

TOWNSHIP OF MAPLE SHADE

Ordinance 2024-04

Article I

§ 95-1. Adoption of standard code. [Amended 1-5-1977 by Ord. No. 1976-24; 12-2-1981 by Ord. No. 1981-21; 11-7-1984 by Ord. No. 1984-19; 9-20-2000 by Ord. No. 2000-11; 12-8-2016 by Ord. No. 2016-19]

For the purpose of prescribing regulations governing conditions hazardous to life and property from fire or explosion, the Fire Prevention Code for the Township of Maple Shade shall be the current edition of the International Fire Prevention Code as adopted by the State of New Jersey. Such code is incorporated herein by reference thereto, except that those parts of said code which are hereinafter deleted, modified, or amended by this article are not incorporated herein. The regulations, as set forth herein, shall be known as the "Fire Prevention Code of the Township of Maple Shade," and are herein referred to as such or as the "code." The Township Council hereby declares that three copies of the code shall be on file in the office of the Township Clerk and available for public inspection during regular business hours.

§ 95-2. Definitions.

As used in this article and the code adopted hereby, the following terms shall have the meanings indicated:

CHIEF FIRE MARSHAL – The Fire Official as defined in N.J.A.C. 5:71

CORPORATION COUNSEL — The Attorney of the Township of Maple Shade.

MUNICIPALITY — The Township of Maple Shade.

§ 95-3. Bureau of Fire Prevention. [Amended 10-20-1976 by Ord. No. 1976-18; 6-17-1981 by Ord. No. 1981-11; 11-7-1984 by Ord. No. 1984-19; 3-15-2006 by Ord. No. 2006-6; 12-8-2016 by Ord. No. 2016-19]

A. The Fire Prevention Code shall be enforced by the Office of the Fire Marshal in the Fire Department of the Township of Maple Shade, which is hereby established, and which shall be operated under the direct supervision of the Chief Fire Marshal

B. The individuals serving as Chief Fire Marshal in charge of the Office of the Fire Marshal, and the Deputy Fire Marshal shall be appointed and serve in accordance with § 95-47 herein and shall have a current New Jersey Department of Community Affairs Fire Official Certification. All fire inspectors appointed pursuant to § 95-47 shall hold a current New Jersey Department of Community Affairs Fire Inspection certification.

C. A report of the Office of the Fire Marshal shall be made annually and transmitted to the Township Manager and Fire Chief; it shall contain a report of all proceedings under the Fire Prevention Code, with such statistics as the Chief Fire Marshal may wish to include therein.

D. In the event of the absence of the Chief Fire Marshal for less than 30 days, the Deputy Fire Marshal shall assume the responsibilities of the Fire Official as defined in N.J.A.C. 5:71 until such time as the Chief Fire Marshal returns to duty. Any absence of the Chief Fire Marshal for more than 30 consecutive days shall require a new appointment of a Chief Fire Marshal to serve in the capacity as defined above and assume the responsibilities as Fire Official as defined in N.J.A.C. 5:71.

TOWNSHIP OF MAPLE SHADE

Ordinance 2024-04

§ 95-4. Storage of explosives and blasting agents. [Amended 1-5-1977 by Ord. No. 1976-24; 11-7-1984 by Ord. No. 1984-19; 12-8-2016 by Ord. No. 2016-19]

The limits referred to in the International Fire Prevention Code (current approved edition), in which the storage of explosives and blasting agents is prohibited, are hereby established as follows: the entire corporate limits of the Township of Maple Shade.

§ 95-5. Storage of flammable liquids in outside aboveground tanks.

A. The limits referred to in the State Fire Prevention Code, in which the storage of flammable liquids in outside aboveground tanks is prohibited, are hereby established as follows: the entire corporate limits of the Township of Maple Shade except for those areas designated as being within the LM Limited Manufacturing Districts and HC Highway Commercial Zones by Chapter 205, Zoning. [Amended 1-5-1977 by Ord. No. 1976-24; 9-3-1997 by Ord. No. 1997-16; 9-20-2000 by Ord. No. 2000-11]

B. All aboveground storage tanks must be enclosed by an approved safety fence and visual screen to buffer the tanks from adjacent properties and surrounding views. Plant material shall be of sufficient height and quantity to provide screening within three years. [Added 9-3-1997 by Ord. No. 1997-16]

§ 95-6. Investigation of fires; records; reports.

