

O-25-2023

**ORDINANCE OF THE BOROUGH OF SWEDESBORO  
AMENDING CHAPTER 144 OF THE SWEDESBORO CODE  
ENTITLED; “UNIFORM FIRE CODE”**

**WHEREAS**, from time to time it becomes necessary to amend ordinances to promote the best interests of the Borough of Swedesboro; and

**WHEREAS**, the Mayor and Borough Council of the Borough of Swedesboro in the County of Gloucester, and State of New Jersey deem it is in the best interest of the Borough to amend Chapter 144 entitled “Uniform Fire Code”; and

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Swedesboro this Ordinance is amended for such purpose according to the following:

**The following is to be added to Chapter 144:**

**Section 17. Pallet Yard Operations; Wood Chipping**

**17-1 Definitions.**

As used in this article, the following terms shall have the meanings indicated:

**PALLET**

A portable platform of wood or other material for handling, storage or movement of materials and packages in warehouses, factories or vehicles, including those portable platforms in partial disrepair.

**WOOD CHIPPING**

Pallets or other wood products such as construction lumber, stumps or trees which are ground or chipped.

**§ 17-2 Yard maintenance and storage.**

- A. Pallets shall be piled with due regard to stability of piles and in no case higher than 12 feet
- B. Wood chipping shall be piled no higher than 12 feet and 30 square feet by 90 square feet in length and width]

- C. Driveways between and around pallet piles and chipping piles shall be at least 15 feet wide and maintained free from the accumulation of rubbish, equipment or other articles or materials. Driveways shall be so spaced that a maximum grid system unit of 50 feet by 150 feet is produced. Driveways shall be all-weather roads adequate for Fire Department apparatus response
- D. The entire pallet yard and/or chipping yard and all related materials shall be surrounded by a suitable fence at least six feet high to prevent access by any unauthorized persons. [Amended 3-7-1994]
- E. An adequate number of gates shall be provided in the surrounding fence or other barrier so as to permit ready access of fire apparatus. The number and placing of such gates for each pallet/chipping yard shall be determined by the Bureau of Fire Prevention.

### **§ 17-3 Smoking; weeds and debris.**

- A. Smoking shall be prohibited except in specified safe locations in buildings. Large NO SMOKING signs shall be posted throughout all buildings except in specific locations designated as safe for smoking purposes. Large NO SMOKING signs shall be painted on exterior building walls and on signs erected at driveway edges.
- B. Weeds shall be kept down throughout the entire yard and shall be sprayed as often as needed with a satisfactory weed killer or cut or grubbed out. Dead weeds shall be removed.
- C. Debris such as loose portions of pallets and chippings shall be removed regularly from piling areas and not less frequently than quarterly. Proper housekeeping shall be maintained at all times.

### **§ 17-4 Buildings in outside storage areas.**

Buildings in outside storage areas shall be located with as much clear space to open-yard storage as is practical but shall be not less than 15 feet from open-yard pilings unless said buildings have blank exterior masonry walls. Buildings of wood frame construction or housing hazardous operations or flammable material such as gasoline shall be at least 50 feet from the nearest storage pile; and explosion vents, blower outlets, etc., shall not be directed toward the yard storage.

### **§17-5 Fire-extinguishing equipment.**

Portable fire-extinguishing equipment suitable for the fire hazard involved shall be provided at convenient, conspicuous, accessible locations in open yards. When used, approved Class A

portable fire extinguishers properly protected against freezing, where necessary, shall be provided so that the travel distance to the nearest unit does not exceed 75 feet. In buildings, fire-extinguishing equipment shall be provided as specified by the Bureau of Fire Prevention.<sup>III</sup>

### **§ 17-6 Violations and penalties.**

Any person(s) found to be in violation of the provisions of this article shall be punished as set forth in Chapter 1, Article I, General Provisions, § 1-15, General penalty.

