

TOWNSHIP OF WESTAMPTON

AN ORDINANCE OF THE TOWNSHIP OF WESTAMPTON AMENDING AND SUPPLEMENTING WESTAMPTON TOWNSHIP CODE CHAPTER 128 ENTITLED FIRE PREVENTION.

ORDINANCE 4-2024

WHEREAS, the Westampton Township Bureau of Fire Prevention is the local enforcing agency of the Uniform Fire Safety Act and the New Jersey Uniform Fire Code (“Uniform Fire Code”) pursuant to Westampton Township Code Chapter 128 Fire Prevention (“Westampton Fire Code”);

WHEREAS, the Westampton Fire Code was last updated in 2016; and

WHEREAS, there have been numerous changes in the Uniform Fire Safety Act, Uniform Fire Code; construction, and general fire prevention techniques, that require the Westampton Fire Code to be updated; and

WHEREAS, the Westampton Fire Chief recommends the Westampton Township Fire Code be updated as set forth herein.

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Westampton in the County of Burlington, State of New Jersey that the Westampton Township Code shall be amended as follows (Proposed new text denoted in ***bold, italic and underline***, and text proposed to be deleted denoted with **~~bold and strikethrough~~**):

SECTION I: AMEND. Chapter 128, Article I Enforcement of Uniform Fire Safety Act, §128-1 titled “Local Enforcement” is hereby amended and supplemented to read as follows:

Pursuant to Section 11 of the Uniform Fire Safety Act¹ (P.L. 1983, c. 383), the New Jersey Uniform Fire Code shall be locally enforced in the Township of Westampton. Local enforcement will continue within the Township of Westampton, and the Township shall cause there to be effectuated all inspections necessary pursuant to the Uniform Fire Code and, specifically, the Township hereby mandates inspection of all residential dwellings, either on sale, resale, rental or rereal, for appropriate smoke ~~detectors~~ ***alarms*** pursuant to law and appropriate carbon monoxide ~~detectors~~ ***alarms*** as required by law. It shall be the responsibility of the buyer of residential property to ensure the inspection prior to transfer of title. It shall be the responsibility of the landlord in the event of rental or rereal.

SECTION II: AMEND. Chapter 128, Article I Enforcement of Uniform Fire Safety Act, §128-3 titled “Duties of enforcing agency” is hereby amended and supplemented to read as follows:

The local enforcing 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 Township of Westampton, other than owner-occupied one- and two-family

dwellings, and shall comply with the requirements of the Uniform Fire Safety Act, and the Uniform Fire Code, including the International Fire Code ~~2006~~2015, New Jersey Edition, and subsequent updates as published.

SECTION III: AMEND. Chapter 128, Article I Enforcement of Uniform Fire Safety Act, §128-8 titled “Additional required inspection fees” is hereby amended and supplemented to read as follows:

A. In addition to the inspection and fees required pursuant to the Uniform Fire Code and the regulations of the Department of Community Affairs, the following additional inspections and fees shall be required:

(1) All assembly (A), business (B), factory (F), mercantile (M), storage (S) and utility (U) occupancies as defined by the Uniform Construction Code, and which are not considered life hazards by the Uniform Fire Code, shall be inspected every year. The yearly fee shall be as follows:

Area

Type	(square feet)	Fee
1	0 to 1,500	\$72 <u>100</u>
2	1,501 to 2,499	\$102 <u>150</u>
3	2,500 to 3,499	\$138 <u>200</u>
4	3,500 to 4,999	\$180 <u>250</u>
5	5,000 to 7,499	\$252 <u>300</u>
6	7,500 to 9,999	\$312 <u>400</u>
7	10,000 to 14,999	\$420 <u>500</u>
8	15,000 to 24,999	\$480 <u>600</u>
9	25,000 or more <u>to 50,000</u>	\$540 <u>800</u>
10	<u>50,000 or more</u>	\$1000
<u>11*</u>	N/A	\$100 each building
<u>12**</u>	<u>N/A</u>	<u>\$10 per dwelling unit per inspection</u>

*NOTE: Type ~~10~~11 shall be apartment and/or condominium buildings.

