

Chapter 33

FIRE PREVENTION

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HISTORY: Adopted by the Mayor and Borough Council of the Borough of Seaside Park 6-2-1988 as Ordinance No. 1039.¹

GENERAL REFERENCES: See Chapter 32 (Fire-Fighting Apparatus and Equipment); Chapter 33A (Fire Zones); Chapter 75 (Unfit Dwellings and Dangerous Structures).

Be it ordained by the Mayor and Borough Council of the Borough of Seaside Park, in the County of Ocean and State of New Jersey, as follows:

§33-1. Statutory authority.¹

Pursuant to Section 11 of the Uniform Fire Safety Act (P.L. 1983, c. 383),² the New Jersey Uniform Fire Code shall be locally enforced in the Borough of Seaside Park.

§33-2. Local enforcing agency designated.

The local enforcing agency shall be the Office of the Ocean County Fire Marshal as authorized by resolution of the Ocean County Board of Chosen Freeholders dated August 19, 1987.

§33-3. Duties of local enforcing agency.

The Ocean County Fire Marshal shall enforce the Uniform Fire Safety Act³ and the codes and regulations adopted under it in all buildings, structures and premises within the established boundaries of the

Borough of Seaside Park, 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.

§33-4. Inspection of life hazard uses.

The Office of the Ocean County Fire Marshal shall carry out the periodic inspections of life hazard uses required by the Uniform Fire Code on behalf of the Commissioner of Community Affairs.

§33-5. Organization of local enforcing agency.

The local enforcing agency established by §33-2 of this ordinance shall be the Office of the Ocean County Fire Marshal and shall be under the direct supervision and control of the Ocean County Fire Marshal, who shall serve as the Fire Official. The local enforcing agency shall consist of said Fire Official and such other inspectors and employees as may be necessary to enforce said code, being appointed by the Ocean County Board of Chosen Freeholders pursuant to the procedures set forth herein below. Any and all reports submitted to the municipality by the Fire Official shall also be submitted to the Seaside Park Volunteer Fire Company upon reasonable request.

¹ EDITOR'S NOTE: Ord. No. 1039 repealed former Chapter 33 (Fire Prevention) adopted 6-24-1971 as Ord. No. 684.

² EDITOR'S NOTE: N.J.S.A. 52:27D-202.

³ EDITOR'S NOTE: N.J.S.A. 52:27D-192 et seq.

§33-6. Appointment of Fire Official, inspectors and employees.

- A. Fire Official. The local enforcing agency shall be under the supervision of the Ocean County Fire Marshal who shall be appointed by the Ocean County Board of Chosen Freeholders.
- B. Inspectors and employees. Such inspectors and other employees as may be necessary for the local enforcing agency to properly carry out its responsibilities shall be appointed by the Ocean County Board of Chosen Freeholders.

§33-7. Board of Appeals.

Pursuant to Sections 15 and 17 of the Uniform Fire Safety Act,⁴ any person aggrieved by a ruling, action, notice or order of the local enforcing agency shall have the right to appeal to the Construction Board of Appeals of the County of Ocean.

§33-8. Permit fees.

The permit fees shall be established pursuant to the Uniform Fire Code. They shall be as follows, unless modified by resolution of the Ocean County Board of Chosen Freeholders and ordinance of the Borough of Seaside Park, as required by statute:

<u>Use</u>	<u>Fee</u>
Type 1	\$25.00
Type 2	\$100.00
Type 3	\$200.00
Type 4	\$300.00
Type 5	\$1,000.00

§33-9. Repealer.

This ordinance repeals any inconsistent ordinance or ordinances or part or parts thereof.

§33-10. When effective.

This ordinance shall take effect immediately upon final passage and publication as required by law and of its publication in the New Jersey Department of Community Affairs Quarterly Bulletin.

⁴ EDITOR'S NOTE: N.J.S.A. 52:27D-206 and 27D-208.