

**ORDINANCE 2020-01**

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

**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 Township of Shrewsbury to have the Uniform Fire Code enforced locally; and

**WHEREAS**, the local fire service has 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 governing body of the Township of Shrewsbury in the County of Monmouth and the State of New Jersey, 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 by the Code Enforcement/Fire Sub Code Official of Shrewsbury Township.

**Section 2. AGENCY DESIGNATION**

The local enforcing agency shall be the Borough of Eatontown Fire Department, or other adjoining municipalities through 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 within 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 fore official who shall report to the Chief of the Fire Department. (Or Code Enforcement Officer)
- (B) The Bureau of Fire Prevention shall have at least one paid inspector.

**Section 5. APPOINTMENTS, QUALIFICATION, TERM OF OFFICE, REMOVAL**

- (A) Appointment and Qualifications of the Fire Official.  

The fire official shall be certified by the State and appointed by the governing body from a list of three names submitted by the Chief of the Fire Department.
- (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.

(C) Appointment of Legal Counsel.

The governing body shall specifically appoint legal counsel to assist the agency in enforcing the Uniform Fire Code.

(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, inspectors 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 of a hearing officer designated by the same.

**Section 6. LIFE HAZARD USES**

The Bureau of the 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 and pay an annual fee. The fee schedule is as follows:

**A. Assembly**

A-1	Eating establishment under 50 (No alcohol)	\$25.00
A-2	Take-out food service (no seating)	\$25.00
A-3	House of Worship	\$25.00

**B. Business/Professional**

B-1	Professional use 1 & 2 story less than 5,000 sq. ft. per floor	\$25.00
B-2	1 & 2 story more than 5,000 sq. ft. less than 10,000 sq. ft. per floor	\$50.00
B-3	1 & 2 story more than 10,000 sq. ft.	\$75.00
B-4	3 to 5 story less than 5,000 sq. ft. per floor	\$100.00
B-5	3 to 5 story more than 5,000 sq. ft. less than 10,000 sq. ft. per floor	\$150.00
B-6	3 to 5 story over 10,000 sq. ft. per floor	\$200.00

**C. Retail (mercantile)**

M-1	1 & 2 story less than 5,000 sq. ft. per floor	\$125.00
M-2	1 & 2 story more than 5,000 sq. ft. less than 10,000	\$150.00

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	\$75.00
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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 \$50.00

S exception life hazard uses.

**F. Residential (LEA listed with multi family BHI)**

Fee is for each building

R-1	1 to 6 units	\$25.00
R-2	7 to 12 units	\$50.00
R-3	13 to 20 units	\$75.00
R-4	21 to 50 units	\$100.00
R-5	for each additional unit	\$25.00

**R. Common areas (each building)**

R-1	1 & 2 story less than 5,000 sq. ft. per floor	\$50.00
R-2	1 & 2 story more than 5,000 sq. ft. less than 10,000 sq. ft. per floor	\$75.00
R-3	1 & 2 story more than 10,000 sq. ft.	\$100.00
R-4	3 to 5 story less than 5,000 sq. ft. per floor	\$125.00
R-5	3 to 5 story more than 5,000 sq. ft. less than 10,000 sq. ft.	\$150.00
R-6	3 to 5 story over 10,000 sq. ft.	\$200.00

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

R-1	1 & 2 story less than 5,000 sq. ft. per floor	\$50.00
R-2	1 & 2 story more than 5,000 sq. ft. less than 10,000 sq. ft. per floor	\$75.00
R-3	1 & 2 story more than 10,000 sq. ft.	\$100.00
R-4	3 to 5 story less than 5,000 sq. ft. per floor	\$125.00
R-5	3 to 5 story more than 5,000 sq. ft. less than 10,000 sq. ft. per floor	\$150.00
R-6	3 to 5 story over 10,000 sq. ft.	\$200.00

- (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 life hazard uses shall not be required under this section.
- (E) In this 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 the State regulation and are currently as follows:

Type 1	\$42.00
Type 2	\$166.00
Type 3	\$331.00
Type 4	\$497.00

(B) The cost of the issuance of a Certificate of Fire Code Status shall be \$35.00

**Section 9. TECHNICAL AMENDMENTS**

"Reserved"

**Section 10. BOARD OF APPEALS**

Pursuant to Sections 15 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 Monmouth 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

This Ordinance shall be effective upon passage and publication as required by law.

**BE IT FURTHER ORDAINED**, that the Ordinance shall take effect immediately.  
Township Committee Person \_\_\_\_\_, introduced the aforesaid Ordinance  
and \_\_\_\_\_, Seconded said Ordinance for introduction.

ROLL CALL

Affirmative:

Negative:

Abstain:

Absent:

Dated: February 25, 2020

\_\_\_\_\_ Township Committeeperson moved the aforesaid Ordinance for  
second reading for Public Hearing and upon closure of said Public Hearing move for its final  
reading and adoption, seconded by \_\_\_\_\_ Township Committeeperson.

ROLL CALL

Affirmative:

Negative:

Abstain:

Absent:

Dated Introduced:

Date Adopted:

\_\_\_\_\_  
EDWARD NOLAN, Mayor

ATTEST:

\_\_\_\_\_  
PAMELA HOWARD, RMC, CMR  
MUNICIPAL CLERK