

TOWNSHIP OF MAPLE SHADE

Ordinance 2024-05

AN ORDINANCE OF THE TOWNSHIP OF MAPLE SHADE, IN THE COUNTY OF BURLINGTON, NEW JERSEY AMENDING CHAPTER 88, SECTION 6 OF THE TOWNSHIP CODE ENTITLED, "FEES AND ESCROWS"

§ 88-6. Fire Prevention.

In addition to the inspection and fees required pursuant to the Uniform Fire Safety Act and the regulations of the State of New Jersey Department of Community Affairs, the following fire safety inspections, permits and fees shall be required:

A. The fee charged for any fire permit required by Article I of Chapter 95, Fire Prevention, shall be as provided in the Uniform Fire Code, N.J.A.C. 5:70-2.9. [Amended 12-8-2016 by Ord. No. 2016-19]

B. The application fee for the certificate of smoke detector and carbon monoxide alarm compliance (CSDCMAC) shall be in accordance with the provisions of the Uniform Fire Code, N.J.A.C. 5:70-2.9. [Added 9-20-2000 by Ord. No. 2000-11; amended 3-2-2005 by Ord. No. 2005-1]

C. The fee charged for any non-life-hazard fire inspection required by Article 1 of Chapter 95, Fire Prevention, shall be as follows:

B-1	Buildings 999 square feet and less	\$25.00
B-2	Buildings 1,000 square feet and not exceeding 2,999 square feet	\$50.00
B-3	Buildings 3,000 square feet and not exceeding 6,999 square feet	\$100.00
B-4	Buildings 7,000 square feet and not exceeding 9,999 square feet	\$125.00
B-5	Buildings 10,000 square feet or more	\$175.00

D. The fee for a fire safety status certificate pursuant to § 95-50 shall be \$25. [Added 9-20-2000 by Ord. No. 2000-11]

E. At no time shall the penalties exceed the maximum permitted under the Uniform Fire Code N.J.A.C. 5:70-2. Dedicated penalties shall be assessed in accordance with Uniform Fire Code N.J.A.C. 5:70-2.12A in the amount of \$50.00 per violation only for the first round (Penalty 1) of penalties. Penalty 3, Penalty 4, and Penalty 5 shall be assessed from the date of the initial inspection. Penalties for violations of the Uniform Fire Code shall be assessed per violation in accordance with the below listed schedule. This section shall not preclude the application of maximum penalties in accordance with the Uniform Fire Code N.J.A.C. 5:70-2 for Imminent Hazards, Dedicated Penalties, and Compensatory Penalties.

Penalty 1	First Round	\$50.00 + \$50.00 dedicated per violations
Penalty 2	Second Round	\$500.00 per violation
Penalty 3	Third Round	\$100.00 per violation, per day
Penalty 4	Fourth Round	\$500.00 per violation, per day
Penalty 5	Fifth Round	Maximum Permitted by NJAC 5:70-2.12
Permit Penalty 1	Failure to Obtain	Double the permit fee
Permit Penalty 2	Failure to Obtain – Still Working	\$5,000.00 per day of the activity post notice.

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F. The fee for Fire Incident or Fire Investigation Reports which is not a public document under the New Jersey Open Public Records Act shall be \$25.00 per request.

G. Civil Court Appearances and Depositions

Any employee or volunteer member of the Maple Shade Fire Department subpoenaed to testify in civil court or a deposition, shall appear and compensation shall be provided as set forth in (1) below:

1. Actual cost based on current top salary of a firefighter as approved by the current collective bargaining agreement or employee contract, plus additional costs that may be required to backfill an employee's position if that employee is scheduled while on-duty. In addition, a per mile charge based on the Federal Government rate plus tools for distances exceeding twenty-five (25) miles will apply. The Maple Shade Fire Department will charge a twenty-five (\$25.00) service charge for preparation of all invoices.

H. Investigative Conferences and Meetings

An uninterrupted ninety (90) minute conference at the Office of the Fire Marshal, on-site, or at a location designated by the requestor shall incur a \$100.00 per hour fee.

I. Fire Safety Training

Fire Safety Training that is requested for the purpose of compliance with a governmental regulation or other such standard, including but not limited to fire extinguisher and evacuation planning shall incur a fee of \$125.00 per hour (maximum twenty-five (25) students).

J. Fire Watch Coverage

1. When requested or required to provide fire-watch coverage due to an emergency condition, requirement of permit function, or by Notice of Violation and Order to Correct the costs of such service will be the current Fire Marshal's overtime pay rate, plus an additional administrative fee of twenty-five (\$25.00) dollars for the actual cost of the processed payroll.
2. Failure of the property owner or designated property representative to establish or properly document a fire-watch when requested by the fire department will result in an assessed penalty no to exceed \$1,000.00 per day for every day the condition exists.

K. Fire Apparatus and Personnel

When requested to provide fire apparatus and personnel for non-exigent circumstance, the requestor must reimburse the Maple Shade Fire Department for the actual cost of the personnel for the time provided and \$150.00 per vehicle provided, per day.

L. Cost of Suppression

If the origin and cause of the fire, or the spread of the fire results from a violation of the Uniform Fire Safety Act previously cited by the Office of the Fire Marshal, the owner/occupant shall be responsible for the cost of fire suppression. The cost of suppression shall be computed based on the following formula: (Hourly rate of all personnel on scene) + (the cost of each vehicle on the incident scene in accordance with 88-6(K) above).

M. Collection of Fees

A. All fees and registration forms must be returned to the Office of the Fire Marshal within thirty (30) days of having been mailed to the owner/occupant. Failure to respond within this thirty (30) day period will result in a Notice of Violation being sent to the owner/occupant. If the registration and fees are not

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returned within fifteen (15) days of the Notice of Violation being mailed to the owner/occupant, penalties will be imposed pursuant to the Uniform Fire Code.

B. Failure to pay the registration fee or any penalties assessed shall also result in the owner/occupant being issued a summons under the Penalty Enforcement Act of 1999 (N.J.S.A. 2A:58-10 et seq) in Municipal or a court of competent jurisdiction. The penalty upon conviction is \$100.00 for the first offense and up to \$1,000.00 for each subsequent offense.

Introduction: March 14, 2024

Comments: none

COUNCIL	MOTION	SECOND	AYES	NAYS	ABSTAIN	ABSENT
Kauffman	x		x			
Nunes		x	x			
Volpe			x			
Wiest			x			
Schmidt			x			

CERTIFICATION

I hereby certify the foregoing to be a true copy of an Ordinance adopted by the Maple Shade Township Council at a meeting held on March 28, 2024

Andrea T. McVeigh, RMC

Adopted: March 28, 2024

Comments: none

COUNCIL	MOTION	SECOND	AYES	NAYS	ABSTAIN	ABSENT
Kauffman		x	x			
Nunes			x			
Volpe	x		x			
Wiest			x			
Schmidt			x			