

**BOROUGH OF ALLENTOWN
COUNTY OF MONMOUTH
STATE OF NEW JERSEY**

ORDINANCE NO. 09-2024

**ORDINANCE REPLACING CHAPTER 13: “FIRE PREVENTION” OF THE
BOROUGH’S REVISED GENERAL ORDINANCES TO COMPORT WITH
THE BOROUGH’S NEW FIRE PROTECTION AND INSPECTION SHARED
SERVICES AGREEMENT WITH THE TOWNSHIP OF ROBBINSVILLE.**

BE IT ORDAINED by the Mayor and Council of the Borough of Allentown, County of Monmouth, State of New Jersey, that Chapter 13: “Fire Prevention” of the Borough’s Revised General Ordinances is hereby repealed in its entirety and replaced with the following *new* Chapter 13: “Fire Prevention” as follows:

CHAPTER 13

“FIRE PREVENTION”

13-1 FIRE PREVENTION CODE.

13-1.1 Local Enforcement.

Pursuant to the Uniform Fire Safety Act (N.J.S.A. 52:27D-203, *et seq.*), the New Jersey Uniform Fire Code (N.J.A.C. 5:70-1, *et seq.*) shall be locally enforced within the Borough of Allentown.

13-1.2 Enforcement Through Shared Services Agreement.

The local enforcement agency within the Borough of Allentown shall be the Township of Robbinsville Bureau of Fire Prevention, as set forth in the shared services agreement executed by the Township of Robbinsville and the Borough of Allentown, effective July 1, 2024.

13-1.3 Duties of Local Enforcement Agency.

- a. The Township of Robbinsville Bureau of Fire Prevention shall enforce the Uniform Fire Safety Act and the Uniform Fire Code in all buildings, structures, and premises within the established boundaries of the Borough of Allentown. other than owner-occupied single-family or two-family and attached single-family dwellings used exclusively for dwelling purposes and buildings, structures, and premises owned or operated by the Federal Government, Interstate Agencies or the State.
- b. The Township of Robbinsville Bureau of Fire Prevention shall faithfully comply with all pertinent requirements of the Uniform Fire Safety Act and the Uniform Fire Code.

13-1.4 Deferral to Local Enforcement Agency Organization.

The Borough of Allentown shall defer to Chapter 122: “Fire Prevention” of the Township Code of the Township of Robbinsville regarding all matters governing the organization, appointments, qualifications, terms of office, removal, inspections of both life hazard and non-life hazard uses, permits, inspection fees, appeals, enforcement, violations and penalties, as well as all other applicable provisions of Chapter 122: “Fire Prevention” of the Township Code of the Township of Robbinsville not otherwise inconsistent with this Chapter.

13-2 FIRE LANES AND FIRE ZONES.

13-2.1 Purpose of fire lanes and zones.

Fire lanes and fire zones shall be areas designated by signs or painted marks on public or private streets, parking lots or other rights-of-way, solely for the purpose of providing ingress and egress for fire, police and other emergency vehicles.

13-2.2 Authority to establish.

The Chief of Police, in consultation with the Township of Robbinsville Bureau of Fire Prevention, is authorized to designate and establish fire lanes and fire zones within the Borough.

13-2.3 Location and design.

Fire lanes and fire zones so designated shall be in those locations and of sufficient design to preserve and safeguard public health, safety and welfare and guarantee unimpaired ingress and egress for fire, police and other emergency vehicles.

13-2.4 Establishment on private property; objections.

Whenever fire lanes or fire zones are proposed to be designated on private property, the property owner or owners shall be notified in writing by registered or certified mail, or by hand delivery of such notice, prior to establishment. The notice shall specifically describe the area proposed to be designated as a fire lane or fire zone and the reasons for establishing the same. If the property owner or owners object to the establishment of any proposed fire lane or fire zone, the owner or owners shall notify the Borough Clerk in writing within 14 days of receiving notice of the proposed establishment of the fire lane or fire zone. The governing body shall hold a public hearing within one month of the receipt of any objection to determine whether or not the proposed fire lane or fire zone shall be established.

13-2.5 Installation and maintenance.

Upon establishment of fire lanes and fire zones on public property, the lanes and zones shall be installed and maintained by the property owner utilizing regulation signs and paint designating the area covered by the lane or zone. Installation by the property owner shall be under the supervision of the Chief of Police, based upon recommendations of the Township of Robbinsville Bureau of Fire Prevention.

13-2.6 Emergency access road required on construction/demolition site.

An emergency access road, approved by the Borough Engineer, to provide access for fire, police, and other emergency vehicles at all times to all structures under construction or demolition, shall be provided to all construction or demolition sites prior to the commencement of any structural construction or demolition activities. The emergency access road shall, at a minimum, be capable of supporting a thirty (30) ton emergency vehicle, and shall be maintained during structural construction or demolition activities until the permanent road is installed and approved by the Borough Engineer. The emergency access road required by this section shall not be required during any site work, including but not limited to site grading, topsoil stripping, and underground utility work, until structural construction or demolition activities commence.

