

**TOWNSHIP OF NORTH HANOVER  
COUNTY OF BURLINGTON  
ORDINANCE No. 2022-02**

**AN ORDINANCE OF THE TOWNSHIP OF NORTH HANOVER, BURLINGTON COUNTY, NEW JERSEY PROVIDING FOR LOCAL ENFORCEMENT OF THE NEW JERSEY FIRE CODE**

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

**WHEREAS**, the New Jersey Department of Community Affairs has promulgated minimum fire safety standards which have been made part of the Uniform Fire Code (N.J.A.C. 5:70.1 et seq.); and

**WHEREAS**, the Uniform Safety Act authorizes municipalities to provide for local enforcement of these standards and to establish local enforcement agencies for that purpose; and

**WHEREAS**, it is in the best interest of the Township of North Hanover to have the Uniform Fire Code enforced locally.

**NOW THEREFORE BE IT ORDAINED** by the Township Committee of the Township of North Hanover in the County of Burlington and State of New Jersey, as follows:

**SECTION 1. ENFORCEMENT OF UNIFORM FIRE CODE**

**A. LOCAL ENFORCEMENT**

Pursuant to Section 11 of the Uniform Fire Safety Act (P.L. 1983, c.383), the New Jersey Uniform Fire Code (N.J.A.C. 5:70-1 et seq.) shall be locally enforced in the Township of North Hanover.

**B. AGENCY DESIGNATION**

The local enforcing agency shall be the Township Bureau of Fire Prevention which is hereby created therein. The Bureau of Fire Prevention shall hereinafter be known as the local enforcing agency.

**C. DUTIES**

(1) The local enforcing agency shall enforce the Uniform Fire Code in all buildings, structures, and premises with the established boundaries of the Township of North Hanover, other than one- and two-unit owner-occupied dwellings used exclusively for dwelling purposes and buildings, structures, and premises owned or operated by federal government, interstate agencies, or the state.

(2) The local enforcing agency shall faithfully comply with all pertinent requirements of the Uniform Fire Safety Act and the Uniform Fire Code.

**D. ORGANIZATION**

(1) The Bureau of Fire Prevention established by this article shall be under the direct supervision and control of a Fire Official who shall be appointed by and report to the Township Committee.

(2) The Bureau of Fire Prevention shall have at least one paid Fire Official and such paid inspectors as may be necessary to properly enforce the Uniform Fire Code.

(3) The Township Committee shall hereby be permitted to appoint a temporary Fire Official in the absence of duly appointed Fire Official.

**E. APPOINTMENTS, QUALIFICATIONS, TERMS OF OFFICE, REMOVAL**

(1) Appointment and Qualification of the Fire Official. The Fire Official shall be certified by the State and appointed by the Township Committee.

(2) Appointment and qualification of inspectors and other employees. Inspectors and other employees of the local enforcing agency shall be appointed by the Township Committee upon recommendation of the Fire Official. All life hazard inspectors shall be certified by the State.

(3) Removal from office. The Fire Official, inspectors and other employees of the local enforcing agency shall be subject to removal by the Township Committee pursuant to any applicable state or federal law, or local ordinances.

**F. LIFE HAZARD USES**

The Bureau of Fire Prevention established herein shall carry out the periodic inspections of life hazard uses required by the Uniform Fire Code on behalf of the Commissioner of the Department of Community Affairs.

**G. NON-LIFE HAZARD USES**

(1) In addition to the registrations required by the Uniform Fire Code, non-life hazard uses shall also register with the North Hanover Township Bureau of Fire Prevention. These uses shall be inspected once per year and pay an annual fee as set forth below:

<u>Type of Fee</u>	<u>Fee</u>
<u>A-Assembly</u>	
A-1 Eating establishment with occupancy less than 50 persons	\$100
A-2 Takeout food service (no seating)	\$100
A-3 Recreation centers, multipurpose rooms with occupancy less than 50 persons	\$125
A-4 Libraries with occupancy less than 50 persons	\$125
A-5 Senior centers with occupancy less than 50 persons	\$125
<u>B-Business/Professional</u>	
B-1 1- and 2-story less than 5,000 square feet per floor	\$100
B-2 1- and 2-story more than 5,000 square feet but less than 10,000 square feet per floor	\$125
B-3 1- and 2-story more than 10,000 square feet per floor	\$150
B-4 3- to 5-story less than 5,000 square feet per floor	\$200
B-5 3- to 5-story more than 5,000 square feet less than 10,000 square feet per floor	\$250
B-6 3- to 5-story over 10,000 square feet per floor	\$300
<u>R-Retail</u>	
M-1 1- and 2-story less than 5,000 square feet	\$125
M-2 1- and 2-story more than 5,000 square feet but less than 10,000 square feet per floor	\$150
M-3 1- and 2-story more than 10,000 square feet per floor	\$175
M-4 3- to 5-story less than 5,000 square feet per floor	\$200
M-5 3- to 5-story more than 5,000 square feet but less than 10,000 square feet per floor	\$250
M-6 3- to 5-story over 10,000 square feet per floor	\$300
<u>M-Manufacturing</u>	
F-1 1- and 2-story less than 5,000 square feet	\$125
F-2 1- and 2-story more than 5,000 square feet but less than 10,000 square feet per floor	\$150
F-3 1- and 2-story more than 10,000 square feet per floor	\$175
F-4 3- to 5-story less than 5,000 square feet per floor	\$200
F-5 3- to 5-story more than 5,000 square feet but less than 10,000 square feet per floor	\$250
F-6 3- to 5-story over 10,000 square feet per floor	\$300
<u>S-Storage</u>	
S-1 1- and 2-story less than 5,000 square feet	\$125
S-2 1- and 2-story more than 5,000 square feet but less than 10,000 square feet per floor	\$150
S-3 1- and 2-story more than 10,000 square feet per floor	\$175
S-4 3- to 5-story less than 5,000 square feet per floor	\$200
S-5 3- to 5-story more than 5,000 square feet but less than 10,000 square feet per floor	\$250

