

**TOWNSHIP OF WYCKOFF
COUNTY OF BERGEN, STATE OF NEW JERSEY**

ORDINANCE #2024

AN ORDINANCE TO REPEAL CHAPTERS 115, 116, AND 117 RELATED TO FIRE PREVENTION, ESTABLISH A NEW CHAPTER 115 (FIRE PREVENTION), AND AMEND CHAPTER 113 (FEES) TO INCORPORATE RELATED FEES

WHEREAS, the existing regulations governing fire prevention in the Township of Wyckoff, codified as Chapters 115 'Fire Prevention', 116 'Fire Prevention Administration', and 117 'Fire Prevention, Key Lock Box System', are in need of comprehensive review and updating to enhance the effectiveness of fire prevention measures and ensure the safety of all township residents and properties; and

WHEREAS, it is necessary to amend Chapter 113 'Fees' to establish and update the fee structure related to the enforcement of the new Chapter 115 'Fire Prevention', ensuring that the fees are aligned with the administrative costs and services provided under the updated fire prevention regulations.

NOW THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Wyckoff, in the County of Bergen, State of New Jersey as follows:

SECTION 1. Chapter 115 'Fire Prevention', Chapter 116 'Fire Prevention Administration', and Chapter 117 'Fire Prevention, Key Lock Box System' of the Code of the Township of Wyckoff are hereby repealed in their entirety.

SECTION 2. A new Chapter 115, entitled "Fire Prevention", is hereby adopted to establish comprehensive fire prevention regulations, practices, and requirements to enhance public safety and minimize the risk of fire within the Township, to read as follows:

Chapter 115 Fire Prevention

§ 115-1. Adoption of standards.

Pursuant to Section 11 of the Uniform Fire Safety Act (P.L. 1983, c. 383), the New Jersey Fire Code shall be locally enforced in the Township of Wyckoff.

The Fire Prevention Code of the municipality shall consist of a certain code known as the "New Jersey Uniform Fire Code," adopted February 18, 1985, and is hereby incorporated in this chapter as if set forth at length. Required copies thereof have been placed on file in the office of the Municipal Clerk and the Fire Prevention Bureau and shall remain in said offices so long as this chapter is in effect, for use and examination by the public.

§ 115-2. Local enforcement.

The Township of Wyckoff Fire Prevention Bureau shall be the local enforcing agency for the Uniform Fire Safety Act and the codes and regulations adopted under it in all buildings, structures, and premises within the established boundaries of Wyckoff, other than owner-occupied one- and two-family dwellings, and shall faithfully comply with the requirements of the Uniform Fire Safety Act and the Uniform Fire Code.

§ 115-3. Local enforcement.

- A. Within the Township of Wyckoff shall be created the Fire Prevention Bureau.
- B. The Fire Official shall serve as the chief administrator of the Fire Prevention Bureau and be responsible for its supervision. There may be one or more fire inspectors as may be deemed necessary.
- C. The Fire Official shall report to the Construction Official.
- D. The Township Administrator shall appoint the Fire Official with the approval of the Township Committee. Fire Inspectors shall be appointed by the Township Administrator and report to and perform their duties under the authority of the Fire Official.
- E. Minimum certification for the position of Fire Official shall consist of a valid Fire Official certificate issued by the State of New Jersey Department of Community Affairs.
- F. Minimum certification for the position of Fire Inspector shall consist of a valid Fire Inspector certificate issued by the State of New Jersey Department of Community Affairs.
- G. Minimum continued education courses for the Fire Official and Fire Inspector positions shall be as mandated by the New Jersey Department of Community Affairs.
- H. To ensure that there will be no conflict, an independent counsel shall be appointed to assist the Fire Prevention Bureau in enforcing the New Jersey Uniform Fire Code, should the need arise.
- I. The Fire Official shall serve for a term of three years, commencing January 1 of the calendar year appointed and ending December 31 of the third year. Any vacancy shall be filled for the unexpired term(s) if needed.