****NOTE: Type 12 shall be cyclical inspections and enforcement of the Uniform Fire Code in Hotels and Multiple Dwellings.**

(2) Smoke ~~detector~~Alarm Inspections.

(a) For each residential smoke ~~alarm~~detector/carbon monoxide ~~alarm~~detector/portable fire extinguisher inspection made as required by P.L. 1991, c. 92, and P.L. 1999, c. 15, and for the issuance of a certificate evidencing compliance

with the requirements of the aforesaid statutes, a fee shall be charged to the owner of the premises in the sum of ~~\$6070~~.

- (b) The application for a smoke ~~alarm~~detector /carbon monoxide ~~alarm~~detector/portable fire extinguisher inspection must be made at least **14 fourteen** calendar days prior to the settlement date or the date the certificate of inspection is required. Appointments made within ~~13 or less~~ **four to thirteen** calendar days of the settlement or when the certificate is required will pay a penalty of ~~\$6070~~ in addition to the original fee of ~~\$6070~~, for a total of ~~\$120140~~.
 - (c) The Westampton Bureau of Fire Prevention cannot guarantee that a smoke ~~alarm~~detector /carbon monoxide ~~alarm~~detector/portable fire extinguisher inspection will be completed on time if less than four working days' notice is given. **If less than four days notice is given, a fee of \$165 shall be charged.**
 - (d) Certificates of inspection shall be valid for 90 days from time of inspection. After 90 days a new inspection shall be required.
 - (e) If the first inspection results in failure or the appointment is missed, a reinspection fee of ~~\$2570~~ shall be charged.
 - (f) All smoke ~~detectors~~alarms must be less than 10 years old at time of reinspection.
- (3) **Cyclical inspections and enforcement of Uniform Fire Code in hotels and multiple dwellings. Pursuant to the provisions of N.J.A.C. 5:71-3.6(f), and 3.6(f)(1), the Fire Official is hereby authorized to inspect hotels and multiple dwellings that are not life-hazard uses at a frequency of not less than once every five years as is currently permitted by N.J.A.C. 5:10. The term "hotels" shall mean hotels, motels, rooming houses and boarding homes; the term "multiple dwellings" shall be interpreted to mean building sections containing more than four dwelling units as well as those containing less than four dwelling units, unless: 1) the property is held under a condominium or cooperative form of ownership or by a mutual housing corporation; 2) is in the building that has no occupied dwelling units not occupied by unit owners, if a condominium, or by shareholders, if a cooperative or mutual housing corporation; 3) has at least two exterior walls unattached to any adjoining building section; and 4) is attached to any adjoining building sections exclusively by fire separation walls having a one-and-one-half-hour minimum fire-resistance rating, in the case of buildings constructed prior to January 1, 1977, or as required by the State Uniform Construction Code at the time of construction. The fee shall be \$10 per dwelling unit per inspection in addition to any above listed fees per building.**

SECTION IV: AMEND. Chapter 128, Article I Enforcement of Uniform Fire Safety Act, §128-9 titled "Permits" is hereby amended and supplemented to read as follows:

All permit requirements and fees shall comply with the requirements of the Uniform Fire Safety Act and the Uniform Fire Code. Permit fees shall be as follows:

A. Type 1: \$100.

(1) ~~————~~ **Type 1 Bonfire: \$50**

~~(2) — Type 1 Open Flame: \$50~~

B. Type 2: \$400.

~~(1) — Type 2 Propane Exchange:~~

~~(a) — Seven hundred twenty pounds or less: \$166~~

~~(b) — Seven hundred twenty one pounds to 2,500 pounds: \$350~~

C. Type 3: \$600.

D. Type 4: \$800.

E. Type 5: \$1000

SECTION V: AMEND. Chapter 128, Article I Enforcement of Uniform Fire Safety Act, §128-10 titled “Violations and penalties” is hereby amended and supplemented to read as follows:

A failure by any person as set forth in § 128-1 to obtain a smoke ~~detector~~alarm/carbon monoxide ~~detector~~alarm or fire extinguisher inspection shall result in process being served upon such person to appear in the Westampton Township Municipal Court. Upon conviction, any person found guilty of violation of § 128-1 shall be subject to a fine of \$500.

