

FIRE PREVENTION

Chapter 146

FIRE PREVENTION

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[HISTORY: Adopted by the Mayor and Council of the Borough of Wood-Ridge as indicated in article histories. Amendments noted where applicable.]

GENERAL REFERENCES

- General penalty — See Ch. I. Art. II.
- Fire Department — See Ch. 33.
- Uniform construction codes — See Ch. 126.
- Payment of fire insurance claims — See Ch. 160, Art. I.
- Licensing — See Ch. 168.
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ARTICLE I

General Regulations

[Adopted 12-26-75 by Ord. No. 700 as Chapter XI
of the 1975 Revised General Ordinances
of the Borough of Wood-Ridge]

§§ 146-1 through 146-5. (Reserved)

§ 146-6. Adoption of fire control measures and regulations.¹
[Added 3-28-79 by Ord. No. 746]

There is hereby adopted by the Borough of Wood-Ridge the fire control measures and regulations as herein set forth for the purposes of controlling conditions which could impede or interfere with fire suppression forces.

§ 146-7. Authority at fires and other emergencies. [Added 3-28-1979 by Ord. No. 746; amended 8-20-1990 by Ord. No. 90-8]

The Fire Chief 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, are 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 Chief 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 Chief 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 reenter the area until authorized to do so by the Fire Chief.

¹ Editor's Note: Original Sections 11-1.1(a), Establishment, as amended 3-28-79 by Ord. No. 746; 11-1.1(b), Adoption of Fire Prevention Code, as added 3-28-79 by Ord. No. 746; 11-1.2, Composition; 11-1.3, Duties; and 11-1.4, Annual Report; all of which immediately preceded this section, were deleted at time of adoption of Code; see Ch. I, General Provisions, Art. III.

§ 146-8. Interference with Department operations. [Added 3-28-79 by Ord. No. 746]

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.

§ 146-9. Compliance with orders required. [Added 3-28-1979 by Ord. No. 746; amended 8-20-1990 by Ord. No. 90-8]

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 of another individual.

§ 146-10. Vehicles crossing firehoses. [Added 3-28-1979 by Ord. No. 746; amended 8-20-1990 by Ord. No. 90-8]

A vehicle shall not be driven or propelled over any unprotected firehose of the Fire Department when laid down on any street, alleyway, private driver or any other vehicular roadway without the consent of the Fire Chief in command of said operation.

§ 146-11. Authorized emergency vehicles. [Added 3-28-79 by Ord. No. 746]

- A. Authorized emergency vehicles shall be restricted to those which are defined and authorized under the laws of the State of New Jersey.
- B. 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 Chief or a police officer. **[Amended 8-20-1990 by Ord. No. 90-8]**

§ 146-12. Vehicles following fire apparatus. [Added 3-28-79 by Ord. No. 746]

It shall be unlawful for the operator of any vehicle, other than one on official business, to follow closer than three hundred (300) 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.

§ 146-13. Boarding or tampering with Department emergency equipment. [Added 3-28-1979 by Ord. No. 746; amended 8-20-1990 by Ord. No. 90-8]

A person shall not, without proper authorization from the Fire Chief 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 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.

§ 146-14. Damage or injury to Department equipment or personnel. [Added 3-28-79 by Ord. No. 746]

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.

§ 146-15. Operation of emergency vehicles. [Added 3-28-79 by Ord. No. 746]

- A. The driver of any emergency vehicle 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 re-

turning from a fire. Tactical strategies, such as but not restricted to move-ups, do not constitute an "emergency call." The driver of an emergency vehicle may:

- (1) Park or stand, irrespective of the provisions of existing traffic regulations.

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- (2) Proceed past a red or stop signal or other sign, but only after slowing down as may be necessary for safe operation.
 - (3) Exceed the prima facie speed limit, so long as he does not endanger life or property.
 - (4) Disregard regulations governing direction of movement or turning in specified directions.
- B. 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 (1) lighted lamp displaying a red light visible under normal atmospheric conditions from a distance of five hundred (500) feet to the front of such vehicle.

**§ 146-16. Blocking fire hydrants or Department connections.
[Added 3-28-79 by Ord. No. 746]**

- A. It shall be unlawful to obscure from view, damage, 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 on public or private streets and access lanes or on private property.
- B. 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 costs.

§ 146-17. Permit required for use of fire hydrants. [Added 3-28-79 by Ord. No. 746]

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.

§ 146-18. Location of fire hydrants and water mains. [Added 3-28-79 by Ord. No. 746]

- A. 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.
- B. All new and existing shipyards, oil storage plants, lumberyards, amusement or exhibition parks 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 (150) 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 requires such measures. Private hydrants shall not be placed into or removed from service until approved by the Fire Official.

§ 146-19. Obstructing, tampering with or using fire appliances. [Added 3-28-79 by Ord. No. 746]

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 Fire Prevention Code 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 reinstalled as soon as the purpose for which it was removed has been accomplished. Defective and nonapproved fire appliances or equipment shall be replaced or repaired as directed by the Fire Official.