- J. The Township Administrator may remove the Fire Official, Fire Inspector(s), and other employees for inefficiency, misconduct, or other just cause. Each employee so removed shall be afforded an opportunity to be heard by the appointing authority.

§ 115-4. Inspection of life hazard uses.

The Fire Prevention Bureau, as designated by this chapter, shall carry out the periodic inspections of life hazard uses required by the Uniform Fire Code on behalf of the Commissioner of the Department of Community Affairs.

§ 115-5. Inspections and Non-Life Hazard annual registration fees.

In addition to the inspection fees required pursuant to the Act and the regulations of the Department of Community Affairs, the following additional inspections and non-life-hazard annual registration fees shall be required:

- A. Inspections and Non-Life Hazard Annual Registration fees.
 - (1) Fees are as provided in Chapter 113, Fees.
 - (2) Assessed fees shall be satisfied by the 30th day after its issuance.
 - (3) Unpaid fees outstanding after the 30th day may result in a penalty equal to the amount of the unpaid fee. Ten additional days will be granted for payment of the fee plus penalty.
 - (4) Any person who fails to immediately pay a money judgment entered against him pursuant to this section is subject to penalties in accordance with the New Jersey Uniform Fire Code, N.J.A.C. 5:70-2.12.
 - (5) All monies recovered in the form of penalties shall be paid into a dedicated trust account and shall be appropriated for the enforcement of the Act.
 - (6) If the fee and penalty remain unpaid after the thirty-day extension period, the enforcing agency may institute legal proceedings in Municipal Court pursuant to the Penalty Enforcement Law (N.J.S.A. 2A:58-12 et seq.).
- B. Permit fees for Type 1-4 permits are as provided in Chapter 113, Fees.

§ 115-6. Life Hazard Annual registrations.

The life-hazard use registration fees established by the New Jersey Uniform Fire Code, N.J.A.C. 5:70-2.9(a), shall be as provided in Chapter 113, Fees.

§ 115-7. Response to fire alarms.

- A. The response of Fire Prevention Bureau personnel to fire alarm conditions shall apply to all occupancies.
- B. Upon the occurrence of a fire alarm in any of the afore-listed occupancies during the normal business hours of the Fire Prevention Bureau, there may be a response from Fire Prevention Bureau personnel. The following constitute legitimate reasons for a response from the Fire Prevention Bureau:
 - (1) To enforce the Fire Code or Fire Ordinance and to issue documentation, violations, and notification as may be required by the Township of Wyckoff.
 - (2) To assist the Fire Chief or his duly authorized representative. This may be done with any knowledge acquired during previous fire inspections performed by Fire Prevention Bureau personnel. This shall be of fire-staff-type assistance, not fire-command-type assistance.
- C. Response to all occupancies after normal business hours may occur by on-call Fire Prevention Bureau personnel or by the Fire Official or by request of the Fire Chief or Police Department when made through the Public Safety Operations Center, NORCON, or the Wyckoff Fire Desk.
- D. Response of the Fire Prevention Bureau to residential fire alarm conditions may be by request of the Fire Chief or Police Department. This chapter shall not interfere with the New Jersey Uniform Fire Code N.J.A.C. 5:71-3.3(a)25 on investigation contained in Subchapter 3, Organization, Administration and Enforcement.

§ 115-8. Fire hydrants.

- A. All fire hydrants shall be installed subject to the approval of the Fire Official or his duly authorized representative.
- B. Fire Department connections shall have an approved fire hydrant installed no more than 100 feet from the siamese connection location or as approved by the Fire Official. All fire hydrants and Fire Department connections shall be maintained accessible and visible at all times.
- C. This location of hydrants to Fire Department connections shall apply to all new construction.

§ 115-9. False alarms.

- A. As used in this chapter, "false alarm" shall mean the transmission either directly or indirectly to the Police Department of the Township of Wyckoff of any automatic fire alarm, smoke alarm, fire sprinkler water flow alarm, or carbon monoxide alarm that was not caused by a fire, a smoke condition, a carbon monoxide condition, or such other condition that is beyond the control of the owner.
- B. The Police Department shall report all false alarms to the Fire Prevention Bureau, which shall investigate and determine the cause of the false alarm. The Fire Prevention Bureau shall maintain a list of all false alarms. Said list shall identify the locations of the false alarms and the number of false alarms at the location during the calendar year.

