

# CHAPTER 8. FIRE PROTECTION.<sup>1</sup>

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***Article I. Repealed.***

**Secs. 8-1.-8-5.** (Ord. No. 218, §§ 1, 2; Ord. No. 227; Repealed by Ord. No. 95-14, § 1.)

## ***Article II. Fire Prevention Code.***

### **Sec. 8-5.1. Adoption of New Jersey Uniform Fire Code (N.J.A.C. 5:70-1.1 et seq.).**

That certain code described and commonly known as the "New Jersey Uniform Fire Code (N.J.A.C. 5:70-1.1 et seq.)" setting forth minimum requirements and controls to safeguard life, property or public welfare from the hazards of fire and explosion arising from the storage, handling or use of substances, materials or devices and from conditions hazardous to life, property or public welfare in the use or occupancy of buildings, structures, sheds, tents, lots or premises, is hereby adopted as the Fire Prevention Code for the township and shall be enforced locally within said township. Three copies of said code have been placed on file in the office of the township clerk and shall remain on file there for the use and examination of the public. (Ord. No. 85-19, § 1; Ord. No. 2001-22, § 1.)

#### **Sec. 8-5.1.1. Enforcing agency designation.**

The local enforcing agency for said township shall be the bureau of fire prevention, which is hereby created. (Ord. No. 85-19, § 1.)

#### **Sec. 8-5.1.2. Duties of enforcing agency.**

The local enforcement agency shall enforce the Uniform Fire Safety Act (P.L. 1983, c. 383) and the codes and regulations adopted under it in all buildings, structures and premises within the established boundaries of the township, other than owner-occupied one and two family dwellings, and shall faithfully comply with the requirements of the Uniform Fire Safety Act and New Jersey Uniform Fire Code. (N.J.A.C. 5:70-1.1 et seq.) (Ord. No. 85-19, § 1; Ord. No. 2001-22, § 1.)

#### **Sec. 8-5.1.3. Life hazard uses.**

The local enforcing agency established by section 8-5.1.1 shall carry out the periodic inspections of life hazard uses required by the New Jersey Uniform Fire Code (N.J.A.C. 5:70-1.1 et seq.) on behalf of the Commissioner of Community Affairs. (Ord. No. 85-19, § 1; Ord. No. 2001-22, § 1.)

### **Sec. 8-5.1.3.1 Additional required inspections.**

The bureau of fire prevention shall hereby inspect all buildings, structures or premises not listed as life hazard uses, (referred hereafter as non-life hazard uses), with the exception of owner-occupied detached one and two family dwellings that are used exclusively for residential purposes. Individual dwelling units in multi-family dwellings are also excluded from this inspection program with the exception of the common egress, storage and mechanical areas of such structures. All inspections will be on a periodic cycle but not less than once every twelve months. (Ord. No. 2005-22, § 1.)

### **Sec. 8-5.1.3.2. Registration of non-life hazard uses.**

(a) Owners of business and/or other uses constituting industrial, commercial, professional services, educational, and other uses not classified as life hazard uses by the Uniform Fire Code and which are required to be inspected herein in accordance with this article and the requirements of the New Jersey Uniform Fire Code shall register annually with the bureau of fire prevention as provided herein.

(b) The owners/tenants of uses required to be registered annually shall so do on the forms provided by the bureau of fire prevention, and shall include, but not be limited to, the following information:

(1) The name, address, telephone number of the owner of the property upon or in which the use is located.

(2) The name, home address, and home telephone of the owner, operator, or registered agent of the use, if different from the owner of the property.

(3) The name, physical location, mailing address, and telephone number of the use or business.

(4) The type of use along with a description of the business or activity being conducted.

(5) The amount of square footage being utilized or occupied by the use or business.

(6) Any other information deemed necessary to identify or classify the use or business.

(c) It shall be a violation of this section for the owner or operator of a business or use to fail to return such forms within thirty days of being ordered to do so by the fire official. If the ownership is transferred, whether by sale, assignment, gift, interstate succession, devise, reorganization, receivership, foreclosure or execution

process, the new owner or operator shall file a new registration within thirty days of such a transfer.

