**5.10.22 BOROUGH OF CLEMENTON**

 **ORDINANCE #2022-10**

 **ORDINANCE AMENDING AND SUPPLEMENTING**

 **CHAPTER 134 OF THE CODE OF THE BOROUGH OF CLEMENTON**

 **ENTITLED “FIRE SAFETY”**

 BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE BOROUGH OF CLEMENTON, COUNTY OF CAMDEN, STATE OF NEW JERSEY, AS FOLLOWS:

 **SECTION 1.** Chapter 134, Section 7, of the Code of the Borough of Clementon title is deleted in its entirety and replaced as follows:

**§ 134-7.** **Certification of smoke alarm, carbon monoxide alarm and portable fire extinguisher compliance (“CSACMAPFEC”) and/or certificate of fire code status form.**

 **SECTION 2.** Chapter 134, Section 7A, of the Code of the Borough of Clementon is deleted in its entirety and replaced as follows:

A. No owner shall sell, lease or otherwise permit occupancy for residential purpose of any structure used or intended for use as a single-family or two-family structure without obtaining a certificate of smoke detector, carbon monoxide alarm and portable fire extinguisher compliance from the Fire Official/Inspector of the Borough of Clementon (CSACMAPFEC).

 (1) The certificate shall certify the structure has the following:

 (a) A working smoke-sensitive alarm device on each level and outside each separate sleeping area in the immediate vicinity of the bedrooms and located on or near the ceiling in accordance with NFPA 74 and the supplements thereto; (N.J.A.C. 5:70-4.19) ten-year sealed battery-powered single station smoke alarms shall be installed and shall be listed in accordance with ANSI/UL 217, incorporated herein by reference. However A/C-powered single or multiple-station smoke alarms installed as part of the original construction or rehabilitation project shall not be replaced with battery-powered smoke alarms. The effective date of this subsection shall be January 1, 2019.

 (b) Carbon monoxide alarms shall be installed in all dwelling units in buildings in one- and two-family or attached single family dwellings, except for units in buildings that do not contain a fuel-burning device or have an attached garage, as follows: 1. Single station carbon monoxide alarms shall be installed and maintained in the immediate vicinity of the sleeping area(s). Carbon monoxide alarms may be battery-operated, hard-wired or of the plug-in-type and shall be listed and labeled in accordance with UL-2034 and shall be installed in accordance with the requirements of this section and NFPA-720.

 c) A portable fire extinguisher of 2A:10B: C rating which must be located within 10 feet of the kitchen and near an egress to the exterior; mounted using hanging bracket; unobstructed; tagged within last 12 months or receipt of recent purchase; and

 (d) A visible address, with a minimum of three-inch numbers or letters of contrasting color which shall be posted on the street side of the structure.

 (2) The certificate shall be obtained from the Fire Official/Fire Inspector of the Borough of Clementon.

 **SECTION 3.** Chapter 134, Section 7B, of the Code of the Borough of Clementon is deleted in its entirety and replaced as follows:

B. The application fee for a certificate of smoke detector, carbon monoxide alarm and portable fire extinguisher compliance (CSACMAPFEC), 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) Reserved.

 (2) Request for certification received more than 10 business days prior to the change of occupants: $60.

 (3) Request for certification received four to 10 business days prior to the change of occupants: $100.

 (4) Request for certification received two to four business days prior to the change of occupants: $161.

 (5) Request for certification same day of settlement and/or one day: $200.

 (6) Premises which fail the initial inspection shall be subject to a re-inspection fee: $35.

 (7) Certificate of Fire Code Status form fee - $35.

 **SECTION 4.** Chapter 134, Section 8, of the Code of the Borough of Clementon is amended and supplemented by the addition of a new section C, as follows:

C. Fire hydrants shall be equipped with a 5" Storz connection with a cap from the 6" Rigid NPT connection on the fire hydrant, and shall be provided by the applicant of any newly installed fire hydrant at no cost to the Borough of Clementon. Applicant shall confirm with the Clementon Water Department as to the actual size of the National Pipe Thread standard of the fire hydrants. A water shut-off valve box at the base of each fire hydrant shall be installed to isolate one hydrant if it should be placed out of service and not the entire water distribution system.

 **SECTION 5.** Chapter 134, Section 9B, of the Code of the Borough of Clementon is deleted in its entirety and replaced as follows:

B. Additional required inspections and fees. In addition to the inspections and fees required pursuant to the Act and the regulations of the Department of Community Affairs, the following annual inspections, registrations, and fees shall be required for non-life hazard uses:

 (1) Places of assembly with an occupancy less than 50 without alcohol, less than 500 square feet (Use Group A): $60 annually.

