

**FIRE SAFETY**  
**CHAPTER 18A**  
**FIRE SAFETY**

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## **18A-1. LOCAL ENFORCEMENT**

Pursuant to Section 11 of the Uniform Fire Safety Act (P.L. 1983, c.383), The New Jersey Uniform Fire Code shall be locally enforced in the Township of Plumsted. The Uniform Fire Code of the State of New Jersey is hereby adopted as well as additional local amendments.

## **18A-2. DUTIES**

The local enforcement agencies 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 Township of Plumsted and shall faithfully comply with the requirements of the Uniform Fire Code. The local enforcing agencies also shall carry out such other fire safety inspections as authorized by the Uniform Fire Safety Act and local ordinance. The Township of Plumsted shall continue to perform Smoke Detector/Carbon Monoxide and Fire Extinguisher Inspections on all resale and rental units in single family dwelling structures.

## **18A-3. Life Hazard Uses**

The local enforcing agencies established by Section 18 A 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 Community Affairs.

## **18A-4. Board of Appeals**

Pursuant to the Uniform Fire Safety Act N.J.S.A. 52:27D-206 and the Uniform Fire Code N.J.A.C. 5:70-2.19, 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 Ocean.

18A-4A. **Exception:** Violations of this chapter that occur within owner-occupied, detached one and two family dwellings used exclusively for dwelling purposes, shall not be subject to Administrative Penalty actions. Violations involving any dwelling unit shall be subject to the issuance of a summons to appear in Municipal Court.

## 18A-5. Local Provisions

- A. **Scope:** These articles shall apply to all buildings, structures, or premises located within the Township of Plumsted.
- B. **Penalties:** Penalties for violation of any local provisions as herein contained shall be enforced in accordance with N.J.A.C. 5:70-2.12.
- C. **Status of Fire Code Violations and Penalties:** The fee for a search for a “Status of Fire Code Violations and Penalties” report as required by the statutes shall be established as \$50.00.
- D. The owner or operator of any building required to have a “central control station” by the Uniform Construction Code in effect at the time of issuance of any form of a certificate of occupancy or approval shall have that “central control station” staffed by a minimum of one (1) qualified person twenty four (24) hours per day, everyday. Said person shall be trained and qualified to operate all emergency systems, including fire alarm, public address, elevator, and air handling systems, and shall remain in said “central control station” to assist the Fire Department during alarm/or emergency conditions in the operation of such systems.
- E. Any owner renting or selling to others for purposes other than use as a dwelling unit shall notify, in writing, the appropriate Local Enforcing Agency for the Fire District within whose boundaries the property exists immediately (within 5 working days) upon the signing of a letter of commitment or a lease, whichever occurs first of such transaction, including the name of the lessee or buyer, effective date of the lease or sale, and the address of the leased or sold property.
- F. For purposes of this Section, “owner” shall mean any person who owns, purports to own, manages, rents, leases, or exercises control over a building, structure, premises, or use, or a portion thereof.
- G. It shall be a violation of this ordinance for anyone that causes damage to items that the Fire Department may use as a sign or indicator of fire protection equipment, or the destruction, defacing, or otherwise causing damage to any fire protection

device, sign, indicator, or related item. This would be items such as: fire department connections, signage for fire department connections, hydrant flags, or other markings, standpipe or sprinkler equipment, fire extinguishers, or any other related devices.

H. **Evacuations:** Fire exit drills or the unplanned activation of a fire alarm system in any occupancy shall include complete evacuation of all occupants from the structure. Failure of any person to evacuate the structure shall be a violation of this ordinance.

I. The New Jersey Hotel, Motel, and Multiple Dwelling Code N.J.A.C. 5:10-1 et.seq. And the 2003 International Property Maintenance Code is adopted herein by reference.

## **18A-6. Regulations of Establishments Where Moving Pictures are Shown and Mechanical Amusement Devices are Located in Confined Quarters**

All establishments within the Township of Plumsted in which movies or films or shows of any kind are shown or staged on an individual booth by booth basis or where mechanical coin operated amusement devices are operated shall be subject to the following:

- A. All aisles within such establishment shall not be less than fifty (50") inches in width.
- B. The viewing areas of the booths must be visible from a contiguous main aisle and no doors may be closed at any time when booth is occupied.
- C. The light level in such establishment shall not be less than ten (10') foot candles at floor level.
- D. The provisions, contained herein shall be in addition to, and not in place of, all existing fire, building, maintenance and safety rules, regulations and ordinances of the Township of Plumsted.

