

AN ORDINANCE

AN ORDINANCE ESTABLISHING RULES AND REGULATIONS FOR THE PREVENTION OF FIRE, PROTECTION OF LIVES AND PROPERTY IN THE TOWNSHIP OF WINFIELD.

BE IT ORDAINED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WINFIELD:

ARTICLE I

SECTION 1. AUTHORITY TO ENTER PREMISES. The chief of the Fire Department or his duly authorized representative may, at all reasonable hours, enter any building or premises as authorized herein for the purpose of making such inspection or inspections required under the provisions of this ordinance as he may deem necessary or advisable, except as restricted herein, in order to prevent fires and to properly protect the lives and property of the residents of the Township of Winfield.

SECTION 2. INSPECTION OF PREMISES. It shall be the responsibility and duty of the Fire Chief, or such other member of the Fire Department as authorized by him, to order the inspection of or to inspect, as often as may be necessary, all buildings, other premises and public thoroughfares, except the interior of private dwellings, apartments, and residences, but including cellars, common entrances, hallways and other common places, for the purpose of determining and ascertaining conditions existing therein or thereat to prevent or correct any fire hazard; or for the purpose of determining what steps should be taken to correct and remedy any conditions liable to cause fire or creating any fire hazard dangerous to persons or property; or to determine whether any violation of the provision, of this ordinance has been or is then occurring so that by such inspections the lives and property of the residents of the Township of Winfield may be properly protected against such fire hazards and as a preventive measure in eliminating the same in order to prevent fires and to save property and lives.

SECTION 3. Whenever by such inspections there shall be found upon any premises or other place, combustible or explosive matter, liquid or materials or the dangerous accumulation of rubbish or unnecessary accumulation of wastepaper, boxes, shavings, or any other flammable materials, and so situated as to endanger property or lives, or liable to cause a fire risk or hazard, dangerous to persons or property, or shall find obstructions to or on

fire escapes, stairs, passageways, doors or windows, liable to interfere with the operation of the fire department or ingress or egress of occupants, in case of fire, he shall order the same to be removed or remedied and shall give a reasonable time for the correction thereof.

SECTION 4. The Fire Chief, or as authorized herein, his representative, upon the complaint of any person or whenever he shall deem it necessary, and at least once in each calendar year, shall inspect all buildings and premises within his jurisdiction. Whenever said officer shall find any building or other structure which, for want of repairs, lack of sufficient fire escapes, automatic or other alarm apparatus or fire extinguishing equipment or by reason of age or dilapidated condition, or from any other cause, is especially liable to fire, and which is so situated as to endanger property or the occupants thereof, and whenever such officer shall find in any building combustible or explosive matter or flammable conditions, or any other kind of fire risk or hazard, dangerous to the safety of such building or the occupants thereof, he shall order such conditions or materials to be removed or remedied, within such reasonable period as he may determine but in any event within five days.

SECTION 5. The service of orders mentioned in Section 3 and 4 may be made upon the owner or occupant of the premises to whom it is directed, either by delivering a copy of the same to such occupant personally, or by delivering the same to any person in charge of the premises or in the event no such person is on the premises, by affixing copy of said order, in a conspicuous place, on the entrance door to the premises and mailing a copy thereof to the owners last known post office address. Such order shall be complied with by the owner or occupant of the premises or building within the time period fixed therein. Such owner or occupant affected by any such order may within forty-eight hours appeal the same to the Township Committee who shall within five days, review such order and make a decision thereon, and unless by its authority the order is revoked or modified, it shall remain in full force and effect and be complied with within the time fixed in said order



or decision of the Fire Chief. The owner or occupant effected shall be notified of the decision reached.