 (2) Places of assembly with an occupancy less than 50 without alcohol, 500 square feet or more (Use Group A): $70 annually.

 (3) Business establishments having a gross floor area of less than 500 square feet (Use Group B): $60.

 (4) Business establishments having a gross floor area of 500 square feet or more but less than 3,500 square feet (Use Group B): $70 annually.

 (5) Business establishments having a gross floor area of 3,500 square feet or more but less than 12,000 square feet (Use Group B): $160 annually.

 (6) Mercantile establishments having a gross floor area of less than 500 square feet (Use Group M): $60 annually.

 (7) Mercantile establishments having a gross floor area of 500 square feet or more (Use Group M): $70 annually.

 (8) Mercantile establishments having a gross floor area of 3,500 square feet or more but less than 12,000 square feet (Use Group M): $160 annually.

 (9) Factory establishments having a gross floor area of less than 3,500 square feet (Use Group F): $125 annually.

 (10) Factory establishments having a gross floor area of 3,500 square feet or more but less than 12,000 square feet (Use Group F): $175 annually.

 (11) Apartments and condominiums, per common area (additional to registration fees): $25 annually.

 (12) Buildings/multi-family with three to five dwelling units (units not owner-occupied): $100 annually.

 (13) Buildings/multi-family with six to 10 dwelling units (units not owner-occupied): $200 annually.

 (14) Buildings/multi-family with 11 or 20 dwelling units (units not owner-occupied): $300 annually.

 (15) Buildings/multi-family with 21 or more dwelling units (units not owner-occupied): $400 annually.

 (16) Buildings used for storage with a gross floor area of less than 1,000 square feet (Use Group S): $125 annually.

 (17) Buildings used for storage with a gross floor area of 1,000 square feet or more but less than 3,500 square feet (Use Group S): $225 annually.

 (18) Buildings used for storage with a gross floor area of 3,500 square feet or more but less than 12,000 square feet (Use Group S): $325 annually.

 (19) Buildings which are vacant under 2,500 square feet shall have a standard registration fee of $60 annually.

 (20) Hotels, motels and rooming houses:

 **Number of Units Fee**

0 to 3 $35

 4 to 8 $55

 9 to 20 $90

 21 to 35 $125

 36 to 50 $175

 51 to 80 $225

 81 to 100 $275

 Over 100 $350

 (21) Business occupancy with common areas (tenant space excluded): $60.

 **SECTION 6.** Chapter 134, Section 9C, is deleted in its entirety and replaced as follows:

C. For the purpose of uniformity, use groups of all buildings contained in this section of the Code shall be defined using the most currently approved IFC, IBC and NJ editions. Such buildings shall be subject to registration and periodic inspection requirements established by this Article. Where two or more fire safety uses exist at the same building or premises, each one shall be considered as separate and distinct for the purposes of this Article and shall be registered pursuant to the provisions of this Article.

 **SECTION 7.** Chapter 134, Section 9E, of the Code of the Borough of Clementon is deleted in its entirety and replaced as follows:

E. The annual inspection fees of all vacant buildings shall be in accordance with the provisions under N.J. Admin. Code § 5:70-2.7 and Clementon Fire Prevention Code 134-9B(19).

 **SECTION 8.** Chapter 134, Section 9G, of the Code of the Borough of Clementon is deleted in its entirety and replaced as follows:

G. Exemptions. The following building or structure, if not otherwise classified as a life hazard use with the Division of Fire Safety, shall be exempt from registration fees and permit fees, but shall comply with the registration application and permit requirements to the Act.

 (1) Municipally-owned buildings.

 (2) Fire stations.

 (3) EMS stations.

 (4) Houses of worship (excluding rooms used for Public Assembly Purposes, i.e., meeting halls, fellowship halls, rental halls).

 (5) Clementon Borough civic groups, not-for-profit (i.e., Athletic Associations, Boy Scouts, Little Leagues). The Fire Official shall make the determination if a civic group meets the criteria.