## **18A-7. Permits and Permit Fees**

- A. The permit fees as established by the Uniform Fire Code and as amended from time to time pursuant to N.J.A.C. 5:70-2.9(f) shall remain in full force and effect as set forth therein,

or as amended in this ordinance, and the local enforcement agencies shall be as designated in Section 18A-18.

- B. **Permits:** A permit shall constitute permission to maintain, store or handle materials, or to conduct processes which produce conditions hazardous to life or property, or to install equipment used in connection with such activities in accordance with the provisions of this code. Such permissions shall not be construed as authority to violate, cancel or set aside any provisions of this Code or any other code, ordinance, statute, rule or regulation. Said permit shall remain in effect until it is revoked, or one year unless otherwise specified. Permits are not transferable and any change in use, operation, or tenancy shall require a new permit.
  - C. The appropriate Fire Official may waive the permit fees in certain instances when such fees are for the following:
    - 1. Churches: when the permit is for something of an occasional nature (not exceeding three (3) times per year) and is part of religious observances and/or training: and/or other charitable organizations: and/or Plumsted Township agencies and/or other non-profit organizations.
    - 2. Contractors and construction companies when working under a valid permit issued by the Plumsted Township Construction Official.
- The above mentioned religious, charitable, and/or governmental agencies will be responsible for submitting all applications as required by the code and conforming to the New Jersey Uniform Fire Code and its local amendments. This is only for the payments of the otherwise require PERMIT fees.**
- D. See attached list of types and uses of permits and fees to be inserted here.

## **18A-8. Non Life Hazard Uses and Fees**

- A. **A-20** Assembly uses with a maximum permitted occupancy of between 25 to 49 people. (Fee \$25.00 per year)
- B. **A-22** Churches (No Fee)
- C. **B-30** All Professional and Business offices with a total gross floor space less than 12,000 square feet. (Fee \$25.00 per year)
- D. **I-50** Industrial uses and Factories of all kinds, with a total gross floor space of less than 5,000 square feet. (Fee \$25.00 per year)

- E. **I-51** same uses as I-50 (with 5,000 to 9,999 square feet total gross floor space.) (Fee \$50.00 per year)
- F. **I-52** Same uses as I-50 (with 10,000 to 12,000 square feet total gross floor space.) (Fee \$75.00 per year)
- G. **M-60** All Mercantile, wholesale and retail stores and all services offering facilities, other than professional offices with a total gross floor space of less than 6,000 square feet. (Fee \$25.00 per year)
- H. **M-61** Same uses as M-60 (with 6,000 to 11,999 square feet total gross floor space.) (Fee \$50.00 per year)
- I. **R-70** Hotels, Motels, Dormitories, Apartment Buildings and Houses (other than one and two family, owner occupied dwellings and/or which are not classified as a Life Hazard Use) with less than 25 living units. (Fee \$25.00 per year)
- J. **R-71** Same uses as R-70 (with 25 to 49 Living units) (Fee \$50.00 per year)
- K. **R-72** Same uses as R-70 (with 50 to 99 Living units) (Fee \$75.00 per year)
- L. **R-73** Same uses as R-70 (with 100 to 149 Living units) (Fee \$100.00 per year)
- M. **R-74** Same uses as R-70 (with 150 to 199 Living units) (Fee \$ 150.00 per year)
- N. **R-75** Same uses as R-70 (with 200 to 249 Living units) (Fee \$200.00 per year)
- O. **R-76** Same uses as R-70 (with 250 to 299 Living units) (Fee \$250.00 per year)
- P. **R-77** Same uses as R-70 (with over 299 Living units) (Fee \$300.00 per year)
- Q. **S-80** Storage Buildings, Warehouses and parking garages with under 5,000 square feet total gross floor space. (Fee \$25.00 per year)
- R. **S-81** Same uses as S-80 (with 5,000 to 9,999 square feet total gross floor space.) (Fee \$50.00 per year)
- S. **S-82** Same uses as S-80 (with 10,000 to 12,000 square feet total gross floor space.) (Fee \$75.00 per year)
- T. **T-90** All Buildings not previously classified, which are not one or two family dwelling units and are under 5,000 square feet gross floor space. (Fee \$25.00 per year)
- U. **T-91** Same uses as T-90 (with 5,000 to 9,999 square feet gross floor space.) (Fee \$50.00 per year)