## **Section 18 Fire Lanes; No-Smoking Areas**

### *§ 18-1 Designation of zones; violations and penalties.*


- A. The Fire Marshal under the direction of the Uniform Fire Codes shall designate fire lanes within the Borough of Swedesboro, as the Fire Marshal determines necessary to protect the public health and safety.
- B. It shall be the responsibility of the property owner to post the proper signs and markings for any designated fire lanes. Such designations shall be made within 30 days after receipt of written notice from the Chief to do so.
- C. No person shall park any vehicle in or otherwise obstruct any designated fire lane.
- D. The Bureau of Fire Prevention of the Borough of Swedesboro and the Police Department shall have concurrent jurisdiction to enforce Subsection C by the issuance of a summons. In addition, any vehicle parked in violation of Subsection C may be towed and stored at the owner's expense.
- E. It shall be the right of any person receiving such a summons to plead guilty or not guilty to the charge of violating this section. Those persons pleading not guilty to the charge of violating this section shall be given the opportunity to present their defense before the Court.
- F. All persons pleading guilty to or convicted of violating this section shall be punished as provided in Chapter 1, Article I, General Provisions, § 1-15, General penalty. All fines and court costs shall be payable to the Court Administrator. All fines assessed as a result of summonses issued shall be paid thereafter to the Bureau of Fire Prevention by the Court Administrator. All court costs shall be paid thereafter to the Municipal Clerk by the Court Administrator.

**§ 18-2 No smoking zones; violations and penalties.**

- A. The Fire Marshal under the Uniform Fire Codes shall post no smoking areas in places where the Fire Marshal deems necessary to protect the public health and safety.
- B. It shall be the responsibility of the property owner to post the proper signs and markings for any designated no smoking areas. Such designations shall be made within 30 days after receipt of written notice from the Chief to do so.
- C. The Bureau of Fire Prevention of the Borough of Swedesboro and the Police Department shall have concurrent jurisdiction to enforce Subsection **B** by the issuance of a summons.
- D. All persons pleading guilty to or convicted of violating this section shall be punished as provided in Chapter **1**, Article **I**, General Provisions, § **1-15**, General penalty. All fines and court costs shall be payable to the Administrator of the Municipal Court. All lines assessed as a result of summonses issued shall be paid thereafter to the Bureau of Fire Prevention by the Court Administrator. All court costs shall be paid thereafter to the Municipal Clerk by the Court Administrator.

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Swedesboro in the County of Gloucester, and State of New Jersey, this ordinance shall become effective upon final passage and publication as provided by law.

**Borough of Swedesboro**

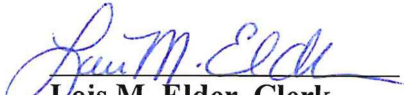
  
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**David Flaherty, Council President**  
for Thomas W. Fromm, Mayor

**ATTEST:**

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**Lois Elder, RMC, Borough Clerk**

## CERTIFICATION

I, Lois M. Elder, Borough Clerk of the Borough of Swedesboro, in the County of Gloucester, and State of New Jersey, do hereby certify the foregoing to be a true and correct copy of the Ordinance O-25-2023 approved on the 1<sup>st</sup> reading on Monday, November 20, 2023 and adopted after a public hearing and 2nd reading on Monday December 4, 2023.

  
**Lois M. Elder, Clerk**

### Roll Call Vote 1st Reading/Introduction

#### ROLL CALL VOTE

COUNCILMEMBER	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Mr. Booker			X			
Mr. Casella			X			
Mr. Flaherty			X			
Ms. Gahrs		X	X			
Ms. Hale			X			
Mr. Weeks	X		X			
TALLY			6			

### Roll Call Vote 2nd Reading/ Public Hearing/Adoption

#### ROLL CALL VOTE

COUNCILMEMBER	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Mr. Booker			X			
Mr. Casella		X	X			
Mr. Flaherty			X			
Ms. Gahrs	X		X			
Ms. Hale			X			
Mr. Weeks						X
TALLY			5			1

**Publication of Public Hearing: November 27, 2023**