

BOROUGH OF HAMBURG

AN ORDINANCE TO AMEND CHAPTER 116 - FIRE PREVENTION - OF THE GENERAL CODE OF THE BOROUGH OF HAMBURG DESIGNATING THE HARDYSTON TOWNSHIP BUREAU OF FIRE PREVENTION AS THE LOCAL ENFORCING AGENCY

ORDINANCE #16-2011

BE IT ORDAINED by the Mayor and Council of the Borough of Hamburg, County of Sussex, State of New Jersey, that Chapter 116 - Fire Prevention - Article II - Enforcement of Uniform Code - of the Code of the Borough of Hamburg Sections 116-4 through 116-13 are repealed and the following provisions substituted therefore:

1. Section 116-4. Local Enforcement

Pursuant to Section 11 of the Uniform Fire Safety Act the New Jersey Uniform Fire Code shall be locally enforced in the Borough of Hamburg.

2. Section 116-5. Designation of the Local Enforcing Agency

(a) the Local Enforcing Agency shall be the Hardyston Township Bureau of Fire Prevention which shall be hereinafter known as the Local Enforcing Agency.

(b) the Bureau of Fire Prevention established by this ordinance shall be created and supervised by the Township of Hardyston and shall meet all of the requirements of the applicable law and regulations.

(c) the chief administrative officer of the Bureau of Fire Prevention shall be a state-certified fire official appointed by the governing body of the Township of Hardyston consistent with the procedures set forth in the applicable law and regulations. The governing body of the Township of Hardyston may appoint inspector and other employees of the enforcing agency consistent with applicable laws and regulations. All life hazard use inspectors shall be certified by the state.

3. Section 116-6. Life Hazard Uses.

The Bureau of Fire Prevention established by this ordinance shall carry out the periodic inspections of life hazard uses required by the Uniform Fire Code on behalf of the Commissioner of the New Jersey Department of Community Affairs.

4. Section 116-7. Non Hazard Uses.

(a) in addition to the registrations and permits required by the Uniform Fire Code, all other uses subject to Uniform Fire Code inspections shall register with the Bureau of the Fire Prevention. These uses shall be inspected once per year and shall pay an annual fee as set forth on Exhibit A attached hereto and made a part hereof.

(b) vacant buildings that create a fire hazard shall be charged and inspected according to Exhibit A.

(c) owners of more than one use at a given location shall pay a full fee for the largest use and one-half fee or fees for any subsequent use or uses.

5. Section 116-8. Permits.

The application fees for the permits listed in N.J.A.C. 5:70-2.7 shall be as specified in the Uniform Fire Code.

6. Section 116-9. Board of Appeals.

Pursuant to N.J.S.A. 52:27D-206b and 208d, any person aggrieved by any action of the local enforcing agency shall have the right to appeal to the Uniform Construction Code Board of Appeals of the County of Sussex.

7. Severability

This ordinance is deemed severable. If any provision or provisions are declared invalid by a court of competent jurisdiction, the rest and remainder of this ordinance shall remain in full force and effect.

8. Repealer

Any ordinance or part thereof inconsistent with the terms of this ordinance is hereby repealed.

9. Effective Date.

This Ordinance shall take effect upon passage and publication as provided by law.

CERTIFICATION

NOTICE is hereby given that the above Ordinance was introduced and passed on first reading of the meeting of the Mayor and Council of the Borough of Hamburg, held on Monday, June 6, 2011 and will be considered for final passage at a regular meeting of the Mayor and Council to be held on Monday, July 6, 2011 at 7:30 p.m. or as soon thereafter as same can be considered in

the Municipal Building, located at 16 Wallkill Avenue, Hamburg, New Jersey at which time and place all persons interested therein or affected thereby will be given an opportunity to be heard concerning the same. A copy of said ordinance is on file in the office of the Borough Clerk in the Hamburg Borough Municipal Building located at 16 Wallkill Avenue, Hamburg, New Jersey and is available for public inspection during regular business hours. During the week prior to and up to the time of public hearing copies of said ordinance will be available to the members of the general public who requests same.



Doreen Schott RMC
Municipal Clerk