

**BOROUGH OF WOODLAND PARK
COUNTY OF PASSAIC, STATE OF NEW JERSEY**

ORDINANCE NO. 12-08

**AN ORDINANCE AMENDING THE CHAPTER REGARDING “FIRE PREVENTION
CODE” OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF
WOODLAND PARK**

BE IT ORDAINED, by the Borough Council of the Borough of Woodland Park, in the County of Passaic and state of New Jersey as follows:

I. AUTHORITY

Through this ordinance and all previous ordinances, the Fire Prevention Code of this municipality shall consist of the “New Jersey Uniform Fire Code”, adopted February 18, 1985, and is hereby incorporated in this Chapter, as if set forth herein and again at length. Required copies of the New Jersey Uniform Fire Code have been placed on file in the Office of the Borough Clerk and in the Fire Bureau and shall remain in said offices so long as this Chapter is in effect, for use and examination by the public.

In addition, the Fire Code Official shall also rely upon the BOCA Basic/National Fire Prevention Code 1996, including all subsequent revisions and amendments thereto, as modified by **N.J.A.C.** 5:70-3.2, which shall be locally enforced in the Borough of Woodland Park.

II. PURPOSE

THE PURPOSE OF THIS ORDINANCE IS TO REGULATE FIRE INSPECTIONS IN ORDER TO PROTECT THE PUBLIC HEALTH, SAFETY AND WELFARE, IN THE BOROUGH OF WOODLAND PARK.

III. DEFINITIONS

For purposes of this Chapter, the following words shall have the definitions as set forth hereinafter:

(a) Local Enforcing Agency - The Bureau of Fire Prevention established pursuant to this and previous ordinances.

(b) Fire Official – A person certified by the Commissioner of the Department of Community Affairs and appointed or designated to direct the enforcement of the Code by the appointing authority. This term shall also include “Fire Marshal” where the Fire Official has been appointed pursuant to **N.J.A.C.** 5:71-32.

(c) Fire Inspector – Person working under the direction of the Fire Official who is certified by the Commissioner of the Department of Community Affairs and appointed or designated to enforce the Code by the appointing authority of a local enforcing agency.

IV. REPORTS AND RECOMMENDATIONS

A report of the Bureau shall be made monthly and transmitted to the Mayor and Council. It shall contain all proceedings under the Code, with such statistics as the Fire Official may wish to include, and which may be required pursuant to the Fire Code.

V. ADDITIONAL REQUIRED INSPECTIONS AND FEES

(a) The Borough hereby adopts the Fee Schedule established in the New Jersey Uniform Fire Code, for regular and additional inspections, as set forth in N.J.A.C. 5:70-2.9(c). Therefore, the Borough’s fees for the following permits will be consistent with the fees that are charged and allowed by the New Jersey Uniform Fire Code:

- Type 1: \$55.00
- Type 2: \$200.00
- Type 3: \$400.00
- Type 4: \$550.00

(b) The Borough of Woodland Park also adopts through this Ordinance, the Fee Schedule established in the New Jersey Uniform Fire Code for Smoke Detector/Carbon Monoxide Certificates, pursuant to N.J.A.C. 5:70-2.9(d), as follows:

- (i) Requests for a CSDCMAC received more than ten (10) business days prior to the change of occupant, will be Fifty (\$50.00) Dollars per inspection;
- (ii) Requests for a CSDCMAC received four (4) to ten (10) business days prior to the change of occupant, will be charged a fee of One Hundred (\$100.00) Dollars;
- (iii) Requests for a CSDCMAC received fewer than four (4) business days prior to the change of occupant, will be charged a fee of One Hundred Fifty (\$150.00) Dollars.

The authority for adopting the New Jersey Uniform Fire Code, has been established in N.J.A.C. 5:70-2.9(f).

VI. PENALTIES

Any person, who shall violate any of the provisions of this Code, shall be fined in accordance with the penalty schedule that is present in the New Jersey Uniform Fire Code, at 5:70-2.12(b), et. seq.

The minimum penalty for any act or omission in violation of the Act or Code that is not enumerated in this subsection shall be \$5,000 per violation per day. Except as specified in N.J.A.C. 5:70-3 or 4, where a violator shall be subject to a penalty of \$500.00 per violation per day.

VII. VIOLATIONS FOR FAILURE TO OBTAIN A PERMIT

Failure to obtain a required permit prior to commencing the operation, process or activity for which a permit was required, can expose the liable party to a fine that is double the amount of the applicable permit fee. See: New Jersey Uniform Fire Code, 5:70-2.12(b)(7).

In addition, failure to obtain a required permit after being ordered to do so while continuing the operation, process or activity, can expose the liable party to a maximum fine of \$5,000.00 per day during which the operation, process, or activity continues.

The application of the above penalty provision(s) shall not be held to prevent the enforced removal of prohibited conditions, and/or criminal charges that may be advanced by the proper authorities.

VIII. INCONSISTENCIES

If any part of this Ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portion(s) of the Ordinance. This Ordinance is hereby approved by the Mayor and council of the Borough of Woodland Park on this date of May 16, 2012.

Introduced: May 2, 2012

Adopted: May 16, 2012