V. **T-92** Same uses as T-90 (with 10,000 to 12,000 square feet gross floor space.)  
(Fee \$75.00 per year)

W. All additional uses as listed hereinabove shall be inspected for compliance with the provisions of the Uniform Fire Safety Act and the regulations adopted there under periodically, but not less than once every 12 months.

X. Where more than one additional use exists under one ownership at a given location, the highest use shall be registered at full fee and the subsequent use at one-half (1/2) the scheduled fee. In multi-tenant structures, each tenant shall be registered at full fee.

## **18A-9. Emergency Action Plans**

A. **General:** In addition to those required under N.J.A.C. 5:70 fire safety evacuation and emergency action plans shall be prepared as set forth where required by Section 18A, in use groups (as defined in the New Jersey Uniform Construction Code, N.J.A.C. 5:23) listed below.

1. Occupant loads of 50 or more: All buildings with an occupant load greater than 50.
2. Use Group H: All use group H Buildings.
3. Use Group F: All use group F Buildings.
4. Use Group S: All use group S buildings.
5. Use Group E: All use group E buildings.

B. **Approval, Distribution:** The fire safety evacuation and emergency action plans shall be approved by the appropriate Fire Official and shall be distributed by the owner to all tenants and employees.

C. **Evacuation Plan:** The evacuation plan shall be conspicuously posted on every floor and in each tenant space for the occupant use.

D. **Maintenance:** The fire safety evacuation and emergency action plans shall be maintained to reflect changes in the use and physical arrangement of the building.

E. **Training:** If an emergency action plan assigns employees with specific responsibilities in areas such as evacuation coordination, firefighting, or material leak and spill handling, the employer shall provide a minimum of annual training sessions to prepare the employee for such activities.

**F. Emergency Action Teams:** Emergency action teams and fire brigades assigned the responsibility of firefighting beyond the incipient stage with hand extinguishers or assigned the responsibility of containing and controlling hazardous material or flammable or combustible liquid leaks and spills shall be approved by the appropriate Fire Official. *In submitting an application for such approval, information shall be included listing the team members, their qualifications and selection criteria utilized for membership.*

**G. Equipment and Training:** Members of emergency action teams and fire brigades as specified in Section 18 A shall be equipped, trained, and maintained in conformance with U.S.O.S.H.A. regulations as a minimum. Any equipment utilized shall be compatible with that of the Fire District within which the facility is located.

## **18A-10. Reporting**

It shall be a violation of this code for any person or persons having knowledge of same to fail to report the fire department and/or the appropriate Fire Official the activation of any fire protection system or device, or to fail to report the occurrence of any fire or attempted arson, or 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.

## **18A-11. Water Supplies**

**A. Blocking Fire Hydrants or Connections:** No person shall obscure from view, damage, deface, obstruct, or restrict the access to any fire hydrant or any fire department connection for the pressurization of the fire suppression systems, including fire hydrants or fire department connections that are located on public or private streets and access lanes, or on private property. Minimum clearance to any fire hydrant or connection shall be ten (10) feet in all directions.

**B. Use of Appliances:** A person shall not obstruct, remove, tamper with or otherwise disturb any fire hydrant except under permit from the New Jersey Water Company, or fire appliances required to be installed or maintained under the provisions of this code except for the purpose of extinguishing fire, training or testing purposes, recharging, making necessary repairs or when permitted by the appropriate Fire Official. In all situations other than fire extinguishment, notification and approval of the removed as herein permitted; it shall be replaced or reinstalled as soon as the purpose for which it was removed has been accomplished.



Defective and non-approved fire appliances or equipment shall be replaced or repaired as directed by the Fire Official. Use of hydrants for training by fire department is exempt from this section.