(d) Waivers. The following businesses and uses shall be exempt from the local registration fees, permit fees and inspection fees required herein; however, they shall be required to properly apply for such permits and registrations and comply with all other code requirements:

- (1) Municipal agencies (including joint agencies)
- (2) Princeton First Aid & Rescue Squad

(Ord. No. 2005-22, § 1.)

**Sec. 8-5.1.3.3. Non-life hazard use annual registration and inspection fee.**

<b>Structure Size</b>	<b>Registration Fee</b>
500 sq. ft. or less	\$75.00 per registration
501–1,000 sq. ft.	\$100.00 per registration
1,001–3,000 sq. ft.	\$125.00 per registration
3,001–5,000 sq. ft.	\$150.00 per registration
5,001–10,000 sq. ft.	\$200.00 per registration
10,001–20,000 sq. ft.	\$500.00 per registration
20,001–50,000 sq. ft.	\$550.00 per registration
50,001–100,000 sq. ft.	\$600.00 per registration*

\*An additional \$75.00 for each additional 50,000 sq. ft. or parts thereof above 100,000 sq. ft. will be added to cover the expense of performing the fire safety inspection.

One and two story parking decks will be charged a flat fee of \$50.00 per deck. Three or more multiple story parking decks will be charged a flat fee of \$100.00 per deck.

The above inspection fees would be for an initial inspection and up to three reinspection trips. On the third reinspection, if the violation is not abated, a penalty will be assessed as allowed by N.J.A.C.:70-2.12 of the Uniform Fire Code of the State of New Jersey.

(Ord. No. 2005-22, § 1.)

#### **Sec. 8-5.1.4. Organization of enforcing agency.**

The local enforcing agency established by section 8-5.1.1 shall be under the supervision and control of the fire official who shall report to the township administrator. The fire official shall be the chief administrator of the bureau of fire prevention. (Ord. No. 85-19, § 1; Ord. No. 95-25, § 1; Ord. No. 2005-22, § 2.)

#### **Sec. 8-5.1.5. Appointment, term of office, removal of enforcing agency.**

The local enforcing agency as established by section 8-5.1.1 shall be under the supervision of a fire official who shall be appointed by township committee. The fire official shall serve at the pleasure of township committee. Such inspectors and other employees as may be necessary in the local enforcing agency shall be appointed by township committee at their discretion. The fire official and any inspectors or employees of the local enforcing agency may be removed from office only for good cause shown. (Ord. No. 85-19, § 1.)

#### **Sec. 8-5.1.6. Board of appeals.**

Pursuant to Sections 15 and 17 of the Uniform Fire Safety Act (P.L. 1983, c. 383), any person aggrieved by any order of the local enforcing agency shall have the right to appeal to the construction board of appeals of the township. (Ord. No. 85-19, § 1; Ord. No. 2001-21, § 1.)

#### **Sec. 8-5.1.7. Permit fees.**

The permit fees established by the New Jersey Uniform Fire Code (N.J.A.C. 5:70-1.1 et seq.) for use group types 1 through 5 shall be as permitted by said law as amended from time to time. (Ord. No. 85-19, § 1; Ord. No. 91-30, § 2; Ord. No. 2001-21, § 1.)

##### **Sec. 8-5.1.7.1. Additional permit fees.**

Local Type 1 permits: \$42.00

Permits shall be obtained from the fire official for any of the listed activities or uses. Permits shall at all times be subject to inspection by the fire official. The following shall be classified as local Type 1 permits in addition to those prescribed within the Uniform Fire Code:

Asphalt (tar) kettles: No person, firm or corporation shall use or fire any asphalt (tar) kettle without first obtaining a permit from the fire official.

Liquefied petroleum gas (LPG) or liquefied natural gas (LNG): A permit shall be obtained from the fire official for the storage, handling or sale in any occupancy other than residential of liquefied petroleum gas or liquefied natural gas utilizing storage containers with an aggregate water capacity exceeding one gallon or when utilized, or offered as a fuel source for portable cooking, portable heating or flame producing devices or in the transfer or conversion of LPG/LNG process.