§ 115-9.1. Penalties for false alarms.

- A. Penalties for false alarms transmitted from a multifamily residential complex, business, commercial, eleemosynary, and/or industrial premises shall be as follows:

Number of Alarms Within a Calendar Year	Penalty
First 2	Warning only
3 rd	\$200
4 th	\$300
5 th	\$500
6 or more	\$1,000

- B. Penalties for false alarms transmitted from single-family detached dwellings, individual townhouses, and condominium unit dwellings shall be as follows:

Number of Alarms Within a Calendar Year	Penalty
First 2	Warning only
3 rd	\$100
4 th	\$200
5 th	\$300
6 or more	\$500

- C. Any person, firm, company, or corporation that causes to be transmitted a false alarm as the result of installing, repairing, testing, tampering with, or performing any work to an automatic fire alarm, smoke alarm, fire sprinkler, water flow alarm, carbon monoxide alarm system, or as a result of structural alterations, renovations, remodeling or construction shall be subject to a penalty of not less than \$200 nor more than \$1,000

for each transmission of a false alarm.

- D. All penalties assessed for violation of this chapter shall be paid into the Fire Prevention Bureau Penalty Account.

§ 115-10. Interference with fire systems prohibited; fines.

Blocking access, interfering or tampering with or causing malicious damage to any fire alarm, suppression system, fire communications system, fire detection, first-aid, fire-fighting system, device, unit, or part thereof shall result in a mandatory fine of \$500 per day per violation. During an actual alarm, the condition shall result in a mandatory fine of \$500 per day per violation. Fines shall remain in effect until conditions are deemed corrected by the Fire Prevention Bureau. Failure to comply shall result in an issued summons to appear in court. Fines assessed from this chapter shall go into the Fire Prevention Bureau penalty account.

§ 115-11. Portable fire extinguishers for hot-tar kettle jobs.

The minimum size of portable fire extinguishers for job site locations concerning hot tar kettles shall be 15 pounds. The type shall be B:C dry chemical. The minimum number of portable extinguishers per kettle job site shall be:

- A. One extinguisher is to be located between 10 and 15 feet from the kettle, kept accessible to the operator of the job site kettle.
- B. One additional extinguisher is to be located on the roof level of the job site in the area where hot-tar roof work is being done.

§ 115-12. Hydrant use and approval; violations and penalties.

- A. No person shall use or operate any fire hydrant intended for the use of the Fire Department for suppression purposes unless such person first secures permission from the Fire Official and the Director of the Department of Water Supply of the Village of Ridgewood or their designee. Failure to obtain such permission shall be deemed unlawful.
- B. This section shall not apply to the use of such hydrants by a person employed by and authorized to make such use by the Director of the Department of Water Supply of the Village of Ridgewood or their designee.
- C. A person who violates or causes to be violated the provisions of this

section shall be liable to a penalty of not more than \$500 for each violation. This shall be in addition to penalties that may be enforced by law enforcement or other municipal agencies.

§ 115-13. Public water supply.

- A. The Fire Official shall recommend to the Director of the Department of Water Supply of the Village of Ridgewood 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. This shall be done in conjunction with advice from the Supervisor of Water and Sewers.
- B. A fire hydrant shall not be placed into or removed from service until approved by the Fire Official and the Director of the Department of Water Supply of the Village of Ridgewood or their designee.

§ 115-14. Yard systems.

- A. All new and existing occupied structures located more than 150 feet from a public street or which require quantities of water beyond the capabilities of the public water distribution system or which have areas remote from existing hydrant locations shall have additional, properly placed fire hydrants as approved by the Fire Official.
- B. 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.
- C. The Fire Official shall designate and approve the number and location of fire hydrants.
- D. Private hydrants shall not be placed into or removed from service until approved by the Fire Official.

