

ORDINANCE No. RO-09

AN ORDINANCE OF THE TOWNSHIP OF WASHINGTON, COUNTY OF MORRIS, STATE OF NEW JERSEY, AMENDING CHAPTER 87 "FIRE PREVENTION" OF THE CODE OF THE TOWNSHIP OF WASHINGTON

WHEREAS, the Township Administrator and Code Enforcement Official have reviewed and recommended that the Code be amended to update the Fire Prevention standards and requirements; and

WHEREAS, the Township Committee has reviewed and approved of the recommended amendment.

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Washington, County of Morris, State of New Jersey, as follows:

SECTION ONE. Chapter 87 "Fire Prevention", Section 87-2 "Definitions" of the Township Code shall be amended to add new terms to read as follows::

§87-2 Definitions.

FIRE OFFICIAL/FIRE MARSHAL

A person certified by the Commissioner of the Department of Community Affairs and appointed by the Township Committee. The terms "Fire Official" and "Fire Marshal" shall be interchangeable.

FIRE INSPECTOR

A person working under the direction of the Fire Official/Fire Marshal who is certified by the Commissioner of the Department of Community Affairs and appointed or designated to enforce the Code by the Township Committee.

MOBILE FOOD VENDOR

A unit of closed construction designed to be driven or towed from place to place, with equipment to cook, prepare, serve, or sell food. This shall include but not be limited to mobile canteens, food trucks, food trailers, and food carts.

TEMPORARY FOOD VENDOR

A vendor which utilizes a temporary cooking operation to prepare and cook food. This shall involve grills, deep fryers, griddles, ovens or other methods of cooking or warming food.

All remaining portions of this Section not addressed herein shall remain unchanged.

SECTION TWO. Chapter 87 "Fire Prevention", Section 87-6 "Fire Official; appointment; terms; removal" of the Township Code shall be amended to read as follows:

- A. The local enforcing agency shall be under the direct supervision and control of the Fire Official of the Township of Washington. The Fire Official shall be appointed by the Township Committee. Prior to appointment, the Chiefs of the Fire Department may submit nonbinding recommendations to the Township Committee. The Fire Marshal's appointment shall continue during good behavior and satisfactory service. Fire Inspectors shall be appointed annually and serve for one year.

All remaining portions of this Section not addressed herein shall remain unchanged.

SECTION THREE. Chapter 87 "Fire Prevention", Section 87-11 "Non-life-hazard uses" of the Township Code shall be amended to read as follows:

- D. Township-owned buildings, buildings owned and occupied by municipal fire companies and/or rescue squads, buildings owned and occupied by nonprofit religious organizations that are used solely for religious purposes and buildings owned and occupied by nonprofit organizations used solely for nonprofit purposes shall be exempt from non-life-hazard registration fees.

All remaining portions of this Section not addressed herein shall remain unchanged.

SECTION FOUR. Chapter 87 “Fire Prevention”, Section 87-13 “Fees” of the Township Code shall be amended to read as follows:

C.

C. All permit applications shall be submitted a minimum of two (2) weeks prior to the date of activity, operation or event.

All remaining portions of this Section not addressed herein shall remain unchanged.

SECTION FIVE. Chapter 87 “Fire Prevention” of the Township Code shall be amended to add a new Section 87-15 entitled “Mobile or Temporary Food Vendors” to read as follows:

§87-15 Mobile or Temporary Food Vendors

A. Permits.

1. Mobile or temporary food vendors that utilize an open flame, fuel-burning appliances, or that produce grease-laden vapors shall submit a permit application each time they operate. Individual permits shall be issued to a specific mobile unit and shall not approve operation of multiple mobile units. All permit applications shall include identifying information for the mobile or temporary unit corresponding to each individual permit application.
2. All mobile or temporary food vendors shall be inspected each time they operate within the Township of Washington. No cooking or warming operation which requires a fire safety permit shall commence prior to an inspection by the Fire Inspector(s) or Fire Marshal.
3. A fire safety permit shall remain valid for a mobile or temporary food vendor until December 31st permitted that the following requirements are adhered to:
 - A. The mobile food vendor does not leave the location or premise in which the permit was issued for and remains in place where originally inspected.
 - B. A temporary food vendor remains in place and does not leave the premises.
 - C. The mobile food vendor shall not change vehicles or trailers during the duration of the valid permit.
 - D. All conditions or requirements of the fire safety permit and Uniform Fire Code are adhered to.
4. Any owner or operator violation any provision of section of this subsection shall be subject to maximum fine of \$100.

SECTION SIX. RENUMBERING. This Ordinance may be renumbered for codification purposes.

SECTION SEVEN SEVERABILITY. The various parts, sections and clauses of this Ordinance are hereby declared to be severable. If any part, sentence, paragraph, section or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder off this Ordinance shall not be affected thereby.

SECTION EIGHT. REPEALER. Any ordinances or parts thereof in conflict with the provisions of this Ordinance are hereby repealed as to their inconsistencies only.

NOTICE OF FINAL ADOPTION

Notice is hereby given that the Ordinance published herewith was introduced and passed upon first reading at a meeting of the Township Committee of Washington Township, in the County of Morris, New Jersey, held on the 20th of May, 2024, and the same came up for final passage at a meeting of said Township Committee on the 17th day of June 2024 at which time, after persons interested were given an opportunity to be heard concerning said ordinance, the same was passed and will be in full force in the Township according to law. By order of the Township Committee of the Township of Washington, County of Morris and State of New Jersey.

Adopted: June 17, 2024

TOWNSHIP OF WASHINGTON
COUNTY OF MORRIS
STATE OF NEW JERSEY

ATTEST:

Township Official

By: _____
Matthew Murello, Mayor

Attest: I herein certify that the foregoing Ordinance was duly adopted by the Washington Township Committee at a regular meeting held by the Township Committee on June 17, 2024.

Denean Probasco, RMC, Township Clerk