

**ORDINANCE NO. #08:09-23
BOROUGH OF BELLMAWR**

**AN ORDINANCE AMENDING AND SUPPLEMENTING CERTAIN FEES
FOR FIRE PROTECTION UNDER §210-12 AND TERM OF FIRE
MARSHALL APPOINTMENT UNDER §222-7 AND INCLUSION OF
ADDITIONAL PROVISIONS CONSISTENT WITH THE NEW JERSEY
INTERNATIONAL FIRE CODE, OF THE CODE OF THE BOROUGH OF
BELLMAWR, COUNTY OF CAMDEN AND STATE OF NEW JERSEY**

WHEREAS, the Borough of Bellmawr (“Borough”) is a municipal corporation organized and operating under the laws of the State of New Jersey; and

WHEREAS, pursuant to N.J.S.A. 40:48-2, the Governing Body is authorized to enact and amend ordinances as deemed necessary for the preservation of the public health, safety and welfare and as may be necessary to carry into effect the powers and duties conferred and imposed upon the Borough by law; and

WHEREAS, pursuant to N.J.S.A. 40:41A-28, municipalities under the general law of the State of New Jersey may employ services and facilities for more effective, efficient, and adequate provision of services if and when municipalities may deem it desirable to do so and municipalities are and shall remain the broad repository of local police power in terms of the right and power to legislate for the general health, safety and welfare of their residents.

WHEREAS, the Mayor and Borough Council of the Borough of Bellmawr desire to implement and supplement certain fees with the municipality.

WHEREAS, the Mayor and Borough Council of the Borough of Bellmawr desire to amend the Code to conform with State Law on the appointment of a duly authorized Fire Marshall; and

WHEREAS, the Mayor and Borough Council of the Borough of Bellmawr desire to amend the Code to conform with Certain Provisions Consistent with The New Jersey International Fire Code.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Borough Council of the Borough of Berlin, County of Camden and State of New Jersey as follows:

SECTION 1: Part II, General Legislation, Chapter 210-12 A(3) Fire Prevention Fees shall be amended to read as follows:

- (3) The annual registration fee shall be as follows:
 - (a) Assembly.

[1] A-a under 20 occupants: \$70.

[2] A-b 20 to 49 occupants: \$95.

[3] A-c 50 to 100 occupants: \$120.

(b) Business.

- [1] B-a under 2,500 square feet: \$70.
- [2] B-b 2,500 to 4,999 square feet: \$95.
- [3] B-c 5,000 to 9,999 square feet: \$120.
- [4] B-d 10,000 to 20,000 square feet: \$195.
- [5] B-e 20,000 to 49,999 square feet: \$245.
- [6] B-f over 50,000 square feet: \$320.

(c) Factory/Industrial.

- [1] F-a under 2,500 square feet: \$95.
- [2] F-b 2,500 to 4,999 square feet: \$120.
- [3] F-c 5,000 to 11,999 square feet: \$195.

(d) Mercantile.

- [1] M-a under 2,500 square feet: \$70.
- [2] M-b 2,500 to 4,999 square feet: \$120.
- [3] M-c 5,000 to 7,499 square feet: \$145.
- [4] M-d 7,500 to 11,999 square feet: \$195.

(e) Residential.

- [1] R-a 3 units: \$95.
- [2] R-b 3 to 10 units: \$170.
- [3] R-c 11 to 20 units: \$195.
- [4] R-d 20 to 40 units: \$220.
- [5] R-e over 40 units: \$240 plus \$50 for each additional 20 units or fraction thereof.

(f) Storage.

- [1] S-a under 2,500 square feet: \$70.
- [2] S-b 2,500 to 4,999 square feet: \$95.
- [3] S-c 5,000 to 7,499 square feet: \$120.
- [4] S-d 7,500 to 11,999 square feet: \$195.

(g) Utility use group.

- [1] U-a under 2,500 square feet: \$70.
- [2] U-b 2,500 to 4,999 square feet: \$95.
- [3] U-c 5,000 to 9,999 square feet: \$120.
- [4] U-d over 10,000 square feet: \$145

SECTION 2: Part II, General Legislation, Chapter 222-7B. – Appointments; terms of office; inspectors and employees; removal, shall be amended only as follows:

B. The Fire Marshal shall serve for a term of one year, and fire inspectors and the Fire Prevention Specialist shall serve for a term of one year.

