



**TOWNSHIP OF WINFIELD – #TO384
UNION COUNTY, STATE OF NEW JERSEY
UNIFORM FIRE CODE ORDINANCE**

An ordinance providing for local enforcement of the New Jersey Uniform Fire Code.

Whereas, the Uniform Fire Safety Act, (PL 1983, c.383) was enacted for the purpose of establishing a system for the enforcement of minimum fire safety standards throughout the State of New Jersey; and

Whereas, the New Jersey Department of Community Affairs has promulgated minimum fire safety standards which have been made part of the Uniform Fire Code (NJAC 5:70.1 et seq.).

Whereas, the Uniform Fire Safety Act authorizes municipalities to provide for local enforcement of these standards and to establish local enforcements agencies for that purpose; and

Whereas, it is in the best interest of the Township of Winfield to have the Uniform Fire Code enforced locally; and

Whereas, the local fire service has agreed to the plan, which is set forth herein, for the administration and enforcement of the Uniform Fire Code.

Now Therefore Be It Ordained by the Township Committee of the Township of Winfield in the County of Union, State of New Jersey as follows:

- Section 1. Local Enforcement - Pursuant to Section 11 of the Uniform Fire Safety Act (PL 1983 c. 383), the New Jersey Uniform Fire Code (NJAC 5:70-1 et seq.) shall be locally enforced in the Township of Winfield.
- Section 2. Agency Designation – The local enforcing agency shall be the Municipal Fire Official.
- Section 3. Duties –
 - A. The local enforcing agency shall enforce the Uniform Fire Code in all buildings. Structures and premises within the established boundaries of the Township of Winfield other than one, two, three and four unit occupied dwellings used exclusively for dwelling purposes and buildings, structures and premises owned or operated by Federal Government, Interstate Agencies or the State.
 - B. The local enforcing agency shall faithfully comply with all the pertinent requirements of the Uniform Fire Safety Act and the Uniform Fire Code.
- Section 4. Organization –
 - A. The Bureau of Fire Prevention shall be under the direct supervision and control of a fire official who shall report to the Township Committee of the Township of Winfield.
 - B. The Bureau of Fire Prevention shall have at least one paid inspector.
- Section 5. Appointments, Qualifications, Term of Office, Removal
 - A. Appointment and Qualifications of the Fire Official.
The fire official shall be certified by the State and appointed by the governing body from a list of three names submitted by the Chief of the Fire Department.
 - B. Appointment and Qualifications of Inspectors and Other Employees.
Inspectors and other employees of the enforcing agency shall be appointed by the governing body upon recommendation of the Fire Official. All life hazard use inspectors shall be certified by the State.
 - C. Appointment of Legal Counsel.
The Municipal Attorney shall serve as legal counsel to assist the agency in enforcing the Uniform Fire Code.
 - D. Term of Office.
The Fire Official shall serve for a term of a minimum of one year. Any vacancy shall be filled for the unexpired term.



- E. Removal from Office.
The Fire Official, inspectors and other employees of the agency shall be subject to removal by the governing body for just cause. Before removal from office, all persons shall be afforded an opportunity to be heard by the governing body or a hearing officer designated by the same.

Section 6. Life Hazard Uses – The enforcing agency established by Section 2 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 the New Jersey Department of Community Affairs.

Section 7. Non Life Hazard Uses (Note 3)
In addition to the registrations required by the Uniform Fire Code, the following non life Hazard uses shall register with the Bureau of Fire Prevention. These uses shall be inspected once per year (or once every two, three, four, or five years) and pay an annual fee. (The fee schedule amount for each non life hazard use may be amended to fit the needs of the local enforcing agency. The fee is not to be used for Life Hazard Uses as defined in the Uniform Fire Code.)

A Assembly

A-1	Eating establishment under 50	\$25
A-2	Take-out food	\$25
A-3	Church or Synagogue	\$25

B Business/Professional

B-1	Professional use 1 & 2 story less than 5,000 sq. ft. per floor	\$25
B-2	1 & 2 story more than 5,000 sq. ft. less than 10,000 sq. ft. per floor	\$50
B-3	1 & 2 story more than 10,000 sq. ft. per floor	\$75
B-4	3 – 5 story less than 5,000 sq. ft.	\$100
B-5	3 - 5 story more than 5,000 sq. ft. less than 10,000 sq. ft. per floor	\$150
B-6	3 – 5 story over 10,000 sq. ft. per floor	\$200

C Retail (mercantile)

M-1	1 & 2 story less than 5,000 sq. ft. per floor	\$125
M-2	1 & 2 story more than 5,000 sq. ft. less than 10,000 sq. ft.	\$150

M with the exception of hardware store 3,000 sq. ft., retail store over 12,000 sq. ft. are life hazard uses.

