

TOWNSHIP OF DENNIS

**COUNTY OF CAPE MAY
STATE OF NEW JERSEY**

ORDINANCE NO. 2022-08

**AN ORDINANCE OF THE TOWNSHIP OF DENNIS, COUNTY OF CAPE MAY,
STATE OF NEW JERSEY AMENDING CHAPTER 102 OF THE CODE OF THE TOWNSHIP
OF DENNIS, ENTITLED “FIRE PREVENTION”**

WHEREAS, the Township Committee of the Township of Dennis, have determined that certain amendments to Chapter 102 entitled “Fire Prevention” are necessary; and

WHEREAS, in all other respects Chapter 102 entitled “Fire Prevention” shall remain in full force and effect.

NOW, THEREFORE, BE IT ORDAINED, by the Township Committee of the Township of Dennis, in the County of Cape May and State of New Jersey, and it is hereby enacted and ordained by the authority of same as follows:

Chapter 102

FIRE PREVENTION

[HISTORY: Adopted by the Township Committee of the Township of Dennis 7-24-1989 as Ord. No. 89-176. Amendments noted where applicable.]

§ 102-1. Local enforcement of state standards.

Pursuant to Section 11 of the Uniform Fire Safety Act (P.L. 1983 c. 383, the New Jersey Uniform Fire Code (N.J.A.C. 5:70-1 et seq.) shall be enforced locally in the Township of Dennis.

§ 102-2. Designation of local enforcing agency. [Amended 12-11-1989 by Ord. No. 89-184]

The local enforcing agency shall be the Bureau of Fire Safety and Prevention, which is hereby created herein. The Bureau of Fire Safety and Prevention shall hereinafter be known as the local enforcing agency.

§ 102-3. Duties of local enforcing agency.

The local enforcing agency shall:

- A. Enforce the New Jersey Uniform Fire Code in all buildings, structures and premises within the established boundaries of the township, other than owner-occupied buildings used exclusively for dwelling purposes and containing fewer than three dwelling units, or buildings, structures and premises owned by the state, interstate agencies or the federal government.

- B. Faithfully comply with all the requirements of the Uniform Fire Safety Act and the Uniform Fire Code.

§ 102-4. Organization of Bureau of Fire Safety and Prevention.

The Bureau of Fire Safety and Prevention established by § 102-2 of this chapter shall:

- A. Be under the direct supervision and control of the Fire Official, who shall report to the Township Administrator.
- B. Have at least one paid inspector.
- C. Be known as the "Bureau of Fire Safety and Prevention of Dennis Township."

§ 102-5. Appointment and qualifications of personnel; legal counsel; removal from office.

- A. Appointment, qualifications and term of office of Fire Official. The Fire Official shall be certified by the state and shall be appointed by the governing body. The Fire Official shall serve for a term of four years. Any vacancy shall be filled for the unexpired term.
- B. Appointments and qualifications of inspectors and other employees. Inspectors and other employees of the enforcing agency shall be appointed by the governing body upon the recommendation of the Township Administrator. All life-hazard use inspectors shall be certified by the state.
- C. Appointment of legal counsel. The governing body shall specifically appoint legal counsel to assist the agency in enforcing the Uniform Fire Code.
- D. Removal from office. The Fire Official, inspectors and other employees of the agency shall be subject to removal by the governing body for just cause in accordance with applicable civil service laws.

§ 102-6. Inspection of life-hazard uses.

The Bureau of Fire Safety and Prevention established by § 102-2 of this chapter shall carry out the periodic inspections of life-hazard uses required by the Uniform Fire Code on behalf of the Commissioner of the Department of Community Affairs.

§ 102-7. Inspection of non-life-hazard uses; fees.

- A. In addition to the registrations required by the Uniform Fire Code, the following non-life-hazard uses shall register with the Bureau of Fire Safety and Prevention. These uses shall be inspected once per year and shall pay an annual registration fee as set forth below.

Use Group	Annual Registration Fee
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Assembly	
DTA-01: Eating establishment under 50 (no alcohol)	\$25
DTA-02: Take-out food service (no seating)	\$25
Business/Professional	
DTB-01: Under 5,000 square feet	\$25
DTB-02: 5,000 to 9,999 square feet	\$50
DTB-03: 10,000 square feet and over	\$75
Factory	
DTF-01: Under 5,000 square feet	\$100
DTF-02: 5,000 to 11,999 square feet	\$200
Mercantile	
DTM-01: Under 5,000 square feet	\$25
DTM-02: 5,000 to 11,999 square feet	\$50
<i>*With exception of hardware stores of 3,000 or more sq. ft. which are life hazard uses</i>	
<i>**With exception of Mercantile of 12,000 or more sq. ft. which are life hazard uses</i>	
Storage	
DTS-01: Under 5,000 square feet	\$50
DTS-02: 5,000 to 11,999 square feet	\$100
Residential	
DTR-01: Non-owner occupied 1 to 2 units	\$25
DTR-02: 3 to 7 units	\$50
DTR-03: 8 to 13 units	\$75
DTR-04: Over 13 units	\$100
Utilities	
DTU-01: Under 5,000 square feet	\$50
DTU-02: 5,000 square feet and over	\$100

- B. One- and two-family residential structures or attached single family structures shall require inspection upon sale or change of occupancy for smoke alarm, carbon monoxide alarm and portable fire extinguisher compliance as established by § 102-12.
- C. Uses not classified above that are subject to the Uniform Fire Code will be classified as business uses.
- D. Buildings required to be registered with the state as life-hazard uses shall not be required to register under this section.
- E. Pursuant to N.J.A.C. 5:70-2.7:
1. Unoccupied or vacant buildings or structures 2,500 square feet or more, but less than 12,000 square feet, in gross floor area are required to obtain a Type 1 Permit.
 2. Unoccupied or vacant buildings or structures 12,000 square feet or more, but less than 100,000 square feet, in gross floor area are required to obtain a Type 2 Permit.
 3. Unoccupied or vacant buildings or structures 100,000 square feet or more in gross floor area are required to obtain a Type 3, Permit.