SECTION 6. The Fire Chief shall investigate the cause, origin and circumstances of every fire occurring in the Township by which property has been destroyed or damaged, or in which any person or persons have been injured, and, shall determine whether the fire is the result of carelessness or design. Such investigation shall be begun immediately upon the occurrence of such fire and be conducted by the Fire Chief or his duly authorized representative, and if it appears from such an investigation that the fire is the result of carelessness, design or has any other suspicious origin, he shall take charge immediately of the physical evidence, and shall forthwith notify the proper authorities designated by law to pursue the investigation of such matters, and shall further cooperate with the authorities in the collection of evidence and in any prosecution resulting.

SECTION 7. It shall be the duty of the Fire Chief, to require those in charge in any public, private or parochial school and all other educational institutions to have at least one fire drill each month, and to keep all doors and exits unlocked during school hours.

SECTION 8. The Fire Chief shall keep in the Township Offices, a record of all fires and of all the material facts concerning the same, including statistics as to the extent of such fires and the damage caused thereby, and whether such losses were covered by insurance, and if so, in what amount. All such records shall be public.

SECTION 9. The annual report of the Fire Chief shall be made on or before the first regular meeting in January, of each year, to the Township Committee. It shall contain statements as to all proceedings taken by him under this ordinance with such statistics as the Fire Chief may desire to include therein. The Fire Chief shall also recommend any amendments to this ordinance which, in his judgment, are desirable and such other recommendations as may be for the proper protection of the person and property of the residents of the Township.

SECTION 10. PERMITS The intent of this ordinance is to safeguard and restrict the storage, handling and use of dangerous liquids, other matter or materials to a reasonable degree with respect to injury to persons and destruction of property. The Fire Chief shall maintain a public file of the regulations of the National Board of Fire Underwriters, which shall be deemed as advisory requirements to this ordinance insofar as they can be applied to each particular matter for which a permit is required and as provided in Section 27. Permits shall be for such period as the Fire Chief may designate, but not exceeding one year, except permits covering the installation of oil burners which shall cover such installation and continue in effect until a material change occurs therein or thereto. The permit shall be posted in the premises designated therein and shall be subject to inspection by any authorized member of the fire department.

SECTION 11. All applications for permits shall be made in writing to the Fire Chief or such representative designated by him and shall be in such form and detail as he may require.

SECTION 12. In addition to the general requirements for permits herein, a permit shall be obtained for:

- (a) Storage of calcium carbide in excess of one hundred pounds.
- (b) Storage of hay, straw, excelsior, and other combustible fibers in excess of one ton.
- (c) Storage of corrosive acids in excess of ten gallons of each kind.
- (d) Storage of chlorates or other oxidizing chemicals in excess of ten pounds.
- (e) Storage or handling of pyroxylin plastic in excess of twenty pounds, unless wrapped or packed for sale.
- (f) Use of stationary acetylene generators.
- (g) Use of compressed gas from cylinders in excess of four hundred cubic feet aggregate capacity.
- (h) The application of paint, varnish or laquer by spray method or with dip tanks and ovens.
- (i) Use of refrigeration systems containing ten pounds or more of refrigerant material.



(j) The cleaning or dyeing of clothes or other material with a Class 1 or 2 flammable liquid.

X (k) The installation of or material change in any oil or gas fired heating unit.

Such permits shall be based upon compliance with the regulations of the National Board of Fire Underwriters where applicable.

SECTION 13. Before permits are issued, the Fire Chief shall make or cause to be made, such inspections or tests as are necessary so that the provisions of this ordinance are complied with. The application shall authorize the Fire Chief or his authorized agent, to make such inspections as may be necessary during installation or thereafter as reasonably required.

SECTION 14. The Fire Chief is hereby authorized to revoke any permit whenever in his judgment any violation of this ordinance warrants such revocation, but only after a fair & impartial hearing shall have been accorded the holder of the permit.

SECTION 15. An appeal from any decision of the Fire Chief in refusing to grant a permit, revoking a permit or any other order made by him, may be taken as set forth in Section 5.

