

ORDINANCE NO. 2017- 42

ORDINANCE OF THE BOROUGH OF RED BANK,  
COUNTY OF MONMOUTH, NEW JERSEY  
AMENDING AND SUPPLEMENTING  
CHAPTER 361 "FIRE PREVENTION AND PROTECTION"

Councilman Taylor offered the following ordinance and moved its adoption:

**BE IT ORDAINED** by the Governing Body of the Borough of Red Bank that Chapter 361 of the Revised General Ordinances of the Borough of Red Bank, Monmouth County, "Fire Prevention and Protection" is hereby amended and supplemented as follows:

**SECTION ONE:** Chapter 361 "Fire Prevention and Protection" is amended and supplemented to the following extent (*strikeouts denote deletions, underlined text denotes additions*):

§ 361-1      **Enforcement of New Jersey Uniform Fire Code.** *[No Change.]*

§ 361-2      **Agency designation.** *[No Change.]*

§ 361-3      **Duties.**

    A. *[No Change.]*

    B. *[No Change.]*

~~C. The adoption of this chapter shall not eliminate any previous duties of the Office of Fire Marshal, in particular, the Fire Marshal may continue to serve as the fire protection subcode official as provided by the Uniform Construction Code, P.L. 1975, C. 217 (N.J.S.A. 52:27D-119 et seq.).~~

    D. C. The Fire Marshal shall serve as the Fire Official.

§ 361-4      **Life hazard uses.** *[No Change.]*

§ 361-5      **Organization.**

The Office of the Red Bank Fire Marshal established as the local enforcing agency, under § 361-2 of this chapter, ~~shall be part of the Construction Official's office as described in Chapter 90, Officers and Employees, Article V, Fire Marshal, of the Code of the Borough of Red Bank, and shall be under the direct supervision and control of the Construction Official and the Borough Administrator.~~

§ 361-6      **Appointments; term of office; removal.** *[No Change.]*

§ 361-7      **Board of Appeals.** *[No Change.]*

§ 361-8      **Additional required registrations and/or inspections and fees as required by N.J.A.C. 5:70-2.4 et seq.**

In addition to the inspections and fees required pursuant to the Uniform Fire Safety Act (P.L. 1983, C. 383) and the regulations promulgated thereof, the following additional registration and/or inspections and fees shall be required for all premises except life hazard uses as defined in Subchapter 2 of the New Jersey Uniform Fire Code (N.J.A.C. 5:70-2.4 et seq.). All inspections shall be conducted annually unless otherwise specified. Measurements shall be the exterior of the building, and shall include the total square footage of all occupied areas on all floors.

    A. through F. *[No Change.]*

    G.      The minimum registration and/or inspection fee for any required or requested inspection, unless specifically modified herein, shall be \$50.

    H. through J. *[No Change.]*

**K. Certificate of Smoke Detector and Carbon Monoxide Alarm Compliance (CSDCMAC)**

The Application fee for a certificate of smoke detector and carbon monoxide alarm compliance (CSDCMAC), as required by N.J.A.C. 5:70-2.3, shall be based upon the amount of time remaining before the change of occupant is expected, as follows:

- (1) Requests for CSDCMAC received more than 10 business days prior to the change of occupant: \$45.00;
- (2) Requests for a CSDCMAC received four to 10 business days prior to the change of occupant: \$90.00; and
- (3) Requests for a CSDCMAC received fewer than four business days prior to change of occupant: \$161.00.

§ 361-9 through 361-10      *[No Change.]*

**SECTION TWO:** Any ordinances or portions thereof which are inconsistent with the provisions of this Ordinance are hereby repealed as of the effective date of this Ordinance. All other provisions of the Revised General Ordinances are ratified and remain in full force and effect.

**SECTION THREE:** If any provision of this Ordinance or the application of such provision to any person or circumstance is declared invalid, such invalidity shall not affect the other provisions or applications of this Ordinance which can be given effect, and to this end, the provisions of this Ordinance are declared to be severable.

**SECTION FOUR:** This Ordinance shall take effect immediately upon its passage and adoption according to law.

Seconded by Councilman Yngstrom and adopted on roll call by the following vote:

|                            | Yes   | No    | Abstain | Absent |
|----------------------------|-------|-------|---------|--------|
| Councilman Yngstrom        | ( X ) | (   ) | (   )   | (   )  |
| Councilman Zipprich        | ( X ) | (   ) | (   )   | (   )  |
| Councilwoman Horgan        | ( X ) | (   ) | (   )   | (   )  |
| Councilwoman Schwabenbauer | ( X ) | (   ) | (   )   | (   )  |
| Councilman Taylor          | ( X ) | (   ) | (   )   | (   )  |
| Councilman Whelan          | ( X ) | (   ) | (   )   | (   )  |

Introduction: December 13, 2017  
Public Hearing/Adoption: December 27, 2017