**C. Fire Department Connections:** All new fire department connections shall be placed within 100 feet of a public fire hydrant on the front side of the building being protected. Existing fire department connections shall be brought into conformity with this section whenever there is a change of use in the building or major work is done on the fire protection system.

**D. Fire Department Connection Signage:** All fire department connections shall be provided with a two (2) foot by two (2) foot red sign with three (3) inch white reflective letters. The sign shall state "FIRE DEPARTMENT CONNECTION" and the type of system covered, for example: AUTOMATIC SPRINKLERS, STANDPIPES, etc.

## 18A-12. General Precautions

- A. **Equipment Rooms:** No storage of any kind shall be permitted within any mechanical equipment, electrical, furnace, or boiler room.
- B. **Barbecue Grills:** Propane, natural gas, and charcoal barbecue grills shall not be located for use within or upon any room or space of a building, or upon any porch, balcony or any other portion of a building, or within five (5') feet laterally of any building wall or overhang. Barbecue grills shall not be stored within five (5') feet laterally of any building or overhang.  
Exception: One and two family detached owner occupied dwellings.
- **Responsibility:** Condominium Associations, Homeowner Associations, Property Managers, and or Owners of residential complexes and common areas shall be required to actively pursue compliance with this requirement as part of their routine control over such common areas through notices, newsletters, and enforcement of their own rules and regulations.
- C. Provisions for secondary containment of spills or leaks shall be provided for all storage tanks, vessels, or containers containing flammable, combustible, or other hazardous liquids exceeding five (5) gallons in quantity within any building or on any premises. Containment structure or device shall hold 115% of the capacity of the tank, vessel, or container. Containment shall be constructed of materials that

are compatible to and impermeable by liquid contained within the tank or container.

## **18A-13. Street Obstructions**

- A. **Street Obstructions:** A person or persons shall not erect, construct, place, or maintain any bumps, fences, gates, bars, pipes, wood or metal horses or any other type of obstructions in or on any street within the boundaries of the municipality without written consent of the appropriate Fire Official. The word “street” used in this ordinance shall mean any roadway accessible for vehicular traffic, including but not limited to, private streets or access lanes within the boundaries of the municipality.
- B. Prior to the closing of any street, notification shall be made to the appropriate Fire Official and the fire company in whose area the street is located. Such notice shall include why street is to be closed, when the street is expected to be closed, and how long such closing is expected to last. Notification shall also be given upon the re-opening of the street.

## **18A-14. Fire Lanes**

- A. **Requirement, designation:** Fire lanes shall be designated as follows for the efficient and effective use of the fire apparatus, access for firefighting, and/or the egress of occupants.
  - 1. Where needed: The Fire Official(s) of the local enforcing agencies may establish fire areas on property devoted to public and private use, in accordance with N.J.A.C. 5:70-3.2(a)3, F-311.1, including, but not by way of limitation, shopping centers, strip malls, bowling alleys, drive-in theaters, house of worship, swimming pools, offices, warehouses, factories, restaurants, nightclubs, etc., and similar uses.
  - 2. Existing Fire Lanes: Any and all fire lanes created by prior ordinance are hereby continued in effect and when repairs or modifications are made to such fire lanes, they shall be brought into conformity with this code, as much as shall be practical in the appropriate Fire Official’s judgment. The

standard for exercise of said judgment shall conform to those contained in section 1 above.

B. **Markings:** The owner shall, within thirty (30) days of being given a notice to do so by the Fire Official, mark the lane(s) as follows

