

City of Lambertville

ORDINANCE NUMBER 02-2017

An Ordinance to Amend Chapter XI, Fire Prevention, Increasing Fees and Updating Language

BE IT ORDAINED by the Mayor and Council of the City of Lambertville, County of Hunterdon, State of New Jersey, that the Lambertville City Code, 2014, Chapter XI, Fire Prevention be amended as follows:

11-1.6 NON-LIFE HAZARD USES.

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 annual fees as set forth in the Uniform Fire Code, N.J.S.A. 52:72D-192 et. seq

- a. 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.
b. 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.
c. 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.
d. Storage buildings, as defined in the latest edition of the BOCA National Building Code, shall be subject to the fees and registration as set forth in this chapter.
e. Factory and industry uses, as defined in the latest edition of the BOCA Basic National Building Code, shall all be subject to the fees and registration as set forth in this chapter.

UCC CODE TYPE

Table with 4 columns: Business Use Group, Current Fee, New Fee. Rows include Business Use Group (B-1 to B-4), Factory Use Group, Mercantile Use Group, and Storage Use Group.

Utilities Use Group	No change		

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

Residential Use Group:

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

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

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 City of Lambertville Fire Code Official or Fire Inspector for the purpose of determining the extent each multifamily dwelling or apartment complies with the City’s fire and safety codes. All such premises or buildings 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. Person authorized to conduct inspections. The inspection shall be conducted by a municipal official authorized by the Mayor and licenses as a certified Fire Official and Fire Inspector. Such official may be accompanied by any other City 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 City 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;

11.1.7 Issue any and all complaints necessary against any person violating provisions of this section or any other section of the City's ordinances and to prosecute or cause to be prosecuted any violations of this section or any other section of the City's ordinances in any state or local court.

11-4 DESIGNATION OF FIRE LANES.

11-4.1 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 in accordance with the specification of the Lambertville Police Department in conjunction with the recommendations of the Fire Chief (1990 Code §11-4.5; Ord. No 2005-07; Ord. No. 03-2012).

11-4.2 Parking Prohibited. No person or any agent or employee shall park, leave standing or cause to be any vehicle in any lanes mentioned in this section, or cause any other obstruction in the areas so designated as fire lanes. (1990 Code §11-4.5; Ord. No. 03-2012).

11-4.3 Enforcement. The Lambertville Police Department shall have concurrent jurisdiction with Fire Official in enforcing this section. (1990 Code §11-4.5; Ord. No. 03-2012)

11-4.4 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. (1990 Code §11-4.5; Ord. No. 03-2012)

11-4.5 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. No. 99-01)

11-4.6 Vehicular Traffic Prohibited. There shall not be allowed any vehicular traffic of any kind, except emergency vehicles, on any property dedicated and designated fire lanes throughout the City whether the lanes are so designated by order of an official public agency or by owner of the private property.

FIRST READING AND INTRODUCTION: January 17, 2017

SECOND READING AND PUBLIC HEARING: February 21, 2017

CLERKS CERTIFICATE

I, Cynthia L. Ege, CMR, RMC, Clerk of the City of Lambertville, in the County of Hunterdon, State of New Jersey, HEREBY CERTIFY as follows:

1. I am the duly appointed Clerk of the City of Lambertville, in the County of Hunterdon, State of New Jersey (herein called the "City"). In this capacity, I have the responsibility to maintain the minutes of the meetings of the governing body of the City and the records relative to all ordinances and resolutions of the City. The representations made herein are based upon the records of the City.

2. On January 18, 2017 a copy of the ordinance and a notice that copies of the ordinance would be made available to the members of the general public of the municipality who requested copies, up to and including the time of further consideration of the ordinance by the governing body, was posted in the principal municipal building of the City at the place where public notices are customarily posted. Copies of the ordinance were made available to all who requested them.

3. After final passage, the ordinance, a copy of which is attached hereto, was duly published on February 27, 2017 in the Times. No protest signed by any person against making the improvement or incurring the indebtedness authorized therein, nor any petition requesting that a referendum vote be taken on the action proposed in the ordinance has been presented to the governing body or to me or filed in my office within the 20 days after the publication or at any other time after the final passage thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the City this 17 day of March, 2017.



Cynthia L. Ege, CMR, RMC, City Clerk