§ 146-20. Sale of defective fire extinguishers. [Added 3-28-79 by Ord. No. 746]

A 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 if said units are permanently disfigured or marked with a permanent sign identifying the unit as junk.

§ 146-21. Street obstructions. [Added 3-28-79 by Ord. No. 746]

A person or persons shall not erect, construct, place or maintain any bumps, 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. The word "street," as used in this section, 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 municipality.¹

§§ 146-22 through 146-49. (Reserved)

¹ Editor's Note: Original Sections 11-2, Definition; 11-3, Standards; 11-4, Inspections; 11-5, Fires; 11-6, School Fire Drills; 11-7, Licenses and Permits, as amended 3-28-79 by Ord. No. 746, 7-11-79 by Ord. No. 752 and 12-19-83 by Ord. No. 21-83; 11-8, Flash Point Determination; 11-9, Modifications; 11-10, Liability for Damages; and 11-11, Interpretation, all of which immediately followed this section, were deleted at time of adoption of Code; see Ch. 1, General Provisions, Art. III.

ARTICLE II
Uniform Fire Code Enforcement
[Adopted 7-29-85 as Ord. No. 85-7]

§ 146-50. Local enforcement. [Amended 11-18-85 by Ord. No. 85-13]

Pursuant to Section 11 of the Uniform Fire Safety Act⁴ (P.L. 1983, c. 383), the New Jersey Uniform Fire Code shall be locally enforced in the Borough of Wood-Ridge.

§ 146-51. Enforcement agency designated.

The local enforcing agency shall be the Bureau of Fire Prevention in the Wood-Ridge Fire Department.

§ 146-52. Applicability; compliance.

The Fire Prevention Bureau shall enforce the Uniform Fire Safety Act and the codes and regulations adopted under it in all buildings, structures and premises within the boundaries of the Borough of Wood-Ridge, 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.

§ 146-53. Inspections of life hazard uses.

The local enforcing agency established by § 146-50 of this Article shall carry out the periodic inspections of life hazard uses required by the Uniform Fire Code on behalf of the Commissioner of Community Affairs.

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⁴ Editor's Note: See N.J.S.A. 52:27D-202.

§ 146-54. Organization.

The local enforcing agency established by § 146-50 of this Article shall be part of the Wood-Ridge Fire Department and shall be under the direct control of the Chief of the Wood-Ridge Fire Department.

§ 146-55. Appointment of Fire Official; term of office; removal.

- A. Appointment. The local enforcing agency shall be under the supervision of a Fire Official, who shall be appointed by the Wood-Ridge Borough Council pursuant to Title 11, Civil Service, of the New Jersey Statutes Annotated.
- B. Term of office. The Fire Official shall be appointed to an indeterminate and continuous term during good behavior and efficiency.
- C. Removal. The Fire Official shall be removed from office only in accordance with the provisions of Title 11, Civil Service, of the New Jersey Statutes Annotated.

§ 146-56. Appointment of inspectors and other employees; terms of office; removal.

- A. Appointment. Such inspectors and the employees as may be necessary in the local enforcing agency shall be appointed by the Mayor, with the advice and consent of the Wood-Ridge Borough Council. [Amended 11-18-85 by Ord. No. 85-13]
- B. Terms of office. The inspectors and other employees shall be appointed to an indeterminate and continuous term during good behavior and efficiency.
- C. Removal. The inspectors and other employees shall be removed from office only in accordance with the provisions of Title 11, Civil Service, of the Revised Statutes of New Jersey.

§ 146-57. Appeals.

Pursuant to Sections 15 and 17 of the Uniform Fire Safety Act,⁵ any person aggrieved by any order of the local enforcement agency shall have the right to appeal to the Construction Board of Appeals of Bergen County.

⁵ Editor's Note: See N.J.S.A. 52:27D-206 and 27D-208.

§ 146-58. Additional required inspections and permits.

In addition to the inspections and fees required pursuant to the Uniform Fire Code and the regulations of the Department of Community Affairs, the following additional inspections and fees shall be required:

A. Additional inspections. All buildings, structures or uses within the Borough of Wood-Ridge, except owner-occupied one- and two-family dwellings and dwelling units within two-family and multifamily dwellings, shall be inspected as often as necessary to secure compliance with the intent of the Uniform Fire Code or any other ordinance affecting fire safety, but not less than once each year. In the absence of good cause, inspections shall not include dwelling units.

