

# Ordinance

No. 20-2022

## AMENDING CHAPTER 175 FIRE PREVENTION OF THE BOROUGH OF WESTVILLE

BE IT ORDAINED by the Borough Council of the Borough of Westville, County of Gloucester and State of New Jersey that Chapter 175, Fire Prevention, is hereby amended as follows:

Section 1. Chapter 175, Section 31, Required inspections and fees, is hereby amended as follows:

- a) § 175-31 Required inspections and fees.

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

A. Inspection and fee schedule for all buildings as defined in the Uniform Construction Code of New Jersey, N.J.S.A. 52:27D-119 et seq., as amended and not classified as life-hazard buildings in accordance with N.J.A.C. 5:70 et. seq.:

Inspection Frequency	Building Use	Registration
		Fee
	<b>Business</b>	
Once every 12 months	1- and 2-story with less than 5,000 square feet per floor	\$50
Once every 12 months	1- and 2-story with 5,000 square feet or more per floor up to 11,999	\$70
Once every 12 months	3- to 5-story with less than 5,000 square feet per floor	\$100
Once every 12 months	3- to 5-story with more than 5,001 square feet per floor up to 11,999	\$150
	<b>Factory</b>	
Once every 6 months	F-1 under 11,999 square feet	\$200
Once every 12 months	F-2 under 11,999 square feet	\$100

Inspection Frequency	Building Use	Registration
		Fee
<b>Mercantile</b>		
Once every 12 months	1- and 2-story with less than 5,000 square feet per floor	\$70
Once every 12 months	1- and 2-story with 5,001 square feet or more per floor up to 11,999	\$100
Once every 12 months	3- to 5-story with less than 5,000 square feet per floor	\$150
Once every 12 months	3- to 5-story with more than 5,001 square feet per floor up to 11,999	\$175
<b>Residential</b>		
Once every 12 months	R-2, 3 to 6 units	\$50
Once every 12 months	R-2, 7 to 12 units	\$70
Once every 12 months	R-2, 13 to 20 units	\$100
Once every 12 months	R-2, over 20 units	\$150
<b>Storage</b>		
Once every 12 months	S-1 under 11,999 square feet	\$200
Once every 12 months	S-2 under 11,999 square feet	\$100
<b>Assembly</b>		
Once every 12 months	Restaurants/Halls/Parlors	\$70
Once every 12 months	Religious facilities	No fee
Once every 12 months	Outdoor assembly, if tent, may need proper permit	No fee

Inspection Frequency	Building Use	Registration
		Fee
	<b>Miscellaneous</b>	
B. Once every 12 months	Vacant Building	\$50.00
C.	Non-Life Hazard Government and Not-for-Profit Buildings	

1. Non-life government and not-for-profit buildings/organizations shall not be exempt from obtaining a Fire Permit but shall be exempt from paying the fee for the inspection and Fire Safety Permit. (A Letter of Determination from the IRS shall be on file with the Fire Official's office to ensure not-for-profit status.).

Any building owner who fails to submit annual registration fees within thirty (30) days of receipt shall be fined double the amount of the initial registration fee.

Permits: requested with less than 48 hours of the event shall be charge double the registration amount (Not annual permit fees for business owners within the Borough of Westville.)

Section 2. Chapter 175 is hereby amended by adding a new Article to read as follows:

1. Miscellaneous Fees Fire Report Fee
  - a. Fee of \$25.00 for a copy of the report
2. Certificate of Fire Code Status Fee
  - a. Fee of \$25.00 for Certificate

Section 3. Chapter 175 is hereby amended by adding a new Article to read as follows:

#### Fire Department Recovery Costs

1. Definitions.

As used in this Article, the following terms shall have the meanings indicated:

#### **FIRE DEPARTMENT**

The Borough of Westville Fire District No. 1

#### **PERSON**

A natural person or persons, partnership, corporation, association, firm or other legal entity.

2. Authorization to recover costs and expenses.

The governing body of the Borough of Westville authorizes the Fire Department to recover the costs of fire-fighting materials used and expended; the costs of the use of the fire trucks, fire engines, rescue equipment, and tankers; the costs of personnel hours and hazardous situation abatement materials involved in any

fire, safety and rescue incident or operation, and hazardous abatement incident, including vehicular accidents and fires.

3. Schedule of fees and costs.

The following fee schedule has been authorized by the governing body of the Borough of Westville to be charged by the Fire Department. These fees and costs may be charged and invoiced to any person or insurance carrier for whom or for whose property such services were rendered and/or materials provided.

- A. The fee schedule outlines the reimbursement of costs for stand-by fire protection services due to product release, required emergency stand-by, and fire suppression activities as outlined in N.J.A.C. 5:70-2.13 and other emergencies.
  - i. Apparatus
  - ii. FEMA Schedule 8692 1500 GPM Pumper \$91.00 per hour
  - iii. FEMA Schedule 8684 100' Ladder Truck \$140.81 per hour
  - iv. Volunteer FF/EMT FEMA Rate \$28.75 per hour
  - v. Career FF/EMT per hour rate at time of incident
  - vi. Materials & Equipment at Replacement Cost

4. Collection of costs.

Said costs and fees as outlined above shall be recovered directly by the Fire Department by direct billing of the Fire Department or shall be recovered by arrangements and contract with the utilization of an approved collection agency.

5. Billing guidelines.

A. Statement. The Borough of Westville does hereby establish a guidelines for the billing by the Westville Fire Department.

B. Guidelines.

- (1) Structures. Cost recovery: Billing will be processed for structure fires wherein there is sufficient damage for owner/tenant of the property to file a claim with his or her insurance company. Examples of such structure fires include, but are not limited to, dwellings, apartments or apartment complexes, commercial or noncommercial buildings or outbuildings.
- (2) Vehicles. Billing will be processed for all vehicle fire and vehicle accidents wherein the owner/insured/operator involved files a claim with their insurance company. Billing shall also be processed for vehicle fires in any vehicle holding yard or junkyard, regardless of insurance. Invoices shall be sent directly to the owner of the property.
- (3) Other. Billing will be processed for all other incidents not covered above, regardless if insured or not. Examples would be dumpsters, illegal burns, etc.

- (4) Billing. The Fire Department, at its sole discretion, may contract with an outside business entity to process the billing and payment collection process for Fire Department services.

6. Interest and administration fees.

In addition to the aforementioned fees and costs, the Fire Department is authorized to collect reasonable interest and administration fees for collecting said fees and costs.

7. Enforcement.

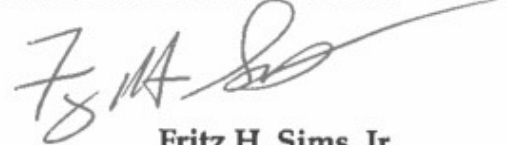
In the event that a person utilizing the services or materials of the Fire Department fails to make payment for those fees and services directly to the Fire Department, then, upon receipt of notice of the failure of payment, the Fire Department may elect to bring an action in a court of competent jurisdiction for the collection of any amounts due hereunder plus attorneys' fees or for any other relief that may be appropriate.

Section 4. This Ordinance shall take effect after final adoption and publication according to law.

*Introduced: September 21, 2022*

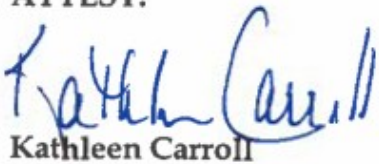
*Adopted:*

**BOROUGH OF WESTVILLE**



**Fritz H. Sims, Jr.  
MAYOR**

**ATTEST:**



**Kathleen Carroll  
DEPUTY MUNICIPAL CLERK**

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