A. The Chief Fire Marshal or their designee shall investigate the cause, origin and circumstances of every fire occurring in the municipality. Such investigation shall begin immediately upon the occurrence of such fire. At the conclusion of such investigation, a written report shall be entered in the Fire Department records as to the cause, origin and circumstances of the said fire. If it appears such fire is of suspicious origin, the Chief Fire Marshal shall take charge immediately of the physical evidence, shall notify the proper authorities designated by law to pursue the investigation of such matters and shall further cooperate with the authorities in the collection of evidence and in the prosecution of the case. [Amended 10-20-1976 by Ord. No. 1976-18; 1-5-1977 by Ord. No. 1976-24; 3-15-2006 by Ord. No. 2006-6; 12-8-2016 by Ord. No. 2016-19]

B. The Chief Fire Marshal shall keep a record of all fires and all facts concerning the same, including statistics as to the extent of such fires and the damage caused thereby and whether such losses were covered by insurance, and if so, in what amount. Such a record shall be kept weekly.

C. The Fire Chief shall annually transmit to the Township Manager a report which shall contain a list of all proceedings under this article and the code adopted thereby, with a recommendation for amendments to be made to the code.

§ 95-7. Permits.

A. Permits required by this article and the code adopted hereby shall be obtained as provided in said code from the agency designated in § 95-42. [Amended 1-5-1977 by Ord. No. 1976-24; 9-20-2000 by Ord. No. 2000-11]

§ 95-8. False reports or alarms for fire service. [Added 1-5-1977 by Ord. No. 1976-24]

A. No person shall knowingly make or cause to be made any false report or alarm or misleading call or request for any of the services of the Fire Department of the Township of Maple Shade.

B. Whoever knowingly gives or turns in a false alarm of fire by any common or recognized alarm of fire is guilty of a misdemeanor and, upon conviction thereof, shall be sentenced to pay a fine of not less than \$200 and not more than \$1,000 or to undergo imprisonment for a term not exceeding two years, or both.

TOWNSHIP OF MAPLE SHADE

Ordinance 2024-04

C. Whoever knowingly gives, turns in or causes to be given or turned in a false alarm of fire by any common or recognized alarm of fire, the result of which causes death, injury or property damage to a person or equipment responding to such false alarm, shall be guilty of a misdemeanor and, upon conviction thereof, shall be sentenced to pay a fine of not less than \$500 and not exceeding \$2,000 or to undergo imprisonment for a term of not exceeding three years, or both.

§ 95-9. Establishment of fire lanes on private property devoted to public use. [Added 1-5-1977 by Ord. No. 1976-24]

- A. Where the parking of motor vehicles or other obstructions may interfere with the ingress and egress of Fire Department vehicles for the protection of persons and property, such as at shopping centers, bowling lanes, theaters, hospitals, schools, nursing centers, apartments and similar locations, such areas shall be marked as fire lanes upon the approval of the Chief Fire Marshal or Chief of Police. [Amended 9-20-2000 by Ord. No. 2000-11; 3-15-2006 by Ord. No. 2006-6] B. Parking of motor vehicles or otherwise obstructing fire lanes shall be prohibited at all times.
- C. Obstructions to or on designated access openings in exterior walls, doors or windows liable to interfere with the operations of the Fire Department or egress of occupants in case of fire shall be prohibited.
- D. Any unoccupied vehicle parked or standing in violation of this article shall be deemed a nuisance and a menace to the safe and proper regulation of traffic, and the Chief Fire Marshal and their designee, or Township Police Department may provide for the removal of such vehicle. The owner shall pay the reasonable costs of the removal and storage which may result from such removal before regaining possession of the vehicle. [Added 12-2-1981 by Ord. No. 1981-21; amended 3-15-2006 by Ord. No. 2006-6; 12-8-2016 by Ord. No. 2016-19]

§ 95-10. Violations and penalties.