§ 115-15. Street obstructions prohibited; violations and penalties.

- A. No person shall erect, construct, place, or maintain any bumps, fences, gates, bars, pipes, wood or metal horses, or any other type of obstruction that would prevent or hinder access to a fire hydrant in or on any street within the Township.

- B. The word "street," as used in this chapter, shall mean any roadway 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 Township.
- C. Exceptions to the prohibitions of Subsection A above may be granted in writing upon good cause shown by the Fire Official, provided that no such proposed obstruction shall be of such design or nature that injury may occur to fire suppression personnel or damage may occur to fire suppression equipment.
- D. Any person responsible for installations in violation of Subsection A above shall be liable to a penalty of not more than \$500 per day per violation.
- E. Penalties shall be enforced and collected by the Fire Official under the authority of the New Jersey Uniform Fire Code.

§ 115-16. Rapid entry system.

A. Applicability

- (1) A key box of a UL-type approved by the Wyckoff Fire Official shall be installed on the property in the following circumstances:
 - i. Buildings Requiring Fire Department Access:
 - Buildings with automatic fire detection or suppression systems.
 - Buildings where visual inspection for fire is obstructed.
 - Buildings classified as life hazard uses.
 - Any building where the Fire Official determines a need for immediate access in case of fire.
 - ii. Multiple Dwelling Buildings:
 - All buildings containing five or more units with common areas locked from the outside.
 - iii. Commercial and Industrial Properties:
 - All commercial and industrial buildings, including commercial structures with two or more separately located businesses sharing common areas locked from the outside.
 - iv. Educational and Childcare Facilities:

- All daycare centers, nurseries, public and private schools.

v. Municipal Buildings:

- All Township municipal buildings.

(2) Exclusions

- i. This ordinance does not apply to one- and two-family dwellings classified under the Uniform Construction Code (N.J.A.C. 5:23 et seq.) as R-3 and R-4.
- ii. Any structure or site with a twenty-four-hour, seven-day-a-week, on-site guard service shall be exempted from the provisions of this section.

B. Compliance Deadlines

- (1) Existing Buildings: All existing buildings covered by this section must install a key box within six months of the ordinance's effective date.
- (2) New Buildings: Newly constructed buildings or buildings under construction must install a key box prior to the acceptance and approval of their fire detection or suppression systems.

C. Commercial and Manufacturing Buildings

All new commercial or manufacturing buildings constructed after the effective date of this ordinance, and any existing commercial or manufacturing buildings changing tenancy, ownership, or renovation exceeding 30% of the building's usable footage, must install a key box. Keys must be provided prior to occupancy or final inspection.

D. Type of equipment.

The rapid entry system shall have a single lock and alarm tamper switch. If the building is protected by a burglary alarm system(s), it shall be connected so that an alarm will sound in the event the box is opened or removed from the building. If a burglar alarm system does not protect the building, the box may be connected to the fire alarm system at the owner's discretion. Connection to the fire alarm requires the box to be zoned alternately from any fire detection and noted on the fire alarm annunciator panel as a rapid entry system. The owner and/or occupant of a nonresidential property or their agent shall be responsible for ordering and installing a Knox Company Rapid Entry System or its commercial equivalent.

E. Location of Key Boxes

The key box must be installed near the main entrance of the building or property, mounted between six and eight feet above the final grade, or in another position approved by the Fire Official.

F. Contents of Key Vault/Lock Box.

Labeled keys, easily identified, in the field to provide access into the property and/or building and to any locked areas within the said building, and as may be further directed by the Fire Official. All affected rooms shall be clearly marked with either a number or labels to coincide with their labeled key.

- (1) Keys to all locked points of egress, whether interior or exterior, of said buildings.
- (2) Keys to locked mechanical rooms.
- (3) Keys to locked electrical rooms.
- (4) Keys to fire control panels.
- (5) Keys to sprinkler rooms.
- (6) Keys to boiler/utility rooms.
- (7) Keys to elevator control rooms.
- (8) Keys to other areas as directed by the Fire Official.
- (9) Pertinent building information or emergency notification information may also be required to be contained in the key vault/lock box or other location as determined by the Fire Official.
- (10) Pass/reset codes for any fire alarm system.

