

**ORDINANCE 08 - 2024
BOROUGH OF SEA GIRT**

AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 20, FIRE PREVENTION AND PROTECTION OF THE BOROUGH CODE OF THE BOROUGH OF SEA GIRT, MONMOUTH COUNTY

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§ 20-1 UNIFORM FIRE SAFETY ACT ENFORCING AGENCY.

§ 20-1.1 Adoption of the Uniform Fire Code.

[Ord. No. 10-2010 § 2]

- a. The New Jersey Uniform Fire Code and all amendments and supplements thereto, is adopted by the Borough of Sea Girt (referred to herein as the "Borough") for the purpose of establishing a system for the enforcement of minimum fire safety standards throughout the Borough as mandated by the State of New Jersey, so as to improve the safety of the public by promoting the control of fire hazards. The standards, rules and regulations set forth in the New Jersey Uniform Fire Code shall be and the same are hereby incorporated in this section.
- b. The Borough shall recognize the standards of the National Fire Protection Association ~~Code~~ and supplements and amendments thereto, which the Bureau will refer to in the enforcement of this section. The above-referenced New Jersey Uniform Fire Code and National Fire Protection Association ~~Code~~ are incorporated herein as if set forth in length.

§ 20-1.2 Local Enforcement and Enforcing Agency Designation.

[Ord. No. 10-2010 § 3]

- a. Pursuant to Section 11 of the Uniform Fire Safety Act, N.J.S.A. 52:27D-202 (P.L. 1983 c. 383), the New Jersey Uniform Fire Code (N.J.A.C. 5:70-1 et seq.) shall be locally enforced by and in the Borough of Sea Girt.
- b. The local enforcing agency shall be the Bureau of Fire Prevention of the Borough of Sea Girt.

§ 20-1.3 Bureau of Fire Prevention.

[Ord. No. 12; Ord. No. 10-2010 § 4; Ord. No. 09-2013]

- a. Organization.
 1. Within the Bureau, the Fire Prevention Officer and any other person deemed necessary or advisable by the Borough, shall be delegated the power to carry out its functions pursuant to the Uniform Fire Code.
 2. Funds that may be necessary to support the operation of the Bureau shall be raised by the

Borough in the manner prescribed by law.

3. The annual budget for the operation of the Bureau shall be established by the Borough.
4. The Fire Prevention Officer shall report directly to the Borough Administrator.

b. Duties.

1. The Bureau of Fire Prevention shall enforce the Uniform Fire Safety Act and the New Jersey Uniform Fire Code in all buildings, structures and premises within the Borough other than owner-occupied one-family and two-family dwellings, and shall faithfully comply with the requirements of the Uniform Fire Code.
2. The Bureau shall carry out periodic inspections of life-hazard uses required by the Uniform Fire Code.
3. In addition, the Bureau shall be charged with the duties and enforcement of such other ordinances, rules, and regulations that pertain to fire prevention and control.

c. Personnel.

1. Appointment and Qualification of Fire Prevention Officer, Inspectors and other Employees.

- (a) The Fire Prevention Officer shall be a person certified as a Fire Official by the Commissioner of the Department of Community Affairs and appointed or designated to direct the enforcement of the Uniform Fire Code.
- (b) Inspectors and other employees of the Bureau of Fire Prevention, if any, shall be appointed by the Mayor with the advice and consent of the Governing Body after consideration of the written recommendation of the Fire Prevention Officer. Such inspectors and other employees shall be appointed for terms of one year. Any vacancy shall be filled for the unexpired term.
- (c) Members of the Bureau of Fire Prevention shall be appointed annually by the Mayor and Council of the Borough of Sea Girt.
- d. Investigation of Violations and Fires; Records to Be Kept. The Fire Prevention Officer shall inquire into all violations of the provisions of this section or of any law of the State or ordinance of the Borough relating to the prevention or extinguishment of fires, and shall cause such legal proceedings to be had as shall prevent the continuance of the same. He shall investigate the cause of all fires which may take place within the Borough, ~~and if the result of such inquiry shall satisfy him that the fire was of incendiary origin, he shall report to the Mayor that there are good and sufficient grounds of presumption that the fire so occurring was caused by design, and it shall therefore be lawful for the Mayor to offer such reward as he may deem advisable or as the Council shall recommend for the discovery and apprehension of the incendiary, to be paid on conviction of the person or persons so offending.~~ He shall keep a record of all alarms of fires and of all fires which may happen within the Borough, with the cause thereof, whenever the same can be ascertained; and the

description of the building or buildings injured or destroyed, the names of the owners or occupants, the amount of loss in such case and also the amount of insurance as near as the same can be ascertained on careful and diligent inquiry.

