

**TOWNSHIP OF SHREWSBURY**  
**County of Monmouth**

**O R D I N A N C E 2019-02**

**ORDINANCE PROVIDING FOR LOCAL ENFORCEMENT OF THE NEW  
JERSEY UNIFORM FIRE CODE**

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

**WHEREAS**, the New Jersey Department of Community Affairs has promulgated minimum fire safety standards which have been made part of the Uniform Fire Code (N.J.A.C. 5:70.1 et seq.); and

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

**WHEREAS**, it is in the best interest of the citizens of the Township of Shrewsbury to have the Uniform Fire Code enforced locally; and

**WHEREAS**, the local fire service as agreed to the plan, which is set forth herein, for the administration and enforcement of the Uniform Fire Code.

**NOW THEREFORE BE IT ORDAINED**, by the Mayor and Township Committee of the Township of Shrewsbury 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 (N.J.A.C. 5:70-1 et seq.) shall be locally enforced in the Township of Shrewsbury of Monmouth County.

**Section 2. Agency Designation.**

The local enforcing agency shall be the Fire Subcode Official or Fire Department which is subject to a Shared Service Agreement through its Bureau of Fire Prevention, which is hereby created therein. The Bureau of Fire Prevention shall hereinafter be known as the Local Enforcing Agency.

**Section 3. Duties.**

(A) The local enforcing agency shall enforce the Uniform Fire Code in all buildings, structures and premises with the established boundaries of the Township of Shrewsbury other than one and two unit owner-occupied dwellings used exclusively for dwelling purposes and buildings, structures and premises owned or operated by Federal Government, Interstate Agencies or the State.

(B) The Local Enforcing Agency shall faithfully comply with all the pertinent requirements of the Uniform Fire Safety Act and the Uniform Fire Code.

Section 4. Organization.

(A) The Bureau of Fire Prevention established by Section 2 of this Ordinance shall be under the direct supervision and control of a fire official who shall report to the Chief of the Fire Department or Township Clerk.

(B) The Bureau of Fire Prevention shall have at least one paid inspector.

Section 5. Appointment, Qualifications, Term of Office, Removal.

(A) Appointment and Qualifications of the Fire Official or Shared Service Agreement with municipality making such appointment.

(B) Appointment and Qualifications of Inspectors and other employees.

Inspectors and other employees of the enforcing agency shall be appointed by the governing body upon recommendation of the Fire Official. All Life Hazard Use Inspectors shall be certified by the state. This is subject to compliance through Shared Service Agreement as to subparagraphs (C) – (E) below.

(C) Appointment of Legal Counsel.

The governing body shall serve for a term of a minimum of one Year. Any vacancy shall be filled for the unexpired term.

(D) Term of Office.

The Fire Official shall serve for a term of a minimum of one year. Any vacancy shall be filled for the unexpired term.

(E) Removal from Office.

The Fire Official and other employees of the agency shall be subject to removal by the governing body for just cause. Before removal from office, all persons shall be afforded an opportunity to be heard by the governing body or a hearing officer designated by the same.

Section 6. Life Hazard Uses.

The Bureau of Fire Prevention established by Section 2 of this Ordinance shall carry out the periodic inspections of life hazard uses required by the Uniform Fire Code on behalf of the Commissioner of the New Jersey Department of Community Affairs.

Section 7. Non Life Hazard Uses.

(A) In addition to the registrations required by the Uniform Fire Code, the following non life hazard uses shall register with the Bureau of Fire Prevention. These uses shall be inspected once per year (*or once every two, three, four or five years*) and pay an annual fee. The fee schedule amount for each non life hazard use may be amended to fit the needs of the local enforcing agency. The fee is not to be used for life hazard uses as defined in the Uniform Fire Code.

A Assembly

A-1	Eating establishment under 50 (no alcohol)	\$25
A-2	Take-out food service 9 (no seating)	\$25
A-3	House of Worship	\$25

B Business/Professional

B-1	Professional use 1&2 story less than 5,000 sq. ft. per floor	\$25
B-2	1&2 story more than 5,000 sq. ft. less than 10,000 sq. ft. per floor	\$50
B-3	1&2 story more than 10,000 sq. ft.	\$75
B-4	3 to 5 story less than 5,000 sq. ft. per floor	\$100
B-5	3 to 5 story more than 5,000 sq. ft. less than 10,000 sq. ft. per floor	\$150
B-6	3 to 5 story over 10,000 sq. ft. per floor	\$200

C Retail (mercantile)

M-1	1&2 story less than 5,000 sq. ft. per floor	\$125
M-2	1&2 story more than 5,000 sq. ft. less than 10,000	\$150

M with the exception of hardware store 3,000 sq. ft., retail store Over 12,000 sq. ft. are life hazard uses.

