

**Ordinance Adopting Minimum Safety Standards and Amended Rates/Fees
Approved by the Township of Deptford**

Whereas, the Fire District, has been previously designated by an ordinance from the Township of Deptford as the "enforcing agency" pursuant to the Uniform Fire Safety Act;

Whereas, the Mayor and Council of the Township of Deptford provided the Fire District with recommended amendments to the fire safety standards and associated inspection fees;

Whereas, the Fire District has determined that it is in the best interests of the Fire District to adopt the Township's recommendations according to the exhibit attached.

Now therefore be it resolved, by the Deptford Township Mayor and Council in the Township of Deptford, County of Gloucester, that the recommended amendments to the Township of Deptford ordinances, set forth in the attached Exhibit A, is hereby adopted as Follows:



TOWNSHIP OF DEPTFORD

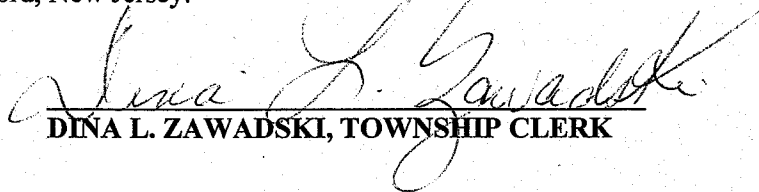
Paul Medany
PAUL MEDANY, MAYOR

ATTEST:

Dina L. Zawadski
DINA L. ZAWADSKI, TOWNSHIP CLERK

CERTIFICATION

The foregoing Ordinance was introduced at a Regular Meeting of Township Council of the Township of Deptford held on the 8th day of November, 2010 and will be considered for final passage and adoption at a Work Session Meeting at which time any person interested therein will be given an opportunity to be heard. Said meeting to be held on the 22nd day of November, 2010 at the Municipal Building, 1011 Cooper Street, Deptford, New Jersey.


DINA L. ZAWADSKI, TOWNSHIP CLERK

Introduction

Council Member	Resolution No.	Ordinance No.	Yes	No	Abstain	Absent
		O.21.10				
Medany			✓			
Hufnell			✓			
DiMarco			✓			
Lamb			✓			
Love			✓			
Schocklin						✓
Scott			✓			

Adoption

Council Member	Resolution No.	Ordinance No.	Yes	No	Abstain	Absent
		O.21.10				
Medany			✓			
Hufnell			✓			
DiMarco			✓			
Lamb			✓			
Love			✓			
Schocklin			✓			
Scott			✓			

EXHIBIT A

WHEREAS, The Uniform Fire Safety Act, (P.L. 1983, c. 383), was enacted with the purpose of establishing a system for the enforcement of minimum fire safety standards throughout the State of New Jersey; and

WHEREAS, the Uniform Fire Safety Act authorizes municipalities to provide for local enforcement and establish local enforcing agencies for that purpose; and

WHEREAS, The Township has determined that certain existing ordinances should be amended and/or repealed to provide consistency with the Uniform Fire Safety Act;

NOW THEREFORE BE IT ORDAINED, by the Township Council of the Township of Deptford as follows:

SECTION 1. LOCAL ENFORCEMENT

Pursuant to Section 11 of the Uniform Fire Safety Act (P.L. 1983, c. 383), the New Jersey Uniform Fire Code shall be locally enforced in the municipality of the Township of Deptford.

SECTION 2. AGENCY ENFORCEMENT

The local enforcing agency shall be the Bureau of Fire Prevention of the Deptford Township Fire District established pursuant to Chapter 27 of the Code of the Township of Deptford and which sets forth the boundaries of the Fire District.

SECTION 3. DUTIES

The local enforcement agency shall enforce the Uniform Fire Safety Act and the Codes and regulations adopted under it in all buildings, structures and premises within the established boundaries of the Township of Deptford, other than owner-occupied one and two family dwellings with good cause, and shall faithfully comply with the requirements of the Uniform Fire Safety Act and the Uniform Fire Code,

SECTION 4. LIFE HAZARD USES

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

SECTION 5. ORGANIZATION

The local enforcing agency shall be part of the Deptford Township Fire District. Such funds as may be necessary to support the operations of the agency shall be raised by the District in the manner provided by law.

SECTION 6. APPOINTMENTS, TERM OF OFFICE, REMOVAL

6.A. Appointment of the Fire Marshal

The local enforcing agency shall be under the supervision of a Fire Marshal who shall be appointed by the Board of Fire Commissioners of the Deptford Fire District. In making the appointment, the appointing authority shall make the appointment

from among those persons that they shall consider qualified, which persons have been certified pursuant to the provisions of Title 5, Chapter 71, Subchapter 4 of the New Jersey Administrative Code.

6.B. Term of Office

The Fire Marshal shall serve for a term of two (2) years. Any vacancy shall be filled for the unexpired term in accordance with the provisions of New Jersey Administrative Code, Title 5, Chapter 71, Subchapter 4.

