MASON, GRIFFIN & PIERSON

A PROFESSIONAL CORPORATION
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MEMORANDUM

To: Mayor and Council of Princeton
via e-mail & hand-delivery

From: Edwin W. Schmierer, Esq.
Princeton Attorney

Date: April 4, 2013

Re: **Proposed Fire Safety Ordinance**

Fire Official William Drake has prepared a unified Fire Safety/Fire Prevention Ordinance for Princeton. He has reviewed Chapter 14 of the Princeton Borough Code and Chapter 8 of the Princeton Township Code which have remained in effect as we work on creating a unified new Code for Princeton. Mr. Drake has prepared a summary of those changes which is attached. Until the new Princeton Code is adopted, the changes recommended by Mr. Drake will technically amend existing Chapter 14 of the Princeton Borough Code and replace the current provisions in that Code and similar provisions in Chapter 8 of the Princeton Township Code.

I attach, therefore, a proposed Ordinance which would implement these fire prevention/fire safety changes. We would appreciate your considering this Ordinance for introduction at your meeting on April 8, 2013.

EWS:jv
attachs.
cc: Robert W. Bruschi, Administrator (w/attachs.) - *via e-mail*
Kathy Monzo, Assistant Administrator (w/attachs.) - *via e-mail*
Linda S. McDermott, Clerk (w/attachs.) - *via e-mail*
Robert V. Kiser, P.E., Princeton Engineer (w/attachs.) - *via e-mail*
William Drake, Fire Official (w/attachs.) - *via e-mail*

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Bureau of Fire Safety
& Housing Inspection
William S. Drake, Fire Official
P.O. Box 390, 1 Monument Drive
Princeton, NJ 08542
609-497-7646
www.princetonnj.gov

MEMORANDUM

TO: Mayor & Council

FROM: William S. Drake, Fire Official

DATE: April 1, 2013

RE: Princeton Fire Safety Ordinances – Summary of Modifications

The Princeton Fire Safety Code ordinance has been submitted for your consideration as part of the municipal consolidation process. As you may be aware, fire safety code enforcement became a shared service on July 1, 2011, eighteen months ahead of the municipal consolidation. Our operations have been fully consolidated since that time, with the exception of ordinance modifications to equalize requirements between the two former municipalities.

The primary purpose of the ordinance is to permit local enforcement of the New Jersey Uniform Fire Code, on behalf of the Commissioner of the NJ Department of Community Affairs, and to set fees for certain types of inspections and issuance of fire safety permits (some inspection fees are set by state regulation and are not local options). Additionally, the ordinance establishes certain "local technical amendments" to the NJ Fire Code regulations, as well as other local requirements not otherwise included in the NJ Uniform Fire Code regulations (such as fire alarm system registration and fire lane enforcement). Except for fire lane enforcement and fire alarm registration ordinances, all other portions of the ordinance are required to comply with the NJ Uniform Fire Code statutes and regulations (N.J.S.A. 52:27D-192 *et. seq.* and N.J.A.C. 5:70-1.1 *et. seq.*).

Article I of the proposed ordinance contains local regulations not otherwise included in the NJ Uniform Fire Code, and includes regulations pertaining to the registration/operation of fire alarm systems, establishment of fire lanes on private property and municipal enforcement of same, and

response to fire alarm system activations on residential properties. The entire contents of Article I, with the exception of one change to fire alarm registration/operation discussed below, has been incorporated from the previous "Borough" ordinance.

Article II of the proposed ordinance contains "boiler plate" requirements necessary to establish local enforcement of the NJ Uniform Fire Code, establishes fees for certain types of inspections and the issuance fire safety permits. Article II also includes local technical amendments to the requirements of the NJ Uniform Fire Code as allowed by N.J.A.C. 5:71-2.8. With a few exceptions, the previous "Township" and "Borough" ordinances were similar.

Other than those changes outlined in the "Major Policy Changes" below, no new regulations or fees are proposed beyond those which existed in one municipality or the other prior to consolidation. The remaining changes are restricted to removing references to the two former municipalities, clarifications, and updates to terminology.

I. Major Policy Changes

The proposed new fire safety ordinance for the consolidated Princeton contains certain policy changes necessary to accomplish the municipal goal of performing fire safety inspections on behalf of the Commissioner of the NJ Department of Community Affairs, and to ensure the safety of our residents, visitors, firefighters, and the public generally. None of the proposed changes to the ordinance establish a new policy that was not otherwise in effect prior to the municipal consolidation; where there were differences in policy between the former "Township" and "Borough", or where one municipality had a policy and the other did not, I selected one of the previous municipalities policy over the other, as outlined below:

1. Multiple Family Dwelling Fire Inspections

Prior to municipal consolidation, the Bureau of Fire Safety & Housing Inspection conducted fire safety inspections in all areas (dwelling units, common hallways & basements, etc.) of multiple family dwellings in the "Borough", once every twenty-four months. This type of inspection is optional under the requirements of the NJ Uniform Fire Code (N.J.A.C. 5:71-3.6(f) *et. seq.*) in conjunction with the NJ Regulations for Maintenance of Hotels and Multiple Family Dwellings (N.J.A.C. 5:10-1.12(e) *et. seq.*). The former "Township" fire prevention bureau did not elect this enforcement option, and inspections of multiple family dwellings were limited to annual inspections of only those multiple family dwelling buildings that contain interior common areas, such as common interior hallways and basements, but did not include individual dwelling units.

The new consolidated ordinance specifies that, in keeping with the former "Township" requirements, only multiple family dwellings in the consolidated municipality having interior common areas will be inspected, and those inspections will be conducted on an annual basis. This represents a change only for multiple

family dwellings in the former "Borough", and in conjunction with the proposed changes to the rental housing ordinance is proposed as a means to maintain staffing at current levels.

2. Fees for Multiple Family Dwelling Inspections

The former "Borough" fire safety ordinance included a sliding scale fee for the inspection of multiple family dwellings, based on the number of residential dwelling units included in the entire building, since the fire inspection included all areas of the building (common hallways, common basements, as well as each individual dwelling unit). The fee was paid upon completion of the bi-annual inspection. The former "Township" fire safety ordinance was based on the square footage of that section of each multiple family building constituting the common areas (common hallways, common stairways, common basements, etc.) and this fee was paid to the municipality on an annual basis. As was discussed earlier, the proposed new ordinance establishes a yearly inspection of the common areas only (not the dwelling units), as was performed in the former "Township". According to our records, there are approximately 204 multiple family buildings housing approximately 1,496 dwelling units in the former "Borough", most of which contain interior common areas. The majority of these types of buildings in the "Borough" tends to be older buildings (pre-WWII), originally constructed as one- or two-family dwellings and renovated for use as multiple family dwellings. As such, they tend to have multiple interior common hallways and stairways which are not connected, as well as separate basements and therefore have multiple "chargeable" areas. On the other hand, according to our records there are 14 buildings housing 164 units in the former "Township" that have interior common areas ("chargeable areas"). The multiple family dwellings in the former "Township" appear mainly to be modern, purpose-built multiple family dwellings, which have contiguous interior common areas and common basements.

In order to avoid the confusion that may be created by having multiple "chargeable" areas in the buildings and avoid disputes over what constitutes "chargeable" areas for buildings in the former "Borough", the new ordinance proposes that multiple family dwellings which have interior common areas, and are therefore required to be inspected annually, be charged a per dwelling unit fee, as was the case in the former "Borough". However, I am proposing to eliminate the sliding scale fee in favor of a flat rate fee of $30.00 per dwelling unit, with a maximum total inspection fee of $500 per building. I believe that this fee will best represent the actual costs of providing the annual inspection and create less confusion for building owners, since those building owners in the former "Borough" are already used to paying a fee per dwelling unit and these buildings constitute the majority of the required annual inspections.

3. Certificate of Smoke Detector/Carbon Monoxide Alarms/Kitchen Fire Extinguisher Compliance Inspections/Requirements

The NJ Uniform Fire Code requires that a "Certificate of Smoke Detector/Carbon Monoxide Alarm/Kitchen Fire Extinguisher Compliance" be issued to every one- and two-family dwelling which experiences a change in occupancy, usually due to sale/resale (N.J.A.C. 5:70-2.3 *et. seq.*). Furthermore, the NJ Uniform Fire Code leaves it up to an individual municipality as to whether to accept a self-certification by the owner of the dwelling or to require an inspection prior to the issuance of the required certificate. Prior to the municipal consolidation, the former "Borough" accepted the self-certification by homeowners as proof of compliance (but established an inspection fee if the homeowner chose to have the home inspected), but the former "Township" mandated inspections by the fire prevention bureau (no self-certification allowed). Furthermore, the former "Township" established inspection and reinspection fees, exempted certain affordable housing units from a portion of the fees, and established "technical requirements" including, among other things the types of equipment allowed (smoke detectors, carbon monoxide detectors) and the location of the equipment. Although the requirement for this type of inspection and the establishment of inspection fees is allowed by the NJ Uniform Fire Code, the technical requirements are not allowed, as they conflict with the requirements contained both the NJ Uniform Fire Code and the NJ Uniform Construction Code.

Based on this, the proposed new ordinance establishes that inspections of one- and two-family dwellings are required prior to the issuance of the required certificate and establishes an inspection/reinspection fee, as was previously required in the former "Township". However, the technical requirements included in the former "Township" ordinance have been removed and replaced by reference to the technical requirements established in the NJ Uniform Fire Code.

4. Local Technical Amendments

The "Local Technical Amendments" allowed by the NJ Uniform Fire Code proposed in the new fire safety ordinance fall into two categories, local permit requirements and technical amendments:

Local Permits: The former "Township" and "Borough" each had adopted similar local permit requirements with minor differences. The former "Borough" requirements are included in the proposed ordinance, as they are slightly less onerous. Some activities which previously required a local permit under either the "Township"

ordinance or "Borough" ordinance are no longer required (use of multi-purpose rooms, mobile food vendors, fire hydrant use) as our experience indicates that the benefits of these provisions have been found to be negligible.

Technical Amendments: The former "Borough" ordinance included technical amendments related to fire hydrant markings, exterior storage, street obstruction, storage of flammable/hazardous materials, and smoke detectors and dwelling unit doors in multiple family dwellings. These requirements were primarily included due to some of the unique characteristics and limitations of the downtown/central business district. The proposed ordinance carries over these requirements, as they are expected to generally have no effect on properties in the former "Township".

5. Fire Alarm Registration/Enforcement Requirements

Prior to municipal consolidation, each municipality established by ordinance a program whereby the owners of fire alarm and burglar alarm systems were required to register with the municipality, pay an annual registration fee, take corrective actions when one or more a false alarms occurred, and pay a fee or penalty when more than one false alarm occurs within a one year period. In the former "Borough" the program for burglar and fire alarm registration and enforcement was contained in the fire safety ordinance and was implemented by the Bureau of Fire Safety and Housing Inspection. In the former "Township", the same program was included in the police ordinance and was implemented by the Police Department. After consultation with Nick Sutter, Captain of the consolidated Police Department, it was decided that, for the consolidated municipality, fire alarm system registration/enforcement would remain with the Bureau of Fire Safety and Housing Inspection and burglar alarm system registration/enforcement would remain with the Police Department. The new fire safety ordinance concerning fire alarm system registration/enforcement reflects the previous "Borough" ordinance requirements, with the exception that all references and fees pertaining to burglar alarm systems have been removed.

I believe that the combined fire safety ordinance will accomplish our municipality's goal of providing fire inspection services and protecting the safety and health of our residents, visitors, volunteer firefighters and the public generally. The combined ordinance preserves the best features of the two former municipal ordinances without providing new or onerous requirements that did not exist prior to consolidation, while allowing the Bureau of Fire Safety and Housing Inspection the ability to accomplish our goals without increasing our staffing requirements.

AN ORDINANCE BY PRINCETON CONCERNING FIRE PREVENTION AND AMENDING THE "CODE OF THE BOROUGH OF PRINCETON, NEW JERSEY, 1974" AND THE "CODE OF THE TOWNSHIP OF PRINCETON, NEW JERSEY, 1968".

WHEREAS, the Borough of Princeton and Township of Princeton pursuant to the provisions of the New Jersey Municipal Consolidation Act, N.J.S.A. 40:43-66.35 consolidated as Princeton on January 1, 2013; and

WHEREAS, pursuant to *N.J.S.A.* 40:43-66.64, the Princeton Council on January 1, 2013 adopted a Resolution continuing in effect Ordinances of the former Borough of Princeton and the former Township of Princeton as a new Code for Princeton is prepared; and

WHEREAS, the Princeton Fire Official has reviewed and consolidated portions of Chapter14 of the "Code of the Borough of Princeton, New Jersey, 1974" and portions of Chapter 8 of the "Code of the Township of Princeton, New Jersey, 1968" as they pertain to fire prevention for Prevention; and

WHEREAS, the Princeton Council wishes to adopt said Code revisions which will become a part of the new Princeton Code at a future date.

NOW, THEREFORE, BE IT ORDAINED by the Princeton Council as follows:

1. Sections 14-1 through 14-19 of the "Code of the Borough of Princeton, New Jersey, 1974" and Section 8-1 through 8-5.1.7.2 of the "Code of the Township of Princeton, New Jersey, 1968" are hereby repealed.

2. Revisions to Chapter 14, Articles I–II of the "Code of the Borough of Princeton, New Jersey, 1974" as set forth on Exhibit A attached hereto and made a part hereof are hereby adopted to set forth the fire prevention regulations for Princeton and to replace the aforementioned sections of

the "Code of the Borough of Princeton, New Jersey, 1974" and the "Code of the Township of Princeton, New Jersey, 1968".

3. The provisions of the attached Chapter 14, Articles I-II shall be applicable within Princeton upon final adoption and shall become a part of the new Princeton Code once completed and adopted.

Linda S. McDermott, Clerk

Liz Lempert, Mayor

Ordinance Introduced: January 14, 2013

Ordinance Adopted:

Article I. In General.

Sec. 14-1. Nuisance fire alarms – Purpose.

In recognition of the severe impact that false fire alarm system activations, fire alarm system malfunctions, and nuisance fire alarm system activations have on the resources of Princeton, including the Princeton fire department, the Princeton police department, and the Princeton Bureau of Fire Safety & Housing Inspection, the intent of this section shall be as follows:

(a) To reduce the number of false fire alarm system activations; and

(b) To register all fire alarm systems within Princeton for the purpose of maintaining information deemed necessary for assisting the emergency services of Princeton while responding to fire alarm system activations; and

(c) To provide administrative fees to:

(1) Defray the cost of registering fire alarm system users/owners, and

(2) Defray the cost of responding to false fire alarm system activations and fire alarm system malfunctions, including those costs associated with reporting and follow-up by the staff of the Bureau of Fire Safety & Housing Inspection in reducing the number of repeat activations; and

(d) To encourage proper maintenance of fire alarm systems and take necessary steps to prevent the occurrence and recurrence of false fire alarm activations; and

(e) To encourage owners of buildings to take precautions during construction and/or renovation operations so as not to create nuisance fire alarm activations.

Sec. 14-1.1. Scope.

(a) Scope. The provisions of this section shall apply to any person who installs, has installed, operates, maintains or owns any alarm system designed to summon the fire department or other municipal agencies to any location in response to a fire or smoke condition, and/or simultaneously alert the occupants of the building.

(b) Definitions.

(1) Alarm device. Any type of alarm-activating equipment which provides warning of fire or smoke or carbon monoxide to the occupants of a building and/or to the emergency services of Princeton.

(2) Alarm system. A fire alarm system shall mean the following systems:

a. Where one or more alarm devices are connected to an alarm panel which is monitored for the purposes of notifying the emergency services of Princeton that a fire emergency exists.

b. Where one or more alarm devices in a commercial building or in the common areas of a multi-family building are interconnected, regardless of whether the system is connected to an alarm panel or is monitored for the purpose of notifying the emergency services of Princeton that a fire emergency exists.

(3) Responsible parties. This section shall apply to the following persons, firm, partnership, association, corporation, or company of any kind:

a. The owner of any building who installs a fire alarm system therein, whether the system is owned or leased; and

b. Any tenant who installs a fire alarm system, whether the system is owned or leased.

(4) False alarm. An alarm signal produced by a fire alarm system as defined in this section eliciting a response by police or firefighters or other public officials when, in the determination of the fire official, a situation requiring response by police or firefighters or other public officials does not in fact exist, including but not limited to fire alarm system malfunctions or when the cause of a fire alarm system activation cannot readily be determined. The fire official shall provide written notice of false alarm to the system user.

(5) Nuisance alarm activation. A fire alarm signal eliciting a response by police or firefighters or other public officials, where the fire official has determined such fire alarm signal is a false alarm as defined in this section, and in the determination of the fire official reasonable precautions were not taken by the alarm user so as not to cause a false alarm, shall be considered a nuisance alarm activation. This shall include fire alarm system activations determined by the fire official to have been caused by construction activities, whether undertaken by the alarm user or the contractor(s) employed thereby or on behalf thereof, which caused dust or smoke to be created, fire alarm system activations caused or created by smoke generation machines utilized for the purposes of entertainment or amusement, or fire alarm system activations caused by fire alarm device or system testing of any type undertaken on behalf of the alarm user.

(c) Registration of alarm systems. No person shall operate or maintain any fire alarm system unless the fire alarm system is registered with the fire official of Princeton on an annual basis. The fire alarm system registration or renewal thereof shall be accompanied by a fire alarm registration fee as determined by this section. A fire

alarm system shall be deemed registered at such time as a registration form supplied by the fire official is completed as to all information requested therein and returned to the fire official with the required annual fee. Among the information to be provided on the registration form is the following:

(1) The name, address, telephone number of the owner of the property upon which the alarm system is installed;

(2) A list of names, addresses and telephone numbers of the person(s) to be contacted in the event of an alarm or other emergency situation, when the building or area in which a fire alarm system is installed is not occupied or the alarm user is not available, or in the case of commercial use, is closed for business at the time of a fire alarm system activation.

(3) The names, addresses and telephone numbers of the person or company, if any, responsible for maintaining the alarm device or system.

(4) The names, addresses and telephone numbers of the person or company monitoring the alarm device or system, if any.

(5) A description of the alarm system and the areas of the building or buildings covered by the alarm device or system.

(6) If following the annual registration or renewal of the registration there is any material change in the information previously submitted with respect to any alarm device or system, it shall be the duty of the user of the alarm device or system, within ten days of such material change, to file a supplemental or revised registration containing accurate, current information.

(7) Upon the sale or resale of any property containing a fire alarm device or system, the new owner(s) of said property shall file a revised registration within ninety days of occupying said property

(d) Fees.

(1) The annual fire alarm system registration shall be as follows:

a. Each fire alarm user shall pay an annual alarm registration fee of fifty dollars.

b. Where a fire alarm system owned or operated by a fire alarm system user has experienced two false fire alarm system activations in the twelve months prior to renewal of the annual fire alarm system registration, the registration fee shall be one hundred thirty-five dollars. Every additional false alarm system activation within the same twelve month period shall require the additional

renewal fee of one hundred dollars for each false fire alarm activation.

(2) Administrative inspection fee.

a. The responsible party shall pay an administrative inspection fee of fifty dollars to the general fund of Princeton for each fire alarm system activation determined by the fire official to constitute a nuisance alarm activation, including those caused by construction activities, whether undertaken by the responsible party or contractor(s) employed by or on their behalf as well as fire alarm system activations created or caused by smoke generation machines utilized for the purposes of entertainment or amusement , or fire alarm system activations caused by fire alarm device or system testing of any type undertaken on behalf of the alarm user within ten business days of having been given written notice of such activation. This fee shall be in addition to the registration fee and any additional renewal fees.

(e) General provisions regarding operation of alarm system.

(1) No person shall install, cause to be installed, a fire alarm device or system which automatically selects a telephone line dedicated to the police department or fire department for the purpose of playing a recorded message to report any emergency.

(2) Police, fire, or other public agencies or officials shall not be responsible in any way for the resetting or maintenance of any alarm device or system.

(3) Within twenty-four hours of written notice of a false fire alarm system activation, any person owning or possessing a fire alarm device or system shall have such device or system tested by an alarm service company to determine the cause of said false fire alarm activation, and shall file a report with the fire official of Princeton within four business days of receiving written notice of the false fire alarm. The service report shall detail the cause of the alarm, deficiencies in the alarm device or system which caused or will cause false alarms, if any, and corrective action taken to ensure the alarm device or system is in proper working order.

(4) The owner or user of an alarm device or system shall be responsible for notifying the Princeton police department prior to commencing testing or repairs to any fire alarm device or system which may elicit an emergency response.

(f) Enforcement and appeal.

(1) Failure to register. Any person who fails to register or annually renew said registration, where required by the provisions of this section, after having been given written notice to do so, shall be subject to the penalties as provided in section 1-6 of this Code. Repeat offenders as that term is defined in section 1-6 shall be subject to the penalties set forth in section 1-6.

(2) Failure to pay administration fee. Any responsible party who fails to pay the administrative inspection fee in connection with a nuisance alarm activation, where required by the provisions of this section, after having received written notice to do so, shall be subject to the penalties as provided in section 1-6 of this Code. Repeat offenders as that term is defined in section 1-6 shall be subject to the penalties set forth in section 1-6.

(3) Intentional transmission of false alarm. Any person who intentionally causes the transmission of a false alarm shall be in violation of this section and subject to penalties as provided in section 1-6. Repeat offenders as that term is defined in section 1-6 shall be subject to the penalties set forth in section 1-6.

(4) Failure to test fire alarm system or device. Any responsible party who fails to have the fire alarm system or device tested within twenty-four hours of receiving written notice of a false fire alarm or who fails to provide a copy of a service report to the fire official within four business days of receiving written notice of a false fire alarm, as required by this section, shall be subject to the penalties as provided in section 1-6. Repeat offenders as that term is defined in section 1-6 shall be subject to the penalties as set forth in section 1-6.

(g) Exceptions. The provisions of this section shall not apply to the following:

(1) To any alarm system installed on property occupied by any municipality, county, state, or federal government agency or office.

(2) The installation of battery operated smoke and/or carbon monoxide detectors, single station smoke and/or carbon monoxide detectors operated by 120 VAC, or a system of single station smoke and/or carbon monoxide detectors operated by 120VAC or batteries and interconnected in such manner that the activation of one or more detectors causes the activation of one or more other detectors, and where installed in or throughout a single dwelling unit, such as in a one- or two-family dwelling for the purposes of alerting only the occupants of the dwelling unit where installed and which is not monitored by a person or company for the purposes of notifying the emergency services of Princeton shall be exempt from the requirements of this section.

(3) Any building or use owned or operated by an educational institution and which has an on-site security force that responds to fire alarm activations in such building or use.

(h) Liberal construction. To the extent necessary the contents of this section shall be construed liberally so as to meet the goal of preventing false fire alarm system activations and nuisance fire alarm system activations, and providing for the registration of fire alarm systems to assist the emergency services and other public officials while responding to such false fire alarm system and nuisance fire alarm system activations.

(i) Severability. If any section, division, clause or provision of this section shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision so adjudged and the remainder of this section shall be deemed valid and effective.

(j) Repealer. All ordinances or sections thereof in conflict with this section are hereby repealed.

(k) Effective date. This section shall become effective following passage and publication according to law.

Sec. 14-2. Reserved.

Sec. 14-3. Fire lanes – Designation and notification.

(a) Designation. Fire lanes on private property shall be designated in writing by the fire official of Princeton in accordance with the provisions of the Uniform Fire Code N.J.A.C. 5:70-1.1 et seq., as may be amended from time to time.

(b) Markings.

(1) Signs – The owner of any property upon which fire lanes are designated in accordance with the requirements of this article shall install signs at intervals of one for every one hundred linear feet of fire lane or part thereof, or as otherwise approved by the fire official. Signs shall have a white reflective background and be provided with red lettering which reads "No Parking – Fire Lane". Such signs shall measure twelve inches by eighteen inches or as approved by the fire official.

(2) Striping - The owner of any property upon which fire lanes are designated in accordance with the requirements of this article shall install striping as described herein for all fire lanes on improved areas provided as any portion of a fire lane. Fire lanes shall be provided with yellow lines four inches in width along their entire circumference. The fire lane shall

further be provided with diagonal striping, yellow in color and having a minimum width of four inches, spaced at intervals of five feet.

(3) Size – Fire lanes for vehicle access shall be a minimum of twelve feet in width, or as otherwise recommended by the fire official. Fire lanes for egress of occupants only shall be required to be the width of the exit way served.

(c) Notification. Once a fire lane on private property has been designated by the fire official in accordance with the requirements of the Uniform Fire Code N.J.A.C. 5:70-1.1 et seq., as may be amended from time to time and properly marked by the property owner, the fire official shall notify the police department and municipal clerk in writing of the existence and location of such designated fire lane.

Sec. 14-4. Fire lanes – Enforcement.

The police department of Princeton and the Bureau of Fire Safety & Housing Inspection of Princeton shall have concurrent jurisdiction in the enforcement of this chapter.

Sec. 14-5. Fire lanes – Parking, standing and obstruction prohibited; removal of same.

(a) No person, firm or corporation shall park, or otherwise leave unattended any vehicle nor place any obstruction in or upon any fire lane at any time.

(b) The fire official or the chief of police of Princeton shall have the authority to remove or have removed such obstructions or vehicles as may violate section 14-5(a) at the expense of the owner of the vehicle or property causing such obstruction.

Sec. 14-6. Response to central station monitoring fire alarm systems on residential properties.

(a) Purpose. The purpose of this section is to reduce unnecessary dispatch of the Princeton fire department in response to calls from companies maintaining central station fire alarm systems in residential property also thereby alleviating an unnecessary drain on the personnel, time and equipment of the Princeton fire department.

(b) Scope. The provisions of this section shall apply to any residential homeowner who installs, operates, maintains, or owns any fire alarm system through a central station monitoring company by which the monitoring company contacts the fire department or other municipal agencies in response to an activation of the alarm system.

(c) Initial response by police. In the event of a notification by a central station monitoring company to Princeton emergency services of the activation of an alarm system, the Princeton police shall be dispatched. Should the police determine that the alarm system was triggered by fire or smoke, or some other condition requiring response by the Princeton fire department, the police department shall so notify the fire department.

Sec. 14-7.—14.10. Reserved.

Article II. Fire Prevention Code

Sec. 14-11. Reserved.

Sec. 14-11.1. Local enforcement of New Jersey Uniform Fire Code.

Pursuant to section 11 of the Uniform Fire Safety Act (P.L. 1983, c. 383), the New Jersey Uniform Fire Code shall be locally enforced in Princeton.

Sec. 14-11.2. Creation of the Bureau of Fire Safety and Housing Inspection.

The local enforcing agency required by N.J.S.A. 52:27D-192, et seq. "Uniform Fire Safety Act" shall be the Bureau of Fire Safety and Housing Inspection which is hereby created.

Sec. 14-11.3. Duties of the Bureau of Fire Safety and Housing Inspection.

The Bureau of Fire Safety & Housing Inspection shall enforce the Uniform Fire Code, N.J.A.C. 5:70-1.1 et seq., pursuant to the Uniform Fire Safety Act, N.J.S.A. 52:27D-192, et seq., and the codes and regulations adopted under it in all buildings, structures, and premises within the established boundaries of Princeton, other than owner-occupied one and two family dwellings and buildings owned or operated by the federal government, the State of New Jersey, interstate agencies and any agency or instrumentality thereof, in addition to those duties set forth in Chapter 16 of the ordinances of Princeton. In undertaking said enforcement, the Bureau of Fire Safety and Housing Inspection shall faithfully comply with the requirements of the Uniform Fire Code.

Sec. 14-11.4. Inspection of life hazard uses.

The Bureau of Fire Safety & Housing Inspection herein created shall carry out on behalf

of the commissioner of community affairs the periodic inspection of life hazard uses required by the Uniform Fire Code.

Sec. 14-11.4.1. Inspection of non-life hazard uses.

The Bureau of Fire Safety & Housing Inspection herein created shall hereby inspect all buildings, structures or premises not listed as life hazard uses (referred hereafter as non-life hazard uses), with the exception of owner-occupied detached one and two family dwellings that are used exclusively for residential purposes. Individual dwelling units in multi-family dwellings are also excluded from this inspection program with the exception of the common egress, storage and mechanical areas of such structures. All non-life hazard uses shall be inspected periodically but not less than once every twelve months.

Sec. 14-11.5. Organization of Bureau of Fire Safety and Housing Inspection.

The fire official shall be the chief administrator of the Bureau of Fire Safety and Housing Inspection. The Bureau of Fire Safety and Housing Inspection shall be under the direct supervision and control of the fire official who shall report to the Princeton administrator.

Sec. 14-11.6. Appointment of fire official; term; removal.

(a) Appointment of fire official; term. The Bureau of Fire Safety and Housing Inspection shall be under the immediate supervision of the fire official who shall be appointed by the mayor and council.

(b) Removal of fire official. The fire official shall be subject to removal by the administrator for inefficiency or misconduct. The fire official so removed shall be afforded an opportunity to be heard by the mayor and council or a designated hearing officer.

Sec. 14-11.7. Inspectors and employees; appointment and removal.

Such inspectors as may be necessary in the Bureau of Fire Safety and Housing Inspection shall be appointed by the administrator. Inspectors and other employees of the Bureau of Fire Safety and Housing Inspection shall be subject to removal by the administrator for inefficiency or misconduct. Each inspector or employee to be so removed shall be afforded an opportunity to be heard by the mayor and council or a designated hearing officer.

Sec. 14-11.8. Appeal of order of the Bureau of Fire Safety and Housing Inspection.

