space occupied by the tenant/occupant. All fees will cover a period of one year and are not subject to refund or proration.

The inspection of smoke detectors, carbon monoxide detectors and fire extinguishers prior to the resale or rental of a single or two-family dwelling shall be \$50.00. Should a second visit be required, the fee for this inspection shall be \$25.00. All fees are payable at the time of inspection. The owner of these dwellings is responsible to ensure that the address of the dwelling is in numbers contrasting in color to the dwelling and visible from the street.

Doubtful local use classifications. When a building or structure is not specifically provided for in this Chapter or classification of which is doubtful, the building or structure shall be included in the group which it most nearly resembles in respect to the existing life and fire hazard, and it shall be so classified by the Fire Official.

Fee Schedule:

The inspection fee schedule is as follows:

Inspection required:

Commercial	Fee
Mercantile establishments having a gross floor area of less than 500 square feet	\$ 50
Mercantile establishments having a gross floor area of more than 500 square feet but less than 2,500 square feet	\$ 70
Mercantile establishments having a gross floor area of more than 2,500 square feet but less than 12,000 square feet	\$ 140
Storage	
Buildings used for storage with a gross floor area of less than 2,500 square feet	\$ 150
Buildings used for storage with a gross floor area of 2,500 square feet or more but less than 12,000 square feet	\$ 250
Residential	

Multiple-family dwellings \$ 50 per unit

§ 69-11. Permit and other fees.

Type	Fee
1	\$ 42
2	\$ 166
3	\$ 331
4	\$ 497

Above ground storage use of any flammable liquid or combustible liquid or gas, 300 gallons or more: \$ 30.

Any process or storage of propane gas, including all type occupancies: \$ 30.

Publicly owned buildings: no fee.

Buildings occupied for welfare purposes: no fee.

Fire investigation reports that may be requested from the Bureau shall be provided at the rates established in Article X of Chapter 26 of the Riverton Borough Clerk. One report to a resident/property owner will be provided at no cost.

The fee for the issuance of a Certificate of Fire Code Status shall be \$ 25.

§ 69-12. Outdoor Fires.

No person shall operate or use or maintain any open fire or device commonly known as a “barbeque” in or on any apartment unit, porch, balcony, covered patio area or any other private area of an apartment or multifamily dwelling unit. The Fire Official may, upon application made, exempt any person from the provisions of this section, provided that the request is made in writing and the Fire Official certifies that the procedures are safe with regard to fire protection and fire prevention standards, which standards are incorporated in the Fire Prevention Code.

§ 69-13. Storage or parking of internal combustion engine vehicles.

No person shall store or park or cause to store or park any internal combustion engine

vehicle, including, but not limited to, those commonly known as “motorcycle,” “moped,” “go-cart,” “dirt bike,” “lawnmower,” “snowblower,” etc., in or on any apartment unit porch, balcony, covered patio area, entrance, exit or any other private area of an apartment or multi-dwelling unit.

§ 69-14. Identification of commercial occupancies.

All doorway entrances shall have printed thereon, in block letters at least three inches high and approximately six inches from the top of the doorway, in conspicuously contrasting colors, the name of the commercial establishment located therein; provided, however, that there shall be exempt from this requirement such main entrances as are otherwise conspicuously and clearly marked with the identity of the commercial establishment located therein. It is the intent of this provision that emergency personnel arriving at the scene of a fire or other emergency have immediate identification of access routes to commercial occupancies located in a particular commercial building(s). In addition, all buildings shall have affixed thereon, in accordance with the 2008 International Property Maintenance Code, the address of the property.

ARTICLE 11

§ 69-15. Designated fire lanes.

The following locations(s) shall have designated fire lanes in accordance with section 503 of the International Fire Code New Jersey Edition 2006, and appropriate notices shall be posted indicating “NO PARKING-FIRE LANE,” and such zones shall be marked with yellow lines at least four inches wide.

1a-Shopping Center, Block 1501, Lot 23, bounded by Broad Street and Fulton Street. Parking shall be prohibited within any fire lane.

The police department of the Borough of Riverton shall enforce the provisions of Subsection 1a of 69-15 above. Any person convicted of a violation of Subsection 1a of 69-15 shall be subject to a fine of \$50 and, in addition thereto, the Police Department of the Borough of Riverton shall have authority to cause said vehicle found in violation to be towed and stored at the expense of the owner.

With respect to all future commercial establishments, including authorized apartment complexes, fire lanes shall be established at the Borough Planning Board consideration stage. The owner’s or developer’s plans shall be submitted to the Fire Official for his recommendations and advice regarding fire lanes before final approval of

said plans and establishment of fire lanes by the Borough Planning Board.

The signs and painting designations required hereunder shall be provided by the owner of the respective establishments covered by this article at his or its expense and shall, in any event, be completed before a certificate of occupancy is issued. If not completed, the Borough may, upon request of the Fire Official, take the necessary steps to obtain compliance and bill the owner for the reasonable cost thereof. Such signs and painting designations shall be regularly maintained by the owner at the owner's expense.

Parking or stopping of a motor vehicle shall not be permitted in any property designated a fire lane.

No parking regulations in said designated fire lanes shall be concurrently enforced by the Riverton Police Department and the Bureau of Fire Prevention Unit of the Riverton Fire Department, including the Fire Official and the Fire Inspectors. Violations of the no-parking regulations in designated fire lanes shall be considered Borough ordinance violations as well as violations of the Uniform Fire Safety Act, N.J.S.A. 52:27D-203. Enforcement by the Riverton Police Department shall be handled as if violations of the fire lane regulations constituted an ordinance violation and shall be handled in a similar manner to any other ordinance violation. Enforcement by the Bureau of Fire Prevention Unit of the Riverton Fire Department, the Fire Official and Fire Inspectors shall pursuant to N.J.S.A. 52:27D-201, which provides for penalties under the Penalty Enforcement Law, N.J.S.A. 2A58-1 *et seq.*

§ 69-16. Repealer, severability and effective date.

Repealer. All Ordinances and provisions thereof inconsistent with the provisions of the Ordinance shall be and are hereby repealed to the extent of such inconsistencies.

Severability. In the event that any clause, section paragraph or sentence of this ordinance is deemed to be invalid or unenforceable for any reasons, then the Borough Council hereby declares its intent that the balance of the Ordinance not be effected by said invalidity shall remain in full force and effect to the extent that it allows the Borough to meet the goals of the Ordinance.

Effective. The Ordinance shall take effect upon proper passage in accordance with the law.

ATTEST:

BOROUGH OF RIVERTON

By: _____
Mary Longbottom
Borough Clerk

By: _____
William C. Brown, Jr.
Mayor

CERTIFICATE OF CLERK

I, Mary Longbottom, Municipal Clerk of the Borough of Riverton, County of Burlington and State of New Jersey, do hereby **CERTIFY** that the foregoing to be a true and correct copy of an Ordinance introduced and passed by the Borough Council at a meeting of said Council held on November 13, 2013 and said Ordinance was finally adopted at a regular meeting of the Borough Council held December 11, 2013 after a public hearing.

Mary Longbottom, RMC
Municipal Clerk

RECORDED VOTE	<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
AZELBY	_____	_____	_____	_____
CREIGHTON	_____	_____	_____	_____
CAIRNS-WELLS	_____	_____	_____	_____
CORBI	_____	_____	_____	_____
KINZLER	_____	_____	_____	_____
MYERS	_____	_____	_____	_____
MAYOR (TIE)	_____	_____	_____	_____