S-6 3- to 5-story over 10,000 square feet per floor \$300

(2) Failure to pay the required annual non-life-hazard use registration fee(s) within 60 days from the date of issuance will result in the issuance of a written order by the Fire Official to make such payment in addition to the imposition of a penalty in an amount equal to the unpaid fee(s). These penalties will be in addition to non-life-hazard use fee(s) due and must be paid within 30 days after issuance by the Fire Official of the written order to abate the violation and pay the penalty. If the total fee(s) and penalties are not paid within 30 days of the issuance of the written order, the Fire Official may institute a civil penalty action by a summary proceeding in the North Hanover Township Municipal Court or New Jersey Superior Court under the New Jersey Penalty Enforcement Law of 1999, N.J.S.A. 2A:58-10 et seq., and this section.

**F. PERMITS AND CERTIFICATE OF FIRE CODE STATUS**

(1) The application fees for permits listed in N.J.A.C. 5:70-2.7 (b) shall be as provided by State regulation.

(2) The cost for the issuance of certificate of Fire Code status shall be \$35.

**H. FEES FOR SMOKE DETECTOR AND CARBON MONOXIDE ALARMS**

Fees for certificate of smoke detector and carbon monoxide (CSDCMAC), as required by N.J.A.C. 5:70-2.3, shall be based upon the amount of time remaining before the change of occupant is expected, as follows:

(1) Requests for CSDCMAC received more than 10 business days prior to change of occupant: \$35.00.

(2) Requests for a CSDCMAC received four to 10 business days prior to the change of occupant: \$70.00.

(3) Requests for a CSDCMAC received fewer than four business days prior to the change of occupant: \$125.00.

**I. BOARD OF APPEALS**

Pursuant to §§15 and 17 of the Uniform Fire Safety Act, any person aggrieved by any action of the local enforcing agency shall have the right to appeal to the Construction Board of Appeals of Burlington County.

**J. ENFORCEMENT, VIOLATIONS, AND PENALTIES**

Enforcement, violations, and penalties shall be as established in conformity with the Uniform Fire Safety Act, the Uniform Fire Code and all other laws of the State of New Jersey.

**SECTION 2.** All ordinances or parts of ordinances inconsistent with or in conflict with this ordinance are hereby repealed to the extent of such inconsistency.

**SECTION 3.** If any section, paragraph, subdivision, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision so adjudged and the remainder of the Ordinance shall remain valid and effective.

**SECTION 4.** This ordinance shall take effect immediately upon final passage and publication according to law.

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**NOTICE**

This Ordinance published herewith was introduced and passed upon first reading at the regular meeting of the Township Committee of the Township of North Hanover held on March 3, 2022. It will be further considered for final passage after a public hearing to be held on March 17, 2022, at the Municipal Building, 41 Schoolhouse Road, Jacobstown, NJ at 7:00 p.m. or as soon thereafter as the matter may be heard, at which time and place any person desired to be heard upon the same will be given an opportunity to be heard. Copies are available free of charge at the Municipal Clerk's Office prior to the public hearing.

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Mary Picariello, RMC/CMR/CTC  
Municipal Clerk

**Vote to Introduce Ordinance 2022-02:**

COMMITTEE	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
Committeeman DeBaecke	X		X			
Deputy Mayor Forsyth			X			
Committeeman Kocubinski		X	X			
Committeeman O'Donnell						X
Mayor Doyle			X			

**NOTICE**

The ordinance read by title upon second reading herewith has been adopted at the meeting of the Mayor and Township Committee of North Hanover Township, held on March 17, 2022.

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Mary Picariello, RMC/CMR/CTC  
Municipal Clerk

**Vote on Adoption:**

COMMITTEE	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
Committeeman DeBaecke	X		X			
Deputy Mayor Forsyth			X			
Committeeman Kocubinski			X			
Committeeman O'Donnell		X	X			
Mayor Doyle			X			