

ORDINANCE NO. 2019-67

ORDINANCE OF THE BOROUGH OF RED BANK, COUNTY OF MONMOUTH, STATE OF NEW JERSEY AMENDING CHAPTER 361: "FIRE PREVENTION AND PROTECTION" OF THE BOROUGH'S REVISED GENERAL ORDINANCES TO INCREASE THE REQUIRED INSPECTION INTERVAL OF NON-LIFE HAZARD USES WITHIN THE BOROUGH

BE IT ORDAINED by the Governing Body of the Borough of Red Bank that the following Section 8 of Chapter 361: "Fire Prevention and Protection" of the Revised General Ordinances of the Borough of Red Bank is hereby amended as follows (stricken text denotes deletions, underlined text denotes additions):

§ 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 inspection 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 at least once every three years, 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. Mercantile occupancies.

- (1) Fifty dollars for first 1,000 square feet.
- (2) Ten dollars for each additional 1,000 square feet or fraction thereof.

B. Factories, assembly plants, wood and metal work shops, and other operations employing machinery or processes, shall be inspected annually with a fee schedule as follows:

- (1) Seventy-five dollars for the first 1,000 square feet.
- (2) Fifteen dollars for each additional 1,000 square feet or fraction thereof.

C. Warehouse, storage, or other buildings where materials are held and there is no assembly, manufacturing or retailing:

- (1) Fifty dollars for the first 2,000 square feet.
- (2) Ten dollars for each additional 1,000 square feet or fraction thereof.

D. Business use/office buildings:

- (1) Fifty dollars for the first 3,500 square feet.
- (2) Ten dollars for each additional 1,000 square feet or fraction thereof.

E. Multiple dwellings. Three or more dwelling units:

- (1) Fifty dollars for the first four dwelling units.
- (2) Ten dollars for each additional four dwelling units or fraction thereof.

F. Fire protection systems, other than those contained within Life Hazard uses as defined in N.J.A.C. 5:70-2.4 et seq.:

- (1) Fire-suppression systems for cooking operations: \$50 per system.
- (2) Other fire protection systems: \$75 per system.

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

H. Administrative fees.

- (1) Copy of Fire Investigation Report, \$5 for the first page, and \$1 for each additional page.
- (2) Application fee for a variance: \$100.

- (3) Application fee for an appeals: \$100.
- (4) Certificate of fire code status: \$25.
- I. Fire suppression costs. Pursuant to N.J.A.C. 5:70-2.17(a) et seq., and/or where the Fire Marshal determines that a "fire watch" or "Fire Department Standby" is necessary for the protection of the public, the cost of such fire suppression, "fire watch" or Fire Department standby activities shall be determined as follows:
 - (1) Apparatus: \$75 per hour/each vehicle.
 - (2) Manpower: \$35 per hour per firefighter.
 - (3) Extinguishing agent: actual replacement cost of agent expended.
 - (4) Broken tools, equipment: cost of replacement.
 - (5) Breathing air: \$15 per bottle.
 - (6) Other costs: actual costs incurred.
- J. Special events. When determined by the Fire Marshal to be necessary for the purpose of public safety to have a Fire Inspector present during special events, the owner, operator, organizer, sponsor, person, or organization responsible for said event shall pay the cost of said inspector for the duration of the event.
- 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;
 - (2) Requests for a CSDCMAC received four to 10 business days prior to the change of occupant: \$90; and
 - (3) Requests for a CSDCMAC received fewer than four business days prior to change of occupant: \$161.

BE IT FURTHER ORDAINED that 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; and

BE IT FURTHER ORDAINED that, 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.

BE IT FURTHER ORDAINED that this Ordinance shall take effect immediately upon its passage and adoption according to law.

	Motion	Yes	No	Abstain	Absent
Councilman Yassin		X			
Councilwoman Triggiano		X			
Councilman Ballard		X			
Councilman Yngstrom	Second	X			
Councilman Zipprich	Motion	X			
Councilwoman Horgan		X			