

Ordinance of the City of Jersey City, N.J.

File No. Ord. 21-078
Agenda No. 3.3 (1st Reading)
Agenda No. 4.3 (2nd Reading and Final Passage)



AN ORDINANCE AMENDING CHAPTER 3, (ADMINISTRATION OF GOVERNMENT) ARTICLE XI, (DEPARTMENT OF PUBLIC SAFETY) SUB-ARTICLE II (DIVISION OF FIRE & EMERGENCY SERVICES) OF THE JERSEY CITY MUNICIPAL CODE TO DEFINE THE SCOPE OF ACTIVITIES GOVERNED BY THE VARIOUS FIRE PREVENTION PERMIT TYPES AND TO ADJUST THE INSPECTION FEES.

COUNCIL AS A WHOLE offered and moved adoption of the following ordinance:

The Municipal Council of the City of Jersey City does hereby ordain:

Whereas, Chapter 3, (Administration of Government) Article XI (Department of Public Safety) Sub-Article II (Division of Fire and Emergency Services) sets fees for Fire Prevention Permits; and

Whereas, this Sub-Article does not provide a description of what types of activities correspond to each type of Fire Prevention Permit; and

Whereas, it is in the City’s best interests that this part of the Municipal Code be amended to describe what types of activities correspond to each type of Fire Prevention Permit.

Now, therefore be ordained by the Municipal Council of the City of Jersey City that Chapter 3, (Administration of Government) Article XI (Department of Public Safety) Sub-Article II (Division of Fire and Emergency Services) be amended as follows:

CHAPTER 3
ADMINISTRATION OF GOVERNMENT
ARTICLE XI
Department of Public Safety
SUB-ARTICLE II
Division of Fire & Emergency Services

§ 3-88. Creation of the Division of Fire and Emergency Services.
NO CHANGE.

§ 3-88.1. Fire Prevention Code.
NO CHANGE.

§ 3-88.2. Non-life hazard use registration.
NO CHANGE.

§ 3-88.3. Commercial/industrial registration fees.
All commercial/industrial locations not registered as Life Hazard Use under the State of New Jersey Uniform Fire Code, shall be registered as a Non-Life Hazard Use with the ~~Fire Prevention Bureau~~, Bureau of Fire Prevention and shall be inspected on an annual basis. The annual fee for this service will be ~~fifty dollars (\$50.00)~~determined by the square footage of the business and shall be paid by the business owner. The fees for Non-Life Hazard Use inspections shall be as follows:

Description	Annual Fee
Commercial/Industrial	\$50.00

APPROVED AS TO LEGAL FORM

Business Administrator

Corporation Counsel

An ordinance amending Chapter 3, (Administration of Government) Article XI, (Department of Public Safety) sub-article II (Division of Fire & Emergency Services) of the Jersey City Municipal Code to define the scope of activities governed by the various fire prevention permit types and to adjust the inspection fees.

<u>Square Footage</u>	<u>Annual Fee</u>
<u>1 sq. ft. to 4,500 sq. ft.</u>	<u>\$50.00</u>
<u>4,501 sq. ft. to 8,500 sq. ft.</u>	<u>\$75.00</u>
<u>8,501 sq. ft. and above</u>	<u>\$100.00</u>

§ 3-88.4. Fee chart.

Residential Multiple Dwelling: All Multiple Dwellings not registered as a Life Hazard Use under the State of New Jersey Uniform Code, shall be registered as a Non-Life Hazard Use with the ~~Fire Prevention Division~~Bureau of Fire Prevention and shall be inspected on an annual basis. The annual fee for this service will be as listed in the chart below and shall be paid by property owner:

<u>Number of Residential Units</u>	<u>Annual Fee</u>
<u>1-10 units</u>	<u>\$135.00</u>
<u>11-20 units</u>	<u>\$225.00</u>
<u>21-30 units</u>	<u>\$325.00</u>
<u>31-40 units</u>	<u>\$425.00</u>
<u>41 units and above</u>	<u>\$525.00</u>
<u>41-50 units</u>	<u>\$525.00</u>
<u>51-75 units</u>	<u>\$725.00</u>
<u>76-120 units</u>	<u>\$1,000.00</u>
<u>121-175 units</u>	<u>\$1,250.00</u>
<u>176-250 units</u>	<u>\$1,500.00</u>
<u>251 units or more</u>	<u>\$2,000.00</u>

Exceptions: one- or two-family homes - owner occupied.

§ 3-88.5 Non-life hazard use inspections.
NO CHANGE.

§ 3-88.6. Fire Prevention PermitsTypes and fees.

A. Permit Types

In addition to the registration of life hazard uses, certain activities and uses are required to be regulated by permits. Permits are classified into six (6) types with a permit fee for each type levied on an annual basis. Those seeking to obtain a permit must pay the required fee to the Bureau of Fire Prevention which is empowered to monitor these activities and conduct periodic inspections.