SECTION 3: Part II, General Legislation, shall be amended to add Chapter 222-10 – Technical amendments: fire lane, fire zone and parking as an additional provision as follows:

§222-10. Technical amendments: fire lane, fire zone and parking

A. Signs and markings:

Fire lanes and fire zones shall be appropriately posted with signs indicating the words "No Parking - Fire Lane" or "No Parking - Fire Zone" in red letters on a white background, with a red line bounding the perimeter of the sign, said sign to be a minimum of 12 inches by 18 inches, made with rust-resistant reflectorized coating, posted at the ends of each fire lane and at one-hundred-foot intervals therein. Fire zone areas shall also be designated by covering the

face and top of the curb or painting a four-inch line on the pavement of the prohibited area with a solid yellow color of paint. The above criteria for the painting of fire areas is to be considered the minimum, and additional painting may be placed on the site consisting of crosshatches, solid yellow areas or such other designations, in addition to the curb or four-inch strip on the pavement as may serve as to act as deterrent to parking in fire zones.

B. Fire lane enforcement:

- (1) It shall be unlawful for anyone to park, block, or obstruct a fire lane or emergency access road at any time.
- (2) The Fire Marshal and Fire Inspectors of the designated local enforcing agencies of the Borough of Bellmawr Fire Safety Bureau are empowered to issue summonses to any offending party.
- (3) All such summonses will be on a form cognizable before the Municipal Court of the Borough of Bellmawr, and any and all hearings to be held in connection with any summonses issued hereunder shall be held before said Municipal Court pursuant to the penalty enforcement Law, N.J.S.A. 2A:58-1 et seq.
- (4) The penalty for violation § 81-10E(1) of this code shall be a maximum fine of \$100 and, in addition thereto the Police Department of the Borough of Bellmawr shall have the authority to cause said vehicle found in violation to be towed and stored at the owner's expense.
- (5) Towing expense: Any vehicle that is towed as a result of a violation of this section shall be towed at the expense of the registered owner of such vehicle.

SECTION 4: Part II, General Legislation, shall be amended to add Chapter 222-11 – Technical amendments: outdoor fires as an additional provision as follows:

§ 222-11. Technical amendment: outdoor fires.

Chapter 3 of the International Fire Code New Jersey Edition shall be supplemented as follows:

- A. For the purposes of this section, an approved outdoor fire shall be classified as any fire taking place on a residential property within Borough of Bellmawr for the sole purpose of providing warmth, recreation, heating, cooking, and ceremonial use.
 - (1) Fuel for outdoor fires shall be limited to seasoned firewood, natural gas or propane.
 - (2) Fire pits shall not exceed three feet in diameter and two feet in height total fuel area.
 - (a) Fire pits shall not be located within 25 feet of a structure, combustible materials, combustible vegetation and/or property lines.
 - (3) Fire in approved containers are defined as chimineas and/or other commercially manufactured containers designed and built for its specific use for seasoned firewood, natural gas, or propane.
 - (a) Approved containers shall not be located within 15 feet of a structure, combustible materials, combustible vegetation and property lines.
 - (b) Approved containers shall not be located in or on any residential/apartment unit; porch, balcony, covered patio area or any other private area of an apartment or multifamily dwelling unit.

B. Outdoor fire enforcement:

- (1) The Fire Marshal, Fire Inspectors and Fire Chief(s) of the Bellmawr Fire Department or mutual aid personnel acting on their behalf are empowered to have any outdoor fire extinguished for the following reasons:
 - (a) A complaint is filed in regards to a smoke condition.
 - (b) Any unsafe condition is determined by the fire department.
 - (c) If NJ's forestry service has determined drought conditions.

SECTION 5: Part II, General Legislation, shall be amended to add Chapter 222-12 - Technical amendments: identification of business and commercial occupancies as an additional provision as follows:

§ 222-12. Technical amendment: identification of business and commercial occupancies.

Chapter 5 of the New Jersey International Fire Code New Jersey Edition shall be supplemented to add as follows:

All doorway entrances and/or exits for commercial establishments 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 entrance or 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 or buildings.

SECTION 6: Part II, General Legislation, shall be amended to add Chapter 222-13 - Technical amendments: high-rise and residential and business use, three or more stories as an additional provision as follows:

§ 222-13. Technical amendments: high-rise and residential and business use, three or more stories.

Chapter 10 of the International Fire Code New Jersey Edition shall be supplemented as follows:

A In all motels/hotels, R-1, and business occupancies more than three stories in height, the building owner will have the responsibility to install the following:

- (1) On all stair tower doors placed on the stair side of the door, six-inch reflective lettering that will designate the Fire Department division by letter A, B, C, or D, as designated and approved by the Fire Marshal, followed by a dash, then the number which corresponds to the floor.