§ 20-1.4 Permits.

[Ord. No. 10-2010 § 5]

~~a. Required Permits.~~

~~1. Hazardous Substances. It shall be unlawful to engage in any business activity involving the handling, storage or use of hazardous substances, materials or devices; or to maintain, store or handle materials; to conduct processes which produce conditions hazardous to life or property; to install equipment used in connection with such activities; or to establish a place of assembly without first obtaining a permit from the Bureau's Fire Prevention Officer.~~

~~(a) Hazardous materials inventory. In order to determine which fire code permits are required, a hazardous materials inventory must be completed for each applicant as appropriate. The following shall be submitted:~~

~~(1) The inventory form, along with instructions for its completion shall be provided by the Fire Prevention Officer.~~

~~(2) Use of the inventory data and the information in paragraph c., below, pertaining to the types of fire code permits shall be utilized in making the determination for required fire code permits.~~

~~b. Assistance. Assistance in determining applicability of the code and permit application forms can be obtained from the Fire Prevention Officer.~~

~~a.e. Types of Fire Code Permits. The New Jersey Uniform Fire Code defines five types of fire code permits, which cover the uses in the workplace and activities that are specified in the New Jersey Uniform Fire Code.~~

~~1. Type I Permit: Required for activities such as bonfires, cutting and welding operations, open flames in places of assembly, and storage and handling of small quantities of flammable liquids, erection of tent or membrane structures, outdoor mazes, or any other activity listed within the New Jersey Uniform Fire Code for Type 1 Permits.~~

~~2. Type II Permit: Required for activities such as carnivals, circuses, and fumigation for insects, or any other activity listed within the New Jersey Uniform Fire Code for Type 2 Permits.~~

~~3. Type III Permit: Required for industrial furnaces and the storage of fireworks, or any other activity listed within the New Jersey Uniform Fire Code for Type 3 Permits.~~

~~4. Type IV Permit: Required for hazardous materials such as corrosives, oxidizers, cryogenic liquids, compressed gases, radioactive materials, and flammable liquids when the aggregate quantity of any category stored or handled exceeds the threshold amounts specified in the~~

fire code, or any other activity listed within the New Jersey Uniform Fire Code for Type 4 Permits.

5. Type V Permit: Any activity listed within the New Jersey Uniform Fire Code for Type 5 Permits.

b.d. Permits shall be obtained from the Fire Prevention Officer for any of the listed activities or uses.

c.e. Permits shall at all times be subject to inspection by the Fire Prevention Officer.

d.f. Additional Local Permits Required by the Borough of Sea Girt.

1. The following shall be classified as Local Type I permits in addition to those prescribed within the Uniform Fire Code:

(a) Asphalt (tar) kettles: No person, firm or corporation shall use or fire any asphalt (tar) kettle without first obtaining a permit from the Fire Prevention Officer.

~~(b) Liquefied petroleum gas (LPG) or liquefied natural Gas (LNG): A permit shall be obtained from the Fire Prevention Officer for the storage, handling or sale in any occupancy other than residential of liquefied petroleum gas or liquefied natural gas utilizing storage containers with an aggregate water capacity exceeding one gallon or when utilized, or offered as a fuel source for portable cooking, portable heating or flame producing devices or in the transfer or conversion of LPG/LNG process.~~

~~(c) Mobile food vendors: When flammable liquids or liquefied petroleum gas are utilized for food preparation or warming.~~

