

ORDINANCE NO. 16, 2018

AN ORDINANCE AMENDING CHAPTER 152 FIRE PREVENTION, ARTICLE IV SMOKE AND HEAT DEVICES, SECTION 152-23 CERTIFICATE OF SMOKE DETECTOR COMPLIANCE, SECTION 152-24 INSTALLATION REQUIRED BEFORE SALE OR CHANGE OF DWELLING UNIT OR CHANGE IN RESIDENCE, SECTION 152-25 RESPONSIBILITY FOR MAINTENANCE, SECTION 152-26 FEES, 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 IV, Smoke and Heat Devices, title is hereby amended to read as follows: Smoke, Carbon Monoxide and Fire Extinguisher Devices

SECTION 2: Chapter 152, Article IV, Section 152-23 Certificate of smoke detector compliance, title is hereby amended to read as follows: Certificate of smoke, co detectors and fire extinguisher compliance

SECTION 3: Chapter 152, Article IV, Section 152-23 Certificate of smoke, co detectors and fire extinguisher compliance, Section A is hereby amended to read as follows:

- A. Before any Use Group R-3 structure is sold, leased or rented are made subject to a change of occupancy for residential purposes, the owner shall obtain a certificate of smoke detector, carbon monoxide and fire extinguisher (CSACMAPFEC) 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.

SECTION 4: Chapter 152, Article IV, Section 152-24 Installation required before sale or change of dwelling unit or change in residence is hereby amended to add the following:

- B. Whenever a change in residence or ownership occurs in a residential one and two owner occupied dwelling shall request a (CSACMAPFEC) form from the Fire Official, the owner of the property is required to install an approved smoke detection system, carbon monoxide detectors and a 2A10:BC fire extinguisher under 10 pounds – must be tagged within 30 days from change of occupancy.
- C. N.J.A.C. 5:70-4.19 Single station battery operated smoke detectors must be replaced with ten-year sealed battery powered smoke detectors effective date: 01 January 2019.
- D. N.J.A.C. 5:70-4.19(E) Extinguisher installation.
 - 1. Shall be mounted within 10 feet of kitchen and located in path of egress.
 - 2. Readily accessible and not obstructed from view.
 - 3. Shall be mounted with supplied bracket.
 - 4. Minimum rating 2A-10:BC under 10 pounds – must be tagged.

SECTION 5: Chapter 152, Article IV, Section 152-25 Responsibility for maintenance is hereby amended to add the following:

It shall be the responsibility of the home owner to maintain in operable condition, said smoke and carbon monoxide detection systems and fire extinguisher installed as required pursuant to this chapter.

SECTION 6: Chapter 152, Article IV, Section 152-26 Fees is hereby amended to add the following:

The application fee for a certificate of smoke detector, carbon monoxide detector and fire extinguisher compliance (CSACMAPFEC), as required by N.J.A.C. 5:70-2.3 and 5:70-4.19 shall be based upon the amount of time remaining before the change of occupant is expected as follows:

- A. Requests for a CSACMAPFEC received more than 10 business days prior to the change of occupancy is \$45.00
- B. Requests for a CSACMAPFEC received 4 to 10 business days prior to the change of occupancy is \$90.00
- C. Requests for a CSACMAPFEC received fewer than 4 business days prior to the change of occupant is \$161.00
- D. Should a subsequent visit be required to satisfy the CSACMAPFEC compliance the fee for this visit is the same amount as the original fee.

SECTION 7: All ordinances or parts of ordinances inconsistent herewith are hereby repealed to the extent of such inconsistencies.

SECTION 8: 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 9: This ordinance shall take effect upon its final passage, publication and adoption in the manner prescribed by law.

<i>FIRST READING:</i>	<i>July 11, 2018</i>
<i>PUBLICATION:</i>	<i>July 16, 2018</i>
<i>PASSAGE:</i>	<i>August 8, 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, July 11, 2018 and will be further considered for final passage after a public hearing thereon at a meeting of said Common Council on August 8, 2018.

LEIGH ANN NAPOLI, RMC, MUNICIPAL CLERK

RICHARD L. DEPAMPHILIS, III, MAYOR