Mobile food vendors when flammable liquids or liquefied petroleum gas are utilized for food preparation or warming.

Flammable or combustible liquids: A permit shall be obtained from the fire official for the storage or handling of Class II or Class IIIA combustible liquids in closed containers of aggregate amounts of more than five gallons of Class I flammable liquids but less than twenty-five gallons inside a building, or more than ten gallons but less than sixty gallons outside a building in above ground containers.

Exception: Fuel oil tanks for heating one and two family dwellings, up to six hundred sixty gallons in capacity.

The occasional use of any room in a multi-purpose building with a maximum permitted occupancy of less than one hundred persons for amusement, entertainment or mercantile purposes.

(Ord. No. 2005-22, § 3.)

### **Sec. 8-5.1.7.2. Miscellaneous fees as authorized under N.J.A.C. 5:71 et seq.**

- (a) Variance review fee—\$35.00

Any building application which requests or involves a variation from the requirements of the Uniform Fire Code shall be accompanied by an additional fee in the amount of thirty-five dollars to cover review and administrative costs relating to the requested variance.

- (b) Fire Code status fee—\$35.00

Pursuant to N.J.A.C. 5:70-2.18, upon the request of the owner or bona fide purchaser of a building or structure, the fire official shall issue a certificate either enumerating the violations indicated by its records to be unabated and the penalties or fees indicated to be unpaid or stating that its records indicated that no violations remain unabated and no penalties or fees remain unpaid. Such request shall be in writing and accompanied by a fee of thirty-five dollars.

(c) Penalty for failure to register non-life hazard—\$250.00

(d) Fire report fee—\$25.00

(e) Additional miscellaneous parameters and fees:

(1) All uses requiring registration fees and/or permits shall receive invoices prior to the current certificate of inspection expiration. All fees shall be paid within thirty days of receipt of invoice or prior to the scheduled event.

(2) All required registration fees, which remain unpaid past the thirty day payment period, can be assessed a twenty-five dollar late fee.

(3) All required permit fees, which remain unpaid past the thirty day payment period, will be assessed penalties consistent with the Uniform Fire Code of New Jersey as already established.

(4) When more than one registered non-life hazard use exists under one ownership at a given building address, the highest use shall be registered at the full scheduled fee and subsequent uses at one-half the scheduled fee.

(5) Buildings, uses and premises or parts thereof that are registered as Life Hazard Uses pursuant to the Uniform Fire Code shall be exempt from local registration fees. However, nothing shall preclude the issuance of Type 1, 2, 3 and 4 local permits as described in the Uniform Fire Code of New Jersey or this article.

(Ord. No. 2005-22, § 4.)

### ***Article III. Regulations Governing Conditions Which Would Impede or Interfere With Fire Department Forces.***

#### **Sec. 8-5.2. Authority at fires and other emergencies.**

The fire official or his duly authorized representatives, as may be in charge at the scene of a fire or other emergency involving the protection of life and/or property, is empowered to direct such operations as may be necessary to extinguish or control any suspected or reported fires, gas leaks, or other hazardous conditions or situations or of taking any other action necessary in the reasonable performance of their duty. The fire official may prohibit any person, vehicle or object from approaching the scene and may remove or cause to be removed from the scene any person, vehicle or object which may impede or interfere with the operations of the fire department. The fire official may remove or cause to be removed any person, vehicle or object from hazardous areas. All

persons ordered to leave a hazardous area shall do so immediately and shall not re-enter the area until authorized to do so by the fire official. (Ord. No. 1001, § 3.)

**Sec. 8-5.3. Interference with fire department operations.**

It shall be unlawful to interfere with, attempt to interfere with, conspire to interfere with, obstruct or restrict the mobility of, or block the path of travel of any fire department emergency vehicle in any way, or to interfere with, attempt to interfere, conspire to interfere with, obstruct or hamper any fire department operation. (Ord. No. 1001, § 3.)