~~(d) Flammable or combustible liquids: A permit shall be obtained from the Fire Prevention Officer for the storage or handling of Class II or Class IIIA combustible liquids in closed containers of aggregate amounts of more than five gallons of Class I flammable liquids but less than 25 gallons inside a building, or more than 10 gallons but less than 60 gallons outside a building in above ground containers.~~

~~(e) Exceptions:~~

~~(1) Fuel oil tanks for heating one and two family dwellings, up to 660 gallons in capacity.~~

~~(2) The occasional use of any room in a multi-purpose building with a maximum permitted occupancy of less than 100 persons for amusement, entertainment or mercantile purposes.~~

e.g. Posting of Fire Permits. Fire permits must be posted as per the written instructions of the Fire Prevention Officer. Failure to obtain or post permits or to comply with fire code requirements may subject the violator to fines or other penalties.

f.h. Inspections. The Fire Prevention Officer may inspect operations covered by the fire code permits. These inspections shall be to determine compliance with the New Jersey Uniform

Fire Code.

§ 20-1.5 Permit Fees.

[Ord. No. 10-2010 § 6; Ord. No. 04-2019]

This subsection establishes permit fees in accordance with the New Jersey Uniform Fire Code and any amendments and supplements thereto. The permit fees shall be amended from those set forth in the New Jersey Uniform Fire Code (N.J.A.C. 5:70-1.1 et seq. as allowed by N.J.A.C. 5:71-2.8(b) and in accordance with N.J.A.C. 5:70-2.9(f) as listed below:

a. Fees for permits as set forth in subsection **20-1.4**, above:

Type Use	Permit Type	Permit Fee
Type I	Fire Code Permit	\$54
Type II	Fire Code Permit	\$214
Type III	Fire Code Permit	\$427
Type IV	Fire Code Permit	\$641
<u>Type V</u>	<u>Fire Code Permit</u>	<u>\$855</u>

Local Permits. Local Permit Type I fee is \$54.

§ 20-1.6 Inspections of Non-Life Hazard Uses.

[Ord. No. 10-2010 § 7]

- a. The Fire Prevention Bureau shall inspect all buildings, structures or premises not listed as life hazard uses (referred hereafter as non-life hazard uses) with the exception of owner-occupied detached one- and two-family dwellings that are used exclusively for residential purposes.
 1. Individual dwelling units in multi-family dwellings are also excluded from this inspection program. ~~with the exception of the common egress, storage and mechanical areas of such structures.~~
 2. All non-life hazard inspections will be on a periodic cycle but not less than once every 12 months.
- b. Inspections of multiple family dwellings shall include, but not be limited to, common areas, basements, laundry rooms, corridors, vestibules which are accessible to occupants, with the exclusion of the dwelling units therein. The building's owner shall be responsible for payment of all fees.

§ 20-1.7 Registration of Non-Life Hazard Uses.
[Ord. No. 10-2010 § 8]

- a. Annual Registration. Owners of business and/or other uses constituting industrial, commercial, professional services, educational, and other uses not classified as life hazard uses by the Uniform Fire Code and which are required to be inspected herein in accordance with this section and the requirements of the New Jersey Uniform Fire Code shall register annually with the Bureau of Fire Prevention as provided herein.
- b. The owners/tenants of uses required to be registered annually shall so do on the forms provided by the Bureau of Fire Prevention, and shall include, but not be limited to, the following information:
 1. The name, address, telephone number of the owner of the property upon or in which the use is located.
 2. The name, home address, and home telephone of the owner, operator, or registered agent of the use, if different from the owner of the property.
 3. The name, physical location, mailing address, and telephone number of the use or business.
 4. The type of use along with a description of the business or activity being conducted.
 5. The amount of square footage being utilized or occupied by the use or business.
 6. Any other information deemed necessary to identify or classify the use or business.
- c. Change of Ownership/Tenant. If the ownership or tenancy is transferred, whether by sale, assignment, gift, interstate succession, devise, lease, sublet, reorganization, receivership, foreclosure or execution process, the new owner or operator shall file a new registration within 30 days of such a transfer.
- d. Violation. It shall be a violation of this section for the owner or operator of a business or use to fail to return such registration forms within 30 days of being ordered to do so by the Fire Prevention Officer.
- e. Exemptions. Municipal agencies (including joint agencies) shall be exempt from the local registration fees, permit fees, and inspection fees required herein; however, they shall be required to properly apply for such permits and registrations and comply with all other code requirements.

