

ORDINANCE OF THE TOWNSHIP OF IRVINGTON, NJ

No. **MC 3801**

Effective Date **OCT 03 2022**

Dated **September 12, 2022**

APPROVED AS TO FORM AND LEGALITY ON THE BASIS OF FACTS SET FORTH BY

[Signature]
Legislative Research Officer

COUNCIL MEMBER **HUDLEY**

presents the following Ordinance

SECONDED

VICK

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 370, Section 23 & 24 OF THE REVISED CODE OF THE TOWNSHIP OF IRVINGTON ENTITLED FIRE PREVENTION

307 – 23 Additional Required Inspections and Fees

A. In addition to the inspections and fees required pursuant to the act and the regulations of the Department of Community Affairs the following additional annual inspections and fees shall be required:

All buildings or portions thereof except owner-occupied one (1) or two (2) family dwellings, or buildings, structures, and premises owned or operated by the State, interstate agencies or the Federal government shall be inspected annually, or as often as determined necessary by the Fire Official.

B. Non-Life-Hazard Uses

1. The owner of all businesses, occupancies, buildings, structures or premises required to be inspected under the Uniform Fire Code, shall apply annually to the Fire Prevention Bureau for a certificate or registration upon forms provided by the Fire Official. An owner shall be in violation for failure to return such forms to the Fire Prevention Bureau and/or Fire Official within thirty (30) days of receipt. If ownership is transferred, whether by sale, assignment, gift, reorganization, foreclosure or any other method, the new owner shall file with the Fire Prevention Bureau an application for a certificate or registration.

a) Exemptions:

- 1) Owner occupied one and two family dwellings
- 2) Occupancies required to register with the Division of Community Affairs as Life Hazard Use Groups per the New Jersey Uniform Fire Code.

2. Vacant buildings, which create a fire hazard, shall be charged and inspected according to the previous use of the building.

3. The local enforcing agency shall periodically inspect such premises. These inspections shall be made in accordance with the New Jersey Uniform Fire Code as often as may be necessary for the purpose of ascertaining and cause to be corrected any conditions liable to cause fire, contribute to the spread of fire, interfere with fire operations, endanger life, or any conditions constituting violations of the provision or intent of the New Jersey Uniform Fire Code.

C. Additional Required Registration and Permit Fees.

In addition to the registration and permit fees required by the Uniform Fire Safety Act, the Fire Official, with the approval of the Township of Irvington Municipal Council, hereby establishes the following registration and permit fees:

1. The following buildings, uses and premises contained in the section shall be subject to annual registration fees and periodic inspections.

Use Type & Description	Fee
Office buildings, other than life-hazard uses: 1 to 7 offices	\$70
Office buildings, other than life-hazard uses: 8 to 16 offices	\$90
Office buildings, other than life-hazard uses: 17 or more offices	\$170
Supermarkets/food marts/grocery stores having less than 12,000 square feet	\$100
Hardware/appliance/furniture stores having less than 12,000 square feet	\$100
Retail stores/mercantile buildings having less than 7,000 square feet	\$50
Retail stores/mercantile buildings having more than 7,000 but less than 12,000 square feet	\$170
Any other commercial/business occupancy with less than 1,000 square feet	\$50
Any other commercial/business occupancy with 1,000 to 5,999 square feet	\$125

Use Type & Description

Any other commercial/business occupancy with 6,000 to 9,999 square feet	\$175
Any other commercial/business occupancy with 10,000 square feet or more	\$200

2. Non-Life-Hazard Use (LHU) Mixed-Use Properties.

Use Type & Description	Fee
Mixed use, commercial/business with 3 to 7 dwelling units	\$90
Mixed use, commercial/business with 8 to 17 dwelling units	\$170
Mixed use, commercial/business with more than 17 dwelling units	\$270

3. Non-Life-Hazard Use (LHU) Multiple-Dwelling Properties.

Use Type & Description	Fee
Multiple dwelling with common area having 3 to 7 dwelling units	\$70
Multiple dwelling with common area having 8 to 16 dwelling units	\$90
Multiple dwelling with common area having 17 to 25 dwelling units	\$170
Multiple dwelling with common area having more than 25 dwelling units	\$270

4. Fees for Reinspection

Reinspection	Fee
1 st Reinspection	50% of the initial fee.
2 nd Reinspection	\$150
3 rd Reinspection	\$300

D. Enforcement, Violations and Penalties.

1. Failure to file the application and/or pay the fee within 30 days as set forth above shall subject the registrant/applicant to a fine of an amount equal to double the applicable registration fee but not less than \$200 or more than \$1,000 for each registration, in addition to any unpaid fee.

2. Enforcement, violations and penalties shall be managed in conformity with the Uniform Fire Safety Act, The Uniform Fire Code, and all other laws of the State of New Jersey.

3. Pursuant to the provisions of N.J.A.C. 5:71-2.6, all permit fees and other fees provided for or allowed by this subsection and any penalties collected pursuant hereto shall be collected and retained fully on behalf of the Fire Prevention Bureau and shall be appropriated by the Governing Body to the Bureau for the purpose of enforcing this code, operating the local enforcing agency and advancing local fire prevention interests.

RECORD OF COUNCIL VOTE

X = Indicates Vote

N.V. = No Vote

A.B. = Absent

X.O.R. = Indicates Vote to Override Veto

COUNCIL MEMBER	YES	NO	N.V.	A.B.	COUNCIL MEMBER	YES	NO	N.V.	A.B.
BROWN			X		HUDLEY, VICE PRESIDENT	X			
COX	X				VICK	X			
EVANS	X				BEASLEY, PRESIDENT	X			
FREDERIC, 2ND VICE PRESIDENT	X								

Ordinance on First Reading Date AUG 08 2022Council Adopted on Second Reading Date SEP 12 2022MAYOR _____ Date 9/13/2022 Approved X Rejected _____

Reconsidered by Council - Override Yes _____ No _____ Date of Override _____

COUNCIL PRESIDENT Amelia H. Beasley MUNICIPAL CLERK Paul E. Munn

I hereby certify that the foregoing is a true copy of an Ordinance duly adopted by the Municipal Council. In witness whereof I have hereunto set my hand and the Corporate Seal of the Township of Irvington.

MUNICIPAL CLERK Paul E. Munn DATE 9/13/22

ADMINISTRATOR ☐ ASSESSOR ☐ BLDG ☐ CFO ☐ COLLECTOR ☐ COURT ☐ EDGO ☐ ENGINEER ☐ FIRE~CF ☐ HEALTH ☐ HOUSING ☐
 INIC ☐ JUDGE ☐ LEGAL ☐ LIBR ☐ LICEN ☐ MAYOR ☐ NPP ☐ OCDP ☐ PARKS ☐ PAYROLL ☐ PUBLIC SAFETY~DIR ☐ PUBLIC WORKS ☐
 PURCHASING ☐ SEC~PB/ZBA ☐ TRAFFIC ☐ ZONING~OFF ☐ DLGS ☐ GNCD ☐
 OTHER(S): _____