

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

ORDINANCE NO. 17-32

1st Reading 11-28-17
2nd Reading &
Public Hearing 12-12-17

Date to Mayor 12-13-17

Date Returned 12-13-17

Date Adopted:
12-12-17

Date Resubmitted to Council _____

Approved as to Form of Legality

Effective Date:
1-1-18

Township Attorney

AN ORDINANCE AMENDING THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF EWING TO AMEND FIRE INSPECTION PERMIT FEES; SPECIFICALLY, CHAPTER 172-11, OFFICE OF FIRE PREVENTION, AS SET FORTH ON THE STATE OF NEW JERSEY SCHEDULE, N.J.AC. 5:70-2.9

First Reading

MEMBER	AYE	NAY	ABS	NV	RES	SEC
Baxter	X				X	
Keyes-Maloney	X					
Schroth	X					X
Wollert	X					
Steward	X					

Second Reading

MEMBER	AYE	NAY	ABS	NV	RES	SEC
Baxter	X					
Keyes-Maloney	X					X
Schroth	X					
Wollert	X				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. 17-32**

AN ORDINANCE AMENDING THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF EWING TO AMEND FIRE INSPECTION PERMIT FEES; SPECIFICALLY, CHAPTER 172-11, OFFICE OF FIRE PREVENTION, AS SET FORTH ON THE STATE OF NEW JERSEY SCHEDULE, N.J.AC. 5:70-2.9

WHEREAS, it is necessary to amend the Ewing Township Code to reflect the fire inspection permit fees as set forth in accordance with the New Jersey Administrative Code by the New Jersey Office of Administrative Law; Title 5: Community Affairs; Chapter 70; Uniform Fire Code; Subchapter 2; Administrative and Enforcement; and

NOW THEREFORE BE IT ORDAINED by the Township Council of the Township of Ewing that Chapter 172, FEES, Section 11, OFFICE OF FIRE INSPECTION, of the Code of the Township of Ewing is hereby amended as follows:

Section 1. Chapter 172, FEES, Section 11, OFFICE OF FIRE INSPECTION, of the Code of the Township of Ewing is hereby amended as follows:

**§ 172-11 Office of Fire Prevention.
[Amended 2-8-2000 by Ord. No. 00-03]**

- A. Fire inspection permits. The charge for fire inspection permits shall be as set forth on the State of New Jersey Schedule, N.J.A.C. 5:70-2.9, as amended from time to time. **[Amended 5-31-2005 by Ord. No. 05-21]**
- (1) Permit application fee. The application fee for a permit shall be as follows:
 - (a) Type 1: ~~\$42.~~ \$54.00
 - (b) Type 2: ~~\$166.~~ \$214.00
 - (c) Type 3: ~~\$331.~~ \$427.00
 - (d) Type 4: ~~\$497.~~ \$641.00 Exception: There shall be no fee for Type 4 permits for storage or activity at a premises registered as a life-hazard use.
 - (e) Type 5: (Reserved).
 - (2) Penalties for failure to obtain permits pursuant to N.J.A.C. 5:70-2.12.
 - (a) Failure to obtain a required permit prior to commencing the operation, process or activity for which a permit was required: a maximum of double the amount of the applicable permit fee.
 - (b) Failure to obtain a required permit after being ordered to do so while continuing the operation, process or activity: a maximum of \$5,000 per day during which the operation, process or activity continues.
 - (3) Exemptions from Uniform Fire Code local permit fees. The following users shall be exempt from the local permit fees only; each must still properly apply for such permits and comply with all other code requirements:
 - (a) Volunteer fire companies.
 - (b) Nonprofit civic groups when applying for a use of an occasional nature (limited to twice per year).
 - (c) Township of Ewing.
 - (d) Township of Ewing Boards of Education.
- B. Uniform Fire Safety Act (N.J.S.A. 52:27D-192 et seq.) inspections.
- (1) Structures of up to 50,000 feet: \$25.

- (2) Structures of 50,001 to 200,000 square feet: \$50.
 - (3) Structures of more than 200,000 square feet: \$25 for each 100,000 square feet over 200,000 square feet to a maximum fee of \$250.
- C. Smoke-sensitive alarm device inspection. Each inspection or reinspection for smoke-sensitive alarm device pursuant to N.J.S.A. 52:27D-192 et seq.: \$35. **[Amended 2-8-2000 by Ord. No. 00-03]**
- D. Application fee for certificate of smoke detector and carbon monoxide alarm compliance (CSDCMAC), as required by N.J.A.C. 5:70-2.3. The application fee shall be based upon the amount of time remaining before the change of occupant is expected, as follows: **[Amended 5-31-2005 by Ord. No. 05-21]**
- (1) Request for a CSDCMAC received more than 10 business days prior to change of occupant: ~~\$35.~~ \$45.
 - (2) Request for a CSDCMAC received four to 10 business days prior to the change of occupant: ~~\$70.~~ \$90.
 - (3) Request for a CSDCMAC received fewer than four business days prior to the change of occupant: ~~\$125.~~ \$161.

E. Basic inspection fees for non-life-hazard uses. All buildings and occupants subject to the Uniform Fire Code and not considered life-hazard uses will be subject to the following inspection fees based on the square footage of the premises: **[Amended 5-31-2005 by Ord. No. 05-21]**

0 to 1,000 square feet	\$50
1,001 to 5,000 square feet	\$100
5,001 to 15,000 square feet	\$135
15,001 to 30,000 square feet	\$250
Over 30,001 square feet	\$500

- (1) Each individual leased space and building of a complex shall be billed separately.
- (2) Billing dates; penalties. Billing for the basic inspection fees will take place in January of each year. Fees are due to the Township by January 31 of the same year. Failure to remit the required fee by January 31 will result in a penalty equal in amount to the basic fee. **[Amended 2-13-2007 by Ord. No. 07-02; 2-22-2011 by Ord. No. 11-02; 12-17-2013 by Ord. No. 13-46]**

Section 2. If any section or part of this Ordinance shall be declared invalid by the judgment of any court or competent jurisdiction, such section or part shall be deemed to be severable from the remainder of this Ordinance.

Section 3. This Ordinance shall take effect upon final passage and publication according to law.

STATEMENT

An Ordinance to amend Fire Inspection Permit Fees.