 **SECTION 9.** Chapter 134, Section 12, of the Code of the Borough of Clementon is deleted in its entirety and replaced as follows:

**§ 134-12. Technical Amendments.**

A. Outdoor fires.

 (1) General. The use, storage, operation or maintenance of any open fire or any device commonly known as a "barbecue" (also included are open flame torches, fireplaces or fire pots, chimneys, or other such similar devices or equipment) is prohibited in or on any apartment or multi-family dwelling unit: porch, balcony, covered patio entrance (electric grills are permitted), exit, or any other private area of an apartment or multi-family dwelling unit.

 (2) Open burning of refuse is prohibited

 (3) Open burning of trees, logs, brush, stumps, leaves, and grass clippings is prohibited.

 (4) Recreational wood-burning for one and two family dwellings:

 a) Shall burn only clean dry wood.

 b) Shall be located at least 15 feet away from the nearest structure.

 c) Shall not be located less than five feet from combustible structures on the same property or on any decks, porches or balconies.

 d) By-products of smoke or embers shall not cause a nuisance to neighbors.

 e) Must be in an approved container with an ember-suppressing lid. (Stone/block fire pits must have a lid or screen.)

 f) The use of flammable liquids and accelerants is prohibited.

 g) Trees, brush, grass, leaves or other material is prohibited.

 h) Must have working garden hose stretched to fireplace or proper fire extinguisher within 10 feet.

B. Temporary fireworks stamps and tents.

 (1) All retail sales or display of consumer fireworks within a stand, tent and/or open air means will be prohibited on any lot, street, private or public block and lot in the limits of the Borough of Clementon. All retail sales of consumer fireworks shall be in buildings which shall adhere to the current codes in effect for the IFC, IBC, Local Ordinance, amendments and supplements.

 **SECTION 10.** Chapter 134, Sections 12 through 20 are renumbered as Sections 13 through 21, of the Code of the Borough of Clementon.

 **SECTION 11.** Chapter 134, Section 14, of the Code of the Borough of Clementon is deleted in its entirety and replaced as follows:

**§ 134-14. Design.**

A. Each fire lane shall be constructed pursuant to N.J.A.C. 5:70-3, 503.1 and have an unobstructed width of not less than 20 feet, exclusive of shoulders except for approved security gates in accordance with Section 503.6 IFC and an unobstructed vertical clearance of not less than 13 feet 6 inches, which shall be paved, graveled or constructed of an appropriate stable base with grass or sod topping. The required inside turning radius of a fire apparatus access road shall be a minimum of 25 feet. Dead-end fire apparatus access roads in excess of 150 feet (45720 mm) in length shall be provided with an approved area for turning around fire apparatus.Construction of the fire lane can be combined with a pedestrian path if appropriately located and constructed. All fire lanes shall be visually designated. In the event that a stable base with grass or sod topping is used in order to have the fire lane blend with the landscaping, their location shall be shown by appropriate shrubbery or other designation. When determining the type of construction which is appropriate for the fire lane, consideration shall be given to the aesthetics of the site. The grade of the fire apparatus access road shall be within the limits established by the fire code official based on the fire department's apparatus.

B. “No Parking Fire Lane” marking of the street, driveway, access road.

(1) The size of each letter is to be as follows:

 (a) Each letter shall be of the upper case or capitalized version.

 (b) Each letter is to be painted in block type.

 c) Each letter shall be not less than 24 inches in height.

 (d) Brush stroke of each letter shall be 4 inches.

 (e) Color of paint shall be yellow and shall be traffic marking paint.

 (f) The line which is to run parallel with the curb line at a distance of three (3) feet from said curb shall be of at least four (4) inches in width and no greater than six (6) inches.

 (g) This line shall begin at the farthest point of the “Fire Lane” and continue along said “lane” and terminate at the other farthest most point of the said “Fire Lane.” There shall be no breaks in this line. It shall be one continuous line until its termination. Again – This is to be yellow traffic marking paint.

C. “No Parking Fire Lane” sign posting.

 (1) “No Parking Fire Lane” signs shall be posted in conspicuous locations along the said “Fire Lane.” The signs shall be visible to persons who attempt to park in the “Fire Lane.”

D. Location of “No Parking Lane” signs:

 (1) The sign shall be posted either on existing posts or pillars along the front of the store at the curb line.

 (2) The sign shall be placed at the beginning of the “Fire Lane” and also at the termination of the “Fire Lane”.

 (3) Additional signs shall be placed within this zone.

 (4) The signs shall be posted with a distance no greater than 35 feet between each sign.

