

AN ORDINANCE AMENDING SMOKE
DETECTOR PROVISIONS AND ADDING
CARBON MONOXIDE ALARM
REQUIREMENTS WITHIN THE “CODE OF THE
TOWNSHIP OF PRINCETON, NEW JERSEY,
1968”

BE IT ORDAINED by the Township Committee of the Township of Princeton as follows:

1. Article IV of Chapter 10 of the “Code of the Township of Princeton, New Jersey, 1968” which sets forth regulations concerning Smoke Detectors is amended to read as follows (additions to text are indicated by underlining and deletions from text by [brackets]):

Article IV. Smoke Detectors [*Required.*] and Carbon Monoxide Alarm *Required.*

Sec. 10-34. Definitions.

For the purposes of this article, the following terms are defined:

- (a) “*Smoke detectors*” whenever used in this section shall mean a fire alarm device capable of sensing visible or invisible particles of combustion, providing suitable alarm audible in all sleeping areas. Any such smoke detector installed shall bear a seal, tested and listed by an approved rating organization as Underwriters Laboratories, Inc. (U.L.) or Factory Mutual Laboratories (F.M.) or other nationally recognized testing laboratory. Said device shall also be equipped with a sound audible signal denoting failure of equipment and a testing device. Said device shall have sufficient battery power to sound an alarm signal for at least four continuous minutes.

(a-1) “Carbon Monoxide Alarm” whenever used in this section shall mean a device that is capable of detecting harmful amounts of carbon monoxide and sounding an alarm audible in all sleeping areas. Any such carbon monoxide alarm installed shall bear a seal, tested and listed by an approved rating organization as Underwriters Laboratories, Inc. (U.L.) or Factory Mutual Laboratories (F.M.) or other nationally recognized testing laboratory. Said device shall also be equipped with a sound audible signal denoting failure of equipment and a testing device. Said device shall have sufficient battery power to sound an alarm signal for at least four continuous minutes.

(b) “*Battery operated smoke detector*” shall mean a single station device, which is battery powered[.], that will indicate the presence smoke and sound an alarm.

(b-1) “Battery operated carbon monoxide alarm” shall mean a single station device, which is battery powered, that will indicate the presence of carbon monoxide and sound an alarm.

(c) “*Dual operated smoke detector*” shall mean a device which shall be connected to an emergency electrical system that complies with the electrical subcode to assure continued service in case of emergency or primary power loss. Alternatively, said dual operated smoke detector may consist of a single station battery powered smoke detector installed within two feet of an existing [hardware] hardwired smoke detector or two single

station battery powered smoke detectors installed within two feet of each other.

(c-1) "Dual operated carbon monoxide alarm" shall mean a device which shall be connected to an emergency electrical system that complies with the electrical subcode to assure continued service in case of emergency or primary power loss. Alternatively, said dual operated carbon monoxide alarm may consist of a single station battery powered, or hardwired, carbon monoxide alarm that incorporates a smoke detector within the same warning device.

(d) *"Dwelling"* shall mean any building or structure [containing one or more rooms used as a dwelling unit or units.] used for residential or sleeping purposes to be inspected upon resale.

(e) *"Dwelling unit"* shall mean any room or group of rooms arranged for the use of one or more persons as a single [housekeeping unit] residential unit or sleeping facility.

(f) *"Multi-family dwelling"* shall mean a building or portion thereof containing more than two dwelling units and not classified as a one or two family dwelling.

Sec. 10-35. Smoke detectors and carbon monoxide alarm required for existing dwellings.

[On or before September 1, 1986, a] All existing one and two-family dwelling units in the township shall be equipped with, at minimum, battery powered smoke detectors and carbon monoxide alarm as further provided for herein below. All such battery powered smoke detectors and carbon monoxide

alarm shall be purchased and installed by the owner of the dwelling. If the dwelling is a rental unit, it shall be the responsibility of the tenant to maintain the battery in good working order.

Sec. 10-36. Smoke detector and carbon monoxide alarm certification and inspection fees.

[Pursuant to P.L. 1991, c. 92,]The fire official shall charge the following fees for smoke detector certifications and inspections:

(a) The fire official [may accept a certification as authorized by N.J.S.A. 52:27D-92, et seq., that a one or two single-family dwelling unit complies with the Uniform Fire Safety Act smoke detector requirements from an architect, engineer, real estate agent, attorney, licensed title insurance agent or an individual certified as a New Jersey fire official/inspector.] shall, through the Bureau of Fire Prevention, inspect all one and two single family dwellings and multi-family dwellings for compliance with the Uniform Fire Safety Act smoke detector and carbon monoxide alarm requirements. The application fee for said certification shall be [thirty-five] sixty dollars if received ten or more business days prior to the change of [occupant] occupancy, [seventy] ninety five dollars if received four to [ten] nine business days prior to the change of [occupant] occupancy, and [one hundred twenty-five] one hundred and fifty dollars if received [fewer than four] three or fewer business days prior to the change of [occupant] occupancy.

(a-1)Affordable Housing Units as sold through the Princeton Township Affordable Housing Program shall be charged the following rates for the required smoke detector and carbon monoxide alarm certification: thirty five dollars if received ten or more business days prior to the change of occupancy, seventy

dollars if received four to nine business days prior to the change of occupancy, and one hundred twenty-five dollars if received three or fewer business days prior to the change of occupancy.

(b) If the fire official [is requested to undertake and complete an inspection and issues a certification that a one or two single-family dwelling unit complies with the Uniform Fire Safety Act smoke detector requirements, said fire official shall charge an inspection fee of twenty-five dollars for each inspection or reinspection.] or his designee is required to perform a re-inspection to assure compliance of the Uniform Fire Safety Act requirements for smoke detectors and carbon monoxide alarm, a re-inspection fee of fifty dollars shall be charged for each re-inspection.

