

**AN ORDINANCE AMENDING CHAPTER 16, “FIRE PROTECTION AND PREVENTION” OF THE GENERAL ORDINANCES OF THE TOWNSHIP OF SPARTA**

**WHEREAS**, the Sparta Township Fire Marshall reviewed and recommended amendments to Chapter 16 of the Township’s General Ordinances, the Township’s “Fire Protection and Prevention” code.

**WHEREAS**, the Township Council has considered the recommendations from the Fire Marshall, and desires to make the amendments provided for in this Ordinance.

**NOW, THEREFORE, BE IT ORDAINED** by the Sparta Township Council, County of Sussex, State of New Jersey as follows:

**Section 1. Section 16-1.6a “Appointment of Fire Official”,** is repealed and replaced with the following:

**a.** Appointment of Fire Official. The Bureau of Fire Prevention shall be under the direct supervision of a Fire Official hereinafter known as the Fire Marshal who shall be appointed by the Township Manager. This appointment shall be based upon consultation with the Fire Department Chief and selection shall be made from at least one (1) candidate recommended by the Fire Department.

**Section 2. Section 16-1.6b ‘Term of Office’,** is repealed and replaced with the following:

**b.** Term of Office. The Fire Marshal shall serve for a term of one (1) year, after which he or she may be reappointed by the procedures established in paragraph a. Any vacancy shall be filled for the unexpired term.

**Section 3. Section 16-1.9 “Permit Fees”,** is repealed and replaced with the following:

§ 16-1.9 **Other Fees.**

**a.** The permit fees shall be in accordance with those set by the New Jersey Uniform Fire Code.

**b.** Non-Life Hazard Use inspection fees for all commercial occupancies that do not meet the criteria for Life Hazard Inspection, as defined in the New Jersey Uniform Fire Code, are based on the square footage of the occupancy as follows:

Size	Fee
20 to 500 square feet	\$35
501 or more square feet	\$60

**c.** Annual Life Hazard registration fees shall be collected and accounted for by the State Division of Fire Safety. They shall annually bill for and take such steps as may be necessary to collect these annual fees. 65% of these fees shall be remitted to the Township of Sparta in accordance with the provisions of the New Jersey Uniform Fire Code.

**Section 4.** Existing Section 16-1.10 is renumbered as reflected in Section 5 of this Ordinance, and a new **Section 16-1.10 “Failure to Pay Non-Life Hazard Use Inspection Fees”** is adopted as follows:

§ 16-1.10. **Failure to Pay Non-Life Hazard Use Inspection Fees.**

Failure to pay the required non-life-hazard use inspection fee(s) within the time frame indicated on an order to do so will cause a penalty to be imposed in an amount equal to double the original fee(s). These penalties will be in addition to the original fee due and must be paid within 30 days after issuance of an Order to Abate Violation and Pay Penalty. If the total fee(s) and penalties are not paid within the 30 days, the matter may be referred to the Township Attorney for summary collection under the New Jersey Penalty Enforcement Law, N.J.S.A. 2A:58-1 et seq., and enforcement of this section.

**Section 5.** Existing Section 16-1.10 is renumbered as **Section 16-1.11, “Technical Amendments”**, and the text is replaced as follows:

The National Fire Codes of the National Fire Protection Association shall be used for any fire safety hazard or condition not specifically addressed by the New Jersey Uniform Fire Code.

**Section 6.** Existing **Section 16-1.11, “Annual Registration Fees”**, is repealed and replaced as reflected in Section 5 of this Ordinance.

**Section 7. Severability.** If any provision of this ordinance or the application of this ordinance to any person or circumstances is held invalid, the remainder of this ordinance shall not be affected and shall remain in full force and effect.

**Section 8. Repealer.** All ordinances or parts of ordinances or resolutions inconsistent or in opposition to the provisions of this Ordinance are hereby repealed in their entirety.

**Section 9. Effective Date.** This ordinance shall take effect after publication and passage according to law.

#### **NOTICE**

**NOTICE** is hereby given that the above ordinance was introduced and passed upon first reading at a meeting of the Mayor and Council of the Township of Sparta, in the County of Sussex, New Jersey, held on October 24, 2023. It will be further considered for final passage after public hearing at a meeting of the Mayor and Council to be held in the Municipal Building, 65 Main Street, in the Township of Sparta, on November 28, 2023, at 7:00 P.M., and during the preceding week copies of the ordinance will be made available at the Clerk's office in the Municipal Building to members of the general public.

Roxanne Landy, RMC, Township Clerk

#### **NOTICE**

**NOTICE** is hereby given that the above entitled ordinance was introduced and passed at a meeting of the Township Council of the Township of Sparta, held at the Municipal Building, 65 Main Street, Sparta, NJ on October 24, 2023. The same came up for final passage and adoption at a virtual meeting of the Township Council of the Township of Sparta, held on November 28, 2023 at 7:00 p.m., at the Municipal Building, 65 Main Street, Sparta, NJ and after all persons present were given an opportunity to be heard concerning the same, it was finally passed and adopted and will be in full force in the Township according to law.

Roxanne Landy, RMC, Township Clerk