

BOROUGH OF ROSELLE



ORDINANCE NUMBER 2742-24

AN ORDINANCE TO AMEND AND SUPPLEMENT PART IV “GENERAL ORDINANCES,” CHAPTER 209 “FIRE PREVENTION” OF THE CODE OF THE BOROUGH OF ROSELLE

WHEREAS, the Borough of Roselle (hereinafter “the Borough”) continues its pursuit of ensuring the safety of its residents through the maintenance of its fire prevention measures such that they are in line with the latest requirements; and

WHEREAS, the Mayor and Council for the Borough of Roselle seek to standardize the procedures for building inspections pertaining to smoke and carbon monoxide systems, while concomitantly instituting a fee for the execution thereof, and concurringly adjusting other fees to correspond to recent market values.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Council for the Borough of Roselle, that the Code of the Borough of Roselle, Part IV, Chapter 209 “Fire Prevention”, is hereby amended as follows (additions in **bold**, deletions removed):

SECTION I. The aforementioned recitals are incorporated herein as though fully set forth at length.

SECTION II. The Code of the Borough of Roselle, Part IV, General Ordinances, Chapter 209 Fire Prevention, Article III Enforcement, Section 10, entitled “Additional required inspections and fees,” is hereby amended and supplemented to include the following (additions in **bold**, deletions removed):

§ 209-10. Additional required inspections and fees.

In addition to the inspection and fees as required pursuant to the Act and the regulations of the Department of Community Affairs, the following additional fees and inspections shall be required:

- A. Class 1: Reserved.
- B. Class 2:
 - (1) All **multifamily** dwellings up to 10 units **per building**.
- C. Class 3:

(1) All **multifamily** dwellings from 11 units to 50 units **per building**, unless otherwise provided by state statutes, rules, or regulations.

D. Class 4:

(1) All **multifamily** dwellings from 51 units to 100 units **per building**, unless otherwise provided by state statutes, rules, or regulations. Inspection schedule.

E. Class 5:

(1) All **multifamily** dwellings over 100 units **per building**.

SECTION III. The Code of the Borough of Roselle, Part IV, General Ordinances, Chapter 209 Fire Prevention, Article III Enforcement, Section 11, entitled “Required inspections,” is hereby amended and supplemented to include the following (additions in **bold**, deletions removed):

§209-11 Required inspections.

All inspections Class 1 to Class 5 shall be inspected for compliance with the provisions of this code periodically, but not less than specified herein:

Class	Inspection Schedule	Fee
Class 1	(Reserved)	(Reserved)
Class 2	Once every 12 months	\$100
Class 3	Once every 12 months	\$150
Class 4	Once every 12 months	\$200
Class 5	Once every 12 months	\$400

SECTION IV. The Code of the Borough of Roselle, Part IV, General Ordinances, Chapter 209 Fire Prevention, ARTICLE III. Fire Prevention Code, Section 14, entitled “Smoke detector and carbon monoxide alarm compliance” is hereby amended and supplemented to include the following (additions in **bold**, deletions removed):

§ 209-14. Smoke detector and carbon monoxide alarm compliance.

A. Before any residential structure is sold, leased, or otherwise made subject to a change of occupancy for residential purpose, the owner or their authorized agent shall obtain a Certificate of Smoke Detector and Carbon Monoxide Alarm compliance (CSDCMAC) from the Bureau, evidencing compliance with the “Uniform Fire Safety Act” (N.J.A.C. 5-70-4.19).

B. The fee for performing an initial inspection for smoke alarms and carbon monoxide alarms in buildings containing one or two dwelling units as required by N.J.A.C. 5-70-4.19, including any subsequent reinspection to ascertain compliance, shall conform to the following fee schedule:

1. A price not to exceed \$50.00 if application for an inspection is made more than 10 business days prior to change in occupancy.

2. A price not to exceed \$100.00 if application for an inspection is made less than 10 business days but more than four business days prior to change in occupancy.
 3. A price not to exceed \$150.00 if application for inspection is made four business days or less prior to change in occupancy.
 4. In the event the residential structure fails to obtain the required CSDCMAC, the owner or its authorized agent shall be required to reapply for a CSDCMAC by filing a new application and paying a fee of \$50.00.
- C. The actual fee schedule shall be established from time to time by resolution of the Town Council. When compliance has been established, a certificate evidencing such compliance shall be issued by the Fire Department.
- D. A CSDCMAC shall not be transferable.
- E. No CSDCMAC shall be issued by the Bureau, unless and until an inspection of the structure is conducted by the Fire Official, or the appropriate inspector, evidencing compliance with N.J.A.C. 5:70-4.19.
- F. Expiration of certification is 6 months from the date of issuance.

SECTION IV. If any section, subsection, provision, clause, or portion of this ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, such adjudication shall not affect the remaining sections, subsections, provisions, clauses, or portions, which shall be deemed severable.

SECTION V. All ordinances or parts of ordinances inconsistent with or in conflict with this Ordinance are hereby replaced and/or repealed to the extent of such inconsistency.

SECTION VI. This Ordinance shall take effect at the time and in the manner provided by law.

Recorded Vote on Introduction Ordinance No. 2742-24 – July 24, 2024

	Motion	Second	Ayes	Nays	Abstain	Absent
Councilwoman Sousa			X			
Councilman Bernier			X			
Councilwoman Johnson			X			
Councilman Fortuna			X			
Councilwoman Wilkerson	X		X			
Council President Thomas		X	X			
X Adopted <input type="checkbox"/> Amended <input type="checkbox"/> Defeated <input type="checkbox"/> Tabled <input type="checkbox"/> Withdrawn						

Recorded Vote on Final Passage Ordinance No. 2742-24 – August 14, 2024

	Motion	Second	Ayes	Nays	Abstain	Absent
Councilwoman Sousa			X			
Councilman Bernier			X			
Councilwoman Johnson			X			
Councilman Fortuna	X		X			
Councilwoman Wilkerson		X	X			
Council President Thomas			X			
X Adopted <input type="checkbox"/> Amended <input type="checkbox"/> Defeated <input type="checkbox"/> Tabled <input type="checkbox"/> Withdrawn						

___ Approved

___ Vetoed and returned to the Municipal Clerk with the following statement and objections:

Donald Shaw, Mayor DATE:

NOTICE is hereby given that Ordinance Number 2742-24 was passed and adopted on second and final reading at a Workshop Meeting of the Mayor and Council on August 14, 2024 after 6:30 P.M., 210 Chestnut St., Roselle, NJ.

Lisette Sanchez, Municipal Clerk