SECTION VI: AMEND. Chapter 128, Article IV General Provisions §128-26 titled “Fire Lanes” is hereby amended and supplemented to read as follows:

A. ...

B. Concurrent jurisdiction. The Township of Westampton Police Department shall have concurrent jurisdiction with the Westampton Township ~~Emergency Services~~ Bureau of Fire Prevention to enforce the provisions of this article.

....

K. Enforcement. This chapter 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 Westampton Township ~~Emergency Services~~ Bureau of Fire Prevention or the appropriate local enforcement agencies. Personnel enforcing these provisions shall be either uniformed or carry appropriate identification.

L. Violations and penalties.

(1) ...

(2) All persons pleading guilty in Municipal Court or convicted of violating this chapter shall be fined a maximum of ~~\$50~~100 per violation for passenger vehicles and ~~\$100~~250 per violation for commercial vehicles and equipment, plus court costs. All fines and court costs shall be payable to the Municipal Court. All fines assessed as a result of summonses issued shall be paid thereafter to the Westampton Township ~~Emergency Services~~ Bureau of Fire Prevention by the Court Clerk. All court costs

shall be paid thereafter to the Court.

SECTION VII: AMEND. Chapter 128, Article IV General Provisions §128-27 titled “Fire Department connections” is hereby amended and supplemented to read as follows:

All newly constructed buildings equipped with an automatic fire suppression system or standpipe shall conform to the following requirements for the Fire Department connection (F.D.C.) in addition to those specified in the New Jersey Uniform Fire Code:

- A. ~~Thirty degree elbow installed downward position. Five-inch-diameter connection utilizing Storz-type connections AND;~~
- B. Dual two and one half-inch Siamese connection utilizing the National Standard Thread (NST)

...

SECTION VIII. AMEND. Chapter 128, Article IV General Provisions §128-29 titled “Fire Department obstructions” is hereby amended and supplemented to read as follows:

- A. ...
- B. ...
- C. ...
- D. Street closings. Prior to the closing of any street, notification shall be made to the Westampton Township ~~Emergency Services~~ Bureau of Fire Prevention and the Westampton Township Police Department. Such notice shall include why the street is to be closed, when the street is to be closed, and how long such closing shall last. Notification shall also be made upon the reopening of the street.
- E. ...
- F. ...
- G. Penalty. Any person, firm, or corporation found guilty in the Municipal Court of the Township of Westampton of a violation of the terms of this section shall be subject to a fine of not more than \$1,000 or imprisonment for a period not exceeding 90 days, or both, in the discretion of the Municipal Court Judge. Any fines collected shall be forwarded to the Westampton Township ~~Emergency Services~~ Bureau of Fire Prevention.

SECTION IX. AMEND. Chapter 128, Article IV General Provisions §128-30 titled “Building evacuations” is hereby amended and supplemented to read as follows:

It shall be a violation of this section for any person, manager, firm, corporation, owner, tenant, or person responsible for a given structure or premises, to fail to immediately notify the Westampton Township ~~Emergency Services~~ Bureau of Fire Prevention and immediately evacuate the entire structure when, and if, the following conditions are present: a fire alarm is activated, there is smoke in the structure, an explosion has occurred, there is a fire in the structure, any fire protection system is activated, any hazardous or flammable material is spilled or leaked, upon the order of the Fire/EMS Chief, Fire Official, or Incident Commander.

