

AN ORDINANCE AMENDING CHAPTER 99 ENTITLED “FIRE PREVENTION” TO UPDATE FIRE PREVENTION REQUIREMENTS , STRUCTURES, USES, INSPECTIONS, PERMIT AND REGISTRATION FEES, AND PENALTIES IN ACCORDANCE WITH THE NEW JERSEY UNIFORM FIRE CODE

WHEREAS, it is in the interests and authority of the Township of Bridgewater to periodically revise the Township’s Fire Prevention Ordinance to conform with the most recent updates to the New Jersey Uniform Fire Code; and

WHEREAS, the best way to accomplish this is to amend the Township Code to adopt fire prevention requirements, structures, uses, inspections, permit and registration fees, and penalties that conform with the New Jersey Uniform Fire Code; and

WHEREAS, in consideration thereof, the Mayor and Council of the Township of Bridgewater desire to amend Chapter 99 of the Municipal Code entitled Fire Prevention; and

BE IT THEREFORE ORDAINED, by the Township Council of the Township of Bridgewater in the County of Somerset and State of New Jersey that Chapter 99 of the Municipal Code of the Township of Bridgewater, County of Somerset, State of New Jersey entitled “Fire Prevention” is amended pursuant to the provisions hereof (additions are noted **thusly** and deletions are noted ~~thusly~~):

Section I

Chapter 99- 5 is hereby amended as follows:

§ 99-5. Inspection of Life Hazard Uses.

A. The local enforcing agency established in this section shall carry out the periodic inspections of life hazard uses required by the Uniform Fire Code on behalf of the Commissioner of Community Affairs.

B. Registration Fees. All life hazard uses are subject to a one-time registration fee. This fee is to be submitted along with the Business Registration form prior to opening and or conducting business within the Township. The form and fee are to be submitted to the Fire Prevention Bureau. Listed below is the fee schedule that is based on the square footage of building and or structure.

Total Gross Floor Area, Including Basement
(square feet)

Registration Fee

<u>1 to 1,000</u>	<u>\$90</u>
<u>1,001 to 2,000</u>	<u>\$95</u>
<u>2,001 to 2,500</u>	<u>\$102</u>
<u>2,501 to 3,500</u>	<u>\$108</u>
<u>3,501 to 4,500</u>	<u>\$114</u>
<u>4,501 to 5,000</u>	<u>\$120</u>
<u>5,001 to 6,000</u>	<u>\$132</u>
<u>6,001 to 7,000</u>	<u>\$144</u>
<u>7,001 to 7,500</u>	<u>\$156</u>
<u>7,501 to 8,000</u>	<u>\$168</u>
<u>8,001 to 9,000</u>	<u>\$180</u>
<u>9,001 to 9,500</u>	<u>\$205</u>
<u>9,501 to 10,500</u>	<u>\$240</u>
<u>10,501 to 11,500</u>	<u>\$270</u>
<u>11,501 to 12,000</u>	<u>\$300</u>
<u>12,001 to 13,000</u>	<u>\$360</u>
<u>13,001 to 15,000</u>	<u>\$420</u>
<u>15,001 to 16,500</u>	<u>\$480</u>
<u>16,501 to 18,000</u>	<u>\$540</u>
<u>18,001 to 19,500</u>	<u>\$600</u>
<u>19,501 to 25,000</u>	<u>\$660</u>
<u>25,001 to 35,000</u>	<u>\$720</u>
<u>35,001 to 40,000</u>	<u>\$840</u>
<u>40,001 to 50,000</u>	<u>\$960</u>
<u>50,001 to 100,000</u>	<u>\$1,080</u>
<u>Over 100,000</u>	<u>\$1,200</u>

Section II

Chapter 99-7 is hereby amended as follows:

§ 99-7 Building, Business, and Multiple Dwelling registration fees.

~~The following~~ **All buildings, all Business Tenant spaces, and All Multiple dwelling** buildings, uses and premises contained in this section, other than those that are incidental or auxiliary to the agricultural use of farm property, are subject to registration and periodic inspection requirements as hereby established, except all businesses required to register as a life-hazard use with the State of New Jersey. Where two or more of the same use or different uses exist at the same building or premises, each one shall be considered as separate and distinct for the purpose of this chapter and shall be registered pursuant thereto.

G. Multiple Dwelling uses, as defined in the latest edition of the New Jersey uniform fire code, shall be subject to registration fee as set forth in the schedule noted above.

Section III

Chapter 99-9 is hereby amended as follows:

D. Type 4: shall be the fee adopted by the NJ Uniform Fire Code, N.J.A.C. 5:70-2.9(c)(4), which is currently \$641\$645.

F. Special Event Permit Fees

<u>PERMIT</u>	<u>Fee</u>
<u>Per special event, up to 3 days duration, including setup and takedown</u>	<u>\$100</u>
<u>Per special event, 4 days to 6 days of duration, including setup and takedown</u>	<u>\$150</u>
<u>Per special event, 7 days to 10 days of duration, including setup and takedown</u>	<u>\$ 200</u>
<u>Per special event, 10 days of duration or longer, including setup and takedown</u>	<u>\$ 250</u>

Storage of Solid or Liquid Oxidizing Agent Permit Fees:

<u>Pool chlorine storage fee</u>	<u>\$250.00</u>
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<u>Mobile food truck semiannual permit</u>	<u>\$350</u>
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<u>Late permit processing fee</u>	<u>\$50</u>
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G. Permits Required.

