

**TOWNSHIP OF HAMILTON
COUNTY OF MERCER, NEW JERSEY**

ORDINANCE

No. 20-019

1ST READING **March 17, 2020** _____
2ND READING & PUBLIC HEARING **April 7, 2020** _____
WITHDRAWN _____ LOST _____

DATE TO MAYOR _____
DATE RESUBMITTED TO COUNCIL _____
DATE EFFECTIVE _____

APPROVED AS TO FORM AND LEGALITY

FACTUAL CONTENTS CERTIFIED TO BY

TOWNSHIP ATTORNEY

TITLE

**ORDINANCE AMENDING AND SUPPLEMENTING THE CODE OF ORDINANCES,
HAMILTON TOWNSHIP, NEW JERSEY, CHAPTER 228, FIRE PREVENTION,
ARTICLE II, ENFORCEMENT OF UNIFORM FIRE CODE**

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Be It Ordained by the Council of the Township of Hamilton, in the County of Mercer and State of New Jersey, that the *Code of Ordinances of Hamilton Township, New Jersey, Chapter 228, Fire Prevention, Article II, Enforcement of Uniform Fire Code*, as amended and supplemented, be further amended and supplemented as follows:

Chapter 228

FIRE PREVENTION

Article II. Enforcement of State Uniform Fire Code

§ 228-8. Inspection of life hazard uses.

Each local enforcing agency established by § 228-6 shall carry out the periodic inspections of life hazard uses required by the Uniform Fire Code on behalf of the Commissioner of Community Affairs.

§ 228-8.1. Inspection of non-life hazard uses.

- A. In addition to the registration required by the Uniform Fire Code, the non-life hazard uses shall register with the local enforcing agency. These uses shall be inspected on an annual (18-month) schedule established by the local enforcing agency and shall pay an annual registration fee as set forth in 228-12 and Chapter 215, Fees, of the Township Code. No use required to register with the State of New Jersey is a life hazard use shall be required to register pursuant to this section.
- B. The tenant/user/occupant of a tenant space will be responsible to register and pay the fee for the space that a tenant/occupant of the space actually occupies. All fees are based on the User Group assigned and the gross square footage of the area being registered.
- C. In buildings that have common and/or public areas, the owner of the building is responsible to register and pay the fee, for those common and/or public areas.

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D. All registrations will be for a period of one (1) year. Fees are not refundable or transferable.

§ 228-9. Organization and funding of enforcing agencies.

Each local enforcing agency established by § 228-6 shall be a part of the fire district and shall be under the supervision of the Board of Fire Commissioners or such other officer as it may designate. Such funds as may be necessary to support the operations of the agency shall be raised by the district in the manner provided by law.

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§ 228-11. Appeals.

Pursuant to Sections 15 and 17 of the Uniform Fire Safety Act, any person aggrieved by any order of the local enforcement agency shall have the right to appeal to the Mercer County Construction Board of Appeals.

§ 228-12. Fees.

- A. The permit fees established by the Uniform Fire Code shall be amended to be as set forth in Chapter **215**, Fees, of the Township Code.
- B. Certificate of fire code status as per N.J.A.C. 5:70-2.2(e)1 of the Uniform Fire Code. Any request for a certificate of fire code status shall be set forth in Chapter **215**, Fees, of the Township Code.
- C. Copies of fire reports shall be a maximum fee as set forth in Chapter **215**, Fees, of the Township Code.
- D. Returned checks. In the event a fire district received a returned check from a bank for insufficient funds, a fee as set forth in Chapter **215**, Fees, of the Township Code will be assessed.
- E. Fire watch coverage.
 - (1) When requested or required by the Fire Department to provide fire watch coverage by Fire Department personnel due to an emergency condition or requirement of a permit function, the cost of such service shall be set forth in Chapter **215**, Fees, of the Township Code, per hour/per man, paid directly from the building owner or responsible party to the fire district.
 - (2) Failure of a property owner or designated property representative to establish or properly document a fire watch when requested by the Fire Department will result in an assessed penalty not to exceed \$250 per day for every day the condition exists.
- F. Non-life hazard use registration fee as set forth in Chapter **215**, Fees, of the Township Code.

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Any Ordinance or Ordinances in conflict with the provisions of this Ordinance are repealed to the extent of such conflict.

This Ordinance shall become effective immediately upon final adoption and publication thereof according to law.

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PRESIDENT

MUNICIPAL CLERK

RECORD OF VOTE													
First Reading							Second Reading						
COUNCIL	AYE	NAY	NV	AB	ORD	SEC	COUNCIL	AYE	NAY	NV	AB	ORD	SEC
ANTHONY P. CARABELLI, JR.	✓	✓				✓	ANTHONY P. CARABELLI, JR.						
NANCY PHILLIPS	✓	✓					NANCY PHILLIPS						
CHARLES F. WHALEN	✓	✓					CHARLES F. WHALEN						
PASQUALE "PAT" PAPERIO, JR.	✓	✓			✓		PASQUALE "PAT" PAPERIO, JR.						
RICHARD L. TIGHE, JR.	✓	✓					RICHARD L. TIGHE, JR.						

X - Indicates Vote A.B. - Absent N.V. - Not Voting ORD. - Moved SEC. - Seconded

REJECTED _____

JEFFREY S. MARTIN, MAYOR

DATE

APPROVED _____

RECONSIDERED BY COUNCIL _____

OVERRIDE VOTE

AYE _____

NAY _____