Unoccupied or vacant buildings or structures of less than 2,500 square feet in gross floor area are not required to obtain a vacant building Permit.

- F. At the discretion of the Fire Official, vacant buildings which create a fire hazard shall be charged and inspected according to the previous use of the building.
- G. Multiple family dwellings having more than two dwelling units shall be inspected in the common areas only.
- H. Seasonal residential units shall be inspected once annually and use group shall be determined by total number of detached one- and two-family dwelling units under one ownership at a given location.
- I. Where more than one non-life hazard use exists under one ownership at a given location, the highest non-life hazard use shall be registered at full fee and subsequent non-life hazard uses at one-half the scheduled fee.
- J. All fees and penalties shall be collected as per N.J.S.A. 2A:58-1 et seq. [Added 12-11-1989 by Ord. No. 89-184]

§ 102-8. Periodic inspections.

All uses, as listed, shall be inspected for compliance with the provisions of this chapter periodically but not less than every 12 months.

§ 102-9. Permit fees.

- A. The application fees for permits shall be as provided by State regulation N.J.A.C. 5:70-2.9(c).
- B. Food Trucks shall pay Type 1 permit fees as set forth in State regulation N.J.A.C. 5:70-2.9(c) once per year. All fees associated with subsequent inspections in that same calendar year shall be waived.

§ 102-10. Technical amendments.

(Reserved)

§ 102-11. Appeals.

Pursuant to Sections 15 and 17 of the Uniform Fire Safety Act, any person aggrieved by any action of the local enforcing agency shall have the right to appeal to the Local Construction Board of Appeals. If no such body exists, appeals shall be made to the County Board of Appeals.

§ 102-12. Certificate of Smoke Alarm, Carbon Monoxide Alarm and Portable Fire Extinguisher Compliance (CSACMAPFEC).

A. Requirement for certification for residential properties upon sale or change of occupancy.

One and two family or attached single family structures shall be required to comply with the provisions of N.J.A.C. 5:70-2.3 and N.J.A.C. 5:70-4.19, setting forth State requirements as to number and placement of smoke alarms, carbon monoxide alarms and an ABC fire extinguisher not to exceed 10 pounds, upon the sale, lease, transfer or change of occupancy of said premises. It shall be the responsibility of the owner or seller of the premises, or his or her agents, to obtain a certificate of smoke alarm, carbon monoxide alarm and portable fire extinguisher compliance (CSACMAPFEC) from the Bureau of Fire Safety and Prevention prior to the sale or change of occupancy of the premises.

B. CSACMAPFEC Fees.

1. Request for CSACMAPFEC received more than 10 business days prior to the change of occupant: \$25 for initial inspection plus one reinspection if needed.
2. Request for CSACMAPFEC received four to 10 business days prior to the change of occupant: \$50 for initial inspection plus one reinspection if needed.
3. Request for CSACMAPFEC received fewer than four business days prior to the change of occupant: \$100 for initial inspection plus one reinspection if needed.
4. For each additional reinspection: \$50.

C. "No Show" shall be held to mean:

1. Owner/agents who fail to meet an inspector within 15 minutes of the appointment time.
2. Owners/agents who do not have a key to enter the premises for scheduled inspection or reinspection.
3. Electrical power to a premises is disconnected and smoke alarms to be tested are powered by electrical current from the structural wiring system.
4. To reschedule no-show inspection or reinspection: \$50.

D. Penalty.

The penalty for failure to obtain a CSACMAPFEC prior to the sale or change in occupancy shall be \$100.

§ 102-13. Waiver

The following users shall be exempt from the local permit and registration fees; however, they shall be required to properly apply for such permits and registrations and comply with all other code requirements.

- A. Township of Dennis
- B. Dennis Township Fire Districts
- C. Dennis Township Public Schools
- D. Churches and other recognized religious organizations. This shall apply to uses where the actual religious service takes place, uses for religious education purposes or uses of an occasional nature.

§ 102-14. Enforcement; violations and penalties.

Enforcement, violations and penalties shall be managed in conformity with the Uniform Fire Safety Act, the Uniform Fire Code and all other laws of the State of New Jersey.

Zeth A. Matalucci, Mayor

Scott J. Turner, Deputy Mayor

Frank L. Germanio, Jr., Committee Member

Matthew Cox, Committee Member

Thomas Van Artsdalen, Committee Member

The foregoing Ordinance was introduced at a meeting of the Township Committee of the Township of Dennis on December 06, 2022. Publication will be held on December 06, 2022 and a Public Hearing will be held at a meeting of the said Township Committee to be held on December 13, 2022 at 5:30 p.m. in the Municipal Building located at 571 Petersburg Road in Dennisville.

ATTEST

Jacqueline B. Justice, RMC/Clerk