- A. Any person who shall violate any of the provisions of this article or the code hereby adopted or fail to comply therewith, or who shall violate or fail to comply with any order made thereunder, or who shall build in violation of any detailed statement of specifications or plans submitted and approved thereunder or any certificate or permit issued thereunder, and from which no appeal has been taken, or who shall fail to comply with such an order as affirmed or modified by the Chief Fire Marshal or by a court of competent jurisdiction, within the time fixed herein, shall, upon conviction, severally for each and every such violation and noncompliance, respectively, be subject to the penalties provided in the Uniform Fire Code, N.J.A.C. 5:70-2.12. in accordance with the schedule listed in § 88-6 Fee Schedule [Amended 10-20-1976 by Ord. No. 1976-18; 9-5-1984 by Ord. No. 1984-11; 9-20-2000 by Ord. No. 2000-11; 3-15-2006 by Ord. No. 2006-6; 12-8-2016 by Ord. No. 2016-19]
- B. The imposition of one penalty for any violation shall not excuse the violation or permit it to continue; and all persons convicted of such violations shall be required to correct or remedy such violations or defects within a reasonable time; and when not otherwise specified, each day that prohibited conditions are maintained shall constitute a separate offense. [Amended 12-2-1981 by Ord. No. 1981-21]
- C. The application of the above penalty shall not be held to prevent the enforced removal of prohibited conditions.
- D. Penalties and fees shall be pursued and collected in accordance with the Uniform Fire Code N.J.A.C. 5:70-2 and § 88-6(M) Fee Schedule of the Township of Maple Shade.

TOWNSHIP OF MAPLE SHADE

Ordinance 2024-04

Article II

§ 95-11. Authority at fires and other emergencies. [Amended 9-20-2000 by Ord. No. 2000-11]

The Fire Chief or his or her designee, as may be in charge at the scene of a fire or other emergency involving the protection of life and/or property, are empowered to direct such operations as may be necessary to extinguish or control any suspected or reported fires, gas leaks or other hazardous conditions or situations or to take any other action necessary in the reasonable performance of their duty. The Fire Chief or his or her designee may prohibit any person, vehicle or object from approaching the scene and may remove or cause to be removed from the scene any person, vehicle or object which may impede or interfere with the operations of the Fire Department. The Fire Chief or his or her designee may remove or cause to be removed any person, vehicle or object from hazardous areas. All persons ordered to leave a hazardous area shall do so immediately and shall not reenter the area until authorized to do so by the Fire Chief or his or her designee.

§ 95-12. Vehicles crossing fire hose. [Amended 9-20-2000 by Ord. No. 2000-11]

A vehicle shall not be driven or propelled over any unprotected fire hose of the Fire Department, when laid down on any street, alleyway, private drive or any other vehicular roadway, without the consent of the Fire Chief or his or her designee in command of said operation.

§ 95-13. Definitions. As used in this article, the following terms shall have the meanings indicated:

AUTHORIZED EMERGENCY VEHICLES — Shall be restricted to those which are defined and authorized under the laws of the State of New Jersey.

§ 95-14. Drivers required to yield to emergency vehicles. [Amended 9-20-2000 by Ord. No. 2000-11]

Upon the approach of any authorized emergency vehicle giving audible and visual signal, the operator of every other vehicle shall immediately drive the same to a position as near as possible and parallel to the right-hand edge or curb of the street or roadway, clear of any intersection, and shall stop and remain in such position until the authorized emergency vehicle or vehicles shall have passed, unless otherwise directed by the Fire Chief or his or her designee or a police officer.

§ 95-15. Vehicles following fire apparatus.

It shall be unlawful for the operator of any vehicle, other than one on official business, to follow closer than 300 feet from any fire apparatus traveling in response to or from a fire alarm or to drive any vehicle within the block or immediate area where fire apparatus has stopped in answer to a fire alarm.

§ 95-16. Unauthorized boarding or tampering with Fire Department emergency equipment. [Amended 9-20-2000 by Ord. No. 2000-11]

A person shall not, without proper authorization from the Fire Director, Fire Chief or his or her designee in charge of said Fire Department emergency equipment, cling to, attach himself or herself to, climb upon or into, board or swing upon any Fire Department emergency vehicle, whether the same is in motion or at rest, or sound the siren, horn, bell or other sound-producing device thereon or manipulate or tamper with or attempt to manipulate or tamper with any levers, valves, switches, starting devices, brakes, pumps or any equipment or protective clothing on or part of any Fire Department emergency vehicle.

TOWNSHIP OF MAPLE SHADE

Ordinance 2024-04

§ 95-17. Causing damage to fire equipment; injury to personnel.

It shall be unlawful for any person to damage or deface or attempt or conspire to damage or deface any Fire Department emergency vehicle at any time or to injure or attempt to injure or conspire to injure Fire Department personnel while performing departmental duties.

§ 95-18. Specific exemptions for operation of emergency vehicles; limitation.