§ 20-1.8 Registration Fees.
[Ord. No. 10-2010 § 9; Ord. No. 04-2019]

- a. In addition to the above inspections and fees required pursuant to the Uniform Fire Safety Act, the following registration and inspection fees shall be shall be paid by the business owner:

1. For the purpose of this section, all business, mercantile, storage, factory, or industrial uses shall be defined pursuant to the current edition of the International Building Code and New Jersey Uniform Fire Code.
2. For all uses defined as business under this section wherein there are two or more utilizing common areas or facilities within the building, the owner of the building shall be subject to a fee for the common area.
3. Fees:

Type Use (Non-Life Hazards)	Structure/Occupant/Size (Square Footage Total)	Required Fees (Per Registration)
Type A	0 — 3,000	\$65
Type B	3,001 — 5,000	\$100
Type C	5,001 and over	\$250
Type D	Common Area	\$75
Type V	Vacant Tenant Space	\$45

4. Where two or more of the same uses or different uses exist at the same building or on the same premises, each use shall be considered as separate and distinct for purpose of this section and shall be registered pursuant thereto, with the exception that, where two or more of the same uses or different uses exist at the same building or on the same premises, all of which are under common ownership, the highest same or different uses shall be registered at full fee with other uses registered at half the scheduled fee per use.
5. All multiple family dwellings whereas herein defined shall be classified as Type D use and shall be subject to registration and fees as set forth herein with the exception that the full fee shall be paid for only one structure, with the remaining structures subject to a fee of half of that set forth for other Type D uses.
6. Where there is a commercial space that is vacant from a tenant greater than six months, inspections shall be scheduled and conducted on a semi-annual basis. Permit fees shall be an annual Type V permit.

§ 20-1.9 Site Plan Review.
[Ord. No. 10-2010 § 10; Ord. No. 04-2019]

- a. The Fire Prevention Officer, in accordance with the New Jersey Uniform Fire Code, shall review any commercial site or major subdivision plan for the purpose of fire prevention, as to the location and size of fire lanes, zones and areas, water mains, drafting locations, fire

hydrants, and any other such information as the ~~Sea Girt~~ Fire Department and/or their designated agents may deem necessary or be required.

- b. Submission of plans to the Bureau shall include any plans submitted to the Planning/Zoning Board for the development, construction or improvement of commercial properties in the Borough.
- c. Said reviews shall include, but not be limited to, any construction or improvement of any use group, as defined in Chapter 3 of the latest edition of the International Building Code adopted by the State of New Jersey, as amended.
- d. Fees for Review. Each applicant shall pay the following fees to the Bureau for review of any site or subdivision plans:

Type	Fees
Major or Commercial site plan	\$250
Major subdivision	\$250
Abridged	\$100
Re-review	\$100, only after the initial application and 1 review of the same has been undertaken.

§ 20-1.10 Fire Zones and Fire Lanes.
[Ord. No. 10-2010 § 11]

- a. Designation of Fire Zones and Fire Lanes.
 - 1. Whenever it is deemed necessary for public safety, the Bureau and/or their designated agents may require the owners or operators pursuant to uses identified in subsection **20-1.8**, all life-hazard uses or other similar uses, to designate fire zones at entrances, loading doors or access ways to said premises and fire lanes in driveways leading from the street to the fire zones, as well as drafting locations.
 - (a) The size of the fire zone, fire lanes and/or drafting locations shall be set at the discretion of the Bureau and/or its designated agents based upon the size of property and other such facts as the Bureau deems necessary.
 - (b) A diagram demonstrating the proper manner of painting and lettering of fire zones and fire lanes shall be made available by the Bureau or its designated agents. All line striping and lettering shall be legible at all times.
 - (c) A metal fire zone or fire lane sign shall be provided, erected, and maintained by the owner or operator of the property and shall be placed and directed by the Bureau and/or its designated agents.