6.C. Inspectors and Employees

Such inspectors and other employees as may be necessary in the local enforcing agency shall be appointed by the Deptford Township Board of Fire Commissioners upon the recommendation of the Fire Marshal.

6.D. Removal From Office

The Fire Marshal, inspectors and other employees of the enforcing agency shall be subject to removal by the Deptford Township Board of Fire Commissioners for inefficiency or misconduct. The Fire Marshal, inspector or employee to be so removed shall be afforded an opportunity to be heard by the appointing authority of a designated hearing officer.

SECTION 7. BOARD OF APPEALS

Pursuant to Sections 15 and 17 of the Uniform Fire Safety Act, any person aggrieved by any order of the local enforcing agency shall have a right to appeal to the Construction Board of Appeals of the County of Gloucester.

SECTION 8. REQUIRED LIFE HAZARD USE FEES

The Life Hazard Fees required pursuant to this ordinance shall be those required pursuant to the Uniform Fire safety Act and the regulations of the New Jersey Department of Community Affairs, including any amendments or supplements thereto.

SECTION 9. ADDITIONAL INSPECTION FEES

Annual Inspection fees assessed to the owner(s) of the property or business for non-life hazard uses shall be as follows:

Use Group	Description	Fees
	ASSEMBLY USES (Use Group A)	
NLA-1	Place of Assembly, occupancy <50	\$66
NLA-2	Place of Assembly, Temporary (<90 days)	\$42
NLA-3	Reserved	

BUSINESS USES (offices, etc.)
(Use Group B)

NLB-1	Place of Business, <500 sq ft	\$24
NLB-2	Place of Business, >500, <2500 sq ft	\$36
NLB-3	Place of Business, >2500, <5000 sq ft	\$42
NLB-4	Place of Business, >5000, <7500 sq ft	\$60
NLB-5	Place of Business, >7500, <10,000 sq ft	\$90
NLB-6	Place of Business, >10,000 sq ft	\$120

EDUCATIONAL USES
(Use Group E)

NLE-1 Reserved

FACTORY USES (manufacturing)
(Use Group F)

NLF-1	Factory Use, (Use group F-1 & F-2), <2500 sq ft	\$36
NLF-2	Factory Use, (Use Group F-1 & F-2) >2500, <5000 sq ft	\$48
NLF-3	Factory Use, (Use Group F-1 & F-2), >5000, <7500 sq ft	\$60
NLF-4	Factory Use, (Use Group F-1 & F-2), >7500, 10,000 sq ft	\$90
NLF-5	Factory Use, (Use Group F-1 & F-2), >10000, <12000 sq ft	\$150
NLF-6	Factory Use, (Use Group F-2), >12000 sq ft	\$150

MERCANTILE USES
(Use Group M)

NLM-1	Mercantile Use, <500 sq ft.	\$24
NLM-2	Mercantile Use, >500, <2500 sq ft	\$36
NLM-3	Mercantile Use, >2500, <5000 sq ft	\$48
NLM-4	Mercantile Use, >5000, <7500 sq ft	\$60
NLM-5	Mercantile Use, > 7500, <10000 sq ft	\$90
NLM-6	Mercantile Use, >10000, <12000 sq ft	\$150

RESIDENTIAL USES

Use Groups R-1 & R-2 not classified as LHU's

NLR-1	Residential-Hotel/Motel (per dwelling unit)	\$30
NLR-2	Residential-Multi-family dwelling (per dwelling unit) NOTE: not less than 20% of each complex will be inspected each year so that the entire complex is inspected one every five years)	\$30

STORAGE USES

Use Groups S-1 & S-2 not classified as LHU's

NLS-1	Storage Use, <2500 sq ft	\$36
NLS-2	Storage Use, >2500, <5000 sq ft	\$48
NLS-3	Storage Use, >5000, <7500 sq ft	\$60
NLS-4	Storage Use, >7500, <10000 sq ft	\$90
NLS-5	Storage Use, >10000 sq ft, <12000 sq ft	\$150

Exemptions. The following uses shall be exempt from the payment of inspection fees imposed by this section.

- a. All fire/rescue stations;
- b. All Township owned and operated buildings;
- c. All county owned and operated buildings;
- d. All State owned and operated buildings;
- e. All Federally owned and operated buildings;
- f. All State registered Life Hazard Uses;
- g. All uses required to obtain an annual permit in accordance with the N.J. Uniform Fire Code (N.J.A.C. 5:70-1.1 et seq.)
- h. Churches

OTHER FEES

Category	Fees
Fire Investigation reports	\$30
Certificate of Fire Code Status	\$30
Cost of Suppression-Apparatus (per hour with operator)(1 truck/1 hour minimum)	\$120
Cost of Suppression-Firefighters (per member, per hour)(5 firefighters minimum)	\$30
Cost of Suppression-Minor vehicles	\$60
Fire flow testing	\$60

SECTION 10. PERMITS

The permit fees established by this ordinance shall be those established by the Uniform Fire Code, including any amendments thereto.

