

FIRE PREVENTION ORDINANCE

13-3.1 Uniform Fire Safety Act Enforcing Agency.

13-3.2 Local Enforcement. Pursuant to Section 11 of the Uniform Fire Safety Act the New Jersey Uniform Fire Code shall be enforced in the Borough of Highland Park pursuant to N.J.S.A. 52:27D-192 et seq. and N.J.A.C. 5:70-1 et seq.

13-3.3 Definition of Local Enforcing Agency. The local enforcing agency shall be the Bureau of Fire Prevention in the Code Enforcement Department, which has been established in the Borough of Highland Park and shall be comprised of the Fire Official, Fire Inspectors and clerical help as necessary to carry out the responsibilities of the agency.

13-3.4 Powers and Duties. The local enforcement agency shall enforce the Uniform Fire Safety Act and the codes and regulations adopted under it in all buildings, structures and premises within the established boundaries of the Borough of Highland Park and shall faithfully comply with the requirements of the Uniform Fire Safety Act, the Uniform Fire Code.

13-3.5 Life Hazard Uses. The local enforcing agency shall carry out the periodic inspections of life hazard uses required by the Uniform Fire Code on behalf of the Commissioner of Community Affairs.

13-3.6 Organization. The local enforcing agency shall be under the direct supervision and control of the Fire Official of the Borough of Highland Park who reports to the Borough Administrator. Fire Inspectors shall report to the Fire Official.

13-3.7 Powers and Duties of Fire Official. In addition to those duties established under the Uniform Fire Safety Act and the uniform Fire Code, the Fire Official shall:

- a. Prepare and submit a monthly activity report to the Borough Administrator and the Director of Code Enforcement.
- b. Recommend to the Borough Administrator such amendments to the Fire Prevention Ordinance(s) as deemed necessary to provide fire safety.

13-3.8 Additional required inspections and fees. In addition to the inspection and fees required pursuant to the Act and the regulations of the Department of Community Affairs, the following additional inspections and fees shall be required locally.

a. Inspections

The local enforcing agency shall inspect all buildings, structures or premises other than one and two family dwellings as often as it may be necessary for the purpose of ascertaining and causing to be corrected any conditions liable to cause fire, contribute to the spread of fire, interfere with firefighter operations, endanger life or any conditions constituting

violations of the provisions or intent of this Chapter or other fire or life safety requirements. Upon completion of these inspections, a fire safety certificate will be issued to the owner(s) and/or tenant(s) to show compliance.

b. Registration and Fees

The owner(s) of all businesses, occupancies, buildings, structures or premises required to be inspected under **Subsection a.** shall apply annually with the local enforcing agency for an emergency registration upon forms provided by the agency. This requirement does not apply to life hazard uses registered pursuant to N.J.A.C. 5:18. It shall be a violation of this code for an owner to fail to return such forms within thirty (30) days. Every landlord or owner hereby required to file a registration statement as described in the above paragraph shall file an amended registration within seven (7) days after any change in the foregoing information required to be included thereon. The payment shall be the responsibility of the occupant of the premises and is due and payable prior to the inspection. Registrations shall be accompanied by fees in accordance with the following:

Class I	Non-life hazard fire safety inspections for buildings 1,000sq./ft. or less shall be fifty (\$50.00) dollars.
Class II	Non-life hazard fire safety inspections for buildings 1,000sq./ft. but less than 3,000sq./ft. shall be seventy-five (\$75.00) dollars.
Class III	Non-life hazard fire safety inspections for buildings 3,000sq./ft. but less than 6,000sq./ft. shall be one hundred (\$100.00) dollars.
Class IV	Non-life hazard fire safety inspections for buildings 6,000sq./ft. but less than 12,000sq./ft. shall be one hundred fifty (\$150.00) dollars.
Class V	Non-life hazard fire safety inspections for buildings more than 12,000sq./ft. shall be one hundred seventy-five dollars.
Class VI	Eating and drinking establishments with less than 50 occupants in which no alcoholic beverages are consumed shall be one hundred (\$100.00) dollars.

c. Common areas. In multiple family units (such as apartment buildings with common areas accessible to the tenants and/or public) shall be inspected as often as necessary to enforce the Fire Safety Code by a certified Fire Inspector for a fee of seventy-five (\$75.00) dollars per building.

d. Waivers. The following users shall be exempt from the local permit and registration fees; however, they shall be required to properly apply for such permits and registrations and comply with all other code requirements.

- i. The Highland Park Fire Department
 - ii. The Highland Park First Aid Squad
 - iii. Places of Worship. This shall apply to uses where the actual religious service takes place, uses for religious education purposes or uses of an occasional nature.
 - iv. Contractors and construction firms, when the activity is part of work performed under a valid permit issued by the Building Department.
 - v. Borough of Highland Park
 - vi. Highland Park Board of Education
- g. Compensation.** Activities requiring approval from the Fire Official which require inspections by, or in the presence of, one or more Fire Inspectors during times other than normally scheduled work hours shall require reimbursement to the Borough of Highland Park for such time at the rate of forty (\$100.00) dollars per hour. Payment for such activities shall be made prior to the issuance of any necessary permits or approval by the Fire Official. Whenever the Fire Official authorizes the assignment of a Fire Inspector to a quasi-public duty, the party requesting the service shall pay the Borough for the service at the rate of forty (\$100.00) dollars per hour.

13-3.9 Permits and fees.