G. Fines and penalties.

Any person violating this section's provisions after receiving a prior written warning notice from the Fire Official shall be subject to a fine of \$500 for each violation.

§ 115-17. Smoke detectors, carbon monoxide detectors, and portable fire extinguisher compliance in residential dwellings; inspection fees; violations and penalties.

- A. The Fire Prevention Bureau shall inspect all residential occupancies for compliance with the required number of approved smoke detectors, carbon monoxide detectors, and portable fire extinguishers in accordance with the Township of Wyckoff ordinances and the New Jersey Uniform Fire Code.
- B. Fire Prevention Bureau inspection shall occur prior to the time of resale,

renting, or change of occupancy for residential purposes. Upon inspection, a certificate of smoke detector, carbon monoxide, and portable fire extinguisher compliance (CSDCMAPFEC) shall be issued by the Fire Official.

- C. Where applicable, smoke detectors and carbon monoxide detectors may be battery-operated units, as approved by the Fire Official. Smoke detectors, carbon monoxide detectors, and portable fire extinguishers shall be UL-listed, FM-approved, or carry the seal of an authorized recognized approval agency.
- D. Smoke detectors and carbon monoxide detectors shall be installed as recommended by the manufacturer and approved by the Fire Official or his authorized representative. Portable fire extinguishers shall be installed in accordance with the New Jersey Uniform Fire Code N.J.A.C. 5:70-4.19.
- E. The inspection fee for the issuance of a certificate of smoke detector, carbon monoxide, and portable fire extinguisher compliance for all residential dwellings, except multiple-family dwellings, shall be as provided in Chapter 113, Fees.
- F. Reinspection fees. Fees for reinspecting any residential property, except multiple-family dwellings, shall be as provided in Chapter 113, Fees.

§ 115-18. Doors/stairwells.

- A. All structures, including but not limited to office buildings, strip malls, and malls containing more than four separate rental spaces, shall have the main entrance door(s) and all exterior door(s) adequately marked. The marking shall consist of the following:
 - (1) The name of the business or corporation.
 - (2) The address or suite number or store number.
- B. All structures three stories or more containing more than one interior stairwell shall have all stairwell doors marked both on the interior of the building as well as the interior of the stairwell. The marking shall consist of the following:
 - (1) The floor number.
 - (2) A stairwell letter, such as A, B, C, etc.
- C. The lettering and numbering shall be at least four inches in height and located not more than three feet from the bottom of the door. The color shall contrast the door color and be approved by the Fire Official.

- D. The aforementioned requirements shall apply to all structures and shall be enforced by the Fire Inspection Bureau, beginning with the first annual inspection to be scheduled after the effective date of this section. Failure to comply with this section will result in a two-hundred-dollar penalty being assessed. All penalties assessed under this section shall be paid into the Fire Prevention Bureau Penalty Account.

§ 115-19. Movie/filming permit.

- A. A permit shall be required from the Township of Wyckoff Fire Prevention Bureau before the filming of any motion picture or commercial on any premises within the Township of Wyckoff when:
- (1) The filming or any activity related thereto changes the floor plan, means of egress, or exit door configuration in a structure.
 - (2) The filming or any activity related thereto involves pyrotechnics/explosives which are stored on-site or used during the filming.
 - (3) The filming obstructs access to any lot, street, roadway, or building within the Township.
 - (4) The filming employs the use of an aircraft of any type.
- B. Prior to the issuance of a permit and during the operation authorized by the permit, the Fire Official may require certain fire safety elements or standards to be met, including but not limited to Township ordinances, New Jersey Uniform Fire Code, and NFPA standards. The Fire Official may require extra protection to be added to the structure, and a Township Fire Inspector be present on site. The production company shall be responsible for the cost of the Fire Inspector, which shall be paid to the Township Treasurer at the current Township rate.
- (1) If at any time during the operation authorized by the permit, the Fire Official or his duly authorized representative feels that the filming is unsafe, violates the code, or is causing a hazard to life or property, he may take the necessary action to abate the hazard.
 - (2) The permit fee of \$200 is payable to the Fire Prevention Bureau Account and shall be valid for 30 days from the date of issuance.
 - (3) A penalty of \$500 shall be assessed for failure to comply with the terms of this section and shall be payable to the Fire Prevention Bureau Penalty Account.