1. Signs, with minimum dimensions of 12"x18", constructed of metal and with raised red letters a minimum of two (2) inches in size on a white background shall be posted at level of at least seven (7) feet above grade, indicating "FIRE LANE NO PARKING". Spacing of signs shall be even with a minimum of one (1) sign for every one hundred (100) feet of fire lane or part thereof, or as ordered by the appropriate 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. The area of the fire lane on improved areas shall be delineated along its entire length with yellow lines eighteen (18) inches in width. Between the yellow lines shall be marked "NO PARKING FIRE LANE" in yellow letters eighteen (18) inches in height. The number of times this wording is to be repeated shall be at the discretion of the appropriate Fire Official, with the recommended spacing to be at one hundred (100) foot intervals and spaced so as to be between and alternate with the metal signs required above. If the designated fire lane abuts a curb, the curbing shall be yellow in color where it abuts the fire lane.
3. **Definitions:** For the purpose of the fire lane enforcement, the following terms are defined:
  - a. **FIRE AREA** shall mean the same as fire lane
  - b. **FIRE LANE** shall mean an area necessary to provide safety for the public or to provide proper access for the fire department operations in the event of an emergency.
  - c. **NO PARKING** shall mean that a vehicle may not be parked within the designated area unless loading or unloading passengers or materials with a time limit of three (3) minutes.
4. **Size:** Fire lanes for vehicle access shall be a minimum of eighteen (18) feet in width or as approved by the appropriate Fire Official. Fire lanes for egress of occupants shall be a minimum of at least the width of the exit way served.
5. **Notification:** Once a fire lane has been designated by the appropriate Fire Official, approved as provided above and properly marked by the owner of the premises, the appropriate Fire Official shall notify the Police Department, Construction

Code Agency and Municipal Court Administrator in writing of the existence and location of the designated Fire Lane(s).

6. **Restricted Areas:** Gates, chains or other approved methods utilized to prevent unauthorized access to fire lanes shall be approved by the appropriate Fire Official prior to installation, provided such restrictions will not impede access by firefighting apparatus. The appropriate Fire Official shall determine whether any changes or deviations from the appropriate methods may be utilized.
7. **Installation, Maintenance:** Fire lanes shall be installed and maintained by the owner of the premises or a designee in conformity with the provisions of this ordinance. Fire lanes in existence prior to the enactment of this ordinance shall be required to conform to the provisions herein at the discretion of the appropriate Fire Official. Fire lanes must be accessible for fire apparatus use at all time.
8. **Parking, standing and obstruction prohibited:** Designated fire lanes shall be maintained free of snow and obstructions, including vehicles, at all times.
9. **Notice of Violation:** The appropriate Fire Official(s) or Fire Inspectors may complete a Municipal Summons, or a Notice of Violations, and said summons or Notice of Violation shall be issued to all offenders by personally serving same upon any offender, or if the offender is not attendant to the vehicles, shall leave the notice under the windshield wiper or otherwise attached to the vehicle in a manner reasonably calculated to ensure that the offender receive said notice upon his or her return to the vehicle.
10. This ordinance shall supersede any and all provisions of any other ordinance promulgated for the enforcement of parking in fire lanes. Enforcement shall only be done by personnel from either the Plumsted Township Police Department or the appropriate Local Enforcement Agencies. Personnel enforcing these provisions shall be either uniformed or carry appropriate identification.
11. **Exception of appeal procedure:** Sections 18A-14 (A) 1-2(B) 1-8 above shall be exceptions to the appeal procedures in N.J.A.C. 5:70-2.11 and therefore, shall not be considered appealable under that section.

## **18A-15. Construction Activities**

- A. **General:** All construction requiring a construction permit under N.J.A.C. 5:23, the Uniform Construction Code, shall comply with that code and the Fire

- Prevention Code regarding site fire safety. The term construction activities as used in this section shall refer to those construction activities which require a permit under the Uniform Construction Code.
- B. **Refuse Containers:** All active construction sites and locations shall be provided with non-combustible refuse container(s) in such numbers as shall be necessary to contain all combustible refuse generated by the construction activities. All Combustible refuse, rubbish and debris shall be cleaned up and deposited in the container(s) on a daily basis. Refuse container(s) shall be a minimum of twenty (20) feet away from any building, structure, lot line or combustible material storage location.
  - C. **Liquids and Gases:** Flammable or combustible liquids and gases shall be stored, handled, and/or used in accordance with the applicable provisions of the Fire Prevention Code and the latest standards of the National Fire Protection Association.
  - D. **Occupied Buildings:** When construction activities take place in occupied buildings special fire safety precautions shall be taken as required by the appropriate Fire Official in accordance with the Fire Prevention Code.
  - E. **Fire Protection Equipment:** When fire suppression, detection or alarm systems or devices are affected by construction activities, their down time shall be kept to a minimum. When possible, isolation of system components shall occur to ensure operation in unaffected areas. Whenever fire protection systems or devices are removed from service, the appropriate Fire Official is to be notified and a fire watch shall be posted if deemed necessary by the appropriate Fire Official. When the area affected is of high hazard use, normal operations and occupancy of the area may be required to be suspended by the appropriate Fire Official until protection is restored.
  - F. **Access:** Temporary all weather surface access roads, gravel or equivalent, capable of supporting a thirty (30) ton emergency vehicle shall be provided at all times for fire department vehicular access to all structures under construction and storage of combustible construction materials. Access to such locations shall be within one hundred (100) unobstructed feet at all times. Every dead-end roadway more than three hundred (300) feet in length shall be provided at the closed end with temporary turn around acceptable to the appropriate Fire Official.
  - G. **Water Supply:** add whatever the district has already on file.