A. The driver of any emergency vehicle, as defined in § 95-29 of the Code, shall not sound the siren thereon or have the front red lights on or disobey any existing traffic regulation, except when said vehicle is responding to an emergency call or when responding to but not upon returning from a fire. Tactical strategies, such as but not restricted to move-ups, do not constitute an emergency call. The driver of an emergency vehicle may:

- (1) Park or stand irrespective of the provisions of existing traffic regulations.
- (2) Proceed past a red or stop signal or other sign, but only after slowing down as may be necessary for safe operation.
- (3) Exceed the prima facie speed limit so long as the action does not endanger life or property.
- (4) Disregard regulations governing direction of movement or turning in specified directions.

B. The exemptions herein granted to an emergency vehicle shall apply only when the driver of any such vehicle while in motion sounds an audible signal, bell, siren or exhaust whistle as may be reasonably necessary and when the vehicle is equipped with at least one lighted lamp displaying a red light visible under normal atmospheric conditions from a distance of 500 feet to the front of such vehicle.

§ 95-19. Blocking fire hydrants and Fire Department connections.

A. It shall be unlawful to obscure from view, damage, deface, obstruct, or restrict the access to any fire hydrant or any Fire Department connection for the pressurization of fire suppression systems, including fire hydrants and Fire Department connections that are located on public or private streets and access lanes or on private property.

B. If, upon the expiration of the time mentioned in a notice of violation, obstructions or encroachments are not removed, the Chief Fire Marshal or his or her designee shall proceed to remove the same. Costs incurred in the performance of necessary work shall be paid from the municipal treasury on certificate of the Chief Fire Marshal or his or her designee and with the approval of the Fire Director and Township Manager, and the legal authority of the municipality shall institute appropriate action for the recovery of such costs. [Amended 9-20-2000 by Ord. No. 2000-11; 3-15-2006 by Ord. No. 2006-6]

§ 95-20. Defective or unapproved fire extinguishers. [Amended 9-20-2000 by Ord. No. 2000-11]

A person shall not sell, trade, loan or give away any form, type or kind of fire extinguisher which is not approved by the Chief Fire Marshal or his or her designee or which is not in proper working order or the contents of which do not meet the requirements of the Uniform Fire Code. The requirements of this section shall not apply to the sale, trade or exchange of obsolete or damaged equipment for junk when said units are permanently disfigured or marked with a permanent sign identifying the unit as junk.

§ 95-21. Unauthorized street obstructions prohibited. [Amended 4-2-1986 by Ord. No. 1986-8]

A person or persons shall not erect, construct, place or maintain fences, gates, chains, bars, pipes, wood or metal horses or any other type of obstruction in or on any street within the boundaries of the municipality unless authorized by the Township. The word "street" as used in this article shall mean any roadway accessible to the

TOWNSHIP OF MAPLE SHADE

Ordinance 2024-04

public for vehicular traffic, including but not limited to private streets or access lanes, as well as all public streets and highways within the boundaries of the municipality.

§ 95-22. Storage or parking of internal-combustion-engine vehicles.

No person shall store or park or cause to be stored or parked any internal-combustion-engine vehicle commonly known as a "motorcycle," "moped," "go-cart" or "dirt bike" in or on any apartment unit porch, balcony, patio, entrance, exit or any other private area of an apartment or multifamily dwelling unit.

Article III

§ 95-23. Declarations.

The Township Council hereby makes the following declarations:

- A. The Uniform Fire Safety Act (P.L. 1983, c. 383), N.J.S.A. 52:27D-192 et seq., was enacted for the purpose of establishing a system for the enforcement of minimum fire safety standards throughout the State of New Jersey.
- B. The Uniform Fire Safety Act authorizes municipalities to provide for local enforcement and to establish local enforcement agencies for that purpose.
- C. It is in the best interest of the municipality of Maple Shade to have the Uniform Fire Safety Act enforced locally.
- D. All fire departments, fire companies and fire districts have agreed to the plan, which is set forth herein, for the administration and enforcement of the Uniform Fire Safety Code.

§ 95-24. Local enforcement.

Pursuant to Section 11 of the Uniform Fire Safety Act, N.J.S.A. 52:27D-202, the New Jersey Uniform Fire Code shall be locally enforced in the Township of Maple Shade.

§ 95-25. Designation of enforcing agency. [Amended 8-4-1999 by Ord. No. 1999-8; 10-6-1999 by Ord. No. 1999-9]

The local enforcing agency within the entire jurisdiction boundaries of the Township of Maple Shade shall be the Maple Shade Fire Department, Office of the Fire Marshal.