§ 115-20. Pyrotechnic devices are prohibited.

- A. It shall be unlawful for any person to ignite, display, possess, or use in any manner whatsoever, within any commercial structure, pyrotechnics,

sparklers, and smoke/fog machines.

§ 115-21. Appeals.

Pursuant to Sections 15 and 17 of the Uniform Fire Safety Act (N.J.S.A. 52:27D-206 and 52:27D-208), any person aggrieved by any order of the local enforcement agency shall have the right to appeal to the Bergen County Construction Board of Appeals.

- B. Exempted from the provisions of this section are any testing or training exercises conducted by the Fire Prevention Bureau, the Volunteer Fire Department, or other recognized fire brigade.
- C. Any person violating this section shall be subject to a penalty of \$1,000 per occurrence, payable to the Fire Prevention Bureau Penalty Account.

SECTION 3. Chapter 113, "Fees" of the Code of the Township of Wyckoff is hereby amended by supplementing the following sections to incorporate fees associated with the enforcement of the new Chapter 115 "Fire Prevention" to add the following:

Chapter	Section	Purpose of Fee	Fee
Chapter 115, Fire Prevention	§ 115-5A	Inspections and Non-Life Hazard Annual Registration Fees	
		20,000 square feet and over	\$750
		15,000 to 19,999 square feet	\$600
		10,000 to 14,999 square feet	\$450
		5,000 to 9,999 square feet	\$300
		1,000 to 4,999 square feet	\$150
		Up to 999 square feet	\$75
	§ 115-5B	Permit fees	
		Storage of flammable, combustible, hazardous and unstable materials in liquid, gas or solid form	
		01 to 10 cylinders	\$30
		11 to 20	\$60
		01 to 30 containers	\$60
		01 to 30 boxes	\$60
		01 to 10 drums	\$60
		30 to 550 gallons	\$60

	More than 20 cylinders	\$250
	More than 30 containers	\$250
	More than 30 boxes	\$250
	More than 550 gallons	\$250
	More than 10 drums	\$250
	Hot tar roofing permit, per job	\$60
§ 115-6	Uniform Fire Code Fees: registration; permit	
	The annual registration fees for life hazard uses	Fees shall be in accordance with N.J.A.C. 5:70-2.9(a)
	Application fee for a permit	Fees shall be in accordance with N.J.A.C. 5:70-2.9(c)
§ 115-17E	Inspection fees	
	Requests for a CSACMAPFEC received more than 10 business days prior to the change of occupant	\$90
	Requests for a CSACMAPFEC received four to 10 business days prior to the change of occupant	\$145
	Requests for a CSACMAPFEC received fewer than four business days prior to the change of occupant	\$205
§ 115-17F	Reinspection fees	
	1st and 2nd reinspection	\$50
	3rd reinspection	\$100
	4th reinspection	\$150

SECTION 4. Repealer. All ordinances or parts of Ordinances inconsistent or in conflict with this Ordinance are hereby repealed as to said inconsistencies and conflict.

SECTION 5. Severability. If any section, part of any section, or clause or phrase of this Ordinance is for any reason held to be invalid or unconstitutional, such decision shall not affect the remaining provisions of this Ordinance. The Governing Body of the Township of Wyckoff declares that it would have passed the Ordinance and each section and subsection thereof, irrespective of the fact that any one or more of the subsections, sentences, clauses, or phrases may be declared unconstitutional or invalid.

SECTION 6. Effective Date. This Ordinance shall take effect immediately upon passage and publication according to law.