

ORDINANCE NO. 23-04
INTRODUCTION DATE: 02-01-2023
ADOPTION DATE: 02-15-2023

AN ORDINANCE REPEALING CHAPTER XIII (FIRE DISTRICT), SECTIONS 13-3.7 AND 13.3.8 (NEW JERSEY UNIFORM FIRE CODE ENFORCEMENT, NON-LIFE HAZARD USES AND PERMITS AND CERTIFICATE OF FIRE CODE STATUS) OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF MILLSTONE AND REPLACING IT WITH A NEW CHAPTER XIII (FIRE DISTRICT), SECTIONS 13-3.7 AND 13.3.8

BE IT ORDAINED by the Mayor and Township Committee of the Township of Millstone, County of Monmouth and State of New Jersey that Chapter XIII (Fire District), Sections 13-3.7 (New Jersey Uniform Fire Code Enforcement, Non-Life Hazard Uses) and 13.3.8 (New Jersey Uniform Fire Code Enforcement, Permits and Certificate of Fire Code Status), are hereby repealed in their entirety and replaced as follows:

I

Chapter XIII, Fire District, Section 13-3, New Jersey Uniform Fire Code Enforcement, Subsection 13-3.7, Non-Life Hazard Uses, is amended to read as follows:

13-3 NEW JERSEY UNIFORM FIRE CODE ENFORCEMENT.

13-3.7 Non-Life Hazard Uses.

- a. In addition to the registrations required by the Uniform Fire Code, the following non-life hazard use groups shall register with the Bureau of Fire Prevention. These use groups shall be inspected once per year and pay an annual registration fee.
 1. A, Assembly.
 2. B, Business.
 3. E, Educational.
 4. F, Factory and Industrial.
 5. H, High Hazard.
 6. I, Institutional.
 7. M, Mercantile.
 8. R, R-1 and R-2 common areas.
 9. S, Storage.
 10. U, Utility.

Square Footage	Fee
1,000 or less	\$50
1,001 to 5000	\$100
5001 to 10,000	\$150
10,001 to 20,000	\$200
20,001 to 30000	\$250
30,001 or more	\$300
Common Areas	Fee
Commercial building common area	\$75 per floor
Residential building common area	\$50 per building

- b. Premises that are incidental or auxiliary to the agricultural use of a farm property, pursuant to N.J.A.C. 5:70-2.4(b) shall be exempt from fees for same. However, any such farm buildings will be required to comply with the following:
1. Placement of operable portable fire extinguishers, which must be visible and available to the occupants with a maximum travel distance of 150 feet to a fire extinguisher;
 2. Placement of exit signs over the exit doors. Such signs do not have to be illuminated in commercial farm buildings (side swing doors are the only doors which are considered a means of egress);
 3. Any fire suppression system must be in operating order;
 4. Smoke detectors in buildings so equipped must be in operating order;
 5. Any bare electrical wires must be replaced;
 6. All electrical outlets must have covers;
 7. If items are hung on the wall, no more than 10% of the wall area may be covered by these items;
 8. If there is a welding area, any cylinders not in use must be chained to the walls. If there are two tanks, they shall not be adjacent to each other;
 9. Any welding cart must be equipped with a fire extinguisher; and
 10. Electric apparatus must be hard wired and/or plugged directly into any electrical outlet. No extension cords may be used.
- c. Before any one- and two-family or attached single family structure is sold, leased or otherwise made subject to a change of occupancy for residential purposes, the owner shall obtain a certificate of smoke alarm, carbon monoxide alarm, and portable fire

extinguisher compliance (CSACMAPFEC), evidencing compliance with N.J.A.C. 5:70-4.19. The application fee for a CSACMAPFEC shall be in accordance with N.J.A.C. 5:70-2.9(d).

Currently, the fees are as follows:

1. Requests for a CSACMAPFEC received more than 10 business days prior to the change of occupant: \$45.00;
 2. Requests for a CSACMAPFEC received four to 10 business days prior to the change of occupant: \$90.00; and
 3. Requests for a CSACMAPFEC received fewer than four business days prior to the change of occupant: \$161.00.
 4. A fee of \$30 shall be paid per reinspection of premises.
- d. Uses not classified above that are subject to the Uniform Fire Code will be classified as business uses.
- e. Uses required to register with the State as life hazard uses shall not be required to register under this section.
- f. In the discretion of the Fire Official, vacant buildings will be charged per the fee schedule and inspected.
- g. All residential uses except R-3 uses shall be inspected in the common areas only.

II

Chapter XIII, Fire District, Section 13-3, New Jersey Uniform Fire Code Enforcement, Subsection 13-3.8, Permits and Certificate of Fire Code Status, is amended to read as follows:

13-3.8 Permits and Certificate of Fire Code Status.

The application fees for the permits listed in N.J.A.C. 5:70-2.7(a) shall be in accordance with N.J.A.C. 5:70-2.9(c).

Currently, the fees are as follows:

Type 1 -- \$54.00;
Type 2 -- \$214.00;
Type 3 -- \$427.00;
Type 4 -- \$641.00.

Note: Type 4 permits shall not be required when the storage or activity is incidental or auxiliary to the agricultural use of the farm property, pursuant to N.J.A.C. 5:70-2.7(a)(1).

- a. The cost for the issuance of a Certificate of Fire Code Status shall be \$50.

III

All Ordinances and parts of Ordinances inconsistent herewith are hereby repealed.

IV

If any section, subparagraph, sentence, clause or phrase of this Ordinance shall be held to be invalid, such decision shall not invalidate the remaining portion of this Ordinance.

V

This Ordinance shall take effect upon adoption and publication according to law.

EXPLANATORY STATEMENT: This Ordinance repeals and replaces Chapter XIII (Fire District), Sections 13-3.7 and 13.3.8 with respect to Non-Life Hazard Uses and Permits and Certificate of Fire Code Status under the State's Uniform Fire Code Enforcement regulations, and brings Section 13-3 into conformity with regulations adopted by the New Jersey Department of Community Affairs.