- (d) A diagram of a fire zone or fire lane shall be made available by the Bureau and/or its designated agents.
- (e) If the Bureau determines that existing fire zone, fire lane and/or drafting location signs have not been properly marked or delineated and/or proper documentation of said markings is not on file, new markings as outlined in this section may be required. All drafting locations hereunder, shall be constructed, designated, and maintained as per the diagram available from the Bureau, as required.

2. Prohibited Activities in Fire Zones and Fire Lanes.

- (a) No person shall, at any time, park a motor vehicle, locate a garbage dumpster or in any other manner obstruct a fire zone or fire lane, drafting locations of fire area or park within 10 feet of a fire hydrant, whether or not that motor vehicle is occupied or the motor is running. If at any time, due to weather conditions, vandalism or any extenuating circumstances, one of the following fire zone or fire lane signs or fire zone or fire lane surface markings are not visible, the remaining markings or signs visible shall be deemed sufficient to provide notice of existence of such fire zone or fire lane.
- (b) Towing. The Bureau and/or its designated agents are authorized to tow motor vehicles and remove all obstructions from any fire zone, fire lane, fire area or drafting locations. The Bureau and/or its designated agents are also authorized to tow motor vehicles and remove obstructions parked or standing within 10 feet of a fire hydrant. All motor vehicles and other obstructions which are removed pursuant to this section may be stored in a storage area approved by the Bureau and/or its designated agents. The cost of removal and storage shall be charged to the owner of the vehicle or other obstruction, and the charge shall be paid prior to release of said vehicle or obstruction. The Bureau and/or its designated agents shall give notice to owner of motor vehicle or obstruction, if the owner can be identified, within 24 hours after removal of the vehicle or obstruction.
- (c) The Fire Prevention Officer and/or designated agents shall have concurrent jurisdiction to enforce the provisions of this section. For any summons issued by the Bureau, said fines shall be dedicated to the Bureau by a shared service agreement for the enforcement of the code, and court costs associated and dedicated to the Sea Girt Municipal Court. The fees are to be reimbursed to the Bureau on a quarterly basis.
- (d) In the event that a fire lane, fire zone, or other designated fire areas has been previously approved and marked accordingly and properly documented as existing, the area shall be deemed having met the intent of the code and prohibited activities shall be subject to the penalties set forth in subsection **20-1.11**, below.

§ 20-1.11 Violations and Penalties.

[Ord. No. 10-2010 § 12]

- a. Anyone who obstructs a fire zone, fire lane, fire area, drafting or pumping station or fire hydrant with a motor vehicle in violation of this section shall be subject to a fine ~~not to exceed~~ of \$150 for each offense.

- b. The owner of a garbage dumpster or other obstruction located in a designated fire zone, fire lane, fire area or drafting/pumping locations within three feet of a fire hydrant, in violation of subsection **20-1.10**, shall be subject to a fine of not more than \$500 per day.
- c. Any person or corporation violating any other provision of this section, failing to comply with any order made pursuant to this section or building in violation of plans and specifications submitted to the Bureau and/or its designated agents and approved pursuant to the terms of this section shall be subject to a fine of not more than \$1,000 per day.
- d. Penalties under the Uniform Fire Code and not otherwise provided for herein are hereby adopted for the purpose of enforcement.

§ 20-1.12 Appeals.
[Ord. No. 10-2010 § 13]

Any owner or operator of a building or property affected by the provisions issued pursuant to the Uniform Fire Code, who shall disagree with the determination of the Bureau, shall have the right of appeal in accordance with N.J.A.C. 5:70-2.19 entitled "Appeals."

§ 20-1.13 Annual Report.
[Ord. No. 10-2010 § 14]

The Bureau shall submit an annual report on or before January 15 of each year and transmitted to the Mayor and Council. It shall contain a summary of all proceedings under this section, with all statistics as the Fire Commissioner and/or the Borough Administrator may wish to include therein. The Fire Commissioner and/or the Fire Prevention Officer shall also recommend any amendments to existing ordinances relating to fire prevention.