Type 1 Permit

The following activities require a Type 1 Permit:

Bonfires;

The use of a torch or flame-producing device(s) to remove paint from, or seal membrane roof on, any building or structures;

Individual portable kiosks or displays when erected in a covered mall for a period of less than 90 days, and when not covered by a Type 2 permit;

The use of any open flame or flame producing device(s) in connection with any public gathering, for purposes of entertainment, amusement, or recreation in places of public assembly;

The possession or use of explosives or blasting agents;

The use of any open flames or flame-producing device in connection with the training of non-fire service personnel in fire suppression or extinguishment procedures;

The occasional use in any building of a multipurpose room, with a maximum permitted occupancy of 100 or more for amusement, entertainment or mercantile type purposes;

The storage or handling of Class I flammable liquids in closed containers of aggregate amounts of more than 10 gallons, but not more than 660 gallons inside a building, or more than 60 gallons, but not more than 660 gallons outside a building;

The storage or handling of Class II or IIIA combustible: liquids in closed containers of aggregate amounts of more than 25 gallons, but not more than 660 gallons inside a building, or more than 60 gallons, but not more than 660 gallons outside a building;

Any permanent cooking operation that requires a suppression system in accordance with N.J.A.C. 5:70-4.7(g) and is not defined as life hazard use in accordance with N.J.A.C. 5:70-2.4;

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The use as a place of public assembly, for a total of not more than 15 days in a calendar year, of a building classified as a commercial farm building under the Uniform Construction Code;

Helicopter landings.

Type 1A Permit

The following activities require a Type 1A Permit:

Mobile Food Vendors utilizing combustible fuels ; i.e. propane.

Type 2 Permit

The following activities require a Type 2 Permit:

Bowling lane resurfacing & bowling pin refinishing involving the use & application of flammable liquids or materials;

Carnivals & Circuses employing mobile structure used for human occupancy;

The use of a covered mall in any of the following manners:

To placing or construct temporary kiosks display booths, concession equipment, or the like in more than 25% of the common area of the mall;

As a place of assembly;

Any use which involves open flames or flaming devices;

Any use which involves the use or display of liquid or gas-fueled powered equipment; or

Any use which involves using liquefied petroleum gas, liquefied natural gas, and compressed flammable gas in containers exceeding 5 lbs. capacity.

Type 3 Permit

The following activities require a Type 3 Permit:

Industrial processing ovens or furnaces operating at approximately atmospheric pressures and temperatures not exceeding 1,400 degrees Fahrenheit which are heated with oil or gas fuel or which contain flammable vapors from the products being processed;

Any wrecking yard or junkyard; or

The storage or discharging of fireworks.

Type 4 Permit

The following activities require a Type 4 Permit:

Storage or use at normal temperature & pressure of more than 2000 cubic feet of flammable compressed gas or 6000 cubic feet of non-flammable compressed gas;

The production or sale of cryogenic liquids; the storage or use of more than 10 gallons of liquid oxygen, flammable cryogenic liquids or cryogenic oxidizers; or the storage of more than 500 gallons of non-flammable, non-toxic cryogenic liquids;

The storage, handling, & processing of flammable, combustible & unstable liquids in containers & portable tanks as in aggregate amounts of more than 660 gallons;

The storage, handling, & processing of the following except medicines, beverages, foodstuff, cosmetics, & other common consumer items when packaged according to commonly accepted practices:

More than 55 gallons of corrosive liquids;

More than 500 lbs. of oxidizing materials;

More than 10 lbs. of organic peroxides;

More than 500 lbs. of nitromethane;

More than 1000 lbs. of ammonium nitrate;

More than one microcurie of radium not contained in a sealed source or sources;

More than one millicurie of radium or other radiation material in a sealed source or sources;

Any amount of radioactive material for, which a specific license from the Nuclear Regulator Commission is required;

More than 10 lbs. of flammable solids;

Any installation of liquefied petroleum gas or liquefied natural gas utilizing storage containers of over 2000 gallons individual water capacity or with an aggregate water capacity exceeding 4000 gallons;

The melting, casting, heat treating, machining, or grinding of more than 10 lbs. of magnesium per working day;

Use of smoke generating device(s);

Heliports.

Type 5 Permit

The following activity requires a Type 5 Permit:

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Storage of Hazardous materials in any quantity in any building more than six (6) stories above grade, or more than 75 feet above the lowest level accessible to firefighting apparatus.

~~A.B.~~ Type 1A permit - \$25.00;

Type 1 - \$125.00;

Type 2 - \$250.00;

Type 3 - \$375.00;

Type 4 - \$500.00;

Type 5 - \$1,500.00.