Example: A stair tower that exits to the front of the building will identify that you are on the 7th floor; the door marking would be A-7.

- (2) The above-described lettering will be in the door itself, six inches to eight inches from the floor (stairwell side).
- (3) The color of the lettering will be of a contrasting color to the door, legible during both daylight and night vision.

SECTION 7: Part II, General Legislation, shall be amended to add Chapter 222-14

- Technical amendments: trash enclosures as an additional provision as follows:

§ 222-14. Technical amendment: trash enclosures.

Chapter 3 of the International Fire Code New Jersey Edition shall be supplemented as follows:

- A. Trash enclosures, dumpsters, and compactors containing combustibles shall not be placed in buildings of within 15 feet of exterior of a building wall, openings, or roof eave line.

Exception: Area protected by an approved automatic sprinkler system in accordance with N.F.P.A. 13.

SECTION 8: Part II, General Legislation, shall be amended to add Chapter 222-15

- Technical amendments: rapid-entry systems as an additional provision as follows:

§ 222-15. Technical amendments: rapid-entry systems.

Chapter 5 of the International Fire Code New Jersey Edition shall be supplemented as follows:

- A. Criteria for requirements. The owner, tenant, and/or occupant(s) of the following types of building(s) or structure(s) to have installed on their building(s) or structure(s) a rapid-entry key box, to be located in an accessible location, as determined by the Fire Marshal:
- (1) All hotels, motels or multiple dwellings that are occupied throughout the day or night and have common corridors to living units or spaces.
 - (2) Any property that utilizes a locked gate to control vehicle access to the property.
 - (3) All structures protected by an automatic alarm system or automatic fire- suppression system.
 - (4) Any building equipped with an elevator.
 - (5) Any structure deemed by the Fire Official that would be difficult to access because of secured openings.
 - (6) Exception: Any property protected by on-site twenty-four-hour, seven-days-a-week security guard service, maintenance or nursing staff. One- and two-family dwellings.
- B. Approval of system type; keys. The type of rapid-entry-key-box system to be installed shall be approved by the Bureau of Fire Safety prior to the purchase of same. The Bureau of Fire Safety may request, and the owner of the building or structure concerned shall provide, two sets of keys for the following areas within the building or structure: Pass or master keys, as may be available; boiler rooms; sprinkler rooms and control valves; fire alarm control panel; electrical rooms; elevators and elevator control rooms; and such other room(s) or door(s) requested by the Fire Department where entry may be required.
- C. Additional materials as deemed necessary. In addition to keys, combination access codes for locks and doors shall be stored within the rapid-key-box-entry system. Material safety data sheets, emergency contact numbers and other pertinent information as may be deemed necessary to deal with emergencies at the site may be required to be within the rapid-key-box-entry system as well.
- D. Time frame for compliance. All new buildings meeting the criteria of § 222-15, constructed after the effective date of this section, shall have a rapid-entry key box installed and operational prior to issuance of certificate of occupancy, and all existing buildings, within 90 days of

the effective date of this article, shall be provided with a rapid-entry key box.

- E. Privacy protection. Notwithstanding the provisions of any other section of this article, no official, employee or member of the Bureau of Fire Safety or Fire Department shall request, nor shall an owner be required to provide, a key to any self-contained, individual living space area, unit or room.
- F. Keys and information kept up-to-date. The owner or operator of any occupancy or structure that requires a rapid-entry-key-box system shall be required to have kept therein updated keys and documents for all locks and structures as required at all times.
- G. Violations and penalties. Violators of this article shall be subject to penalties as set forth in the Uniform Fire Code, N.J.A.C. 5:70-2.12.

SECTION 9: All other Ordinances or parts of Ordinances inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

SECTION 10: If any section, paragraph, subdivision, clause or provision of this Ordinance shall be adjudged invalid, such subdivision, clause or provision and the remainder of this Ordinance shall be deemed valid and effective.

SECTION 11: This Ordinance shall take effect immediately upon final passage and publication as required by law.

Introduction: August 24, 2023
Adoption: September 28, 2023

BOROUGH OF BELLMAWR



Charles J. Sauter, III, Mayor

ATTEST:



Francine M. Wright, RMC, Borough Clerk

CERTIFICATION

I, Francine M. Wright, Clerk of the Borough of Bellmawr, hereby certify the foregoing to be a true and correct copy of an ordinance adopted by the Mayor and Borough Council at their meeting of September 28, 2023, in the Municipal Building, 21 East Browning Road, Bellmawr, New Jersey.



Francine M. Wright, RMC, Borough Clerk