

ORDINANCE NO. 2022-06

TOWNSHIP OF GREEN, COUNTY OF SUSSEX, STATE OF NJ

**AN ORDINANCE REVISING THE GREEN TOWNSHIP CODE, SECTION 8-41,
CONCERNING FIRE PREVENTION, INSPECTIONS AND ASSOCIATED FEES, AND
SECTION 12-1, UNIFORM FIRE SAFETY ACT ENFORCING AGENCY**

WHEREAS, the Township of Green has reviewed its ordinances in connection with the assumption of the Uniform Fire Safety Act by the Sussex County Fire Marshal, pursuant to a shared services agreement; and

WHEREAS, it has been determined that certain revisions to the Green Township Code regarding fire prevention services and fees are required,

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Committee of the Township of Green, Sussex County, New Jersey, as follows:

SECTION 1.

Section 8-41, Fire Protection and Prevention Fees, shall be deleted in its entirety and replaced as follows:

§ 8-41 FIRE PREVENTION, INSPECTIONS AND ASSOCIATED FEES, §12-1

Periodic inspections of life hazard and non-life hazard uses that are required by the Uniform Fire Code on behalf of the Commissioner of the New Jersey Department of Community Affairs shall be completed by the Sussex County Fire Marshal.

Fees, including annual registration fees and annual inspection fees, including non-life hazard uses and certificates of smoke alarm, carbon monoxide alarm and portable fire extinguisher compliance, shall be assessed in accordance with the Uniform Fire Code and as established by the Sussex County Fire Marshal, per a shared services agreement.

SECTION 2.

Chapter 12, Fire Protection and Prevention, Sections 12-1.1 through 12-1.9, Uniform Fire Safety Act Enforcing Agency, shall be deleted and replaced as follows:

Chapter 12 Fire Prevention and Key Lock Box

Section 12-1 Uniform Fire Safety Act Enforcing Agency

12-1.1. Enforcement

Pursuant to the Uniform Fire Safety Act (N.J.S.A. 52:27D-192, et seq.) the New Jersey Uniform Fire Code (N.J.A.C. 5:70-1.1, et seq.) shall be locally enforced in the Township of Green, with the Sussex County Fire Marshal providing enforcement.

12-1.2. 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 Green, other than one and two unit owner-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.

12-1.3. Certificate of smoke alarm, carbon monoxide alarm and portable fire extinguisher compliance

- a. Certificate of compliance is required. Every property owner in the Township of Green of a building or structure of Use Group R-3 and R-4, as defined by the Uniform Fire Code (which includes attached and detached townhouses, one- and two-family dwellings, and mixed-use buildings with two or less residential units) must obtain a certificate of smoke alarm, carbon monoxide alarm and portable fire extinguisher compliance ("certificate of compliance") prior to a change in occupancy or ownership due to sale, resale, rental or re-rental. In each situation in which a property owner is required to obtain a certificate of occupancy, as required by the Uniform Construction Code, a certificate of compliance shall not be required in addition to the certificate of occupancy.
- b. Inspection. Every property owner requiring a certificate of compliance shall i) request an inspection by the County of Sussex on the designated form; ii) pay the required inspection fee; iii) provide entry to the dwelling or dwelling unit and any assistance as may be required by the inspector. The Sussex County Fire Marshal shall conduct the inspection upon receipt of the inspection request and payment of the fee. If the inspection reveals compliance with the smoke alarm, carbon monoxide alarm and portable fire extinguisher requirements as set forth in N.J.A.C. 5:70-4.19, or its successor regulation, and the requirement for a portable fire extinguisher as required by N.J.S.A. 52:27D-198.1 et seq., or its successor statute, then the property owner shall be issued a certificate of compliance.
- c. Fee. The fee for such inspections, as established by the shared services agreement with the County of Sussex, shall accompany all applications for inspections and certificates of compliance.

12-1.4 Violations and penalties.

For violations of this section, penalties shall be provided as set forth in law and the requirements of N.J.S.A. 52:27D-198.3. For each and every violation

of the requirements, a property owner who has refused to abate such violation within five days after written notice shall have been served upon him, either by certified mail or personal service, shall be subject to a fine of not more than \$1,000 per violation, per day. Each and every day that such violation continues after such notices shall be considered a separate and specific violation of this section.

SECTION 3 - SEVERABILITY

If any provision of this Ordinance or the application of this Ordinance to any person or circumstances is held invalid, the remainder of this Ordinance shall not be affected and shall remain in full force and effect.

SECTION 4 - REPEALER

All ordinances or parts of ordinances or resolutions that are inconsistent or in opposition to the provisions of this Ordinance are hereby repealed in their entirety.

SECTION 5: EFFECTIVE DATE

This Ordinance shall take effect on July 1, 2022, upon adoption and publication in accordance with law.

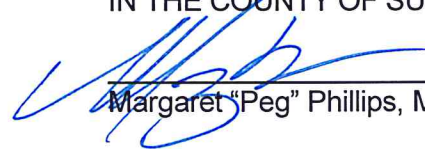
NOTICE

The above-entitled Ordinance was introduced and passed at first reading by the Green Township Committee at a meeting held on April 4, 2022, and after publication and a public hearing was finally adopted by the Green Township Committee at a meeting held on May 16, 2022.

ATTEST:

TOWNSHIP OF GREEN,
IN THE COUNTY OF SUSSEX


Mark Zschack, RMC, Township Clerk


Margaret "Peg" Phillips, Mayor

Record of Vote - Introduction:

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
Mr. Chirip			√			
Mr. DeYoung			√			
Mr. Qarmout	√		√			
Mrs. Raffay		√	√			
Mayor Phillips			√			

Record of Vote - Adoption:

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
Mr. Chirip						√
Mr. DeYoung			√			
Mr. Qarmout	√		√			
Mrs. Raffay		√	√			
Mayor Phillips			√			

INTRODUCED: May 2, 2022
ADOPTED: May 16, 2022

ADVERTISED: May 6, 2022
ADVERTISED: May 20, 2022