20-1.14 Certificate of smoke alarm, carbon monoxide alarm, portable fire extinguisher compliance (CSACMAPFEC).

a. The fee for any CSACMAPFEC and issuance of a certificate, as required by N.J.A.C. 5:70-2.3, will be indexed to the scheduled inspection date as it relates to the anticipated contract closing date as follows:

- Application filed ten (10) or more days before occupancy: \$100.00
- Application filed less than ten (10) and more than five (5) days before occupancy: \$150.00
- Application filed less than five (5) days and more than two (2) days before occupancy: \$200.00
- Application filed less than two (2) days before occupancy: \$250.00

b. Reinspection Fee. A charge of \$50 to cover the cost of a reinspection with such application shall be paid to the Borough at the time the inspection is requested. Each request for a reinspection shall constitute a separate request and require a separate fee.

c. This fee will also be charged for failure to maintain the scheduled appointment or entry to the structure. The Fire Prevention Bureau will make every attempt to schedule the inspections in a timely manner in order to avoid any escalation of these fees.

§ 20-2 ADDITIONAL DUTIES OF THE BUREAU OF FIRE PREVENTION.

§ 20-2.1 Investigation of Fires.

[New]

The Bureau of Fire Prevention, through its officers, shall, in conjunction and consultation with the Chief of the Fire Department, investigate the cause, origin and circumstance of every fire occurring in the Borough by which property has been destroyed or damaged and, so far as possible, shall determine if the fire is the result of either carelessness or design. Such investigations shall be begun immediately upon the occurrence of a fire by the ~~Assistant Bureau~~, and if it appears to the officer making the investigation that a fire is of suspicious origin, the ~~Chief Inspector~~ Fire Prevention Officer of the Bureau of Fire Prevention shall be immediately notified of the fact; he shall take charge immediately of the physical evidence, shall notify the proper authorities designated by law to pursue the investigation of such matters, and shall further cooperate with the authorities in the collection of evidence and in the prosecution of the case. Every fire shall be reported in writing to the Bureau of Fire Prevention within two days after the occurrence of same by the ~~Chief Inspector~~ Fire Prevention Officer. Such report shall be in such form as shall be prescribed by the ~~Fire Commissioner~~ the National Fire Prevention Association Guide for Fire and Explosion Investigations, and shall contain a statement of all facts relating to the ~~cause~~, origin, cause, and circumstance of such fire, the extent of the damage, and the insurance upon such property, and such other information as may be required.

§ 20-2.2 Inspection of Buildings and Premises; Fire Hazards; Violations.

[New]

- a. It shall be the duty of ~~the Fire Commissioner to inspect or cause to be inspected by the~~ Bureau of Fire Prevention ~~or by the Fire Department officers and members~~, as often as may be necessary, all buildings, premises, basements and hallways of apartment houses, boardinghouses, vacant lots and public thoroughfares except the interiors of private dwellings for the purpose of ascertaining and causing to be corrected any conditions liable to cause fire, or any violations of the provisions of any ordinance of the Borough affecting the fire hazard.
- b. The owner of vacant lots shall keep same free of rubbish and ~~inflammable~~ material where same may be considered a fire hazard.
- c. Whenever any Inspector, as defined above, shall find in any building or upon any premises or other place combustible or explosive matter or dangerous accumulation of rubbish or unnecessary accumulation of wastepaper, boxes, shavings or any highly inflammable materials especially liable to fire, and which is situated as to endanger property, or shall find obstructions to or on fire escapes, stairs, passageways, doors or windows liable to interfere with the operations of the Fire Department or egress of occupants in case of fire, he shall order same to be removed or remedied, and such order shall forthwith be complied with by the owner or occupant of such premises or buildings, subject to appeal within 24 hours to the ~~Fire Commissioner~~ Monmouth County Board of Appeals, as provided in subsection **20-2.3** of this chapter.