## **18A-16. Blocking of Hydrants and Fire Department Connections**

- A. It shall be unlawful to obscure from view, damage, deface, obstruct, or restrict the access to any fire hydrant or any fire department connection for the pressurization of fire suppression systems, including fire hydrants and fire department connections that are located on public or private streets and access lanes, or on private property. Minimum clearance to any fire hydrant or connection shall be ten (10) feet in all directions.

## **18A-17. Open Burning**

Open burning for any reason is hereby prohibited except where permits have been obtained from the New Jersey Department of Environmental Protection, New Jersey Forest Fire Service, and the appropriate Local Enforcing Agency Fire Official. Open burning is defined as the burning of any material, in anything other than an approved device, or in an uncontained manner. Upon the recommendation of the appropriate Fire Official, the local fire department may use open burning for training purposes only.

## **18A-18. Local Enforcing Agency for Fire District #1**

- A. In accordance with the Uniform Fire Safety Act N.J.S.A. 52:27D-192 et seq., the Uniform Fire Code, N.J.A.C. 5:70-1.1 et seq and the Regulations for Fire Code Enforcement, N.J.A.C. 5:71- 1.1 et seq the Plumsted Township Committee hereby designates the Fire Commissioners of Plumsted Township Fire District#1 as the local enforcing agency within the limits of Fire District #1. This designation shall be effective upon final adoption and publication of Ordinance 18A-1 et seq in a manner as prescribe by law..
- B. The Fire Official and such fire inspectors as may be necessary to enforce the Uniform Fire Code shall be hired by the Fire Commissioners of Fire District #1. The Fire Commissioners of District #1 shall carry out the periodic inspections of life hazard use required by the Uniform Fire Code. All fees required for periodic inspections shall be in accordance with the fee schedule incorporated in Chapter 18A of the Plumsted Township Code. All sections of Chapter 18A conflicting with this ordinance with respect to Fire District #1 are hereby amended accordingly.
- C. The Commissioners of Fire District #1 shall be delegated the power and authority to adopt rules and regulations by resolution to effectuate the purpose of this ordinance, provided that no such resolution shall conflict herewith. Whenever reference is made herein to the Fire Commissioners of District #1, this is intended to mean the Commissioners of Fire District #1.

## **18A-19. Buildings- Uniform System for Numbering**

The Fire District shall have the right to enforce existing Township of Plumsted Ordinance Chapter 8 and issue appropriate violations relative to the provisions of that ordinance. This enforcement authority shall be concurrent with the Township of Plumsted.

## **18A-20. Fire Watch and Fire Department Fire Safety Stand-By**

Whenever the appropriate Fire Marshal shall determine that on-site fire inspector(s) or firefighting personnel shall be required for fire watch as a result of fire protection system failure or deficiencies, or fire safety at any occupancy or event to insure the safety of the public or emergency responders, the owner or occupant responsible shall obtain a permit for the use or event.