**Sec. 8-5.4. Compliance with orders.**

A person shall not willfully fail or refuse to comply with any lawful order or direction of the fire official or to interfere with the compliance attempts or another individual. (Ord. No. 1001, § 3.)

**Sec. 8-5.5. Vehicles crossing fire hose.**

A vehicle shall not be driven or propelled over any unprotected fire hose of the fire department when laid down on any street, alley-way, private drive or any other vehicular roadway without the consent of the fire official in command of said operation. (Ord. No. 1001, § 3.)

**Sec. 8-5.6. Definition of authorized emergency vehicle.**

Authorized emergency vehicles shall be restricted to those which are defined and authorized under the laws of the State of New Jersey. (Ord. No. 1001, § 3.)

**Sec. 8-5.7. Operation of vehicles on approach of authorized emergency vehicles.**

Upon the approach of any authorized emergency vehicle, giving audible and visual signal, the operator of every other vehicle shall immediately drive the same to a position as near as possible and parallel to the right-hand edge or curb of the street or roadway, clear of any intersection, and shall stop and remain in such position until the authorized emergency vehicle or vehicles shall have passed, unless otherwise directed by the fire official or a police officer. (Ord. No. 1001, § 3.)

### **Sec. 8-5.8. Vehicles following fire apparatus.**

It shall be unlawful for the operator of any vehicle, other than one on official business, to follow closer than three hundred feet from any fire apparatus traveling in response to a fire alarm, or to drive any vehicle within the block or immediate area where fire apparatus has stopped in answer to a fire alarm. (Ord. No. 1001, § 3.)

### **Sec. 8-5.9. Unlawful boarding or tampering with fire department emergency equipment.**

A person shall not without proper authorization from the fire official in charge of said fire department emergency equipment, cling to, attach himself to, climb upon or into, board, or swing upon any fire department emergency vehicle, whether the same is in motion or at rest, or sound the siren, horn, bell or other sound-producing device thereon, or to manipulate or tamper with, or attempt to manipulate or tamper with any levers, valves, switches, starting devices, brakes, pumps, or any equipment or protective clothing on, or a part of, any fire department emergency vehicle. (Ord. No. 1001, § 3.)

### **Sec. 8-5.10. Damage, injury - Fire department - Equipment, personnel.**

It shall be unlawful for any person to damage or deface, or attempt, or conspire to damage or deface any fire department emergency vehicle at any time, or to injure, or attempt to injure or conspire to injure fire department personnel while performing departmental duties. (Ord. No. 1001, § 3.)

### **Sec. 8-5.11. Emergency vehicle operation.**

The driver of any emergency vehicle, as defined in this article, shall not sound the siren thereon or have the front red lights on or disobey any existing traffic regulation, except when said vehicle is responding to an emergency call or when responding to, but not upon returning from a fire. Tactical strategies such as, but not restricted to, "move-ups" do not constitute an emergency call. The driver of any emergency vehicle responding to an emergency may:

- (a) Park or stand irrespective of the provisions of existing traffic regulations;
- (b) Proceed past a red or stop signal or other sign, but only after slowing down as may be necessary for safe operation;

(c) Exceed the prima facie speed limit so long as he does not endanger life or property;

(d) Disregard regulations governing direction of movement or turning in specified directions;

(e) The exemptions herein granted to an emergency vehicle shall apply only when the driver of any such vehicle while in motion sounds audible signal by bell, siren, or exhaust whistle as may be reasonably necessary, and when the vehicle is equipped with at least one lighted lamp displaying a red light visible under normal atmospheric conditions from a distance of five hundred feet to the front of such vehicle. (Ord. No. 1001, § 3.)

### **Sec. 8-5.12. Blocking fire hydrants and fire department connections.**

It shall be unlawful to obscure from view, damage, deface, obstruct or restrict the access to any fire hydrant or any fire department connection for the pressurization of fire suppression systems, including fire hydrants and fire department connections that are located in public or private streets and access lanes, or on private property.