- a. Trade shows, craft shows, exhibits, expositions, auctions, art sales, concerts, wrestling matches, festivals, dinners, dances, balls, and similar events including non-school type uses in school buildings, cultural centers and convention centers shall be seventy-five (\$75.00) dollars per event.
- b. Asphalt (tar) kettles per job site forty-two (\$42.00) dollars.

3-3.10 Fire Alarms and Reporting.

- a. The Fire Official shall investigate, or cause to be investigated, the activation of any fire alarms, fire detector or fire protection system occurring within the jurisdiction to determine the cause for such activation and to determine if the device and /or equipment have been properly restored to full service.
- b. **Failure to report:** It shall be a violation of this code for any person or persons, having knowledge of same, to fail to report to the Fire Department and/or Fire Official the activation of any fire protection system or device or to fail to report the occurrence of any fire; any attempted arson or to fail to report the spill or leakage of any flammable or combustible liquid or gas or of any hazardous material immediately upon gaining such knowledge.

3-3.11 Board of Appeals. Pursuant to Sections 15 and 17 of the Uniform Safety Act, any person aggrieved by any order of the local enforcement agency shall have the right to appeal to the Construction Board of Appeals of the County of Middlesex.

3-3.12 Fire lanes and Fire Zones.

a. *Designation of Fire Lanes and Fire Zones*

1. Certain areas shall be designated as fire lanes to provide clear access to buildings for the firefighting equipment in the event of an emergency call. Fire hydrants and water connection devices located on local, County, State and private roads shall be designated as fire zones.
2. Fire lanes/fire zones may be located on public or private property.
3. Fire lanes/fire zones shall be established by the Borough Fire Official, and drawings of properties delineating fire lanes/fire zones shall be kept on file in the office of Fire Prevention.

b. *Notice to Affected Property owners*

1. Notice that a property requires the posting of signs or painting of fire lanes/fire zones shall be sent to the property owner by the Fire Prevention Department whether by personal delivery or certified mail.
2. Within thirty (30) days of receipt of notice, said property owner shall install required signs and paint required stripes.

c. *Intervention by the Borough for failure to comply.* In the event that a property owner fails to comply with the requirements of this Section, the Fire Prevention Department may arrange to have signs installed and pavement painted at the expense of the property owner, said amount to be assessed against the property affected and collected through the Borough of Highland Park Tax Collector's Office.

d. *Parking, Stopping or Standing of Vehicles Prohibited.* No person shall park, stop or leave standing any vehicle, whether attended or unattended, in any designated fire lane or fire zone or obstruct any designated fire lane or fire zone. No person shall park, stop or leave standing any vehicle within fifteen (15') feet of any fire hydrant or other Fire Department water connection device.

e. *Restrictions for Loading Zones.* In loading zones designated herein, attended vehicles may stop solely for the purpose of loading or unloading and only for the period of time necessary to accomplish such loading or unloading.

f. *Installation of Signs, Painting of Lines.*

1. Markings: The owner shall, within thirty (30) days of being given notice to do so by the Fire Official, mark the lanes as follows:
 - (a) Signs, with minimum dimensions of twelve inches by eighteen (12"x 18") inches constructed of metal with raised red letters a minimum of two (2") inches in size on a white background shall be posted at a level of at least seven (7') feet above grade, indicating "**NO PARKING AT ANYTIME**". Immediately under these signs shall be another sign, with minimum dimensions of twelve inches by six (12" x 6") saying "**FIRE LANE**" or "**FIRE LANE NO ONSTREET**"

PARKING". Spacing of signs shall be even with a minimum of one (1) sign for every fifty (50') feet of fire lane or part thereof, or as ordered by the Fire Official. All signs and markings must be unobstructed and visible for a distance of at least one hundred (100') feet when viewed from a position approximately five (5') feet above the ground while in the fire lane.

2. Diagonal yellow lines shall be painted on the pavement along the length of the fire lane/ fire zone where possible. Fire lanes shall have a minimum width of eighteen (18') feet.
 3. Fire zones associated with fire hydrants and water connection devices shall be identified with yellow paint extending fifteen (15') feet in both directions on the curb and/or pavement where possible.
- g.** *Enforcement Agencies for the Parking in Fire Lanes / Fire Zones.* The Bureau of Fire Prevention and the Highland Park Police Department shall have concurrent jurisdiction in policing and issuing parking summons.
- h.** *Penalties.*
1. Property owners failing to install signs or paint pavement within thirty (30) days of receipt of notice shall be subject to a fine not to exceed five hundred (\$500) dollars in accordance with the requirements of the New Jersey Fire Safety Code.
 2. Violators who park illegally in a fire lane or fire zone shall be subject to a fine of seventy-five (\$75) dollars. Said fine shall be imposed on complaint and conviction in the municipal court of the Borough of Highland Park.
 3. All fines and penalties shall be paid to the Borough of Highland Park Treasury.

13-3.13 Construction activities.

- c. All combustible refuse, rubbish and debris shall be cleaned up and deposited in a noncombustible refuse container. All Refuse container(s) shall be located a minimum of ten feet from any building, structure, and lot line or combustible material storage location.

13-3.14 Knoxbox and key lock box requirements.

- a. All buildings or structures protected by fire alarms shall be provided with a key box approved by the Fire Official. The Knoxbox shall contain keys to provide access to all areas of the building or structure and shall be installed in a location approved by the Fire Official; such Knoxbox shall only be utilized in response to a report of a fire or fire-protection system activation or other emergency call.
 - i. The Knoxbox shall be located in a lighted location not higher than five and a half feet (5' ½") above grade.

- b.** All buildings or structures that have an elevator equipped with an elevator recall must provide the elevator recall key in a lock box installed in a location readily accessible to the fire department.