- d. Any owner or occupant failing to comply with such order within a reasonable period after the service of the order shall be liable to a penalty as hereinafter provided.
- e. Service of any such order may be made in accordance with N.J.A.C. 5:70-2.11 Service of Notice and Orders upon the occupant of the premises to whom it is directed, either by delivering a copy of same to such occupant personally or by delivering the same to and leaving it with any person in charge or in occupation of the premises; or in case no person is found upon the premises, by affixing a copy thereof in a conspicuous place on the door to the entrance of the premises. When it may be necessary to serve such an order upon the owner of the premises, such order may be served either by delivering to and leaving with the person a copy of the order, or if such owner is absent from the Borough, by mailing such copy to the owner's last known post office address.

§ 20-2.3 Inspections Upon Complaints; Order to Remove.
[New]

The Inspectors of the Bureau of Fire Prevention, ~~under the direction of the Fire Commissioner,~~ upon the complaint of any person or whenever he or they shall deem it necessary, shall inspect all buildings and premises. ~~Whenever any of the officers shall find any building or other structure which, for want of repairs, lack of or insufficient fire escapes, automatic or other fire alarm apparatus or fire extinguishing equipment, or by reason of age or dilapidated condition or from any other cause, is especially liable to fire, and which is so situated as to endanger other property or the occupants thereof, and whenever such officer shall find in any building combustible or explosive matter or inflammable conditions dangerous to the safety of such buildings or the occupants thereof, he or they shall order such dangerous conditions or materials to be removed or remedied, and such order shall forthwith be complied with by the, owner or occupant of such premises or buildings. If such order is made by the Chief Inspector or his Assistant Inspector, such owner or occupant may, within 24 hours, appeal to the Fire Commissioner, who shall, within five days, review such order and file his decision thereon, and unless by his authority the order is revoked or modified, it shall remain in full force and be complied with within the time fixed in the order or in the decision of the Fire Commissioner relating thereto.~~

§ 20-2.4 Power to Enter Buildings at Reasonable Hours.
[New]

The ~~Chief Inspector or Assistant Inspector~~ Fire Prevention Bureau may, at all reasonable hours, enter any building or premises within his jurisdiction for the purpose of making an inspection or investigation which, under the provisions of this section, he or they may deem necessary to be made.

§ 20-2.5 Annual Report.
[New]

The annual report of the Bureau of Fire Prevention shall be made on or before January 15 of each year and transmitted to the Mayor and Council of the Borough. It shall contain a summary of all proceedings under this section, with such statistics as the Fire Commissioner may wish to

~~include therein. The Fire Commissioner shall also recommend any amendments to existing ordinances relating to fire prevention which, in his judgment, shall be desirable.~~

§ 20-3 **(RESERVED)**

[History includes Ord. No. 329, AIII § 6, deleted by Ord. No. 04-2019]

§ 20-4 **KEY BOXES.**

[Ord. No. 10-2015]

- a. Purpose and Intent. The purpose and intent of these regulations are to require the provision of key boxes for the mutual benefit of property owners and fire personnel responding to fire related alarms, to prevent damage through forceful entry to structures, and to provide swift entry into structures by the Fire Department in the event of a fire alarm. The Borough of Sea Girt also wishes to encourage voluntary compliance by those not required to comply with these regulations, persons doing so will be required to comply with the regulations set forth herein.
- b. Definitions. Terms not defined shall have their usual and customary meanings, unless a different meaning clearly appears from the context. The following terms whenever used or referred to in this section shall have the following respective meanings, unless a different meaning clearly appears from the context:

FIRE ALARM SYSTEM

Shall be defined as to include, but is not limited to; any and all device or devices which provide fire; and/or smoke; and/or heat detection; and/or carbon monoxide detection and in response to detecting the same activates an alarm and/or sprinkler, and/or extinguishing system.

KEYS

Shall be defined as key, and/or combination codes, and/or any other such entry devices or equipment which may be necessary for access.

