

ORD#21-2024

**Ordinance of the Township of Mount Olive, in the
County of Morris and State of New Jersey,
Amending Chapter 201, Fire Prevention, of the
Township Code to Establish a Fire Watch
Ordinance,**

CLERK:

Delivered to Mayor:

Date: 7/10/2024

Time: 9:30 am

Signed: _____

Township Clerk
Michelle DePinto

MAYOR:

Action by Mayor:

Approved:

Date: 7/10/24

Vetoed:

Date: _____

(Reasons for which Mayor has withheld approval of Ordinance, item or part Thereof.)

Signed: _____
Mayor

CLERK:

Returned:

Date: 7/10/24

Time: 9:45 am

Not returned with in (10) days

Date: _____

Signed: _____
Michelle DePinto,
Township Clerk

Ord. #21-2024

**ORDINANCE OF THE TOWNSHIP OF MOUNT OLIVE, IN THE
COUNTY OF MORRIS AND STATE OF NEW JERSEY, AMENDING
CHAPTER 201, FIRE PREVENTION, OF THE TOWNSHIP CODE TO
ESTABLISH A FIRE WATCH ORDINANCE**

WHEREAS, the Mount Olive Township Fire Marshal has recommended establishing regulations regarding fire watches necessary to protect the health, safety and welfare of the community; and

WHEREAS, the Township Council has determined that it is in the best interest of the Township to amend the Code to establish such regulations; and

WHEREAS, the Township Council previously adopted ordinance 15-2023 on May 30, 2023 and has determined that it needs to be revised to reflect the approved rates established in the Mount Olive Township Emergency Services Cost Sheet for labor and equipment items; and

NOW, THEREFORE, BE IT ORDAINED by the Township Council of the Township of Mount Olive, in the County of Morris and State of New Jersey, as follows:

SECTION 1. Part II, General Legislation, Chapter 201, Fire Prevention, is hereby amended to establish new Section 201-11, Fire Watch, to read as follows:

§ 201-11 Fire Watch Program.

A. Definition.

“Fire Watch” means a temporary measure ordered by the Township Fire Marshal to provide continuous and systematic surveillance of, and response to, the Township or a portion thereof, or a building or portion thereof, by one or more qualified individuals, for the purpose of identifying and controlling fire and other life/property hazards, detecting early signs of an unwanted fire, raising an alarm of fire to the occupants, notifying the appropriate Fire Department, and engaging in firefighting or other emergency response.

B. Initiation; scope; liability for costs.

- (1) Requests for a Fire Watch shall be made in writing to the Township Fire Marshal unless deemed emergent by the Fire Marshal.
- (2) The Fire Marshal or designee may order a Fire Watch in any portion of the Township in public- and privately owned buildings and/or properties for the following circumstances:

- (a) A fire protection system failure or deficiency exists that in the opinion of the Fire Marshal, creates an imminent hazard; or
 - (b) A pyrotechnics display, to ensure the safety of the public or emergency responders.
- (3) The Fire Marshal, in consultation with the Fire Department(s), shall determine the number of personnel and fire apparatus required to provide adequate protection, and the times that the Fire Watch personnel shall be on duty.
- (4) As the Township may direct, a Fire Watch shall be paid for by the Township or by a building owner, tenant, lessee, or organization.

C. Services or requirements during watch.

A Fire Watch may include firefighting, rescue, recovery, and other emergency responses; the maintaining of posted fire lanes, means of egress, and posted occupancy loads; enforcement of no smoking in posted areas; area and building surveillance; checking for proper permits; inspecting for proper safety precautions of cooking equipment; and such other functions as required by the Fire Marshal or designee.

D. Individuals authorized to perform watch.

- (1) Fire Prevention shall create a list of individuals authorized pursuant to N.J.A.C. 5:73-1.1 et seq. to perform a Fire Watch and available to the Township. Other personnel may be approved to serve on the Fire Watch team at the discretion of the Fire Marshal.
- (2) Each member of the Fire Watch team shall be property identified.
- (3) Fire Watch team members shall report directly to the Fire Marshal or designee and be dedicated to the Fire Watch.
- (4) Persons on the Fire Watch list shall be Mount Olive Fire Prevention Inspectors and/or volunteer members of the Flanders Fire Company or Budd Lake Fire Department who are certified firefighters (Firefighter 1).

E. Rates and payments.

- (1) The rates to be charged for Mount Olive Fire Prevention Inspector services shall be determined annually, as established in the Salary Ordinance, and shall include an administrative fee fixed by the Township.
- (2) The rates to be charged for services provided by volunteer members of the

Flanders Fire Company and Budd Lake Fire Department shall be at the rates established by the Mount Olive Township Emergency Service Reimbursement Cost Sheet.

- (3) The rates to be charged for each piece of fire apparatus deemed necessary by the Township shall be the rates established by the Mount Olive Township Emergency Service Reimbursement Cost Sheet.
- (4) Fire Watch services must be requested through the Fire Prevention Department on a form prescribed by the Fire Marshal, and payment must be made at the time of the application. No work will be scheduled until sufficient funds are posted in an established escrow account.
- (5) Payments shall be made payable to Mount Olive Township, the Budd Lake Fire Department, or the Flanders Fire Department, as applicable and subject to available personnel.
- (6) No Township-owned building or Township-organized event requiring a Fire Watch shall be charged a fire watch fee.

SECTION 2. If any section, subsection, clause, or phrase 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 this Ordinance.

SECTION 3. This Ordinance may be renumbered for purposes of codification.

SECTION 4. This Ordinance shall take effect twenty (20) days following final passage, approval, and publication as required by law.

TOWNSHIP OF MOUNT OLIVE



Alex Roman, Township Council President

ATTEST: 7/9/2024


Michelle DePinto, Township Clerk