

**THE TOWNSHIP OF EWING
COUNTY OF MERCER, NEW JERSEY**

ORDINANCE NO. 17-26

1st Reading 9-26-17

Date to Mayor 10-11-17

2nd Reading &
Public Hearing 10-10-17

Date Returned 10-11-17

Date Adopted:
10-10-17

Date Resubmitted to Council _____

Approved as to Form of Legality

Effective Date:
10-30-17

Township Attorney

AN ORDINANCE AMENDING THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF EWING IN THE COUNTY OF MERCER, TO REFLECT THE AUTHORITY FOR THE APPOINTMENT OF THE FIRE OFFICIAL PURSUANT TO THE NEW JERSEY CIVIL SERVICE ACT

First Reading

| MEMBER | AYE | NAY | ABSENT | ABSTAIN | MOVE | SECOND |
|----------------------|-----|-----|--------|---------|------|--------|
| Baxter | X | | | | | X |
| Keyes-Maloney | X | | | | X | |
| Schroth | X | | | | | |
| Wollert | X | | | | | |
| Steward | X | | | | | |

Second Reading

| MEMBER | AYE | NAY | ABSENT | ABSTAIN | MOVE | SECOND |
|----------------------|-----|-----|--------|---------|------|--------|
| Baxter | X | | | | | X |
| Keyes-Maloney | X | | | | | |
| Schroth | X | | | | X | |
| Wollert | X | | | | | |
| Steward | X | | | | | |

By _____ Date _____ Accepted _____ Rejected _____
Mayor

Reconsidered
By Council _____ Override Vote YEA _____ NAY _____

President of the Council

Municipal Clerk

**TOWNSHIP OF EWING
ORDINANCE NO. 17-26**

AN ORDINANCE AMENDING THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF EWING IN THE COUNTY OF MERCER, TO REFLECT THE AUTHORITY FOR THE APPOINTMENT OF THE FIRE OFFICIAL PURSUANT TO THE NEW JERSEY CIVIL SERVICE ACT

WHEREAS, pursuant to N.J.A.C. 5:71.32, the Fire Official shall (1) be appointed in the manner provided for in the ordinance establishing the local enforcement agency, and (2) be the chief administrator of the local enforcement agency; and

WHEREAS, Title 11A of the New Jersey Statutes, also known as the New Jersey Civil Service Act (N.J.S.A. 11A:1-1, et. seq.), has been adopted in the Township; and

WHEREAS, the position of Fire Official is classified under New Jersey Civil Service Job Specification of Fire Official 06350.

BE IT ORDAINED by the Council of the Township of Ewing, County of Mercer that the Code of the Township of Ewing be amended as follows:

Chapter 187. Fire Prevention

Article I: Uniform Fire Safety Code

§ 187-1 Adoption.

Pursuant to the State Uniform Fire Safety Act, N.J.S.A. 52:27D-192 et seq., the New Jersey Uniform Fire Code, N.J.A.C. 5:70-1 et seq., shall be enforced locally in the Township of Ewing, in accordance with N.J.A.C. 5:70-1 et seq.

§ 187-2 Fire Prevention Officer.

There is hereby established the Office of Fire Prevention Officer, also known as the "Fire Official." The Fire Prevention Officer shall be appointed pursuant to Title 11A under the New Jersey Civil Service Act and shall be certified in accordance with law. The Fire Prevention Officer shall serve as the chief administrator of the agency and shall report to the Business Administrator. The Mayor may appoint such other employees as deemed necessary for local enforcing agency purposes in the Office of the Fire Prevention Officer.

§ 187-3 Enforcing Agency.

The local enforcing agency shall be the Fire Official.

§ 187-4 Powers and duties.

The local enforcing agency shall enforce the Uniform Fire Safety Act and the New Jersey Uniform Fire Code and all related regulations in all buildings, structures and premises within the established boundaries of the Township of Ewing, other than owner-occupied one- and two-family dwellings, and shall faithfully comply with the requirements of the Uniform Fire Safety Act and the Uniform Fire Code.

§ 187-5 Life-hazard uses.

The local enforcing agency shall carry out the periodic inspections of life-hazard uses required by the Uniform Fire Code on behalf of the Commissioner of the Department of Community Affairs.

§ 187-6 Board of Appeals.

Pursuant to the Uniform Fire Safety Act, any person aggrieved by any order of the local enforcing agency shall have the right to appeal to the Construction Board of Appeals of Mercer County.

§ 187-7 Additional required fees and inspections.

- A. In addition to the fees required pursuant to the Uniform Fire Safety Act, the Uniform Fire Code and any other applicable regulations, fees shall be required as set forth in Chapter 172, Fees. In addition to the inspections required by any other ordinance or regulatory agency, the local enforcing agency shall inspect all buildings, structures or premises other than owner-occupied, one- and two-family dwellings and life-hazard uses, as deemed necessary by the Fire Official.
- B. Registration. The owner of any premises required to be inspected under Subsection A above shall register annually with the local enforcing agency on forms to be provided by the agency. Upon any transfer of ownership, the new owner shall register with the agency within 30 days. The provisions of this section shall not apply to life-hazard uses which register with the state only.

§ 187-8 Violations and penalties.

Except as provided herein, violations of this article shall be punishable as provided in Chapter 1, Article III, General Penalty.

Section 2 Severability. Should any section, clause, sentence, phrase or provision of this article be declared unconstitutional or invalid by a court of competent jurisdiction, such decision shall not affect the remaining portions of this article.

Section 3 Repealer. All prior ordinances or parts of same inconsistent with any provisions of this article are hereby repealed to the extent of such inconsistency.

Section 4 Effective Date. This ordinance shall take effect upon final adoption and publication in accordance with law.

Adopted: