

**ORDINANCE NO. 2138**

**AN ORDINANCE AMENDING CHAPTER 230. FIRE PREVENTION.**

**WHEREAS**, the Borough Fire Prevention Official/Marshall has requested revisions to Chapter 230 of the Code of the Borough of South Plainfield; and

**WHEREAS**, the Public Safety Committee has reviewed such request and has approved same;

**NOW, THEREFORE, BE IT ORDAINED** by the Mayor and Council of the Borough of South Plainfield, County of Middlesex, State of New Jersey that Chapter 230, Fire Prevention be amended as follows:

All referenced sections shall be deleted as existing and shall be replaced with the language provided herein.

§ 230-2: Agency Designation.

The local enforcing agency shall be the Office of the Fire Marshall/Bureau of Fire Prevention.

§ 230-4: Life Hazard and Local Uses.

The local enforcing agency established by Section 230-2 of this Article shall carry out the periodic inspections of life hazard and local uses required by the Uniform Fire Code on behalf of the Commissioner of the Department of Community Affairs.

§ 230-5: Organization.

The local enforcement agency established by Section 230-2 of this Article shall be under the control of the Fire Official/Fire Marshall and shall report to the Mayor and Council.

§ 230-8: Additional Required Inspections and Fees.

<b>Use</b>	<b>Description</b>	<b>Amount of Fee</b>
B1	Business use 1 sq. ft. - 4,000 sq. ft.	\$108.00
B2	Business use 4,001 sq. ft. - 8,000 sq. ft.	\$144.00
B3	Business use 8,001 sq. ft. - 12,000 sq. ft.	\$180.00
B4	Business use 12,001 sq. ft. - 16,000 sq. ft.	\$360.00
B5	Business use 16,001 sq. ft. - 20,000 sq. ft.	\$432.00
B6	Business use 21,001 sq. ft. - 23,999 sq. ft.	\$504.00
E1	Eating use 1 person - 25 persons	\$180.00
E2	Eating use 26 persons - 49 persons	\$216.00

F1	Factory use 1 sq. ft. - 4,000 sq. ft.	\$360.00
F2	Factory use 4,001 sq. ft. - 8,000 sq. ft.	\$432.00
F3	Factory use 8,001 sq. ft. - 11,999 sq. ft.	\$504.00
M1	Mercantile use 1 sq. ft. - 4,000 sq. ft.	\$145.00
M2	Mercantile use 4,001 sq. ft. - 8,000 sq. ft.	\$216.00
M3	Mercantile use 8,001 sq. ft. - 11,999 sq. ft.	\$287.00
S1	Storage Use 1 sq. ft. - 4,000 sq. ft.	\$287.00
S2	Storage Use 4,000 sq. ft. - 8,000 sq. ft.	\$360.00
S3	Storage Use 8,001 sq. ft. - 11,999 sq. ft.	\$432.00
O	Other Use	\$90.00
	Photographs CD Copies	\$100.00 for each CD

§ 230-9: Permit Fees.

Permit Type	Fee
Type 1	\$54.00
Type 2	\$212.00
Type 3	\$427.00
Type 4	\$641.00

§ 230-21. Events Requiring Permits.

When Fire Official/Fire Marshall determines that an on-site fire inspector or fire-fighting personnel or equipment are required for fire watch as a result of any of the following listed below, the owner of occupant responsible shall obtain a permit for the use or event.

- A. Fire protection system failures and/or deficiencies, including both suppression and detection systems required by the NJ International Fire and Building Codes.
- B. Emergency warning and fire detection systems required by the NJ International Fire and Building Codes.
- C. Fire safety at any occupancy or event within the Borough of South Plainfield to ensure the safety of the public or emergency responders or any other event in which a crowd of potentially 500 persons or more is to assemble.
- D. Standby coverage at fire investigation scenes. (Specific to firefighters only.)

§ 230-22. Required Personnel; Hours on Duty.

- A. The Fire Official/Fire Marshall shall determine the number of inspectors and/or fire

fighting personnel required.

- B. The Fire Official/Fire Marshall shall determine the hours that the fire inspector(s) and/or fire-equipment and personnel will be on duty.

§ 230-24. Fees for Services.

- A. Compensation for inspector(s) for non-working hours for “for profit” groups or entities will be at \$54.00 per hour with \$2.00 per hour being directed to the Borough. For such hours for not for profit groups or entities, compensation shall be \$40.50 per hour with \$2.00 directed to the Borough.
- B. Compensation for all certified firefighters (firefighter 1) required by the Fire Official/ Fire Marshall as part of a standby shall be \$27.00 per hour with \$2.00 per hour directed to the Borough. Firefighters will be compensated \$25.00 per hour.
- C. The rate for use of vehicles shall be as follows when requested under orders from the Bureau of Fire Prevention. All fees for apparatus will be placed in the care of the Borough of South Plainfield.
  - (1) Engine: \$50.00 per hour
  - (2) Truck: \$100.00 per hour
  - (3) Rescue: \$50.00 per hour
  - (4) All others: \$25.00 per hour

§ 230-25. Right of Access.

The Fire Official/Fire Marshall or their designee(s) shall have right of access to the premises and areas surrounding it without interference from the property owner.

§ 230-26. Permit Fees; Penalties for Failure to Secure Permit.

Failure to secure a permit prior to commencing the operation, process or activity for which a permit is required shall be punishable by a penalty of no more than double the amount of the applicable permit fee (N.J.S.A. 5:70-2.12(b)7).

<b>Type of Permit</b>	<b>Permit Fee</b>	<b>Maximum Penalty</b>
Type 1 Permit	\$54.00	\$108.00
Type 2 Permit	\$212.00	\$428.00
Type 3 Permit	\$427.00	\$854.00
Type 5 Permit	\$641.00	\$1,281.00

§ 230-28. Hiring of Police Officers; Fees.

The hiring of fire inspectors or firefighters shall not be allowed in place of the need for sworn police officers; decisions decision of the Fire Official/Fire Marshall will be required. Fees for police officers hired for actions consistent with fire standby duties shall be at their rate of pay and not the pay schedule for fire Inspector/fighters.