SECTION X. AMEND. Chapter 128, Article IV General Provisions §128-31 titled “Fire watch” is hereby amended and supplemented to read as follows:

- A. ...
- B. ...
- C. ...
- D. ...
 - (1) ...
 - (2) A fire watch is directed by the Westampton Township ~~Emergency Services~~ Bureau of Fire Prevention or is requested by the building owner, tenant, or lessee; public and private events where 100 people or more are in attendance; events where with the approval of the Fire Official or his assigned designee the posted occupancy load is exceeded; all other situations deemed necessary by the Fire Official or his assigned designee.
 - (3) All fire watch services ordered for the benefit/protection of private property shall be paid at the rate of \$45 per hour per person, and there shall be a minimum payment of four hours per worker plus an administration fee of 15% applied for the individual and the vehicle used. Additionally, there will be a fee of \$250 per hour for the use of each Township fire apparatus. All payments shall be paid to the Westampton Township ~~Emergency Services~~ Bureau of Fire Prevention within 10 days after the service is provided. No volunteer firefighter shall be paid for any fire watch under this article.
- E. Fire watches shall be performed by active employees of the Westampton Township ~~Emergency Services~~ Bureau of Fire Prevention. Any qualified individuals used for the purposes of a fire watch shall report directly to the Fire Official or his/her assigned designee.
- F. Any building otherwise subject to this ordinance can opt out of a fire watch by submitting proof to the Fire Department that the building is covered by a private security watch or other comparable substitute for a fire watch at the discretion of the Fire Official. A "fire watch" log as provided by the Westampton Township ~~Emergency Services~~ Bureau of Fire Prevention in this instance must be maintained and forwarded to the Fire Official immediately upon restoration of the affected systems in order to allow for the completion of said fire watch.
- G. Failure for property owner or designated property representative to establish, maintain, or properly document a fire watch when requested by the Westampton Township ~~Emergency Services~~ Bureau of Fire Prevention will result in an assessed penalty not to exceed \$500 per day for every day the condition exists.

SECTION XI: AMEND. Chapter 128, Article IV General Provisions §128-32 titled “Fire alarms and reporting” is hereby amended and supplemented to read as follows:

- A. ...
- 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 Westampton Township

~~Emergency Services~~ and/or its Bureau of Fire Prevention the activation of any fire protection system or device or to fail to report the occurrence of any fire, any attempted arson, or the spill or leakage of any flammable or combustible liquid or gas or of any hazardous material immediately upon gaining such knowledge.

SECTION XII: AMEND. Chapter 128, Article IV General Provisions §128-33 titled "File information requests and certificates of code compliance" is hereby amended and supplemented to read as follows:

- A. A fee of \$25 shall be required for all requests for fire investigation reports. All other file information requests shall be charged at the photocopy rate of \$0.75 per page. A fee of ~~\$1025~~ shall be required for all requests for fire investigation photos.
- B. The cost for the issuance of a certificate of Fire Code status shall be ~~\$4550~~.

SECTION XIII: AMEND. Chapter 128, Article IV General Provisions §128-41 titled "Prohibited acts; violations and penalties" is hereby amended and supplemented to read as follows:

- A. Prohibited acts. It shall be a violation of this chapter for any person, firm or corporation to:
 - (1) Obstruct, hinder, delay or interfere by force or otherwise with the Westampton Township ~~Emergency Services~~ Bureau of Fire Prevention in the exercise of any power or the discharge of any function or duty under the provisions of the chapter.
 - (2) ...
 - (3) ...
 - (4) Refuse or fail to comply with a lawful ruling, action, order or notice of the Westampton Township ~~Emergency Services~~ Bureau of Fire Prevention.
 - (5) ...
 - (6) ...

...

SECTION XIV: AMEND. Chapter 128, Article IV General Provisions §128-42 titled "Large Gatherings" is hereby amended and supplemented to read as follows:

- A. ...
- B. Notice of large gatherings. It shall be required for any responsible party involved in any gatherings at which over 100 attendees are anticipated within the Township of Westampton, whether inside a structure or outside, to make advanced notification to the Westampton Township and the Westampton Township ~~Emergency Services~~ Bureau of Fire Prevention and Police Department. The Fire/EMS Chief shall determine whether or not an emergency ambulance will be required to provide

"standby" services for the duration of the event with fees for such a service not to exceed \$100 per hour and payable by the responsible party.

