

City of Lambertville
Ordinance 02-2017
An Ordinance to Amend CHAPTER XI, FIRE PREVENTION

11-1 NEW JERSEY UNIFORM FIRE CODE.

11-1.1 Local Enforcement. Pursuant to N.J.S.A. 52:27-202, the New Jersey Uniform Fire Code shall be locally enforced in the City of Lambertville. (Ord. #89-04, paragraph 1)

11-1.2 Agency Designation and Duties.

a. The local enforcing agency shall be the Bureau of Fire Prevention which is hereby created in the City. The agency shall have at least one (1) paid inspector and shall enforce the New Jersey Uniform Fire Safety Act and the codes and regulations adopted under it in all buildings, structures and premises within the established boundaries of the City other than owner occupied buildings used exclusively for dwelling purposes and containing fewer than three (3) dwelling units or buildings, structures, and premises owned or operated by the State and Interstate entities and their agencies, departments or instrumentalities.

b. The local enforcing agency shall faithfully comply with the requirements of the Uniform Fire Safety Act and the Uniform Fire Codes. (Ord. #89-04, paragraph 2)

11-1.3 Organization. The local enforcing agency established by subsection 11-1.2 of this section shall be a part of the City and shall be under the direct supervision and control of the Fire Official who shall report to the Mayor. (Ord. #89-04, paragraph 3)

11-1.4 Appointments, Qualifications, Term of Office, Removal.

a. *Appointment of Fire Official.* The Fire Official shall be certified by the State and shall be appointed by the Mayor with the consent of the Council.

b. *Appointment of Inspectors and Other Employees.* Inspectors and other employees of the enforcing agency shall be appointed by the Mayor and council upon recommendation of the Fire Official. All inspectors shall be certified by the State.

c. *Appointment of Legal Counsel.* Legal counsel to assist the agency to enforce the Uniform Fire Code shall be the City Attorney.

d. *Term of Office.* The Fire Official shall serve for a term of three (3) years. Any vacancy shall be filled for the unexpired term.

e. *Removal from Office.* The Fire Official shall be subject to removal by the Mayor and Council for just cause. Inspectors and other employees of the agency shall be subject to removal by the Fire Official with the consent of the Mayor and Council for just cause. All persons removed from office shall be afforded an opportunity to be heard by the Mayor and Council or a hearing officer designated by the Mayor and Council. (Ord. #89-04, paragraph 4)

11-1.5 Life Hazard Uses. The local enforcing agency established by subsection 11-1.2 of this section shall carry out the periodic inspections of life hazard uses required by the Uniform Fire Code on behalf

of the Commissioner of Community Affairs. Permits and fees for the required inspections shall be as mandated and set forth in the New Jersey Uniform Fire Code (N.J.A.C., Title 5, Chapters 18, 18A, 18B, and Sub-Chapter 4). (Ord. #89-04, paragraph 5)

11-1.6 Non-Life Hazard Uses.

a. In addition to the regulations required by the Uniform Fire Code, the following non-life hazard uses shall register with the Bureau of Fire Prevention and pay an annual fee as set forth in the Uniform Fire Code, N.J.S.A. 52:72D-192 et. Seq.

(2) Where a building or structure has more than one use which may include a business use as defined herein, then each separate use shall be subject to the appropriate fees and registration as set forth in this chapter.

(3) Where two or more of the same use or different uses exist in the same building or premises, each use shall be considered as separate and distinct and shall be subject to the appropriate fees and registration as set forth in this chapter.

(4) Mercantile uses, as defined in the latest edition of the BOCA Basic National Building Code, shall be subject to the above fees and registration as set forth in this chapter.

(5) Storage buildings, as defined in the latest edition of the BOCA Basic National Building Code, shall be subject to the fees and registration as set forth in this chapter.

(6) Factory and industry uses, as defined in the latest edition of the BOCA Basic National Building Code, shall be subject to the fees and registration as set forth in this chapter.

UCC Code Type

Business Use Group

B-1 under 2500 square feet	\$50	
B-2 2500-4999 square feet	\$75	100
B-3 5000-9999 square feet	\$100	125
B-4 10000 and over square fee	\$125	150

Factory Use Group

F-1 under 5000 square feet	\$100
F-2 5000 and over square feet	\$125

Mercantile Use Group

M-1 under 6000 square feet	\$75
M-2 6000-11999 square feet	\$150

Storage Use Group

S-1 under 2500 square feet \$50
S-2 2500 square feet and over \$100

Utilities Use Group

U-1 under 2500 square feet \$100
U-2 2500 and over square feet \$200

All of the foregoing uses shall be inspected for compliance with the provisions of this chapter periodically, but not less than once every 24 months, such inspections to be performed under the Raritan Borough Bureau of Fire Prevention.