Pursuant to sections 15 and 17 of the Uniform Fire Safety Act, any person aggrieved by any order of the Bureau of Fire Safety and Housing Inspection as it relates to the Uniform Fire Code shall have the right to appeal to the Princeton construction board of appeals.

Sec. 14-11.9. Permit fees.

The permit fees shall be those set forth in the Uniform Fire Code, N.J.A.C. 5:71-2.3(b)4

and N.J.A.C. 5:71-2.8(b):

(a) Type I Fire Safety Permit - $100.00

(b) Type II Fire Safety Permit - $200.00

(c) Type III Fire Safety Permit - $350.00

(d) Type IV Fire Safety Permit - $600.00

Sec. 14-11.10. Fees for inspection of uses not classified as life hazard uses and fees for inspection of multiple dwellings.

(a) Owners of businesses or other uses constituting industrial, commercial, educational, professional services and other uses not classified as life hazard uses by the Uniform Fire Code shall pay to Princeton for inspections pursuant to this chapter fees determined by the gross floor area of the use as follows:

Under five hundred square feet	One hundred dollars.
Five hundred square feet to nine hundred ninety-nine square feet	One hundred twenty-five dollars.
One thousand square feet to four thousand nine hundred ninety-nine square feet	Two hundred seventy-five dollars.
Five thousand square feet to ten thousand square feet	Three hundred fifty dollars.
Ten thousand one square feet to twenty thousand square feet	Five hundred twenty dollars.
Twenty thousand one square feet to fifty thousand square feet	Five hundred seventy two dollars
Fifty thousand one square feet to one hundred thousand square feet	Six hundred twenty four dollars*

* An additional seventy five dollars for each fifty thousand square feet or parts thereof above one hundred thousand square feet will be added to cover the expense of performing the fire safety inspection.

One and two story parking decks	Fifty-five dollars per deck
Three or more multiple story parking decks	One hundred ten dollars per deck

(b) Where a multiple family dwelling not classified as a life hazard use by the Uniform Fire Code contains common areas which require inspection in accordance with Sec. 14-11.4.1 of this code, the owners of multi-family dwellings shall pay for said inspections a fee of thirty dollars ($30.00) per dwelling unit for each building requiring inspection, except that no building owner shall be required to pay more than five-hundred dollars ($500.00) per building.

(c) No certificate of smoke detector and carbon monoxide alarm compliance required by N.J.A.C. 5:70-2.3 shall be issued until such time as inspections, and reinspections if required, are conducted by the Bureau of Fire Safety & Housing Inspection to ensure compliance with the requirements for smoke detectors and carbon monoxide alarms in accordance with N.J.A.C. 5:70-2.3 et. seq. The owner of the dwelling unit shall pay a fee of twenty-five dollars for the initial inspection and fifty dollars for each reinspection required to determine compliance with the requirements of N.J.A.C. 5:70-2.3. The inspection fee shall be in addition to the application fee required by N.J.A.C. 5:70-2.9(d).

(1) Exception: Affordable Housing Units as sold through the Princeton Affordable Housing Program shall only be required to pay the application fee required by N.J.A.C. 5:70-2.9(d).

Sec. 14-11.10.1. Registration of non-life hazard uses.

(a) Owners of businesses and/or other uses constituting industrial, commercial, professional services, educational, multi-family residential and other uses not classified as life hazard uses by the Uniform Fire Code and which are required to be inspected herein in accordance with the article and the requirements of the New Jersey Uniform Fire Code shall register annually with the Bureau of Fire Safety and Housing Inspection as provided herein.

(b) The owners of uses required to be registered annually shall do so on forms provided by the Bureau of Fire Safety and Housing Inspection, and shall include, but not limited to, the following information:

(1) The name, address, telephone number of the owner of the property upon or in which the use is located.

(2) The name, home address, and home telephone number of the owner, operator, or registered agent of the use, if different from the owner of the property.

(3) The name, physical location, mailing address, and telephone number of the use or business.

(4) The type of use along with a description of the business of activity being conducted.

(5) The amount of square footage being utilized or occupied by the use or business.

(6) Any further information deemed necessary to identify or classify the use or business, as may be required by the fire official.

(c) It shall be a violation of this article for the owner or operator of a business to fail to return such forms within thirty days of being ordered to do so by the fire official. If the ownership is transferred, whether by sale, assignment, gift, intestate succession , devise, reorganization, receivership, foreclosure or execution process, the new owner or operator shall file a new registration within thirty days of such a transfer.

(d) Waivers. The following businesses and uses shall be exempt from the local permit and inspection fees required herein; however, they shall be required to properly apply for such permits and registrations and comply with all other code requirements:

1. Volunteer fire companies.

2. Volunteer ambulance squads.

3. The municipality of Princeton, its boards and committees and all contractors, subcontractors, agents and employees of the municipality of Princeton, within the performance of their authorized duties.

(e) Failure to Register - A penalty of two hundred fifty dollars shall be assessed for any business or use required to register that fails to register in accordance with the requirements herein.

Sec. 14-11.11. Miscellaneous fees.

