

**TOWN OF WEST NEW YORK
HUDSON COUNTY, NEW JERSEY**

ORDINANCE #16/23

AN ORDINANCE AMENDING CHAPTER 198 ENTITLED “FIRE PREVENTION”

WHEREAS, the Uniform Fire Safety Act, N.J.S.A. 52:27D-192 et seq., and the Uniform Fire Code, N.J.A.C. 5:70-1 et seq., are locally enforced in the Town of West New York; and

WHEREAS, pursuant to Chapter 198 Section 2 of the Town of West New York code, the local enforcing agency shall be the Fire Prevention Bureau of the Town of West New York and the Department of Public Works; and

WHEREAS, the Mayor and Board of Commissioners seek to amend the current Code to set forth requirements regarding appointments for the position of Fire Official and direction under the Department of Public Safety.

NOW THEREFORE, BE IT ORDAINED by the Mayor and Board of Commissioners of the Town of West New York, County of Hudson, State of New Jersey as follows:

SECTION ONE

Chapter 198 Section 2 of the Code of the Town of West New York entitled “Agency Designation” shall be deleted in its entirety and replaced as follows:

The local enforcing agency shall be the Fire Prevention Bureau of the Town of West New York and the Department of Public Safety.

SECTION TWO

Chapter 198 Section 4 of the Code of the Town of West New York entitled “Life-hazard uses” shall be deleted in its entirety and replaced as follows:

The local enforcing agency established by § 198-2 of this chapter shall carry out the periodic inspections of life-hazard uses required by the Uniform Fire Code on behalf of the Commissioner of Public Safety.

SECTION THREE

Chapter 198 Section 5 of the Code of the Town of West New York entitled “Organization” shall be deleted in its entirety and replaced as follows:

The head of the Fire Prevention Bureau shall be the Fire Official. The Fire Official shall serve as the chief administrator of the Fire Prevention Bureau and shall report to the Director of Public Safety.

SECTION FOUR

Chapter 198 Section 6 of the Code of the Town of West New York entitled “Appointments” shall be deleted in its entirety and replaced as follows:

198-6 Appointments, term of office, removal.

- A. Appointment of Fire Official. The local enforcing agency shall be under the direct supervision of the Fire Official who shall be appointed pursuant to the Uniform Fire Safety Act. The Fire Official shall be the Chief of Operations of the Fire Prevention Bureau.
- B. Term of office. The Fire Official shall serve for a term of one year.

- C. Inspectors and employees. Such inspectors and other employees as may be necessary for the local enforcing agency to properly carry out its responsibilities shall be appointed by the Commissioner of the Department of Public Safety upon the recommendation of the Fire Official.
- D. Removal from office. Inspectors and other employees of the enforcing agency shall be subject to removal by the Commissioner of the Department of Public Safety. Each inspector or employee to be so removed shall be afforded an opportunity to be heard by the appointing authority or a designated hearing officer.

SECTION FIVE

Chapter 198 Section 8 paragraph A of the Code of the Town of West New York entitled “Additional required inspections and fees” shall be amended as follows:

In addition to the inspections and fees required pursuant to the Act and regulations of the Department of Public Safety, and except for uses required to register with the state, the following inspections and fees shall be required for each building and each use within each building if multi-use facilities:

SECTION SIX

Severability. If any term or provision of this Ordinance is held to be illegal, invalid, or unenforceable by a court of competent jurisdiction, in whole or in part, such determination shall not affect the validity of the remaining terms and provisions of this Ordinance.

SECTION SEVEN:

Repealer. To the extent that any provision of the Code of the Town of West New York is found to conflict with this Ordinance, in whole or in part, this Ordinance shall control.

SECTION EIGHT:

In order to avoid accidental repeal of existing provisions, the Town Clerk and the Corporation Counsel are hereby authorized to change any chapter numbers, article numbers and/or section numbers in the event that the codification of this Ordinance reveals that there is a conflict between those numbers and the existing Code.

SECTION NINE:

This Ordinance shall take effect upon passage and publication as required by law.

Introduced: 9/20/2023

Adopted: 10/11/2023

Statement

The foregoing ordinance having been previously adopted for first reading and published was further considered by the Mayor and Board of Commissioners of the Town of West New York on **October 11, 2023** and at said date was duly and finally adopted after public hearing thereon.

Adelanny Plaza, RMC
Town Clerk

Commissioner Marcos A. Arroyo

Commissioner Victor M. Barrera

Commissioner Marielka A. Diaz

Commissioner Adam W. Parkinson

Mayor Albio Sires
Board of Commissioners

Attest: _____
Adelanny Plaza, RMC
Town Clerk