Residential Use Group: DELETE THIS SECTION IN LIEU OF "Annual Fee" below

R-1 R-2 3-6 units \$35
R-2 R-2 7-12 units \$75
R-3 R-2 13-20 units \$200
R-4 R-2 over 20 units \$400

Annual fee: The owner of each multifamily dwelling unit or apartment complex shall pay a fee for inspection of the subject premises. The fees are hereby established at \$50 for the inspection of the common areas in premises with three or more dwelling units and \$10 per unit of dwelling space for all premises. For each occasion that an owner fails to provide access after receipt of two notices, a fee of \$75 shall be imposed in addition to the inspection fee.

Smoke Detector Carbon Monoxide \$50

UCC Code Type

- b. Uses not classified above will be classified as business uses.
- c. Uses required to be registered with the State as life hazard uses shall not be required to register under this subsection.
- d. Any buildings, structures, or premises that are "tax exempt" according to the official tax records of the City will be exempt from the non-life hazard use registration fee. However, these buildings will be inspected as required by the Uniform Fire Code.
- e. Vacant buildings will be charged and inspected according to the previous use of the building.

NEW SECTION:

Inspections of multifamily dwellings and apartments:

A. Inspections. Each multiple-dwelling unit or apartment shall be inspected at least once during each twenty-four-month period by a Borough Fire Code Official, or Borough Fire Inspector, for the purpose of determining the extent each multifamily dwelling or apartment complies with the Borough's fire and

safety codes. All such premises or building shall be subject to such inspection and registration, regardless of any other state or municipal inspections which may be conducted of such premises.

B. Definitions. The definition of any and all terms relevant to this section shall be the same as those definitions as set forth in the Hotel and Multiple Dwelling Law, N.J.S.A. 55:13A-3, and such definitions are specifically incorporated into this section by reference herein.

C. Inspection fee. The owner of each multifamily dwelling unit or apartment complex shall pay a fee for inspection of the subject premises. The fees are hereby established at \$50 for the inspection of the common areas in premises with more than three dwelling units and \$10 per unit of dwelling space for all premises. For each occasion that an owner fails to provide access after receipt of two notices, a fee of \$75 shall be imposed in addition to the inspection fee.

D. Persons authorized to conduct inspections. The inspection shall be conducted by a municipal official authorized by the Mayor and Council and licensed as a certified Fire Official and Fire Inspector. Such official may be accompanied by any other Borough official necessary to conduct adequate fire and safety inspections.

E. Powers of Inspectors. The Inspectors under this section are hereby granted all the powers necessary and appropriate to carry out and execute the purposes of this section, including, but not specifically limited to, the power to:

(1) Enter and inspect any multifamily dwellings and apartments and to make such investigation as is reasonably necessary;

(2) Administer and enforce the provisions of any and all Borough regulations or ordinances;

(3) Compel the owner of any multifamily dwelling, apartment or rooming house to produce any and all files, books, documents or other objects which are necessary in order to carry out the purposes of this section;

(4) Issue any and all complaints necessary against any person violating provisions of this section or any other section of Borough ordinances and to prosecute or cause to be prosecuted any violations of this section or any other section of the Borough ordinances in any state or local court.

11.1.7 Permits. In accordance with N.J.A.C. 5:70-209(c) and in accordance with the audit performed by DCA.

11-1.8 Technical Amendments. Reserved. (Ord. #89-04, paragraph 8)

11-1.9 Board of Appeals. Pursuant to N.J.S.A. 52:27D-206 and N.J.S.A. 52:27D-208 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 Construction Board of Appeals. (Ord. #89-04, paragraph 9)

11-1.10 Enforcement, Violations, and Penalties. Enforcement, violations, and penalties shall be in conformity with the Act and Regulations and Rules of the Department of Community Affairs. (Ord. #89-04, paragraph 10)

11-1.11 Certificate of Smoke Detector Compliance. The fee for a Certificate of Smoke Detector compliance as required by N.J.A.C. 5:70-2.3 shall be fifty (\$50.00) dollars.