SECTION 16. MODIFICATIONS. The Fire Chief shall have power to reasonably modify any provisions of this ordinance upon application in writing by the owner or lessee, or his duly authorized agent, when there are practical difficulties resulting from the strict interpretation of this ordinance, provided that the intent of this ordinance shall be observed, public safety assured, and substantial justice done. The granting or refusal of any modification shall be entered upon the records of the department and the applicant notified of the action taken and a report thereof rendered the Township Committee for its approval.

SECTION 17. Approved devices and materials, as used in this ordinance, is defined as follows:

1. The word "approved" as applied to devices or materials means acceptable to the Fire Chief, by reason of having been tested and examined by him or by some recognized testing laboratory and found to be properly safeguarded against fire hazard.

2. Or as approved by the National Board of Fire Underwriters.

ARTICLE II

REGULATIONS FOR THE INSTALLATION OF OIL BURNING  
EQUIPMENT, TANKS FOR GASOLINE, FUEL OIL OR OTHER  
COMBUSTIBLE LIQUIDS, PUMPS, ETC.

SECTION 16. An Underwriters Approved domestic type oil burner may be supplied by gravity from an exposed tank of 275 gallons maximum capacity, subject to installation as herein provided. All inside tank installations shall be at least 7 feet from the heating unit, unless encased in a fire proof partition.

The following general regulations shall apply to the installation and location in regard to the equipment referred to in this article:

1. No installation shall commence until a permit has been properly obtained as provided herein and location of equipment properly approved by the Fire Chief or his Authorized representative.

2. Sand or soft earth is hereby required under underground tanks. Tanks of 10,000 gallon capacity or larger, as authorized by the Fire Chief or his representative, shall be set on concrete at least six inches thick and the thickness thereof may be varied as required by the size of the tank within the discretion of the persons mentioned.

3. The tank shall not be placed in the ground until the excavation has been properly inspected to determine that the contemplated installation complies with the terms of this ordinance and the other rules and regulations herein referred to.

4. Tanks located in driveways shall be covered by at least three feet of earth and an additional cover of reinforced concrete at least six inches in thickness.

5. Only one 275 gallon exposed tank shall be installed. One fuseable valve shall be installed at the tank and another fuseable valve shall be installed at the burner.

6. All oil piping is to be of galvanized iron, brass or copper and is to be placed under the cellar floor. No piping shall be exposed except as authorized by the Fire Chief or his representative when specified installation may be improper or impossible.

7. Ventilation is required in the approved manner from the boiler room to the outside of the building.



8. Top of tank, except in driveways, must be at least two feet below the surface of the ground and at least five feet away from any building or structure and six feet away from the property line, and at least three feet inside of the sidewalk line. Tanks located in driveways shall be installed to comply with the provisions of this paragraph and any other regulations herein set forth relating thereto.

9. Where water is encountered in any excavation the Fire Chief shall be notified and an accepted method of installation indicated by him.

10. The fill pipe of all tank installations shall terminate between the curb and sidewalk line, unless the fuel truck can with safety drive on the premises without obstructing the street or sidewalk. The fill pipe shall be so constructed and installed that it is not dangerous to the public. Fill pipes which are located in between the curb and sidewalk line shall be so located as indicated by the Fire Chief or his representative and the same shall be installed with due regard for the safety of persons and vehicles.

11. Vent Pipes shall be of galvanized iron only, when available, and of the following size:

- a.  $1\frac{1}{4}$ " - Tanks up to 3,000 Gals.
- b.  $1\frac{1}{2}$ " - Tanks up to 3,001 to 5,000 Gals.
- c. 2" - Tanks up to 5,001 to 10,000 Gals.
- d.  $2\frac{1}{2}$ " - Tanks up to 10,001 to 25,000 Gals.
- e. 3" - Tanks up to 25,001 to 50,000 Gals.
- f. 4" - Tanks up to 50,001 to 100,000 Gals.

12. Ceilings above any oil burning unit for a distance of four feet beyond the sides, back and front of unit shall be properly fire proofed with plaster board, asbestos board, metal, or such other material of a fire proof character as may be approved by the Fire Chief or his representative.

