

**ORDINANCE 2020-07**

**ORDINANCE OF THE TOWNSHIP OF STAFFORD, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING CHAPTER 147 OF THE TOWNSHIP CODE, ENTITLED "OPEN BURNING"**

WHEREAS, the Township of Stafford wishes to update its fees for Open Burning permits to conform with the New Jersey Administrative Code any by incorporating reference to such applicable Code provisions.

NOW, THEREFORE, BE IT ORDAINED, by the governing body of the Township of Stafford, County of Ocean, State of New Jersey, as follows:

**SECTION 1.** The Township Code of the Township of Stafford is hereby amended and supplemented so as to amend Chapter 147, entitled "Open Burning," by amending Section 147-3 entitled "Special permit requirements" so that it shall read as follows:

**§ 147-3 Special permit requirements.**

A special open burn permit may be granted by the Fire Prevention Subcode Official upon the satisfaction of the following requirements:

- A. The applicant submits a written request to the Fire Prevention Subcode Official, along with a permit fee, at least ten (10) days prior to the proposed open burn or fire. The permit fee shall be the amount required in the New Jersey Uniform Fire Code for a Type 1 Permit as set forth in N.J.A.C. 5:70-2.9; for ease of reference only, at the time of publication this fee is \$54.00.
- B. The written request shall include the following information:
- (1) The name, address and telephone number of the applicant.
  - (2) The reason for the request for open burn and the type of event.
  - (3) Date, time and place of proposed open burn.
  - (4) Type of fuel and/or accelerants intended to be used for the burn.
  - (5) Manner by which the applicant intends to extinguish the fire.
  - (6) Names of those persons who shall be creating the fire is mandatory.
  - (7) Any additional information which the Fire Prevention Subcode Official shall find reasonably necessary for the fair determination as to whether a permit shall be issued.

C. No special open burn permit shall be granted if the requested activity is inconsistent with New Jersey Department of Environmental Protection Regulations on the Control and Prohibition of Open Burning set forth at N.J.A.C. 7:21-2.1 et seq.


**SECTION 2.** All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

**SECTION 3.** If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

**SECTION 4.** This ordinance shall become effective after second reading and publication as required by law.


**NOTICE**

NOTICE IS HEREBY GIVEN that the foregoing ordinance was introduced and passed by the Township Council on first reading at a meeting of the Township Council of the Township of Stafford held on the 14th day of April 2020, and will be considered for second reading and final passage at a regular meeting of the Township Council to be held on the 12th day of May, 2020 at 7:00PM, at the Municipal Building located at 260 East Bay Avenue, Manahawkin, New Jersey, at which time and place any persons desiring to be heard upon the same will be given the opportunity to be so heard.

  
Linda Martin, Municipal Clerk

**CERTIFICATION**

I, Nina Mullin, Deputy Municipal Clerk of the Township of Stafford, do hereby certify that the foregoing ordinance was duly adopted on second reading by the Stafford Township Council at a meeting held on the 12th day of May, 2020.

  
Nina Mullin, Deputy Municipal Clerk