SECTION 11. TECHNICAL AMENDMENTS

1. RAPID ACCESS KEY BOXES.

- a.* Required; Exceptions. All properties with the Township having an automatic fire alarm system or a fire sprinkler system shall be equipped with a key box. This shall not apply to owner occupied one (1) and two (2) family dwellings.
- b.* Type of Box and Location. The key box shall be of a UL type and approved by the Township Fire Marshal. The rapid entry key box shall be installed in a location approved by the Fire Marshal.
- c.* Key Box Contents. The rapid entry key boxes shall contain the following:
 - i.* Keys to locked points of egress, whether on interior or exterior of such buildings;
 - ii.* Keys to locked mechanical rooms;
 - iii.* Keys to locked elevator rooms;
 - iv.* Keys to elevator controls;
 - v.* Keys to any fence or secured area
 - vi.* Keys to any other areas as directed by the Fire Marshal;
 - vii.* A floor plan of the rooms within the building.
- d.* Penalties. Any building owner violating this section shall be subject to penalties set forth in the NJ Uniform Fire Code.

2. OUTDOOR STORAGE OF RECYCLED RUBBER TIRES AND RECYCLED RUBBER PRODUCTS

- a.* Findings. The outdoor storage of rubber tires and/or recycled rubber products may create a fire and/or health hazard; and the Township wishes to regulate the amount of rubber tires and/or recycled rubber products that may be stored in any one location. N.J.A.C. 5:71-2.8(a) provides that a municipality may, by ordinance, make its Fire Code more restrictive than the Uniform Fire Code.
- b.* Regulations for Outdoor Storage of Rubber Tires. All tires stored outdoors in the Township shall be stored in accordance with the National Fire Protection Association's Standard Number 231D,

1994 Edition, Appendix "C", except as modified herein.

- c.* Storage of Tires in Excess of Five Hundred (500) prohibited. The number of loose tires, mounted or un-mounted, to be permitted to be stored outside any one (1) lot shall not exceed five hundred (500) tires. There shall be no distinction between new or used tire for the purpose of this section
- d.* Standard for the Storage of Tires. Tires shall be stored in the following manner.
- e.* Tires shall be stored in piles no greater than ten (10) feet in height;
- f.* Tires shall be stored no closer than twenty-five (25) feet from any building or lot line;
- g.* Tires shall be stacked in such a manner as to be readily counted.
- h.* Recycled Rubber Products. Any business that recycles used tires or other rubber products shall not store the products in the same area as the processing plant. The products shall be packaged for storage as soon as possible after processing and removed to buildings that meet or exceed the requirements for storage of such materials as determined by the Uniform Construction Code. The process of recycling used tires into other products shall conform and comply with any and all regulations that may be established by the Township Fire Marshal.
- i.* Exceptions to Tire Storage. The provisions of Section 4 shall not apply to any business that recycles used tires into another product on site. In such a case, the business may store only the number of tires that may be recycled in one (1) business day. Tires must be stored in a suitable enclosure that meets Township and State regulations.
- j.* Violations. Any person who violates these provisions shall be liable for penalties as set forth in the Uniform Fire Code.

3. BUILDINGS CONSTRUCTED WITH PARAPET WALLS TO BE MARKED WITH A PLACARD INDICATING THEIR HEIGHT.

- a. Parapet Walls present collapse and fall hazards to firefighters, and their dangers are well known to the fire service community; and the Deptford Fire Department has requested that all buildings built with parapet walls be marked with a placard indicating their height above the roof level to provide for the safety of their fire suppression members.
- b. The Uniform Fire Safety Act, (P.L. 1983, c. 383), was enacted with the purpose of establishing a system for the enforcement of minimum fire safety standards throughout the State of New Jersey; and N.J.A.C. 5:71-2.8(a) authorizes municipalities to make their local fire prevention codes more restrictive than the State Fire Prevention Code; and the Township has determined that certain existing ordinances should be amended and/or enacted to provide consistency with the Uniform Fire Safety Act.

SECTION 1. DEFINITIONS

PARAPET WALL - The part of a wall entirely above the roofline.

SECTION 2. REGULATIONS

1. All buildings constructed with walls that extend above the level of the roof deck shall be marked with a rectangle placard that indicates the height of the highest parapet wall on the building.
2. Said placard shall be affixed on the front side of the building that contains the parapet wall. Preferably the top left corner. The design of the placard shall be as determined by the Fire Marshal of the Deptford Township Fire Department.
3. The placard shall consist of a blue rectangle with white reflective letters and numbers. These letters and numbers will indicate the wall height above the roof deck.

SECTION 3. ENFORCEMENT

1. The requirements of this ordinance shall be enforced by the Fire Marshal of the Deptford Township Fire Department and/or their designated inspection staff.

SECTION 12. REPEALS

All ordinances, parts of Ordinances inconsistent with the provisions of this ordinance are hereby repealed to the extent of the inconsistency.

SECTION 13. EFFECTIVE DATE

This ordinance shall be effective twenty (20) days after final adoption and as provided by law.

5912936v1