

ORDINANCE #6-2022

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

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 part of the Uniform Fire Code (N.J.A.C. 5:70.1 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 in the best interest of the Borough of Clayton to have the Uniform Fire Code enforced locally.

NOW, THEREFORE BE IT ORDAINED by the Borough Council of the Borough of Clayton in the County of Gloucester and the State of New Jersey, as follows:

Section 1.

Chapter 59, Fire Prevention, Article II, Uniform Fire Safety Code, subsections 9, 10, 11, 12, 13, 14, 15, 16, 17 & 18 are hereby repealed and the following subsections are hereby adopted as follows:

A. 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 Clayton.

B. AGENCY DESIGNATION

The local enforcing agency shall be the Gloucester County Fire Marshal's Office. The Gloucester County Fire Marshal's Office shall hereinafter be known as the local enforcing agency.

C. DUTIES

(1) The local enforcing agency shall enforce the Uniform Fire Code in all buildings, structures, and premises within the established boundaries of the Borough of Clayton 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.

(2) The local enforcing agency shall faithfully comply with all the pertinent requirements of the Uniform Fire Safety Act and the Uniform Fire Code.

Section 2. NONE-LIFE HAZARD USES

(A) In addition to the registrations required by the Uniform Fire Code, the following non-life hazard uses shall register with the County Fire Marshal's Office. These uses shall be inspected once per year and pay an annual fee.

A. Assembly

A-1	Eating establishment under 50 (No alcohol)	\$50.00
A-2	Take-out food service (no seating)	\$25.00
A-3	House of Worship	\$50.00

B. Business/Professional

B-1	Professional use 1 & 2 story less than 5,000 square feet per floor	\$50.00
B-2	1 & 2 story equal to or more than 5,000 square feet less than 10,000 square feet per floor	\$50.00
B-3	1 & 2 story more than 10,000 square feet	\$75.00
B-4	3 to 5 story less than 5,000 square feet per floor	\$100.00
B-5	3 to 5 story equal to or more than 5,000 square feet less than 10,000 square feet per floor	\$150.00
B-6	3 to 5 story over 10,000 square feet per floor	\$200.00

C. Retail (mercantile)

M-1	Retail Business Under 1,000 square feet	\$50.00
M-2	Retail Business Under 5,000 square feet	\$100.00
B-3	Retail Business Over 5,000 square feet	\$200.00

D. Manufacturing (factory)		
F-1	Moderate Hazard	\$200.00
F-2	Low Hazard	\$100.00
S. Storage S-1 (moderate hazard S-1, low hazard S-2)		
S-1	Moderate Hazard Under 1,000 square feet	\$75.00
S-1	Moderate Hazard Under 5,000 square feet	\$150.00
S-1	Moderate Hazard Over 5,000 square feet	\$250.00
S-2	Low Hazard Under 1,000 square feet	\$50.00
S-2	Low Hazard Under 5,000 square feet	\$75.00
S-2	Low Hazard Under 5,000 square feet	\$150.00
S	Exception life hazard uses	
F. Residential (LEA listed with multi-family BH)		
Fee is for each building		
R-1	1 to 6 units	\$25.00
R-2	7 to 12 units	\$50.00
R-3	13 to 20 units	\$75.00
R-4	21 to 50 units	\$100.00
R-5	for each additional unit	\$25.00
R. Common areas (each building)		
R-1	1 & 2 story less than 5,000 square feet per floor	\$50.00
R-2	1 & 2 story equal or more than 5,000 square feet	
	Less than 10,00 square feet per floor	\$75.00
R-3	1 & 2 story mor than 10,000 square feet	\$100.00
R-4	3 to 5 story less than 5,000 square feet per floor	\$125.00
R-5	3 to 5 story equal to or more than 5,000 square	
	feet less than 10,000 square feet	\$150.00
R-6	3 to 5 story over 10,000 square feet	\$200.00
Use Group (U) Miscellaneous		
U-1	Farms	\$50.00
U-2	Utility & Miscellaneous Uses	\$50.00

- (B) R-1 uses shall be inspected and charged a fee only upon sale or change of tenant.
- (C) Uses not classified above that are subject to the Uniform Fire Code will be classified as business uses.
- (D) Uses required to register with the State as life hazard uses shall not be required to register under this section.

- (E) Unoccupied or vacant buildings will be charged and inspected in accordance with requirements of N.J.A.C. 5:70-2.7 and 5:70-2.9 according to the previous use of the building.
- (F) All residential uses except R-A uses shall be inspected in the common areas only.

Section 3. PERMITS AND CERTIFICAT EOF FIR ECODE STATUS

- (A) The application fees for the permits listed in N.J.A.C. 5:70-2.7(b) and 5:70-2.9(c) shall be as provided by State regulation and are currently as follows:

Type 1	\$54.00
Type 2	\$214.00
Type 3	\$427.00
Type 4	\$641.00

- (B) The cost for the issuance of a Certificate of Fire Code Status shall be \$35.00.

Section 4. FEES FOR SMOKE ALARM, CARBON MONOXIDE ALARM AND PORTABLE FIRE EXTINGUISHER COMPLIANCE

Fees for Certificate of smoke alarm, carbon monoxide alarm and portable fire extinguisher compliance (CSACMAPFEC) 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:

1. Requests for CSACMAPFEC received more than 10 business days prior to the change of occupant: \$45.00;
2. Requests for CSACMAPFEC received 4 to 10 business days prior to the change of occupant: \$90.00;
3. Requests for a CSACMAPFEC received fewer than 4 business days prior to the change of occupant: \$161.00.

Section 5. REVISION OF FEES

The fees established by this Ordinance may be periodically adjusted by Resolution or Amending Ordinance to ensure compliance and consistency with N.J.A.C. 5:70-2.7 and 5:70-2.9.

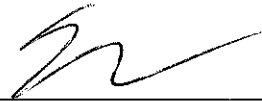
Section 6. MISCELLANEOUS PROVISIONS

The Borough of Clayton shall defer to the Gloucester County Fire Marshal's Office Ordinance for matters governing Organization, Appointments, Qualifications, Term of Office, Removal, Inspections of both Life Hazard Uses and Non-Life Hazard Uses, Permits and Inspection Fees, Board of Appeals, Enforcement, Violations and Penalties, and any other provisions of the Gloucester County Fire Marshal's Office Ordinance not otherwise inconsistent with this Ordinance.

Section 7. EFFECTIVE DATE

This ordinance shall be effective upon passage and publication as required by law along with the release of the Executive Order prohibiting LEA transfers (Order NO. 103).

BOROUGH OF CLAYTON



THOMAS BIANCO, Mayor

Attest:



CHRISTINE NEWCOMB, Borough Clerk

**BOROUGH OF CLAYTON
GLOUCESTER COUNTY, NEW JERSEY**

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

This Ordinance was introduced at a meeting held on the 10th day of March, 2022. 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 6:30 p.m. on the 24th day of March, 2022, at the Municipal Building, 125 N. Delsea Drive, Clayton, New Jersey.

The purpose of this Ordinance is to amend Chapter 59, Fire Prevention, Article II Uniform Fire Safety Code of the Code Book of the Borough of Clayton.

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.

Christine Newcomb, Municipal Clerk
Borough of Clayton

NOTICE OF ADOPTION

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UNIFORM FIRE SAFETY CODE OF THE CODE BOOK OF THE BOROUGH OF
CLAYTON**

The foregoing Ordinance was finally adopted by the Mayor and Council of the Borough of Clayton on March 24, 2022.

Christine Newcomb
Borough Clerk