D Manufacturing (factory)

F-1	1 & 2 story less than 5,000 sq. ft. per floor	\$75
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E Exception life hazard uses

S Storage S-1 (moderate hazard S-1, low hazard S-2)

S-1	1 & 2 story less than 5,000 sq. ft. per floor	\$50
S	exception life hazard uses.	

F Residential (I FA listed with multi-family BHI)

Fee is for each building

R-1	1 to 6 units	\$25
R-2	7 to 12 units	\$50
R-3	13 to 20 units	\$75
R-4	21 to 50 units	\$100
R-5	for each additional unit	\$2



R Common Areas (each building)

- R-1 1 & 2 story less than 5,000 sq. ft. per floor \$50
- R-2 1 & 2 story more than 5,000 sq. ft. less than 10,000 sq. ft. per floor \$75
- R-3 1 & 2 story more than 10,000 sq. ft. \$100
- R-4 3 to 5 story less than 5,000 sq. ft. per floor \$125
- R-5 3 to 5 story more than 5,000 sq. ft. less than 10,000 sq. ft. per floor \$150
- R-6 3 to 5 story over 10,000 sq. ft. \$200
- B. R-A uses shall be inspected and charged a fee only upon sale or change of tenant.
- C. Uses not classified above that are subject to Uniform Fire Code will be classified as business uses.
- D. Uses required to register with the State as life hazard uses shall not be required to register under this section.
- E. At the discretion of the Fire Official, vacant buildings will be charged and inspected according to the previous use of the building.
- F. All residential uses except R-A uses shall be inspected in the common areas only.

Section 8. Permits and Certificate of Fire Code Status (Note 3)

- A. The application fees for the permits listed in NJAC 5:70-2.7(b) shall be as provided by the State regulation and are currently as follows:

Type 1	\$42
Type 2	\$166
Type 3	\$331
Type 4	\$497
- B. The cost for the issuance of a Certificate of Fire Code Status shall be \$35

Section 9. Technical Amendments – “Reserved”

Section 10. Board of Appeals – Pursuant to Sections 15 & 17 of the Uniform Fire Safety Act, any person aggrieved by any action of the local enforcing agency shall have the right to appeal to the local construction board of appeals. (if no such body exists, appeals shall be made to the County Construction Board of Appeals.)

Section 11. Enforcement, Violations, and Penalties – Enforcement, violations and penalties shall be managed in conformity with the Uniform Fire Safety Act, the Uniform Fire Code and all other laws of the State of New Jersey.

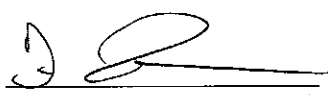
Section 12. Repeals – The following ordinance or portions thereof are hereby repealed:

This ordinance shall be effective upon passage and publication as required by law.



PUBLIC NOTICE

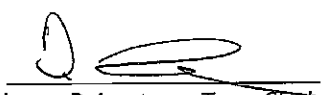
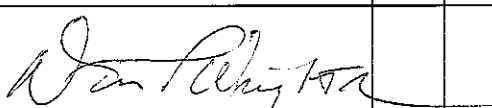
The foregoing ordinance was introduced and approved on first reading at the regular meeting of the Winfield Township Committee held on June 18, 2007 and will be considered for public hearing and final adoption at the regular meeting of the Township Committee to be held on July 16, 2007 at 7:00 PM in the Municipal Building, 12 Gulfstream Avenue, Winfield, NJ.

	MOTIONED	SECONDED	AYES	NAYS	ABSENT	ABSTAIN	<div>I hereby certify that the above Ordinance was introduced by the Township Committee of the Township of Winfield at a meeting held on June 18, 2007.  Laura Reinertsen, Twp. Clerk</div>
MAYOR DAVID P. WRIGHT, SR			✓				
COMM. S. GEORGE LOWREY	✓						
COMM. MARGARET M. McMANUS		✓					

DATE ADOPTED: **July 16, 2007**

PUBLIC NOTICE

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