13-2.7 Enforcement; violations and penalties.

- a. The Allentown Borough Police Department and the Township of Robbinsville Bureau of Fire Prevention shall have concurrent jurisdiction in enforcing this article, with the exception of § 13-2.5, which may likewise be enforced by the Construction Official or Borough Engineer.
- b. Any person or entity found to be in violation of this article or parking illegally in a fire lane established hereto shall be subject to a fine of \$500 for the first offense, \$1,000 for the second offense, and \$2,000 for the third and each subsequent offense, which shall be imposed on complaint and conviction in the Municipal Court.

13-3 KEY BOXES.

13-3.1 Establishment and requirements.

- a. Where required. In all buildings regardless of use or occupancy, which are protected by an automatic alarm system and/or a fire sprinkler system, the owners and/or management agents shall install a key box, of a type and in a location approved by the Township of Robbinsville Bureau of Fire Prevention. The following are exempt from this requirement: multiple-family dwellings containing six or less individual occupancies; and single-family homes.
- b. For all buildings where installation is not required under the provisions of subsection (a), such installation shall be permissible but not required. If the owner or management agent of a property which is not required to install a key box elects to do so, said owner or management agent shall be obligated to meet all criteria specified for buildings where key box installation is required.
- c. Upon examination of the physical condition and characteristics of any property subject to this section, and upon written notice to the owner and/or principal occupant thereof, the Township of Robbinsville Bureau of Fire Prevention may require a key box to be installed in a specific location whenever access to or within a structure or an area is unduly difficult because of secured openings or where immediate access is necessary for life saving or firefighting purposes.

- d. Cabinet-style vaults shall be required when deemed necessary by the Township of Robbinsville Bureau of Fire Prevention at premises containing hazardous materials which require Material Safety Data Sheets (MSDS), site plans, and floor plans.
- e. Owners and operators of controlled vehicle parking areas which use mechanical parking gates to control motor vehicle ingress and egress shall install and maintain an emergency override control on each gate. Said emergency override control devices shall contain a master key-operated type switch approved by the Township of Robbinsville Bureau of Fire Prevention.

13-3.2 Contents and specifications.

- a. Key boxes shall include two separate sets of keys. Each set shall contain the following individually labeled keys:
 - 1. Keys to the locked point of egress whether on the interior or exterior of such buildings;
 - 2. Keys to locked mechanical rooms;
 - 3. Keys to locked electrical rooms;
 - 4. Keys to fire alarm panels;
 - 5. Keys to elevator controls, if elevators are present and equipped with a fire department bypass switch;
 - 6. Keys to other areas in the building as directed by the Township of Robbinsville Bureau of Fire Prevention.
- b. In addition, the key box shall contain the following:
 - 1. A current list of personnel and telephone numbers for call back purposes in the event of an emergency;
 - 2. A written direction card shall be located in the key box indicating the location of Right to Know records and Material Safety Data Sheets (MSDS) where applicable.
- c. The lock or key box to be installed in the structure shall meet the following specifications:
 - 1. UL 437—Standard for Safety Keylock;
 - 2. UL 1610—Standard for Central Station Alarm Units for use with UL Listed Alarm Systems;
 - 3. UL 1037—Standard for Anti-Theft Alarms and Devices.

13-3.3 Security.

The Township of Robbinsville Bureau of Fire Prevention shall adopt procedures for protecting the integrity and security of the master keys/system which allow access to key boxes. Procedures shall include, but not be limited to: a definition of authorized uses and users of the system; specific means of access to the system; protection against unauthorized or uncontrolled use of master keys or master key systems; secure storage systems for master keys; a system for release and control of master keys; the recording of individuals having access to the master key, including date, time and location of access; and protections and safeguards against unauthorized duplication of master keys or access systems.

13-3.4 Enforcement.

- a. In the event that locks on the subject building are changed after the installation of the key box, the Township of Robbinsville Bureau of Fire Prevention shall be notified of such change and a key(s) to the new lock(s) shall be provided immediately. Failure to provide notification and new key(s) may result in the imposition of a fine of not less than \$250.
- b. Any building owner who knowingly and intentionally violates this section after receiving written notice from the Township of Robbinsville Bureau of Fire Prevention may be subject to a fine of not less than \$250 per violation.
- c. Enforcement of this section shall be performed by the Township of Robbinsville Bureau of Fire Prevention, pursuant to the provisions of N.J.A.C. 5:70-1.2 *et seq.*

13-4 FEES.

- a. Additional required inspection fees shall be as follows:
 1. Fire/rescue/hazardous materials response fees.

Level 1 – Motor vehicle accident (MVA) incidentals: batteries, fluids, stabilization. Provide hazardous materials assessment and scene stabilization. Operations such as stabilizing a vehicle, use of hand tools, hazard control, and other scene-related light rescue operations.

Level 2 – Motor vehicle accident (MVA): Includes Level 1 services as well as clean-up and materials used (sorbents) for hazardous fluid clean-up as disposal. Clean-up of any gasoline or other automotive fluids that are spilled as a result of an accident/incident.