~~B.C.~~ Certificate of Smoke Detector and Carbon Monoxide Alarm Compliance (CSDCMAC) - (N.J.A.C. 5:70-2.3) - Fee: \$75.00.

~~C.D.~~ Property search fee: \$40.00.

~~D.E.~~ Fire incident report: Two (2) pages or less, \$5.00; for additional pages over two (2), \$2.00.

~~E.F.~~ Fire investigation reports: Two (2) pages or less, \$5.00; for additional pages over two (2), \$2.00.

~~F.G.~~ Fire code status inspection: \$150.00.

~~G.H.~~ Apparatus stand-by, per hour per piece of apparatus: \$500.00; includes fire apparatus utilized for fireworks, helicopter operations (minimum two (2) apparatus), standpipe flow tests or any other operation deemed necessary by the Fire Official that requires Fire Division monitoring. It shall be the discretion of the Fire Official as to the number of apparatus required.

~~H.I.~~ Inspector stand-by: Supervisor, ~~\$60.00~~\$70.00 per hour: Inspector, ~~\$50.00~~\$55.00 per hour.

~~I.J.~~ Fire boat stand-by: \$500.00 per hour.

~~J.K.~~ The use of flammable gas cylinders in food vending carts or vehicles in any amount shall require a type 1A permit for a \$25.00 fee.

§ 3-88.7. Technical amendments - Reserved.

NO CHANGE.

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NO CHANGE.

1. All Ordinances and parts of Ordinances inconsistent herewith are hereby repealed.
2. This Ordinance shall be part of the Jersey City Code as though codified and fully set forth therein. The City shall have this Ordinance codified and incorporated in the official copies of the Jersey City Code.
3. This Ordinance shall take effect twenty (20)days after enactment.
4. The City Clerk and the Corporation Counsel be and hereby are authorized and directed to change any chapter numbers, article numbers and section numbers in the event the codification of this Ordinance reveals that there is conflict between those numbers and the existing code.

All new material is underlined; words ~~struck through~~ are omitted. For purposes of advertising only, new matter is **boldface** and repealed by *italics*.

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RECORD OF COUNCIL VOTE ON INTRODUCTION – Nov 29 2021						
RIDLEY	AYE	SALEH	AYE	LAVARRO	AYE	9-0
PRINZ-AREY	AYE	SOLOMON	AYE	RIVERA	AYE	
BOGGIANO	AYE	ROBINSON	AYE	WATTERMAN, PRES	AYE	


RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING – Dec 15 2021						
RIDLEY	AYE	SALEH	AYE	LAVARRO	AYE	9-0
PRINZ-AREY	AYE	SOLOMON	AYE	RIVERA	AYE	
BOGGIANO	AYE	ROBINSON	AYE	WATTERMAN, PRES.	AYE	

RECORD OF COUNCIL VOTE ON AMENDMENTS, IF ANY –						
RIDLEY		SALEH		LAVARRO		
PRINZ-AREY		SOLOMON		RIVERA		
BOGGIANO		ROBINSON		WATTERMAN, PRES.		


RECORD OF FINAL COUNCIL VOTE – Dec 15 2021						
RIDLEY	AYE	SALEH	AYE	LAVARRO	AYE	9-0
PRINZ-AREY	AYE	SOLOMON	AYE	RIVERA	AYE	
BOGGIANO	AYE	ROBINSON	AYE	WATTERMAN, PRES.	AYE	

Adopted on first reading of the Council of Jersey City, N.J. on Nov 29 2021
Adopted on second and final reading after hearing on Dec 15 2021


This is to certify that the foregoing Ordinance was adopted
by the Municipal Council at its meeting on Dec 15 2021



City Clerk



Joyce E. Watterman, President of Council
Approved: Dec 15 2021



Steven M. Fulop, Mayor
Date to Mayor: Dec 16 2021
Approved: Dec 16 2021

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FACT SHEET -

This summary sheet is to be attached to the front of any ordinance that is submitted for Council consideration. Incomplete or vague fact sheets will be returned with the ordinance.

Project Manager

John Hallanan, Deputy City Clerk		201-547-4253	mwatson@njcps.org
Division	Office of the City Clerk		

Note: Project Manager must be available by phone during agenda meeting (Wednesday prior to council meeting @ 1:00 p.m.)

Purpose

Amending Chapter 3, (Administration of Government) Article XI, (Department of Public Safety) sub-article II (Division of Fire & Emergency Services) of the Jersey City Municipal Code to define the scope of activities governed by the various fire prevention permit types and to adjust the inspection fees.

Cost (Identify all sources and amounts)	Contract term (include all)
N/A	

Approved by
Gregory Corrado, Asst. Business Administrator
Ray Reddington, Attorney
John Metro, Acting Business Administrator

Status:
Approved - Nov 16 2021
Approved - Nov 16 2021
Approved - Nov 17 2021