§ 95-26. Duties of enforcing agency. [Added 8-4-1999 by Ord. No. 1999-8; amended 10-6-1999 by Ord. No. 1999-9]

The local enforcing agency shall enforce the Uniform Fire Safety Act and the codes and regulations adopted under it in all buildings, structures and premises within the boundaries of the Township of Maple Shade, other than owner-occupied one- and two-family dwellings 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, and shall faithfully comply with the Uniform Fire Safety Act and the Uniform Fire Code.

§ 95-27. Inspection of life hazard uses. [Added 8-4-1999 by Ord. No. 1999-8]

The local enforcing agency established by § 95-42 of this article shall carry out the periodic inspections of life hazard uses required by the Uniform Fire Code on behalf of the Commissioner of the Department of Community Affairs.

TOWNSHIP OF MAPLE SHADE

Ordinance 2024-04

§ 95-28. Issuance of certificate of smoke detector compliance; fee. [Added 8-4-1999 by Ord. No. 1999-8; amended 10-6-1999 by Ord. No. 1999-9; 9-20-2000 by Ord. No. 2000-11; 3-2-2005 by Ord. No. 2005-1; 3-15-2006 by Ord. No. 2006-6]

The local enforcing agency established under § 95-42 of this article shall be responsible for the issuance of the certificate of smoke alarm, carbon monoxide alarm, and portable fire extinguisher compliance (CSACMAPFEC) in accordance with N.J.A.C. 5:70-2.3.

§ 95-29. Supervision and control. [Added 8-4-1999 by Ord. No. 1999-8]

The local enforcing agency established under § 95-42 of this article shall be under the direct supervision and control of the Chief Fire Marshal who shall be appointed as the Township of Maple Shade Fire Official and who shall report to the Township Manager of the Township of Maple Shade or such officer as the Township Manager may designate.

§ 95-30. Appointment of Fire Official and Inspectors; removal. [Added 8-4-1999 by Ord. No. 1999-8]

A. The local enforcing agency shall be under the direct supervision of the Fire Official who shall be appointed by the Township Manager of the Township of Maple Shade.

B. Inspectors and employees. Such inspectors and employees as may be necessary in the local enforcing agency shall be appointed by the Township Manager. Such inspectors and employees shall be under the supervision and control of the Fire Official.

C. Removal from office. The Fire Official, inspectors and other employees of the enforcing agency shall be subject to removal by the Township Manager for inefficiency or misconduct. Each employee to be so removed shall be afforded an opportunity to be heard by the appointed authority or a designated hearing officer.

§ 95-31. Board of Appeals. [Added 8-4-1999 by Ord. No. 1999-8]

Any person aggrieved by an order of the local enforcing agency shall have the right to appeal to the Construction Board of Appeals of Burlington County in accordance with the appeals procedures set forth in the Uniform Fire Safety Act (N.J.S.A. 52:27D-12 et seq.).

§ 95-32. Fire safety status certificate. [Added 10-6-1999 by Ord. No. 1999-9; amended 9-20-2002 by Ord. No. 2000-11]

Subsequent owners or those succeeding in control over a premises desiring to request a certificate of fire code status in order to determine whether or not violations exist or fees and/or penalties remain outstanding regarding said premises shall be required to pay a fee of as set forth in Chapter 88, Fees.

§ 95-33. Inspection/registration fees: non-life-hazard uses. [Added 10-6-1999 by Ord. No. 1999-9; amended 8-6-2003 by Ord. No. 2003-7]

In addition to the inspection and fees required pursuant to the Uniform Fire Safety Act and the regulations of the State of New Jersey Department of Community Affairs, the fees for non-life hazard registrations and inspections shall be in accordance with Chapter § 88-6, Fees of the Township of Maple Shade.

TOWNSHIP OF MAPLE SHADE

Ordinance 2024-04

Introduction: March 14, 2024

comments: none

COUNCIL	MOTION	SECOND	AYES	NAYS	ABSTAIN	ABSENT
Kauffman			x			
Nunes		x	x			
Volpe	x		x			
Wiest			x			
Schmidt			x			

CERTIFICATION

I hereby certify the foregoing to be a true copy of an Ordinance adopted by the Maple Shade Township Council at a meeting held on March 28, 2024

Andrea T. McVeigh, RMC

Adopted: March 28, 2024

comments: none

COUNCIL	MOTION	SECOND	AYES	NAYS	ABSTAIN	ABSENT
Kauffman		x	x			
Nunes			x			
Volpe			x			
Wiest	x		x			
Schmidt			x			