Level 3 – Motor vehicle accident (MVA) extrications: Operations that include the use of power tools and hydraulic tools to perform operations such as opening or removing doors to provide access to patients as well as stabilizing vehicles and performing hazardous assessments.

Vehicle fire: Provide scene safety, fire suppression, breathing air, rescue tools, hand tools, hose, tip use, foam, structure protection and clean-up of gasoline or other automotive fluids that are leaked or spilled as a result of the incident.

Base hazardous material response: Includes engine response, first responder assignment, perimeter establishment, evacuations, set-up and command.

Type of fee	Fee
Level 1 – Motor vehicle accident (MVA)	\$700
Level 2 – Motor vehicle accident (MVA)	\$900
Level 3 – Motor vehicle accident (MVA)	\$1,900
Vehicle Fire	\$900
Emergency engine/fire response	\$500 per hour
Engine company standby fee	\$300 per hour
Base hazardous material response	\$900
Fire prevention officer standby fee	\$125 per hour
Fire prevention bureau fire investigation	\$250 per hour

2. Non-life-hazard fees. In addition to the registration required by the State of New Jersey Uniform Fire Code, the following non-life-hazard uses shall be registered with the Robbinsville Township Fire Department Bureau of Fire Prevention. These uses shall be inspected once per year, and an annual fee shall be paid.

Type of Fee		Fee
A-Assembly		
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

Type of Fee		Fee
B-Business/Professional		
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

Type of Fee		Fee
R-Retail		
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

Type of Fee		Fee
M-Manufacturing		
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	\$150
F-3	1- and 2-story more than 10,000 square feet per	\$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	\$250
F-6	3- to 5-story over 10,000 square feet per floor	\$300

Type of Fee		Fee
S-Storage		
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

- b. Permit fees. Please refer to permit fees as defined and established by the New Jersey Uniform Fire Code.
- c. Electronic payment fees. Any fee charged by a third party for the processing of a payment made by credit card, e-check, or any other type of electronic payment, for any fee required under this section, shall be charged to the payer.
- d. 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 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.

13-5 FIRE DEPARTMENT CONNECTION LIGHTS.

Any existing red light which gives notice of a fire department sprinkler connection shall be illuminated at all times.

13-6 NOTIFICATION OF FIRE DEPARTMENT.

It shall be a violation of this chapter for any person, firm, corporation, owner, tenant, or person responsible for a given structure or premises to fail to immediately notify the fire department and immediately evacuate the entire structure when and if the following conditions are present.

- a. The fire alarm is activated.
- b. There is smoke in the structure.
- c. An explosion has occurred.
- d. There is a fire in the structure.
- e. Any fire protection system (sprinklers, etc.) is activated.
- f. Whenever a hazardous or flammable material is spilled, leaked or exposed and has the potential to endanger the occupants on the premises.
- g. Upon the order of the Fire Department or the Incident Commander of the scene.

13-7 BLOCKING AND USE OF FIRE HYDRANTS.

13-7.1 Unlawful to Block.

It shall be unlawful to block, obstruct, obscure, or damage any hydrant, fire department connection, or hydrant locator wands that are located on public or private streets and access lanes or on private property. A four-foot radius from any hydrant or fire department connection must be kept clear of any objects. Objects are defined as, but not limited to:

- a. Mailboxes
- b. Vehicles.
- c. Brush or large plants.
- d. Fences or walls.
- e. Garbage.
- f. Leaf piles or other debris.
- g. Trees

13-7.2 Use of Fire Hydrants.

A person shall not use or operate any fire hydrant intended for use of the Fire Department unless such person secures written permission from the Fire Official. This section shall not apply to the use of such hydrants by a person employed by the Borough of Allentown, County of Monmouth, or State of New Jersey, nor shall this section apply to any employee, agent, or representative of an entity or any person with whom the Borough of Allentown has contracted to provide public works services or other similar services.

13-7.3 Penalties.

Unless another penalty is expressly provided for by New Jersey Statutes, any person convicted of a violation of Section 13-7 shall be subject to a fine of not less than one hundred (\$100.00) dollars. Each day that the owner, tenant or occupant fails to satisfy the obligation of this section shall constitute a separate violation.

BE IT FURTHER ORDAINED that should any section, paragraph, sentence, clause, or phase of this ordinance be declared unconstitutional or invalid for any reason, the remaining portion of this ordinance shall not be affected thereby and shall remain in full force and effect, and to that end the provisions of this ordinance are hereby declared to be severable.

BE IT FURTHER ORDAINED by Mayor and Council that all ordinances or parts of ordinances inconsistent with this amending ordinance are hereby repealed to the extent of their inconsistencies only.

BE IT FURTHER ORDAINED by Mayor and Council that this ordinance shall be in full force and take effect after final passage and publication according to law.

ATTEST:

THOMAS FRITTS, Mayor

LAURIE A. ROTH, MAS, RMC, CMR
Municipal Clerk

DATED: _____

DATED: _____

Introduced: June 11, 2024

Adopted: June 25, 2024