D Manufacturing (factory)

F-1	1&2 story less than 5,000 sq. ft. per floor	\$75
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F exception life hazard uses.

S Storage S-1 (moderate hazard S-1, low hazard S-2)

S-1	1&2 story less than 5,000 sq. ft. per floor	\$50
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F Residential (LEA listed with multi family BHI)

Fee is for each building

R-1	1 to 6 units	\$25
R-2	7 to 12 units	\$50
R-3	13 to 20 units	\$75
R-4	21-50 units	\$100
R05	for each additional unit	\$25

R Common areas (each building)

R-1	1&2 story less than 5,000 sq. ft. per floor	\$50
R-2	1&2 story more than 5,000 sq. ft. less than 10,000 sq. ft. per floor	\$75
R-3	1&2 story more than 10,000 sq. ft. per floor	\$100
R-4	3 to 5 story less than 5,000 sq. ft. per floor	\$125
R-5	3 to 5 story more than 5,000 sq. ft. less than 10,000 sq. ft.	\$150
R-6	3 to 5 story over 10,000 sq. ft.	\$200

Common areas (LEA not listed with BHI) (each building)

R-1	1&2 story less than 5,000 sq. ft. per floor	\$50
R-2	1&2 story more than 5,000 sq. ft. less than 10,000 sq. ft. per floor	\$75
R-3	1&2 story more than 10,000 sq. ft. per floor	\$100

R-4	3 to 5 story less than 5,000 sq. ft. per floor	\$125
R-5	3 to 5 story more than 5,000 sq. ft. less than 10,000 sq. ft.	\$150
R-6	3 to 5 story over 10,000 sq. ft.	\$200

(B) R-A uses shall be inspected and charged a fee only upon sale or change of tenant.

(C) Uses not classified above that are subject to the Uniform Fire Code will be classified as business uses.

(D) Uses required to register with the State as live hazard uses shall not be required to register under this section.

(E) In the discretion of the Fire Official, vacant buildings will be charged.

(F) All residential uses except R-A uses shall be inspected in the common areas only.

Section 8. Permits and Certificate of Fire Code Status

(A) The application fees for the permits listed in N.J.A.C. 5:70-2.7(b) shall be as provided by State regulation and are currently as follows:

Type 1	\$42
Type 2	\$166
Type 3	\$331
Type 4	\$497

(B) The cost for the issuance of a Certificate of Fire Code Status shall be: \$35

Section 9. Technical Amendments.

“Reserved”

Section 10. Board of Appeals.

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

Section 11. Enforcement, Violations and Penalties.

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.

Section 12. Repeals.

The following ordinances or portions thereof are hereby repealed:

None

**BE IT FURTHER ORDAINED**, that all Ordinances or parts of Ordinances which are inconsistent herewith are repealed, but only to the extent of such inconsistency.

**BE IT FURTHER ORDAINED**, that the amended Ordinance shall become effective immediately upon its final passage and publication as required by law.

Mayor Edward Nolan Township Committee Person introduced the aforesaid Ordinance and Mr. Lester Jennings Township Committee Person seconded said Ordinance for introduction.

ROLL CALL

Affirmative: Jennings, Puhak, Nolan

Negative:----

Abstain:----

Absent:----

Dated: April 9, 2019

Mayor Edward Nolan moved the aforesaid Ordinance for second reading for Public Hearing and upon closure of said Public Hearing moved for its final reading and adoption, seconded by Mr. Lester Jennings Township Committeeperson.

ROLL CALL

Affirmative: Jennings, Puhak, Nolan

Negative:----

Abstain:----

Absent:----

Dated: April 23, 2019 Ordinance Adopted

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EDWARD NOLAN, Mayor

ATTEST:

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PAMELA HOWARD  
CLERK