

TOWNSHIP OF HARDYSTON

ORDINANCE #2022-08

**AN ORDINANCE OF THE TOWNSHIP OF HARDYSTON, COUNTY OF SUSSEX, STATE OF NEW JERSEY
REVISING CHAPTER 88 OF THE TOWNSHIP MUNICIPAL CODE, ENTITLED "FEES," TO CREATE FIRE
PREVENTION FEES AT SECTION 88-5 AND TO REPEAL SECTIONS 88-2D(11) AND 88-2D(12), AND
REVISING CHAPTER 94 OF THE TOWNSHIP MUNICIPAL CODE, ENTITLED "ENFORCEMENT OF UNIFORM
FIRE SAFETY ACT," TO AMEND SECTION 94-10B**

BE IT ORDAINED by the Municipal Council of the Township of Hardyston, County of Sussex, State of New Jersey as follows:

SECTION 1. Chapter 88 of the Township Municipal Code, Entitled "Fees," Section 88-5, is hereby amended to read as follows:

§ 88-5. Fire Prevention.

A. Non-Life Hazard Use Registration Fees (§94-10B)

- (1) All business occupancies less than 5,000 square feet. \$50.
- (2) All business occupancies between 5,000 and 10,000 square feet. \$80.
- (3) All business occupancies greater than 10,000 square feet. \$120.
- (4) Multi-family dwelling common areas. \$50.

B. Fire Suppression Tank Fees (§94-10C)

- (1) Annual registration for quarterly inspections. \$40.

C. Food Truck Type 1 Permit

- (1) Annual registration (up to 6 inspections annually). \$200.

D. Fines & Penalties

- (1) Penalty for non-registration of non-life hazard use
 - a. 30 days overdue: Amount equal to unpaid fee.
 - b. 60 days overdue: \$250

SECTION 2. Chapter 88 of the Township Municipal Code, Entitled "Fees," Section 88-2D(11) and Section 88-2D(12) are hereby repealed.

SECTION 3. Chapter 94 of the Township Municipal Code, Entitled "Enforcement of Uniform Fire Safety Act," Section 94-10B, is hereby amended to read as follows:

§ 94-10. Inspections, permits and fees.

B. Each nonresidential use that is not classified as a life-hazard use under N.J.A.C. 5:70-2.4 shall be registered with the Hardyston Township Fire Prevention Bureau. The owner of the premises and/or operator of the non-life-hazard use shall submit a completed registration form and pay the fee set forth in the Hardyston Township Municipal Code, Chapter 88, Entitled "Fees," prior to commencing operation of the non-life-hazard use. A penalty shall accrue, in addition to the

registration fee, if a non-life-hazard use is not so registered prior to commencing operation. The non-life-hazard use shall thereafter be registered annually during the month of January. A late registration penalty shall be assessed on February 1 for failure to register in accordance with Chapter 88, Section 88-5. Late registrations in excess of 90 days will be referred to the Township Attorney for collection.

SECTION 4. All ordinances or parts of ordinances of the Township of Hardyston inconsistent herewith are repealed to the extent of such inconsistency.

SECTION 5. If any section, subsection, clause or phrase or other portion of this Ordinance is for any reason held to be unconstitutional or invalid by any court of competent jurisdiction, such decision shall not affect the remaining portions of the Ordinance.

SECTION 6. This Ordinance may be renumbered as necessary.

SECTION 7. This Ordinance shall take effect immediately following final passage, approval, and publication as required by law.

NOTICE

PLEASE TAKE NOTICE that notice is hereby given that the above ordinance was introduced and passed at the regular meeting of the Hardyston Township Council held at the Municipal Building, 149 Wheatsworth Road, Hardyston, New Jersey, on May 25, 2022. The same came up for final adoption at a meeting of the Township Council of the Township of Hardyston held on June 22, 2022, and after all persons present were given the opportunity to be heard concerning the same, it was finally passed, adopted and will be in full force and effect in the Township according to law.

BY ORDER OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF HARDYSTON

Jane Bakalarczyk, Clerk