13. Dampers shall be removed from the flue pipe and the heating unit. A remote control switch shall be installed at an outside entrance or at the top of an inside stairway as approved by the Fire Chief or his representative.

14. On all hot air systems an approved hot air control shall be installed; and on hot water systems an approved hot water control shall be installed; and on all steam systems a low water cut-off of approved design or type shall be installed.

15. All wire, wiring, electrical equipment and appliances shall be of an approved type as approved or recommended by the National Board of Fire Underwriters and the installation thereof shall be properly inspected by the representative of said Board.

16. No combustible materials or liquids shall be stored or placed within a distance of ten feet of any furnace, boiler or heating unit.

17. Wherever there is no general or special regulation herein pertaining to any equipment or manner of installation then the rules, regulations and recommendations of the National Board of Fire Underwriters shall apply and all equipment and the installation thereof shall meet the standards of the same.

SECTION 19. There shall be no change in location, substitution or alteration of any equipment installed under any permit issued hereunder without the prior approval of the Fire Chief or his representative.

### ARTICLE III

#### FIRE EXITS

SECTION 20. No person shall at any time place an encumbrance upon or otherwise block any fire escape, balcony or ladder intended as a means of escape from fire. It shall be the duty of each member of the police and fire departments discovering any fire hazard, fire escapes or other escape equipment encumbered, in any manner to forthwith report the same through his department to the Fire Chief and the said Chief shall immediately notify the owner, occupant or person in charge to remove such encumbrance or correct the condition existing within the time period herein set forth.

SECTION 21. It shall be unlawful for any person to place, store or keep, or permit to be placed, stored or kept on, under or at bottom of any stairway, inside or outside, elevator or other shaft in any building, any combustible or inflammable materials, fluids or compounds to be placed or stored or kept in any place where ignition or burning would obstruct or render hazardous the ingress or egress



of any building or create a fire hazard.

SECTION 22. No obstruction shall be permitted to entrance ways, exits or in hallways of tenement houses or apartment houses.

SECTION 23. All doors, aisles and passageways within and leading into or out of theatres, churches and all other places of public assemblage shall be kept free from easels, signs, standards, campstools, chairs, sofas, benches and any article or thing that might obstruct or delay the exit of the audience, congregation or assemblage during the period of any show, performance, service, exhibition, lecture, concert, ball or other assemblage therein held, and it shall be unlawful for any person to sit or stand or remain seated or standing or to allow any other person to so remain in any such place of public assemblage in any aisle under any circumstances or in any exit, or passage required for the safe exit of the assemblage in case of emergency. Clear passages from all exits and on the sidewalk adjacent thereto must at all times be maintained outside of all theatres and other places of public assemblage. No aisle, passageway or stairway in any store shall be obstructed with tables, show cases or any other obstructions during the hours said store is open to the public.

ARTICLE IV.  
GENERAL PROVISIONS

SECTION 24. Permits required under the provisions of this ordinance, as approved by the Fire Chief, shall be secured from the Township Offices and any person, firm or corporation securing such permit shall pay to the Township of Winfield, through such person as may from time to time be designated by the Township Committee, a permit fee of Six (\$6.00) Dollars for each permit issued. In the issuance of permits for the storage and use of flammable liquids incidental to the operation of oil burners only one permit shall be secured which shall continue in full force and effect until there is a material change in or incidental to such installation. All other permits shall be effective for a period of one year unless sooner revoked as herein provided. All fees collected under the provisions of this ordinance shall be the property of the Township of Winfield and at least once in each month the person authorized

to issue such permits by the Township Committee shall turn over the funds received to the Treasurer of the Township for proper deposit in the Township funds.

SECTION 25. It shall be the duty of the Fire Chief to keep accurate records concerning all applications made for permits hereunder and regarding the issuance of such permits and any action taken thereon.

