

BOROUGH OF EAST RUTHERFORD

ORDINANCE 2024 – 10

**ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 155 OF THE REVISED
GENERAL ORDINANCES OF THE BOROUGH OF EAST RUTHERFORD TO IMPLMENT
A FIREWATCH PROGRAM**

BE IT ORDAINED, by the Council of the Borough of East Rutherford, in the County of Bergen, State of New Jersey, as follows:

Section 1. Chapter 155 Fire Prevention is hereby amended and supplemented by adding the following section:

ARTICLE IV FIREWATCH

§ 155-24 Purpose

Fire safety compliance has always been and continues to be a high priority for the Borough of East Rutherford. Borough officials frequently assess what can be done to assure the safety of all Borough residents, and to that end, the Borough deems it necessary to implement fire watch procedures when there exist substantial risks to life, safety and property, including when all or part of the required fire protection systems in Borough structures are intentionally interrupted for repairs and maintenance, not functioning properly, not functioning at all, or when they are damaged or destroyed by fire or other disaster. In certain circumstances detailed herein, the Fire Official, or his designee, is hereby authorized to order a fire watch for the affected structure in order to ensure continued safety of residents during this period.

§ 155-25 Definitions.

As used in this article, the following terms shall have the meanings indicated:

FIRE WATCH

A temporary measure intended to ensure continuous and systematic surveillance of a building or portion(s) thereof by one or more qualified individuals for the purpose of identifying and controlling fire hazards, detecting early signs of an unwanted fire, raising an alarm of fire to the occupants and notifying the Fire Department.

§ 155-26 Fire watch, when required.

A. A fire watch may be ordered by the Fire Official or his assigned designee in public and privately owned buildings and or properties within the Borough of East Rutherford under the following circumstances:

- (1) Required fire-protection systems are out of service due to system failure, repair, scheduled maintenance, vandalism, etc.
- (2) An "imminent hazard," as defined by N.J.A.C. 5:70-2.16, exists.
- (3) A fire watch is requested by the building owner, tenant, or lessee;
- (4) Public and private events where 100 people or more are in attendance;
- (5) Events where with the approval of the Fire Official or his assigned designee the posted occupancy load is exceeded;
- (6) Hot work or the use of an open flame during the performance of construction in an occupied building or the use of open flame or pyrotechnics before a live audience.
- (7) All other situations deemed necessary by the Fire Official or his assigned designee.

B. A fire watch may include the maintaining of posted fire lanes, means of egress, posted occupancy loads, enforcement of no smoking in posted areas, building surveillance for signs of smoke or fire, checking for proper permits, inspecting for proper safety precautions of cooking equipment, and other functions as required by the Fire Official or his assigned designee.

C. Fire watches shall be performed by any of the following:

- (1) A member of the East Rutherford Fire Department.
- (2) Employees of the Borough of East Rutherford, Bureau of Fire Safety.
- (3) Firefighters or fire inspectors from any fire department that has a mutual aid agreement with the East Rutherford Fire Department.
- (4) In the event a required fire watch cannot be fulfilled with any personnel as detailed above, the Fire Marshal is permitted to fill the fire watch with other authorized personnel.
- (5) Fire watchers for the purposes of a fire watch shall report directly to the Fire Official or their designed representative.
- (6) In the event of a fire incident, the fire watchers shall report to the Fire Chief or Fire Department Incident Commander.

D. The Fire Official or designated representative shall stipulate the terms and duration of the fire watch including but not limited to:

- (1) Staffing requirements.
- (2) Equipment needs.

(3) Additional or secondary fire protection based on the specific conditions requiring the fire watch.

§ 155-27 Fees and payment.

A. A fire watch shall be paid for by the building owner, tenant, lessee, or organization for which the fire watch is requested or required, as appropriate.

B. All fire watch services not incurred by the Borough of East Rutherford shall be paid at the rate of \$50 per hour per person.

C. In the event a Borough fire apparatus is deemed necessary for said fire watch, such apparatus shall be billed and paid for at a rate of \$25 per hour per apparatus.

D. There shall be a minimum payment of eight hours per person and per apparatus, plus an additional 15% administrative fee.

E. All payments shall be made within 7 days after service is provided.

F. Payments shall be made payable to the Borough of East Rutherford Fire Safety.

§ 155-28 Violations and penalties.

Any person, partnership, corporation, or other entity that violates the provisions of this article shall be subject to the penalties as set forth in the Uniform Fire Code.

Introduced: May 21, 2024

Adopted: June 18, 2024

Danielle Lorenc, RMC

Jeffrey J. Lahullier, Mayor