If upon the expiration of the time mentioned in a notice of violation, obstructions or encroachments are not removed, the fire official shall proceed to remove the same. Cost incurred in the performance of necessary work shall be paid from the municipal treasury on certificate of the fire official and with the approval of the chief administrative official; and the legal authority of the municipality shall institute appropriate action for the recovery of such cost. (Ord. No. 1001, § 3.)

### **Sec. 8-5.13. Hydrant use approval.**

A person shall not use or operate any fire hydrant intended for use of the fire department for fire suppression purposes unless such person first secures a permit for such use from the fire official and the water company having jurisdiction. This section shall not apply to the use of such hydrants by a person employed by, and authorized to make such use by, the water company having jurisdiction. (Ord. No. 1001, § 3.)

### **Sec. 8-5.14. Public water supply.**

The fire official shall recommend to the chief administrative official of the municipality the location or relocation of new or existing fire hydrants and the placement or replacement of inadequate water mains located upon public property and deemed necessary to provide an adequate fire flow and distribution pattern. A fire hydrant shall

not be placed into or removed from service until approved by the fire official. (Ord. No. 1001, § 3.)

### **Sec. 8-5.15. Yard systems.**

All new and existing oil storage plants, lumber yards and educational or institutional complexes and similar occupancies and uses involving high fire, or life hazards, and which are located more than one hundred fifty feet from a public street or which require quantities of water beyond the capabilities of the public water distribution system shall be provided with properly placed fire hydrants. Such fire hydrants shall be capable of supplying fire flows as required by the fire official and shall be connected to a water system in accordance with accepted engineering practices. The fire official shall designate and approve the number and location of fire hydrants. The fire official may require the installation of sufficient fire hose and equipment housed in accordance with the approved rules and may require the establishment of a trained fire brigade when the hazard involved required such measures. Private hydrants shall not be placed into or removed from service until approved by the fire official. (Ord.

No. 1001, § 3.)

### **Sec. 8-5.16. Maintenance of fire suppression equipment.**

A person shall not obstruct, remove, tamper with or otherwise disturb any fire hydrant or fire appliance required to be installed or maintained under the provisions of the BOCA Basic Fire Prevention Code/1981 except for the purpose of extinguishing fire, training or testing purposes, recharging, or making necessary repairs, or when permitted by the fire official. Whenever a fire appliance is removed as herein permitted, it shall be replaced or re-installed as soon as the purpose for which it was removed has been accomplished. Defective and non-approved fire appliances or equipment shall be replaced or repaired as directed by the fire official. (Ord. No. 1001, § 3; Ord. No. 1003, § 2.)

### **Sec. 8-5.17. Sale of defective fire extinguishers.**

Any person shall not sell, trade, loan or give away any form, type or kind of fire extinguisher which is not approved by the fire official, or which is not in proper working order, or the contents of which do not meet the requirements of the fire official. The requirements of this section shall not apply to the sale, trade or exchange of obsolete or damaged equipment for junk and said units are permanently disfigured or marked with permanent sign identifying the unit as junk. (Ord. No. 1001, § 3.)

## **Sec. 8-5.18. Street obstruction.**

A person or persons shall not erect, construct, place, or maintain any fences, gates, chains, bars, pipes, wood or metal horses or any other type of obstruction in or on any street, within the boundaries of the municipality, except when closed temporarily by special municipal permission. The word "street" as used in this article, shall mean any road-way accessible to the public for vehicular traffic, including, but not limited to, private streets or access lanes, as well as all public streets and highways within the boundaries of the municipality. (Ord. No. 1001, § 3.)

### **Sec. 8-5.18.1. Fire lanes/zones.**

Pursuant to the provisions of the Uniform Code of New Jersey, N.J.A.C. 5:70-1 et seq., the township hereby creates fire lanes/zones in order to address concerns relating to parking and the obstruction of fire equipment as follows:

(a) *Definition.* As used in this section, a fire lane or fire zone shall be interchangeable. A fire lane/zone is defined as any designated area that may be part of a traffic circulation system and/or the areas of ingress/egress adjacent to a building or other designated location as to provide an immediate and unobstructed route and/or access for firefighting operations, equipment and personnel.