SECTION XV: ADD. Chapter 128, Article IV General Provisions §128-44 titled "Parapet Wall Identification" is hereby added to read as follows:

Parapet walls present collapse and fall hazards to firefighters, and their dangers are well known to the fire service community; and the Westampton Township Fire Official has requested that all buildings built with parapet walls be marked with a placard indicating their height above the roofline to provide for the safety of their fire suppression members.

- A. *Definitions. For the purpose of this article, certain words and phrases are defined as follows:*

PARAPET WALL

The part of a wall entirely above the roofline or a barrier, which is an extension of the roof, terrace, balcony or other structure.

ROOFLINE

The roofline shall be that portion of the roof structure or truss which sits or is affixed to the outside bearing wall.

- B. *General regulations.*

1. *All buildings constructed with walls that extend above the level of the roof line or roof deck shall be marked with a rectangular placard that indicates the height of the highest parapet wall on the building.*

2. *Said placard shall be affixed on the front side of the building that contains the parapet wall, preferably the top-left corner. The design of the placard shall be as determined by the Fire Official.*

3. *The placard shall consist of a blue rectangle with white reflective letters and numbers. These letters and numbers will indicate the wall height above the roof deck.*

- C. *Compliance Schedule. All existing buildings shall comply with this article within 12 months of its effective date. All newly constructed buildings or structures, not yet occupied and/or currently under construction, shall comply immediately.*

SECTION XVI: ADD. Chapter 128, Article IV General Provisions §128-45 titled "Supply Hose Distance Identification Markers" is hereby added to read as follows:

All buildings including new and existing shall be marked with a placard indicating the distance to a predetermined area of the property in order to expedite and correctly identify proper large diameter hose lay placement at the discretion of the Westampton Township Fire Official and the Westampton Township Fire Chief. This placard will display a measured distance starting point for the fire apparatus to begin laying hose in order to ensure a properly

secured water supply and expedite water being applied to the fire. Such signs shall be property of the Fire Department and their removal shall be prohibited.

SECTION XVII: ADD. Chapter 128, Article IV General Provisions §128-46 titled “Damaged Electric/Hybrid Vehicle Storage.” is hereby added to read as follows:

Electric/Hybrid vehicle fires involving the battery can take several months to prevent reignition. Damaged vehicles including those that were on fire are not to be stored inside of a structure or within 50 feet of any structure, vehicle, property line, or combustibles. A concrete enclosure as approved by the Fire Chief or Fire Official shall be considered to have met this requirement.

SECTION XVIII: ADD. Chapter 128, Article IV General Provisions §128-47 titled “False Fire Alarms.” is hereby added to read as follows:

If, within a calendar year, the Westampton Township Emergency Services responds to three false fire or medical alarms at the same address, the owner or manager of the property shall be assessed a fee of \$250.00 for each and every subsequent false alarm response during the remainder of the calendar year. False fire or medical alarms caused by failure to properly maintain an alarm system, or by negligence on the part of the property owner, manager, agents or contractors may be assessed per occurrence.

SECTION XIX: ADD. Chapter 128, Article IV General Provisions §128-48 titled “Construction Activities” is hereby added to read as follows:

- A. The term "Construction Activities" as used in this section shall refer to those activities which require a permit under the Uniform Construction Code N.J.A.C. 5:23. All construction requiring a construction permit under the Uniform Construction Code shall also comply with the Fire Prevention Code regarding site fire safety.
- B. 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.
 - (1) All combustible refuse, rubbish and debris shall be cleaned up and deposited in the container(s) on a daily basis.
 - (2). Refuse container(s) shall be a minimum of twenty (20') feet away from any building, structure, lot line or combustible material storage location.
- C. 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. When construction activities take place in occupied buildings, special fire safety precautions shall be taken as required by the Fire Official in accordance with the Fire Prevention Code such as a fire watch.