11-2 FIRE DISTRICT

11-2.1 Created. There is created in the City one (1) fire district to be known and designated as “Fire District of the City of Lambertville, County of Hunterdon.” (Ord. 1/21/80, paragraph 1)

11-2.2 Boundaries. Geographical boundary of the fire district shall be identical with the geographical boundary of the City of Lambertville as now established or as it may be changed in the future. (Ord. 1/21/80, paragraph 2)

11-3 FIRE ALARM SYSTEM.

11-3.1 Established. There shall be as established in the City a fire alarm system with necessary wires for the same attached to the poles of the telephone, electric light and telegraph companies in accordance with the reservation in the several ordinances granting them the use and occupancy of the streets for their poles and wires. (Ord. 5/18/25, paragraph 1)

11-3.2 Supervision. The fire alarm system shall be constructed and controlled under the general supervision of the Chief Engineer and Board of Engineers of the City Fire Department under such rules and regulations as may hereafter be adopted or approved by the Mayor and Council. (Ord. 5/18/25, paragraph 2).

11-4 DESIGNATION OF FIRE LANES. (DELETE 11-4.1 through 11-4.4, THESE SECTIONS ARE INCLUDED AND ENFORCED THROUGH THE UNIFORM FIRE CODE)

11-4.1 Established. Authority is hereby vested in the Fire Official, in conjunction with the Lambertville Police Department and the Fire Chief, to establish and designate fire emergency access zones on the private property of any multi-family and commercial building. (Ord. #99-01)

11-4.2 Size and Location. The fire lane may be up to thirty-five (35) feet in width running entirely across the frontages or faces of the buildings utilized for public ingress and egress. (Ord. #99-01)

11-4.3 Additional Locations. The Fire Official may, in addition, after consulting with the Chief of the Lambertville Fire Department, designate other fire lanes areas and areas designated solely for the purpose of providing ingress and egress for fire, police and other emergency apparatus. (Ord. #99-01)

11-4.4 Purpose. The fire emergency access lanes so designated shall be in those locations and of sufficient design as may be reasonable and required for the safety and welfare of the public, and the

purpose of these lanes shall be to guarantee unimpaired ingress and egress to the multifamily and commercial buildings as well as the public parking areas in and around such buildings for fire, police and other emergency vehicles. (Ord. #99-01)

11-4.5 Installation and Maintenance. The lanes shall be installed by the property owner utilizing regulations signs and paint on the pavement areas, which signs and paint shall be installed and maintained by the property owners under the direction and supervision of the Lambertville Police Department and in accordance with the specifications of the Lambertville Police Department in conjunction with the recommendations of the Fire Chief. (Ord. #99-01)

11-4.6 Parking Prohibited. No person or any agent or employee shall park, leave standing or cause to be parking any vehicle in any lanes mentioned in this section, or cause any other obstruction in the areas so designated as fire lanes. (Ord. #99-01)

11-4.7 Enforcement. The Lambertville Police Department shall have concurrent jurisdiction with the Fire Official in enforcing this section. (Ord. #99-01)

11-4.8 Violations and Penalties. Any person found guilty of a violation of this section shall be liable to the penalties contained in N.J.S.A. 39:4-203 and court costs involved. (Ord. #99-01)

11-4.9 Variances. If any person seeks a variance from this section, the Fire Official shall chair a meeting with the Fire Chief, the Chairman of the Planning Board, the Mayor and the Police Director. At that meeting, representatives of such person may present concerns about the designation. Any decision will be by affirmative vote of this group. (Ord. #99-01)

11-4.10 Vehicular Traffic Prohibited. There shall not be allowed any vehicular traffic of any kind save for emergency vehicles on any property dedicated and designated fire lane throughout the City, whether the lanes are so designated by order of an official public agency or by owner of the private property. (Ord. #99-01)

FIRST READING AND INTRODUCTION: January 17, 2017

SECOND READING AND PUBLIC HEARING: February 21, 2017

CLERK'S CERTIFICATION

The foregoing Ordinance was introduced at a Regular Meeting of the Mayor and City Council of the City of Lambertville held on January 17, 2012 and was read for the first time. Notice of pending Ordinance was advertised on January 26, 2012 in the Beacon.

This ordinance was considered for second reading and adopted after a public hearing at the regularly scheduled meeting of Mayor and Council of February 21, 2012, held at the Justice Center, 25 So. Union Street, in the City of Lambertville in the County of Hunterdon in the State of New Jersey. Notice of Adoption was advertised on March 1, 2012 in the Beacon.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the City of Lambertville this 21st day of March, 2012.

Cynthia L. Ege, CMR, RMC
City Clerk

(Seal)