(b) *Fire lane/zone designation.* The fire official under the direction of the New Jersey Uniform Fire Code shall designate fire lanes/zones within the Township of Princeton.

(c) *Marking of fire lanes/zones.* It shall be the responsibility of the owner(s) or operator(s) of the premises upon which the fire lane/zone is established, to install the appropriate identification at his expense. All fire lane/zone markings shall be maintained and be legible at all times in accordance with the following:

(1) *Striping and curbs.* Where applicable, fire lanes/zones shall be identified by painting the curb yellow and be striped with yellow lines four inches in width placed diagonally from the curb or road edge and shall be outlined along their entire perimeter. Fire lane/zone widths and lengths shall be designed by the fire official as appropriate.

(2) *Pavement lettering.* The legend "No Parking Fire Lane/Zone" shall be placed within the striped area of the fire lane/zone at a minimum of one hundred foot intervals or as designated by the fire official. The lettering shall be eighteen inches high and yellow in color.

(3) *Signage.* In areas where striping cannot be applied, a metal No Parking Fire Lane/Zone sign shall be posted. Fire lane/zone signs shall measure twelve inches by eighteen inches and have a white reflective background with a minimum two inch high

red reflective lettering which reads NO PARKING FIRE LANE/ZONE. Fire lane/zone signs shall be displayed at the beginning and end of the fire lane/zone and at such intervals as required by the fire official, but not more than one hundred feet center to center. Fire lane/zone signs shall be placed at a height of seven feet as measured from the ground surface to the top of the sign and shall be placed facing the direction of traffic flow. Fire lane/zone signs may be placed on existing supports.

(d) *Serviceability.* Any and all fire lanes/zones created prior to this section are hereby continued in effect. It shall be at the discretion of the fire official if repairs or modifications shall be made to any pre-existing fire lane/zone if they are not in conformity with the section. In no circumstance shall modifications be permitted which will create a lesser standard than the original approval of said fire lane/zone.

(e) *Enforcement.* The bureau of fire prevention and the police department shall have concurrent jurisdiction to enforce the provisions of this section.

(f) *Parking prohibited or obstruction of fire lanes/zones.* It is hereby prohibited for any person at any time to park, stop, stand or leave an unattended motor vehicle in areas designated as a fire lane/zone, or shall any person, firm or corporation place or construct any structure in an area designated as a fire lane/zone which will impair the access of firefighting apparatus, firefighters or impair the use of any exit or exit discharge of a building.

(g) *Violations and penalties.* Any person who violates subsection (f) of this section shall be assessed a fine of one hundred dollars per occurrence for parking in and or obstructing any designated fire lane/zone, both public and private within the boundaries of the Township of Princeton. If deemed necessary by the enforcing agency, the vehicle may be removed and stored at the owner's expense. Persons pleading guilty or who are convicted in municipal court of violating this section shall also incur any court costs associated with appearing in court. Court costs and fines shall be payable to the clerk of the municipal court. The court shall turn over any monies collected for this violation to the municipal treasurer as prescribed by law.

(Ord. No. 2006-30, § 1.)

#### ***Article IV. Princeton Fire Department.***

##### **Sec. 8-5.19. Created - Interlocal Services Agreement.**

(a) Pursuant to N.J.S.A. 40:8A-1, et seq., the Interlocal Services Act, the township committee hereby authorizes and directs the mayor and clerk to enter into an Interlocal Services Agreement with the Borough of Princeton which will provide that fire protection services shall be provided for said borough and township by the "Princeton

Fire Department". A copy of said Interlocal Services Agreement is annexed to this section and its terms are incorporated by reference herein.2 (Ord. No. 93-31, § 1.)

As to fire limits, see § 5-4.1 of the Code.

**2. Editor's Note:** The agreement referred to herein may be found on file in the office of the township clerk attached to Ordinance No. 93-31.

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