- c. All properties within the Borough of Sea Girt having a fire alarm system shall be equipped with a key box. This requirement shall not apply to owner-occupied one and two family properties.
- d. The key box shall be of an Underwriters' Listed ("UL") type and shall be approved by the Bureau of Fire Prevention, Fire Prevention Officer. The key box shall be installed in a location approved by the Bureau of Fire Prevention, Fire Prevention Officer.
- e. Key Box Contents. Key boxes may be required to contain any or all of the following, as shall be determined by the Fire Prevention Officer:
 1. Keys to all locked points of ingress and/or egress, whether interior or exterior of such structures;
 2. Keys to all locked mechanical rooms;

3. Keys to all elevator controls;
 4. Keys to all locked elevator rooms;
 5. Keys to all fence or secured areas;
 6. Keys to all other areas which may be needed to conduct a thorough and complete fire alarm system activation investigation;
 7. A floor plan of all rooms within the structure;
 8. All access or combination codes to locked points of egress or ingress, whether interior or exterior of such structures.
- f. Time for Compliance. All existing structures shall comply with this section within six months of its effective date. All newly constructed structures for which a certificate of occupancy has not been issued, or structures currently under construction, shall comply immediately.
 - g. Associated Costs. All associated costs for the purchase and installation of a key box(s) shall be assumed by the property owner.
 - h. It shall be a violation of this section for any person, except for the property owner or his authorized representative and/or fire personnel, to access or alter a key box or its contents.
 - i. Violations — Penalties. Every person violating the provisions of this section shall upon conviction thereof, be subject to a fine of \$250 plus costs. The property owner shall have 10 calendar days, from the date of issuance of a violation, to remedy the violation, if the violation is remedied in this time frame the property owner shall only be subject to a fine of \$250 plus costs. If the violation is not remedied in this time frame the property owner shall be subject to a fine of \$250 plus costs, plus an additional fine of \$50 per day, calculated from the date of the violation, and continuing until the violation is remedied.

20-5 FIREWATCH/FIRE STAND BY.

- a. Whenever the Fire Official or designated Fire Inspector shall determine that on-site fire inspector(s) or firefighting personnel shall be required for fire watch as a result of fire protection system failure or deficiencies. Or fire safety at any occupancy or event to insure the safety of the public or emergency responders, the owner or occupant responsible shall obtain a permit for the use or event.
- b. The Fire Official or designated Fire Inspector shall determine the number of inspectors and/or firefighting personnel required.
- c. The Fire Official or designated Fire Inspector shall determine the hours that the fire inspector(s) and/or firefighting personnel will be on duty.

- d. The permit fee shall cover the expenses incurred by the Bureau of Fire Prevention and the Borough.
- e. The fee for the permit shall include:
 1. Compensation for fire personnel at \$35 per hour Monday through Friday 7:00 a.m. to 3:00 p.m., \$50 per hour for holidays, Saturdays, Sundays, and from 3:00 p.m. to 7:00 a.m. weekdays.
 2. Reimbursement rates for other related services, equipment, or expenses shall be provided to the owner by the Fire Official or designated Fire Inspector prior to the scheduled use or event.
 3. The Fire Official or designee(s) shall have the right of access to the premises and area surrounding it without interference from the property owner.
 4. Failure to secure a permit shall be punishable by a penalty equal to the amount of the permit plus \$100 for the first offense, amount of the permit plus \$250 for the second offense, amount of the permit plus \$500 for the third and each subsequent offense.
 5. A permit shall be required for each separate event or date of the activity requiring such a permit.
 6. Any occupancy or event requiring fire apparatus and firefighting personnel on site to insure the safety of the public and/or other occupants, and/or to insure the safety of any building and/or exposures shall reimburse the appropriate fire district. Fees shall be \$150 per required fire apparatus unit per occurrence and \$25 per hour per firefighter manning apparatus.

PUBLIC NOTICE

PUBLIC NOTICE IS HEREBY GIVEN that the foregoing Ordinance No. 08-2024 was introduced at a meeting of the Borough Council of the Borough of Sea Girt, County of Monmouth on the 7th day of February, 2024 and was then read for the first time. The said Ordinance will be further considered for final passage by the Borough Council on the 13th day of March, 2024 at 7:00 PM at the Sea Girt Elementary School and virtually via Zoom platform, login information: <https://us02web.zoom.us/j/86337931620>. **Webinar ID: 863 3793 1620**. At such time and place, or at any time and place to which said meeting may be adjourned, all persons interested will be given an opportunity to be heard concerning the said Ordinance.

Dawn Harriman, RMC
Borough Clerk

Date: February 7, 2024