

ORDINANCE # 28-2017

**AN ORDINANCE AMENDING CHAPTER 59. FIRE PREVENTION, ARTICLE II.
UNIFORM FIRE SAFETY CODE OF THE CODE OF THE BOROUGH OF CLAYTON**

WHEREAS, the Borough of Clayton (hereinafter referred to as "Borough") has a need to amend Chapter 59. Fire Prevention, Article II. Uniform Fire Safety Code of the Code of the Borough of Clayton to change the designated agency for enforcing the New Jersey Uniform Fire Code in the Borough to the Office of the Gloucester County Fire Marshal; and

WHEREAS, the governing body has determined that it is in the best interest of the Borough to make this change.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Council of the Borough of Clayton, County of Gloucester and State of New Jersey that the governing body does hereby amend Chapter 59. Fire Prevention, Article II. Uniform Fire Safety Code of the Code of the Borough of Clayton to read as follows:

Section 1. Section 59-10. Enforcement agency designated, is hereby amended to read as follows:

The local enforcing agency shall be the Office of the Gloucester County Fire Marshal. The daily operations of the Gloucester County Fire Marshal's office will be at no cost to the Borough of Clayton.

Section 2. Chapter 59. Fire Prevention, Article II. Uniform Fire Safety Code is hereby amended by adding a new sub-section to read as follows:

Section 59-12(A) Non-life-hazard uses. Registration of non-life-hazard uses shall be as required by the Uniform Fire Code or the Office of the Gloucester County Fire Marshal.

Section 3. Section 59-13 shall be deleted in its entirety.

Section 4. Section 59-14 shall be deleted in its entirety.

Section 5. Section 59-16 Additional inspections and fees is hereby amended to read as follows:

In addition to the inspection and fees required pursuant to the Act and the regulations of the Department of Community Affairs, the following additional inspections and fees shall be required: All other buildings not being classified as life-hazard uses but covered under the code. This type of structure will be classified as a Type L use and shall pay a fifty-dollar (\$50.00) annual fee to the Gloucester County Fire Marshal's Office. These structures shall be inspected annually.

Section 6. Section 59-17 Permits [N.J.A.C. 5:70-2.9(c)] (B) is hereby amended to read as follows:

B. All fees for permits shall be payable to the Gloucester County Fire Marshal's Office.

Section 7. Section 59-18 Waiver of Fees is hereby amended to read as follows:

Any and all permit fees established by this article may be waived by the Fire Official for any nonprofit organization as said Fire Official shall see fit.

Section 8. Section 59-19 shall be deleted in its entirety.

Section 9. Section 59-20(A)(2) Concurrent jurisdiction is hereby amended to read as follows:

Concurrent jurisdiction. The Clayton Police Department shall have the concurrent jurisdiction with the Office of the Gloucester County Fire Marshal to enforce the provisions of this section for the designated fire lanes approved by the Fire Official.

Section 10. Section 59-20(K) is hereby amended to read as follows:

This section shall supersede any and all provisions of any other ordinance promulgated for the enforcement of parking in fire lanes. Enforcement shall only be done by personnel from either the Office of the Gloucester County Fire Marshal or the local Police Department. Personnel enforcing these provisions shall be either uniformed or carry appropriate identification.

Section 11. All other sections and subsections of Chapter 59 not specifically identified shall remain valid and in effect and are not amended by this Ordinance

Section 12. Repealer

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

Section 13. Severability

Each section of this Ordinance is an independent section, and the holding of any section or part thereof to be unconstitutional, void or ineffective, shall not be deemed to affect the validity or constitutionality of any other sections or parts hereof.

BE IT FURTHER ORDAINED that this Ordinance shall take effect immediately upon formal approval by the Clayton Borough Council and publication as required by law.

BOROUGH OF CLAYTON



THOMAS BIANCO, Mayor

Attest:



CHRISTINE NEWCOMB, Borough Clerk

PUBLIC NOTICE

BOROUGH OF CLAYTON

SUMMARY OF ORDINANCE 28-2017

**AN ORDINANCE AMENDING CHAPTER 59, FIRE PREVENTION, ARTICLE II,
UNIFORM FIRE SAFETY CODE OF THE CODE OF THE BOROUGH OF CLAYTON**

This Ordinance was introduced at a meeting held on the 21st day of November, 2017. It is scheduled for a public hearing and final adoption at a meeting of the Mayor and Council of the Borough of Clayton beginning at 7:30 p.m. on the 14th day of December, 2017, at the Municipal Building, 125 N. Delsea Drive, Clayton, New Jersey.

The purpose of this Ordinance is to change the designated agency for enforcing the New Jersey Uniform Fire Code in the Borough of Clayton to the Office of the Gloucester County Fire Marshall.

A copy of this Ordinance can be obtained without any cost, by any member of the general public in the Borough Clerk's office within the Borough of Clayton in the Municipal Building, 125 North Delsea Drive, Clayton, New Jersey, during normal business hours, Monday through Friday from 8:00 a.m. to 4:00 p.m.

Christine Newcomb, Municipal Clerk
Borough of Clayton

NOTICE OF ADOPTION

ORDINANCE 28-2017

**AN ORDINANCE AMENDING CHAPTER 59. FIRE PREVENTION, ARTICLE II.
UNIFORM FIRE SAFETY CODE OF THE CODE OF THE BOROUGH OF CLAYTON**

The foregoing Ordinance was finally adopted by Mayor and Council of the Borough of Clayton on December 14, 2017.

Christine Newcomb
Borough Clerk