(a) Any building application which requests or involves a variance from the requirements of the Uniform Fie Code shall be accompanied by an additional fee in the amount of fifty dollars to cover review and administrative costs relating to the requested variation.

(b) Pursuant to the Uniform Fire Code, N.J.A.C. 5:70-1.1 et seq., as may be amended from time to time, upon the request of the owner or bona fide purchaser of a building or structure, the fire official shall issue a certificate either enumerating the violations indicated by its records to be abated and the penalties or fees indicated to be unpaid or stating its records indicate that no violations remain unabated and no penalties or fees remain unpaid. Such request shall be in writing and accompanied by a fee of thirty-five dollars.

A person who purchases a property without having obtained a certificate stating

that there are no unabated violations of record and no unpaid fees or penalties shall be deemed to have notice of all violations of record and shall be liable for the payment of all unpaid fees or penalties.

Sec. 14-12. Reserved.

Sec. 14-13. Local technical amendments to the Uniform Fire Code.

In accordance with the Uniform Fire Code, N.J.A.C. 5:71-1.1 et seq., as may be amended from time to time, the following requirements shall be adopted as local amendments to the technical standards of the Uniform Fire Code:

(a) Type I permits: Permits shall be obtained from the fire official for any of the following listed activities or uses. Permits shall at all times be subject to inspection by the fire official. The following shall be classified as Type I permits:

(1) Asphalt tar kettles: No person, firm or corporation shall make use of or fire any asphalt (tar) kettle without first obtaining a permit from the fire official.

(2) Liquified petroleum gas or liquified natural gas: A permit shall be obtained from the fire official for the storage or use of liquified petroleum gas or liquified natural gas utilizing storage containers having a capacity exceeding twenty pounds, or multiple containers having an aggregate capacity exceeding twenty pounds, except in residential occupancies.

(3) Flammable or combustible liquids: A permit shall be obtained from the fire official to store greater than twenty-five gallons of flammable or combustible liquids above ground.
Exception: Fuel tanks for heating one-and two-family dwellings, up to six hundred sixty gallons in capacity.

(b) Fire hydrants.

(1) Markings: All new and existing fire hydrants installed on private property shall have red barrels with white reflective caps.
Exception: Existing limited-service fire hydrants shall have yellow barrels with white reflective caps.

(c) Exterior storage:

(1) Dumpster enclosures: No dumpster shall be placed closer than ten feet to any building, fire escape, or exit door unless provided with an approved,

noncombustible enclosure constructed in accordance with the Uniform Construction Code. Dumpsters placed closer than fifteen feet to any building shall be provided with an approved enclosure of limited-combustibility, constructed in accordance with the Uniform Construction Code.

(2) Trash enclosures: With the exception of one-and two-family dwellings, no loose trash, trash bags, or trash cans shall be located closer than ten feet to any fire escape or exit, nor closer than five feet to any building unless provided with an approved enclosure of limited-combustibility constructed in accordance with the Uniform Construction Code.

(3) Exterior storage: Exterior storage shall be neat, orderly, shall not obstruct ingress or egress to the building, and shall not be within ten feet of any building.

(d) Street obstruction:

(1) Street obstruction: No person or persons shall erect, construct, place or maintain any fences, gates, chains, bars, pipes or any other type of obstruction in or on any street or fire access lane within the municipal boundaries of Princeton, without approval of the fire official. The word "street", as used herein, shall mean any roadway accessible to the public for vehicular traffic, including but not limited to private streets or access lanes, as well as all public streets within the municipal boundaries of Princeton.

(e) Storage of flammable or combustible liquids or hazardous materials:

(1) Secondary containment: All new and existing aboveground tanks greater than fifty-five gallons capacity utilized for the storage of flammable or combustible liquids or hazardous materials shall be provided with secondary containment constructed of an impermeable material and sized to hold one hundred fifteen percent of the largest tank or container inside the containment area.
Exception: Owner occupied one- and two-family residential fuel oil tank installations of six hundred sixty gallons capacity or less.

(f) Multi-family dwellings:

(1) Smoke detectors: Smoke detectors required to be installed in individual dwelling units or guest rooms by the Uniform Fire Code, N.J.A.C. 5:70-1.1 et seq., as may be amended from time to time, shall be powered by an alternating current (AC) constantly active electric current which cannot be deactivated by the operation of any interconnected switching device. All detectors shall meet the requirements of Underwriters Laboratories 217, and shall not be interconnected with a system of

smoke detectors serving any common areas and shall be installed in accordance with the Uniform Construction Code.

(2) Dwelling unit doors: Dwelling unit, guest room or rooming unit corridor doors in buildings of use groups R-1, R-2, and I-1, as defined in the New Jersey Uniform Fire Code, shall be at least one and three eighths inch solid core wood or approved equal with approved door closers and shall not have any glass panels, other than approved wired glass in metal frames. Replacement doors shall be one and three fourths inch solid core wood or approved equal, unless existing frame will accommodate only a one and three eighths inch door. All replacement doors shall be installed in accordance with the Uniform Construction Code.

Sec. 14-14 through 14-19. Reserved.