- A. The Fire Marshal shall determine the number of inspectors and /or firefighting personnel required.
- B. The Fire Marshal shall determine the hours that the fire inspector(s) and/or firefighting personnel will be on duty.
- C. The permit fee shall cover the expenses incurred by the Local Enforcing Agency.
- D. The fee for the permit shall include:
  - 1. Compensation for fire personnel at \$25.00 per hour Monday through Friday 8:00 AM to 4:00 PM, \$37.50 per hour for Holidays, Saturdays, Sundays, and from 4:00PM to 8:00AM weekdays.
  - 2. The rate for use of vehicles shall be \$25.00 per hour.
  - 3. Reimbursement rates for other related services, equipment, or expenses shall be provided to the owner by the Fire Marshal prior to the scheduled use or event.
- E. Fire Marshal or designee(s) shall have the right of access to the premises and area surrounding it without interference from the property owner.
- F. Failure to secure a permit shall be punishable by a penalty equal to amount of the permit plus \$100.00 for the first offence, amount of the permit plus \$250.00 for the second offence, amount of the permit plus \$500.00 for the third and each subsequent offence.
- G. Permit shall be required for each separate event or date of the activity requiring such a permit.
- H. Any occupancy or event requiring fire apparatus and firefighting personnel on site to insure the safety of the public and/or other occupants, and/or to insure the safety of any building and/or exposures shall reimburse the appropriate fire district. Fees shall be \$150.00 per required fire apparatus unit per occurrence and \$20.00 per hour per firefighter manning apparatus.

## **18A-21. False Alarms**

- A. For every false alarm exceeding three (3) in a calendar year the Fire Official may issue the alarm user a notice of violation of the Township ordinance concerning Alarm Systems and the alarm user shall be responsible for the cost of fire personnel and vehicles, at the rates set forth in this ordinance, which responded to the false alarm. In addition the alarm user may be subject to any other penalties set forth in the Township ordinance.

## **18A-22. Rapid Key Entry**

- A. The words “building” and/or “structure” as used in this Ordinance means any building and/or structure with the exception of one – and two – family residential dwellings, which are not required.
- B. The owner, tenant, and/or occupant of said buildings and/or structures are required to have installed on the same rapid entry box and key system to allow access to the same and access to boiler rooms, sprinkler control valves, electrical rooms, elevators and elevator control rooms, and other locked areas of the premises as may be required by the Fire Official, the said Fire Official to make said determination on the basis of immediate need for access in the event of a fire alarm or what appears to be a possible fire emergency. In the absence or unavailability of the Fire Official the determination shall be made by the respective Fire Chief dependent upon the geographic location of the fire.
- C. The Plumsted Township Fire District Bureau of Fire Prevention shall prescribe specifications as to the required rapid entry box and key system and location and shall be responsible for the enforcement of the terms and conditions of this ordinance.
- D. The Fire Official shall approve before installation the system and the location of installation.

## **18A-23. Farm Building Exemption & Life Hazard Classification**

- A. Premises that are incidental or auxiliary to the agricultural use of a farm property shall not be classified as **LIFE HAZARD USES**.
- B. Type 4 permits shall not be required when the storage or activity is incidental or auxiliary to the agricultural use of a farm property.
- C. These said properties will however be considered local inspections and will be registered locally by the local enforcing agency and inspected for fire safety compliance once a year and will be billed a local rate fee as set forth in the ordinance.



## **18A-24. Enforcement**

- A. Any owner, agency, or person or corporation who shall violate any provision of this ordinance or fail to comply therewith or with any of the requirements thereof, shall be subject to a penalty to be determined by the appropriate Fire Official. The effective date of the Enforcement provisions set forth in this Section shall be twelve (12) months for existing structures and twenty (20) days from the passage of this amendment for new structures.
- B. The Fire Official of the appropriate Local Enforcing Agency shall be responsible to enforce this article as an amendment to N.J.A.C.5:70 et seq., and penalties may be assessed as provided in the New Jersey Uniform Fire Prevention Code.
- C. The maximum penalty for violation of any provision of this chapter shall be \$1000.00 or imprisonment for a period not exceeding ninety (90) days, or both, in the discretion of the Municipal Court Judge. Any fines collected shall be forwarded to the Plumsted Township Fire District Bureau of Fire Prevention.
- D. Each and every day in which a violation of any provision of this chapter exists shall constitute a separate violation.

The maximum penalty stated in this section is not intended to state an appropriate penalty for each and every violation. Any lesser penalty, including a nominal penalty or no penalty at all may be appropriate for a particular case or violation