Sec. 10-37. Smoke detectors and carbon monoxide alarm required for new dwellings and existing multi-family dwellings.

[On or before September 1, 1986, n]No certificate of occupancy shall be issued for any dwelling by the township construction official unless said official certifies that such dwelling is equipped with dual powered smoke detectors and carbon monoxide alarm as defined herein above. Additionally, [on or before September 1, 1986,] for existing multi-family dwelling units no person shall rent to another or suffer or permit occupancy by another of any rental dwelling unless said rental units are equipped with dual powered smoke detectors and carbon monoxide alarm as defined hereinabove. In any rented dwelling unit, the owner shall be responsible for maintaining and replacing the batteries as needed in the dual powered emergency electrical system when the dual operated smoke detector or carbon monoxide alarm consists in part of a single station battery powered smoke detector or carbon monoxide alarm. All such battery powered smoke detectors and carbon monoxide alarm within the dwelling unit shall be purchased, installed and maintained in good working order by the tenant of the dwelling. All other battery powered smoke detectors and carbon monoxide alarm such as in common areas shall be the responsibility of the owner notwithstanding the responsibility of the owner to maintain the unit in all other respects.

Sec. 10-38. Minimum specifications.

In compliance with the New Jersey Uniform Construction Code [(latest edition of the BOCA Basic National Building Code as amended and supplemented)] (latest edition of the International Building Code, New Jersey Edition as amended and supplemented), and the New Jersey Uniform Fire Code,

and the National Fire Protection Association Fire Codes applicable standards, and regulations for the maintenance of hotels and multiple dwellings concerning smoke detectors [*and smoke alarms*] and carbon monoxide alarms. (Divisions of Housing, Bureau of Housing Inspections).

Sec. 10-39. Location of smoke detectors and carbon monoxide alarm.

A minimum of two approved smoke detectors shall be installed in a single and two family dwelling having a basement; a minimum of one approved smoke detector shall be installed in single family dwellings having no basement. Smoke detectors shall be located on a ceiling or wall according to the manufacturer's instruction generally not closer than four inches from where the ceiling and wall meet and no further than twelve inches from the ceiling when locating a wall type detector. [For the adjacent lower level provided the lower level is less than one full story below the upper level.] In dwelling units with split levels , a smoke detector alarm installed on the lower level shall suffice for the adjacent upper level provided the lower level is less than one full story below the upper level. If there is an intervening door between the adjacent levels, a smoke detector shall be installed on both levels. Smoke detectors shall not be placed within three feet of any air supply register. Smoke detectors when required inside a bedroom or outside of a group of bedrooms, in the immediate vicinity of the sleeping area, shall be located so that when activated it will sound an alarm sufficiently audible to warn any sleeping occupant(s) when outside a bedroom or group of bedrooms, said smoke detectors shall be within ten feet of sleeping room(s). In dwelling units with split levels, a smoke detector installed on the upper level shall suffice for the adjacent lower level provided the lower level is less than one full story below the upper level. If there is an intervening door between the adjacent levels, a smoke detector must be installed on both levels.

A minimum of one carbon monoxide alarm shall be installed in the immediate vicinity of each sleeping area as stated by manufacturer recommendations. Said carbon monoxide alarm shall be within ten feet of each sleeping room. In dwelling units with split levels, a carbon monoxide alarm installed on the lower level shall suffice for the adjacent upper level provided the lower level is less than one full story below the upper level. If there is an intervening door between the adjacent levels, a carbon monoxide alarm must be installed on both levels.

Sec. 10-40. Enforcement and implementation.

The codification of this section within this article shall not be considered to vest exclusive jurisdiction to the fire prevention bureau in the terms of its enforcement, and violations of this section may be enforced by other township officials.

These powers of the fire official shall be in addition and supplemental to all other powers of the municipality and its officers and departments to enforce the ordinance of the municipality. Enforcement also may be initiated by any citizen by the filing of a complaint in municipal court on forms provided by the clerk of the court. In such circumstances, the clerk of the court shall issue a summons and provide for service of summons and complaint as authorized by law.

Sec. 10-41. Severability.

Every section or provision of this article shall be deemed a separate provision to the extent that if any portion shall be declared invalid, such determination shall not affect the remaining parts of this article, which shall remain in full force and

effect to the extent severable.

Sec. 10-42. Penalty.

Any person who violates any of the provisions of this article, or fails to comply with any order issued by an authorized person acting pursuant to lawful authority in the enforcement of this ordinance, shall be subject to a fine of not more than five hundred dollars.

2. Repealer. All ordinances and resolutions or parts thereof inconsistent with this Ordinance are repealed.
3. If any section, paragraph, subsection, clause, or provision of this Ordinance shall be adjudged by the courts to be invalid, such adjudication shall only apply to the section, paragraph, subsection, clause, or provision so adjudged and the remainder of this Ordinance shall be deemed valid and enforceable.
4. This Ordinance shall take effect upon its passage and publication as provided for by law.

Additions in text are indicated by underlining, deletions by [brackets], except that underlined catchwords are not necessarily additions.

The foregoing ordinance was introduced at a meeting of Princeton Township Committee held on February 25, 2008, and will be further considered for final passage after a public hearing thereon at a meeting of said Township Committee to be held at the Princeton Township Municipal Complex, 400 Witherspoon Street on March 10, 2008 which begins at 7:00 p.m.



Kathleen Brzezynski
Deputy Clerk