

ORDINANCE NO. 2023-01

BOROUGH OF AUDUBON PARK, NEW JERSEY

**ORDINANCE OF THE BOROUGH OF AUDUBON PARK, COUNTY OF
CAMDEN, AND STATE OF NEW JERSEY AMENDING ORDINANCE 2012-05,
PROVIDING FOR LOCAL ENFORCEMENT OF THE NEW JERSEY
UNIFORM FIRE CODE**

WHEREAS, the Uniform Fire Safety Act, (P.L. 1983, c.383) was enacted for the purpose of establishing a system for the enforcement of minimum fire safety standards throughout the State of New Jersey; and

WHEREAS, the New Jersey Department of Community Affairs has promulgated minimum fire safety standards which have been made a part of the Uniform Fire Code (N.J.A.C.5:70- et seq.); and

WHEREAS, the Uniform Fire Safety Act authorizes municipalities to provide for local enforcement of these standards and to establish local enforcement agencies for that purpose; and

WHEREAS, it is the best interest of the public health, safety and welfare of the residents of the Borough of Audubon Park to have the Uniform Fire Code enforced locally; and

WHEREAS, the Borough has entered into a Shared Services Agreement with the Township of Haddon for provision of the duties and services of fire official for the Borough; and

WHEREAS, the Borough previously adopted Ordinance 2012-05 to provide for local enforcement of the New Jersey Uniform Fire Code; and

WHEREAS, said Ordinance must be amended to reflect the new fees as set forth in the Shared Services Agreement.

NOW, THEREFORE IT BE ORDAINED by the Mayor and Borough Council of the Borough of Audubon Park in the County of Camden, State of New Jersey, that Ordinance 2012-05 is hereby repealed and replaced as follows:

SECTION I. LOCAL ENFORCEMENT

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 locally enforced in the Borough of Audubon Park by the Township of Haddon Fire Official as set forth in the Shared Services Agreement.

SECTION II. AGENCY DESIGNATION

The local enforcing agency shall be the Office of the Fire Marshal in the Bureau of Fire Prevention of the Township of Haddon. The Haddon Township Fire Marshal's Office shall hereinafter be known as the "Local Enforcing Agency".

SECTION III. DUTIES

A. The Local Enforcing Agency shall perform the services set forth in the Shared Services Agreement, including but not limited to enforcement of the Uniform Fire Code in all buildings, structures, and premises within the established boundaries of the Borough of Audubon Park, other than one- and two-unit owner-occupied dwellings used exclusively for dwelling purposes and buildings, structures and premises owned or operated by the Federal Government, Interstate Agencies or the State.

B. The Local Enforcing Agency shall faithfully comply with all pertinent requirements of the Uniform Fire Safety Act and the Uniform Fire Code.

SECTION IV. FEES

The Local Enforcing Agency shall charge fees for permits, smoke detector and carbon monoxide inspections and certificates of fire code states at the rates set forth in the Shared Services Agreement, in accordance with law, as follows:

A. PERMIT FEES. The permit fees established by the Uniform Fire Code as are set forth in N.J.A.C. 5:70, et seq. shall apply. These fees are charged annually under the Administrative Code.

B. SMOKE DETECTOR/CARBON MONOXIDE INSPECTIONS.

(1) Smoke Detector/Carbon Monoxide Detector inspections shall be conducted on all one- and two-family dwellings for resale or change of occupant.

The application fee for a certificate of smoke detector and carbon monoxide alarm compliance ("CSDCMAC"), as required by N.J.A.C. 5:70-2.3, shall be based upon the amount of time remaining before the change of occupant is expected, as follows:

(a) Requests for a CSDCMAC received more than 14 business days prior to the change of occupant: \$150.00; and

(b) Requests for a CSDCMAC received 7 but less than 14 business days prior to the change of occupant: \$175.00; and

(c) Requests for a CSDCMAC received 4 but less than 7 business days prior to the change of occupant: \$200.00.

(d) Requests for CSDCMAC received less than 4 days prior to the change of occupant: \$225.00; and

(e) Requests submitted after the date of change of occupant: \$250.

C. FIRE SAFETY PERMITS. Permit fees shall be as specified in the Uniform Fire Code.

D. CERTIFICATE OF FIRE CODE STATUS. Fee for certificate of fire code status shall be \$25.00.

SECTION V. REPEALER

All Ordinances or parts of Ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

SECTION VI. SEVERABILITY

If the provisions of any section, subsection, paragraph, subdivision, or clause of this Ordinance shall be judged invalid by a court of competent jurisdiction, such order of judgment shall not affect or invalidate the remainder of any section, subsection, paragraph, subdivision, or clause of this Ordinance.

SECTION VII. EFFECTIVE DATE

This Ordinance shall take effect immediately upon final passage and publication in accordance with law.

Attest:

BOROUGH OF AUDUBON PARK

DAWN M. PENNOCK, BOROUGH CLERK

Introduced: 2/06/2023

Adopted: 3/06/2023

LAWRENCE E. PENNOCK, MAYOR

Certified to be a true copy of an Ordinance adopted by the Mayor and Borough Council of the Borough of Audubon Park at a regular meeting held on March 6, 2023.

DAWN M. PENNOCK, MUNICIPAL CLERK