B. Additional permits. **[Amended 11-18-85 by Ord. No. 85-13]**

(1) The following additional types of buildings, structures or portions thereof not classified as life hazard uses shall be added to the types of permits required by the Uniform Fire Code:

(a) Within Type 1:

- [1] Any building, structure or portion thereof in Use Group B or M occupying less than three thousand (3,000) square feet gross. **[Amended 8-20-1990 by Ord. No. 90-8]**
- [2] Any building, structure or portion thereof in Use Group R-3 with ten (10) or fewer dwelling units.
- [3] Any building, structure or portion thereof in Use Group R-2 or R-3 having a common means of egress and with ten (10) or fewer dwelling units. **[Added 12-15-86 by Ord. No. 86-21]**
- [4] Any non-owner-occupied building in Use Group R-3 (one- or two-family). **[Added 12-15-86 by Ord. No. 86-21]**
- [5] The installation, removal, repair or alteration of any tank used for the purpose of storing

flammable or combustible liquids up to one thousand (1,000) gallons. [Added 12-15-86 by Ord. No. 86-21]

- [6] Modification or replacement of any line or dispensing device connected to a flammable- or combustible-liquid tank or container over five (5) gallons. [Added 12-15-86 by Ord. No. 86-21]
- (b) Within Type 2:
- [1] Any building, structure or portion thereof in Use Group B or M occupying more than three thousand (3,000) square feet gross but less than ten thousand (10,000) square feet gross. [Amended 8-20-1990 by Ord. No. 90-8]
- [2] Any building, structure or portion thereof in Use Group R-2 or R-3 having a common means of egress with more than ten (10) dwelling units. [Amended 12-15-86 by Ord. No. 86-21]
- [3] The installation, removal, repair or alteration of any tank used for the purpose of storing flammable or combustible liquids over one thousand (1,000) gallons. [Added 12-15-86 by Ord. No. 86-21]
- [4] Any building, structure or portion thereof in any use group storing or selling, in original approved closed containers of less than thirty (30) gallons, flammable or combustible liquids. [Added 12-15-86 by Ord. No. 86-21]
- [5] [Added 12-15-86 by Ord. No. 86-21]
Exceptions:
- [a] Storage of paints, oils, varnishes or similar mixtures when stored for painting, maintenance or similar purposes upon the premises for a period of not more than thirty (30) days.

- [b] Foodstuffs, medicines, beverages and cosmetics.
 - [c] Buildings, structures or portions thereof that are registered as life hazard uses with the Bureau of Fire Safety for the sale or storage of flammable or combustible liquids.
 - [d] Less than ten (10) gallons of flammable or sixty (60) gallons of combustible liquids.
- [6] Any building, structure or portion thereof in the Use Group F or S occupying less than ten thousand (10,000) square feet gross. **[Added 8-20-1990 by Ord. No. 90-8]**
- (c) Within Type 3:
- [1] Any building, structure or portion thereof in Use Group B, F or S occupying more than ten thousand (10,000) square feet gross but less than fifty thousand (50,000) square feet gross. **[Amended 8-20-1990 by Ord. No. 90-8]**
 - [2] Any building, structure or portion thereof in Use Group M occupying more than ten thousand (10,000) square feet gross but less than twelve thousand (12,000) square feet gross. **[Added 12-15-86 by Ord. No. 86-21]**
- (d) Within Type 4:
- [1] Any building, structure or portion thereof in Use Group B, F or S occupying more than fifty thousand (50,000) square feet gross but less than one hundred thousand (100,000) square feet gross. **[Amended 8-20-1990 by Ord. No. 90-8]**
 - [2] Any building, structure or portion thereof in any use group storing or selling, in original

approved closed containers larger than thirty (30) gallons, flammable or combustible liquids. [Added 12-15-86 by Ord. No. 86-21]

- [3] Any building, structure or portion thereof in any use group dispensing or using flammable or combustible liquids. [Added 12-15-86 by Ord. No. 86-21]
 - [4] Exception: buildings, structures or portions thereof that are registered as life hazards with the Bureau of Fire Safety for the sale, storage, use or dispensing of flammable or combustible liquids. [Added 12-15-86 by Ord. No. 86-21]
- (e) Within Type 5:
- [1] Any building, structure or portion thereof in Use Group B, F or S occupying more than one hundred thousand (100,000) square feet gross. [Amended 8-20-1990 by Ord. No. 90-8]
- (2) All use groups referenced herein shall be determined by the Uniform Construction Code of the State of New Jersey.

§ 146-59. Permit fees. [Amended 8-20-1990 by Ord. No. 90-8]

- A. The permit fees established by the Uniform Fire Code shall be amended to be as follows:
- (1) Type 1: thirty dollars (\$30.).
 - (2) Type 2: one hundred twenty-five dollars (\$125.).
 - (3) Type 3: two hundred twenty-five dollars (\$225.).
 - (4) Type 4: three hundred fifty dollars (\$350.).
 - (5) Type 5: four hundred fifty dollars (\$450.).

⁶ Editor's Note: "The Act" refers to the Uniform Fire Safety Act, N.J.S.A. 52:27D-192 through 27D-213.

- B. When more than one (1) permit is required, the highest permit fee will be charged, and additional permits will be charged at a rate of fifteen dollars (\$15.) for each additional required permit.
- C. The permit fee for buildings that are registered as life hazard uses, as defined by the Act,⁶ shall be fifteen dollars (\$15.) for each permit.

⁶ Editor's Note: "The Act" refers to the Uniform Fire Safety Act, N.J.S.A. 52:27D-192 through 27D-213.