E. Whenever fire protection systems, devices, or alarms are removed from service, the Fire Official is to be notified.

(1).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.

(2). A fire watch shall be posted in all cases deemed necessary by the Fire Official. When the area affected is of a high hazard use, normal operations and occupancy of the area may be required to be suspended by the Fire Official until protection is restored.

F. Temporary all-weather surface access roads, gravel or equivalent material, 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 all storage areas of combustible construction materials as approved by the Construction Official.

(1). Access to said locations shall be within one hundred (100') unobstructed feet at all times.

(2). Every dead-end roadway more than three hundred (300') feet in length shall be provided at the closed end with a temporary turn around approved by the Fire Official.

G. The fire protection water supply system, including hydrants shown on the approved site plan, shall be installed and in service prior to placing combustible materials on the project site or utilizing them in the construction of buildings or structures. A coordinated phased installation of the fire protection water system shall be permitted if phase construction is approved. The coordinated phase installation shall be approved by the fire official, with the following subsections as minimum requirements.

(1).In one and two family dwelling developments, fire hydrant(s) shall be within three hundred (300') feet of combustible construction material and accessible by roadways as required in paragraph f of this subsection.

(2). In multi-family apartments, condominiums, and townhouse development(s), fire hydrants shall be within two hundred fifty (250') feet of combustible construction material and accessible by roadways as required by paragraph f of this subsection.

(3). Industrial, commercial, and business development sites shall be provided with fire hydrants as required by the Fire Official on a case by case basis, taking into consideration the planned construction activities and site design, with the minimum requirement being the installation of any required public water main(s) and/or fire hydrant(s) prior to the introduction of combustible materials to the site.

SECTION XX: ADD. Chapter 128, Article IV General Provisions §128-49 titled “Exterior Identification of Fire Protection Equipment Rooms.” is hereby added to read as follows:

In addition to the illuminated blue light indicating the location of the Fire Department Connection as required by 128-27C, all exterior doors leading to rooms containing fire protection equipment shall be painted red in color with contrasting letters indicating which

equipment is contained inside. For example, all FIRE PUMP ROOMS, FIRE ALARM CONTROL PANEL ROOMS, and FIRE SPRINKLER ROOMS shall have red exterior doors with contrasting signage utilizing the phrases contained in this section.

SECTION XXI. Repealer, Severability and Effective Date.

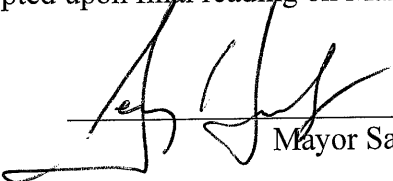
1. Repealer. Any and all other Ordinances inconsistent with the terms of this Ordinance are hereby repealed to the extent of any such inconsistencies.
2. Severability. In the event that any clause, section, paragraph or sentence of this Ordinance is deemed to be invalid or unenforceable for any reason, then the Township Committee hereby declares its intent that the balance of the Ordinance not affected by said invalidity shall remain in full force and effect to the extent that it allows the Township to meet the goals of the Ordinance.
3. Effective Date. This Ordinance shall take effect 20 days after its proper publication after final passage in accordance with the law.

BE IT FURTHER ORDAINED that this Ordinance shall take effect immediately upon final passage and publication as required by law.

Roll Call Vote -Upon Introduction – 02/20/2024						
Committee Member	Introduced	Seconded	Yes	No	Abstain	Absent
Burkley				X		
Carr		X	X			
Mayor Henley			X			
Mungo	X		X			
Wright			X			

Roll Call Vote -Upon Adoption – 03/05/2024						
Committee Member	Introduced	Seconded	Yes	No	Abstain	Absent
Burkley						X
Carr		X	X			
Mayor Henley			X			
Mungo	X		X			
Wright						X

Adopted upon final reading on March 5, 2024.



 Mayor Sandy Henley

Attest



 Wendy Gibson, Township Clerk