SECTION 26. PENALTIES FOR VIOLATION. Any person, firm or corporation who shall violate any provision of this ordinance or fail to comply with the same, or who shall violate or fail to comply with any order or regulation lawfully made hereunder, or who shall build, erect or install any building or equipment in violation of the provisions of this ordinance shall for each and every violation and non-compliance pay a fine not exceeding the sum of Fifty (\$50.00) Dollars or be imprisoned for a period of not exceeding sixty days or both such fine and imprisonment within the discretion of the court having jurisdiction of the complaint. The imposition of a fine or imprisonment for a violation of this ordinance shall not excuse the violation or permit it to continue, but such violation shall be remedied within a reasonable period of time as fixed by the Chief of the Fire Department and each five days that such violation is permitted to exist shall constitute a separate offense hereunder. The application of the fine or imprisonment or both shall not be held to prevent the enforced removal of the conditions resulting in the violation by any other legal action taken by the proper officials of the Township of Winfield.

SECTION 27. Wherever any condition, installation or other circumstances relating to the prevention of fires and the protection of property is not properly covered by the provisions of this ordinance then the Rules and Regulations of the National Board of Fire Underwriters, on record in the Fire Department, shall govern and control insofar as said Rules and Regulations can be reasonably applied to conditions existing within the Township of Winfield and said Rules and Regulations shall be applied and permits issued thereunder as is more specifically set forth in Section 10 of Article 1 by the Fire Chief. In any case where a permit is issued not specifically covered by the foregoing provisions of this ordinance the fee



to be charged therefor shall be the sum of Six (\$6.00) Dollars.

SECTION 28. The Fire Chief may in his discretion designate a proper person or persons in the Fire Department of the Township of Winfield from time to time to carry out any of the administrative duties herein indicated to be performed by him under the provisions of this ordinance, however, the delegation of such duties to such person or persons shall not relieve the Fire Chief as head of the Department concerned of his responsibility hereunder and he shall give the necessary personal supervision at all times to see that provisions of this ordinance are properly complied with and that the lives and property of the residents of the Township of Winfield are properly protected.

SECTION 29. So that the proper inspections may be made as required under the provisions of this ordinance the Fire Chief is hereby authorized to make or to designate a member of his Department to make the necessary inspections and in addition thereto request such inspections as may be necessary to be made by the plumbing inspector of the Township of Winfield. The member of the Fire Department making such inspection or inspections shall be entitled to receive, in payment of all services rendered in that regard for the inspection or inspections required, one-third ( $1/3$ ) of the license fee paid to the Township of Winfield as herein provided and the plumbing inspector when authorized by the Fire Chief to make any inspection or inspections shall be entitled for services rendered in that regard to one-third ( $1/3$ ) of the license fee referred to. The payment of these services in the amount indicated shall be made by presentation of the proper voucher to the Township Committee for its approval. The payment of services rendered, in regard to the inspections mentioned, shall only relate to those inspections required upon the installation of oil burners or tanks as provided hereunder and it is not intended that the Township shall pay or become liable to pay for any other services rendered by the Fire Chief or his authorized agent hereunder.

SECTION 30. VALIDITY. If any section, part of a section or paragraph of this Ordinance is declared invalid or unconstitutional, it shall not invalidate or impair the validity, force or effect of any other section, part of a section or para-

graph of this Ordinance.

SECTION 31. CONFLICTING ORDINANCES REPEALED. All Ordinances and parts of Ordinances inconsistent herewith are repealed.

SECTION 32. This Ordinance shall take effect immediately upon final passage and publication according to law.

Joseph L. Wright  
Chairman, Township Committee  
Joseph L. Wright

Motioned by Russell A. Young  
Russell A. Young

Seconded by Joseph A. Orsini  
Joseph A. Orsini

Dated : December 10, 1951

NOTICE

The foregoing ordinance was introduced and approved on first reading at a regular meeting of the Township Committee on December 10, 1951, at the Municipal Offices, 12 Gulfstream Avenue, Winfield, N.J. and was adopted on final reading at a special meeting of the Township Committee on December 28, 1951.

David Rees  
David Rees - Township Clerk