

ORDINANCE NO. 8, 2018

AN ORDINANCE AMENDING CHAPTER 152 FIRE PREVENTION, ARTICLE I GENERAL REGULATIONS, SECTION 152-8, VIOLATIONS AND PENALTIES, ARTICLE IV SMOKE AND HEAT DEVICES, SECTION 152-23 CERTIFICATE OF SMOKE DETECTOR COMPLIANCE, SECTION 152-26 FEES, ARTICLE V FIRE LANES ON PRIVATE PROPERTY, SECTION 152-33 VIOLATIONS AND PENALTIES, OF THE CODE OF THE CITY OF LINWOOD AND REPEALING ALL ORDINANCES HERETOFORE ADOPTED, THE PROVISIONS OF WHICH ARE INCONSISTENT HEREWITH.

BE IT ORDAINED, by the Common Council of the City of Linwood, County of Atlantic and State of New Jersey as follows:

SECTION 1: Chapter 152, Article I, Section 152-8 Violations and penalties, is hereby amended to read as follows:

Any person, firm or corporation who shall violate the provisions of this chapter shall be subject to a fine or penalty as outlined in N.J.A.C. 5:70-2.12 of the New Jersey Uniform Fire Code.

SECTION 2: Chapter 152, Article IV, Section 152-23 Certificate of smoke detector compliance, Sections A and Section D, are hereby amended to read as follows:

- A. Before any Use Group R-3 structure is sold, leased or otherwise made subject to a change of occupancy for residential purposes, the owner shall obtain a certificate of smoke detector compliance (CSDC), evidencing compliance with N.J.A.C. 5:70-4.19 and N.J.A.C. 5:70-2.3, from the Linwood Bureau of Fire Prevention. The smoke detector compliance form shall be valid for 30 days from date of inspection.
- D. The smoke detectors required in Subsection C(1) and (2) above shall be located in accordance with NFPA 72 listed in N.J.A.C. 5:70-Appendix 3A, incorporated herein by reference, and maintained in working order. The detectors shall not be required to be interconnected. Smoke detectors may be battery powered and shall be listed in accordance with ANSI/UL 217 listed in N.J.A.C. 5:70-Appendix 3A, incorporated herein by reference. Alternating-current-powered smoke detectors shall be accepted as meeting the requirements of this chapter. Use Group R-3 (one- and two-family dwellings) that were required to have alternating-current-powered smoke detectors shall be in working order, and should additional smoke detectors be required they may be battery operated.

SECTION 3: Chapter 152, Article IV, Section 152-26 Fees is hereby amended to add the following:

- D. Should a subsequent visit be required to satisfy the CSDCMAC inspection there is a fee for the same amount as the original fee.

E. All businesses shall be registered with the Linwood Bureau of Fire Prevention annually. The fee is \$35.00

SECTION 4: Chapter 152, Article V, Section 152-33 Violations and penalties, Section B is hereby amended to read as follows:

Any person violating any of the provisions of § 152-29 or neglecting to comply with any order issued pursuant to any section thereof, shall be fined as pursuant to the New Jersey State Uniform Fire Code, N.J.S.A. 52:27D-210 and N.J.A.C. 5:70-2.12A.

SECTION 5: All ordinances or parts of ordinances inconsistent herewith are hereby repealed to the extent of such inconsistencies.

SECTION 6: Should any sentence, clause, sentence, phrase or provision of this ordinance be declared unconstitutional or invalid by a Court of competent jurisdiction, such decision shall not affect the remaining portions of this ordinance.

SECTION 7: This ordinance shall take effect upon its final passage, publication and adoption in the manner prescribed by law.

<i>FIRST READING:</i>	<i>May 9, 2018</i>
<i>PUBLICATION:</i>	<i>May 14, 2018</i>
<i>PASSAGE:</i>	<i>May 23, 2018</i>

The within Ordinance was introduced at a meeting of the Common Council of the City of Linwood, County of Atlantic and State of New Jersey held on, May 9, 2018 and will be further considered for final passage after a public hearing thereon at a meeting of said Common Council on May 23, 2018.

LEIGH ANN NAPOLI, RMC, MUNICIPAL CLERK

RICHARD L. DEPAMPHILIS, III, MAYOR