- (1). Type 1, 2, 3, 4 and 5 permits are required per N.J.A.C. 570-1.1 et seq., of the Uniform Fire Code.
 - (2). Special Event Permits shall be required for short-term special events, including but not limited to concerts, conferences, conventions, demonstrations, exhibits, expositions, fairs and sports events, wherein a mass assembly of fifty (50) or more persons and not otherwise covered herein is expected to occur. This permit shall apply to convention centers, cultural centers and exhibition halls. Public buildings and events permitted under the Township of Bridgewater, Public Event Permit are excluded. This permit shall be required for each special event and shall be in addition to any other permits or approvals required by law.
 - (3). Storage of Solid or Liquid Oxidizing Agent Permits shall be required for the seasonal storage of chlorine in solid or liquid forms. This permit shall also be required for any building used for the storage or distribution of solid or liquid oxidizing agents.
 - (4). Mobile food truck operators may apply for a semiannual permit which will satisfy the requirement of a Type I permit at multiple venues for a period of six months. Applications for said permit must be accompanied by a valid fire suppression system test report, kitchen hood cleaning report, and proof of Class K fire extinguisher inspection. The operator must notify the Fire Code Official at least three (3) business days in advance of each event; failure to do so will result in a late permit processing fee of \$50. Mobile food trucks shall be subject to inspection at every event.
- H. Any person who fails to obtain a permit prior to said activity shall be subject to the late permit processing fee of \$50.
- I. Request for Fire Code Status. Request for Fire Code Status, as required in N.J.A.C. 5:70-1.1 et seq., shall be obliged only after the completion of a fire safety inspection, the fee for which shall be fifty (\$50.00) dollars.

Section IV

A new Chapter 99-12 is hereby created as follows:

§ 99-12 Barbecue Grills.

- A. Barbecue grills using propane fuel with fuel tanks attached shall not be located or operated within or upon any building or within five (5) feet laterally of any building, wall or overhang.

- B. Barbecue grills using charcoal or wood fuel shall not be operated within or upon any building or within five (5) feet laterally of any building, wall or overhang.

Section V

A new Chapter 99-13 is hereby created as follows:

§ 99-13 Fire Watch and Fire Safety Standby Policy

A. Events Requiring Permits: When Fire Official/Fire Marshal determines that an on-site fire inspector or firefighting personnel or equipment are required for fire watch as a result of any of the following listed below, the owner or occupant responsible shall obtain a permit for the use or event.

- a. Fire protection system failures and/or deficiencies, including both suppression and detection systems required by the New Jersey International Fire and Building Codes.
- b. Emergency warning and fire detection systems required by the New Jersey International Fire and Building Codes.
- c. Fire safety at any occupancy or event within the Bridgewater Township to ensure the safety of the public or emergency responders or any other event in which a crowd of potentially 100 persons or more is to assemble.

B. Required Personnel: hours on Duty:

- a. The Fire Official/Fire Marshal shall determine the number of inspectors and/or firefighting personnel required.
- b. The Fire Official/Fire Marshal shall determine the hours that the fire inspector(s) and/or fire equipment and personnel will be on duty.

C. Permit Fees: Permit fees, if required, shall be separate from the standby fees and are the responsibilities of the owner. This includes any fire safety permit fee for the activity taking place as well as any fire subcode permit required under the NJ Uniform Construction Code.

D. Fees for service: Compensation for inspector(s) for nonworking hours for for-profit groups or entities will be at \$67 per hour with \$2 per hour being directed to the Township.

E. Right of Access. The Fire Official/Fire Marshal or their designee(s) shall have

right of access to the premises and areas surrounding it without interference from the property owner.

F. Permit Fees; Penalties for Failure to Secure Permit: Failure to secure a permit prior to commencing the operation, process or activity for which a permit is required shall be punishable by a penalty of no more than double the amount of the applicable permit fee [N.J.S.A. 5:70-2.12(b)7]. In accordance with N.J.S.A 5:70-2.9(c) the following penalties shall be applicable, in accordance with the fees adopted pursuant to §99-9.F:

Type of Permit	Permit Fee	Maximum Penalty
Type 1 Permit	\$60	\$120
Type 2 Permit	\$215	\$430
Type 3 Permit	\$430	\$860
Type 4 Permit	\$645	\$1,281
Special Event Permit Fees		
Per special event, up to 3 days duration, including setup and takedown	\$100	\$200
Per special event, 4 days to 6 days of duration, including setup and takedown	\$150	\$300
Per special event, 7 days to 10 days of duration, including setup and takedown	\$200	\$400
Per special event, 10 days of duration or longer, including setup and takedown	\$250	\$500

G. Permit required for each event or date: Permits shall be required for each separate event or date of the activity requiring such a permit.

Section IV

All ordinances or parts of Ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

Section V

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

Section VI

This ordinance shall take effect upon adoption and publication in the manner required by New Jersey general law but, in no event, less than 20 days after its final passage by the Township Council and approval by the Mayor, where such approval is required pursuant to N.J.S.A. 40:69A-181(b).

Adopted: April 19, 2021

Effective: May 10, 2021