 (5) The height of the signs shall be no less than six feet and no greater than eight feet in height beginning from the curb or sidewalk to the uppermost edge of the sign. It is realized by the Bureau that modifications or changes may be required in the specifications pertaining to location of signs. Modifications are at the sole discretion of the Fire Official.

E. Construction of “No Parking Fire Lane” signs.

(1) The dimensions of the signs shall be 12 inches in width by 18 inches in height.

 (2) The signs shall contain Red Lettering on a white background which shall be printed or painted on a metal sign or sign approved by the Fire Official. The sign shall state “NO PARKING FIRE LANE/ZONE,” Borough Code Chapter 134-18A.

(3) In the event that there exists no posts or pillars along the front of the store or complex at the curb line, then suitable posts shall be installed so as to be permanent. The Bureau in keeping in mind the aesthetics of the building, shall leave the posts design or material up to the owner, with the exception that it shall be approved by the Fire Official

F. Marking of Fire Hydrant locations.

(1) The curb in front of or nearest to the fire hydrant shall be painted with yellow traffic marking paint.

 (2) The curb shall be painted to the extent of 10 feet in either direction of the actual fire hydrant.

 (3) In the event that a fire hydrant is located in an area where within the 10 feet requirements there exists a vehicle parking spot, that parking spot shall be deleted, and that parking spot shall fall under the specification required for “Fire Lane,” and all fire lane requirements shall be met with the exception of:

(a) Marking of spot: Instead of the usual white paint used to designate parking spots, the lines of the spot in relation to the hydrant shall be yellow traffic marking paint.

 (b) The actual words “No Parking Fire Lane” shall be arranged in a vertical configuration rather than horizontal as in “Fire Lanes”, and painted on the pavement.

 c) This wording shall be able to be read by a person who would attempt to use this spot for parking with the work “No” appearing nearest the curb and the word “Lane” at the entrance to said parking spot.

 (d) Warning signs are not required.

 (e) The curbing shall also be painted with yellow traffic marking paint.

 (f) Lettering of parking spot:

 (1) The letters or lettering required to mark this spot shall be 2 feet in height.

 (2) Brush stroke shall be 4 inches wide.

G. Sprinkler connections.

 The marking of sprinkler connections shall conform to the following specifications:

 (1) The Sprinkler Connections shall be marked with signs and shall conform to specifications set forth as dictated in the section under “Warning Signs”, with the following exceptions:

 (a) The signs must be affixed to the building in close proximity to the sprinkler connections but not to be farther than three (3) feet in any direction from the actual sprinkler connection point.

 (b) “No Parking Fire Lane” restrictions shall apply to this area.

 c) The “No Parking Fire Lane” zone shall be 10 feet in width and eight (8) feet in depth.

 (d) In the event that a parking spot is in this “zone”, it shall be deleted and marked accordingly as set forth in the section pertaining to hydrants and their requirements. It is realized by the Bureau that modifications or changes may be required in the specifications listed. It shall be at the sole discretion of the Fire Official.

 **SECTION 12.** Chapter 134, redesignated Section 18A, entitled “Enforcement,” is deleted in its entirety and replaced as follows:

A. No unauthorized vehicles shall be allowed to park, stand or stop in any fire lane, nor shall any person in any manner obstruct any fire lane. Any violation of this section shall be subject to a fine not to exceed $500 for each separate offense or by imprisonment of not more than 90 days, or both. “Unauthorized vehicle” shall be interpreted to mean a vehicle other than an emergency vehicle, as well as such other vehicles as may be designated by the Fire Official as being authorized.

 First Offense - $25.00

 Second Offense - $100.00

 Third Offense - $250.00

 Fourth Offense - $500.00

 **SECTION 13.** Chapter 134, Section 18, is amended and supplemented by the addition of a new Section 18E, as follows:

E. The Fire Official may prepare a form of municipal summons or a notice of violations, and said summons or notice of violations shall be issued to all offenders by personally serving the same upon any offender, or, if the offender is not attendant to the vehicle, the Fire Official shall leave the notice under the windshield wiper or otherwise attached to the vehicle in a manner reasonably calculated to ensure that the offender receives notice upon his or her return to the vehicle.

 **SECTION 14.** All ordinances or parts of ordinances which are inconsistent with the provisions hereof, are, to the extent of such inconsistencies, hereby repealed.

 **SECTION 15.** This Ordinance shall take effect upon final passage, adoption, and publication in the manner prescribed by law.

Attest: BOROUGH OF CLEMENTON

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Jenai L. Johnson, Clerk Thomas Weaver, Mayor