

**Borough of Matawan**  
**201 Broad Street**  
**Matawan New Jersey 07747**  
**(732) 566-3898**  
[www.matawanborough.com](http://www.matawanborough.com)



## **Public Notice of Pending Ordinance 24-12**

The ordinance published herewith was introduced and passed upon first reading at a meeting of the Governing Body of the Borough of Matawan, in the County of Monmouth, State of New Jersey, on May 21, 2024. It will be further considered for final passage, after public hearing thereon, at a meeting of the Governing Body to be held at the Borough of Matawan, Matawan Municipal Community Center, 201 Broad Street, Matawan, New Jersey 07747 on June 6, 2024 at 7:00 o'clock PM. During the week prior to and up to and including the date of such meeting, copies of the full ordinance will be available at no cost and during regular business hours at the Clerk's Office for the members of the general public who shall request the same or on the Borough of Matawan website at [www.matawanborough.com](http://www.matawanborough.com).

Karen Wynne, RMC  
Municipal Clerk

### **ORDINANCE 24-12**

#### **AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF MATAWAN CHAPTER 17 – FIRE PREVENTION AND PROTECTION**

##### **17-1 UNIFORM FIRE SAFETY ACT ENFORCING AGENCY.**

###### **17-1.1 Local Enforcing Agency.**

The local enforcing agency of the Uniform Fire Safety Act shall be the Matawan Borough Fire Department and the Bureau of Fire Prevention created within that Department. (1971 Code § 23-2)

###### **17-1.2 Appointment of Fire Official; Inspectors.**

a. The Mayor and Council shall appoint a Matawan Borough Fire Official pursuant to N.J.A.C. 5:71-3.2 and he shall serve as the chief administrator of the local enforcing agency. He shall establish the day-to-day operating routines of the agency and shall coordinate the activities of any inspectors or other staff. The Matawan Fire Official shall be appointed by the Mayor and

Council of the Borough of Matawan. ~~upon the recommendation of the Fire Liaison Committee.~~ His appointment shall continue during good behavior and satisfactory service, and he shall not be removed from office except for cause after public hearings.

b. Such other inspectors and employees as shall be necessary in the local enforcing agency shall also be appointed by the Mayor and Council upon the recommendation of the Fire Official. ~~and the Fire Liaison Committee and shall serve for a term of one (1) year.~~ Such appointment of inspectors as necessary shall be accomplished in order to complete necessary inspections and review of all permit applications and to act on them in a timely manner as well as to ensure that enforcement actions are taken in a timely manner when violations are found and not corrected.

c. *Fire Prevention Inspector.* There is hereby created a post of Fire Prevention Inspector where the Fire Prevention Inspector has been recommended by the Fire Official and ~~the Fire Liaison Committee to the Mayor and Council and~~ shall be appointed by the Mayor with the Council approval. His appointment shall continue during good behavior and satisfactory service, and he shall not be removed from office except for cause after public hearings.

d. The Fire Official shall be under the supervision of the ~~Fire Liaison Committee and the Fire Commissioner.~~ **Business Administrator.**

e. A report by the Fire Official shall be made quarterly to the **Business Administrator.** ~~the Fire Liaison Committee and the Fire Commissioner at the Board of Fire Officers.~~  
(1971 Code §§ 23-3, 23-4; Ord. No. 06-11; New)

### **17-1.3 Enforcement.**

The local enforcing agency shall enforce the New Jersey Fire Code and its subchapters as adopted herein and the regulations adopted under them in all buildings, structures, and premises within the boundaries of the Borough of Matawan, other than owner occupied one- and two-family dwellings and shall faithfully comply with the requirements of the New Jersey Uniform Fire Code and its subchapters as adopted herein. (1971 Code § 23-5)

### **17-1.4 Permits.**

The permit fees established by the Uniform Fire Code are hereby adopted by reference and shall be collectable by the appropriate official. (1971 Code § 23-6)

### ~~**17-1.5 Supervision; Uniform Fire Code Liaison Committee.**~~

~~—The local enforcing agency shall be subject to direction from the Mayor and Council and the Mayor and Council hereby designates the Uniform Fire Code Liaison Committee as its subordinate officers to consist of three (3) members of the Matawan Borough Board of Fire Directors. Such members shall serve for a three (3) year term. The Mayor and Council shall appoint such members to this committee as from time the terms expire. (1971 Code § 23-7)~~

### **17-1.6 Legal Counsel.**

The Mayor and Council shall appoint legal counsel to advise and assist the local enforcement agency in the enforcements of the Uniform Fire Code and its subchapters adopted herein. The designated agency attorney shall advise the agency and undertake such actions at law as the Bureau of Fire Prevention and/or the Fire Officials shall deem necessary to gain compliance with the Uniform Fire Code adopted in this chapter. (1971 Code § 23-8)

### 17-1.7 Appeals.

Pursuant to the terms and conditions of the Uniform Fire Code, any person aggrieved by an order of the local enforcing agency shall have the right to appeal to the Monmouth County Construction Board of Appeals. (1971 Code § 23-9; New)

### 17-2 FEE SCHEDULE.

a. Fees for **RESALE OR RENTAL** Certificates of Continued Occupancy. Any change in ownership or tenant requires that a new certificate must be applied for.

1. Residential Resale: all Resale-Certificates of Continued Occupancy: see fees in schedule in c.4. This fee includes the **Resale-Certificate of Continued Occupancy (Resale-CCO) and Smoke Certificate** (CSDCMC) ~~and the certificate of smoke detector compliance and carbon monoxide detector (CSDCMAC).~~

(a) Residential Rental-Continued Certificate of Occupancy shall be \$75.00 and is required for each dwelling unit before occupancy.

(b) **Smoke certificate: \$35.00**

2. Nonresidential Resale ~~– Commercial Property:~~ or MIXED USE

(a) Certificate of FIRE CODE STATUS CERTIFICATE **is required by the Borough of Matawan Fire Prevention Bureau:**

(1) A certificate of fire code status, per floor, to 2,500 square feet: ~~\$40.00.~~ **\$80.00**

(2) In excess of 2,500 square feet, per floor, same building, per 1,000 square feet: ~~\$15.00.~~ **\$30.00**

3. Returned Check Fee: see Chapter II, Administrative Fees.

4. **All buildings and items (boilers, hot water heaters, etc.) must have the proper permits in place as per the Construction Department records. If any building or items do not have construction permits, new permits must be taken out in that sub code and be inspected before a certificate of continued occupancy can be issued.**

5. **Any residential unit that is sold or transferred without a certificate of continued occupancy is in violation, and the buyer and seller are subject to fines.**

b. *Permit Fees.* The permit fees charged pursuant to the New Jersey Uniform Fire Code (N.J.A.C. 5:70-1.1 et seq.) are hereby established and set by the Borough of Matawan as fees to be chargeable by the Fire Official, Fire Prevention Inspector and the local enforcing agency.

c. *Fire Prevention ~~Inspection~~ Annual Registration Fees.*

1. In addition to the inspections, ~~and~~ fees **are** required pursuant to the Act and the regulations of the Department of Community Affairs, the following additional ~~inspections and~~ **registration** fees for those uses not defined as life hazard uses shall be required. Where two (2) or more of the same use or different uses exist at the same building or premises, each one shall be considered as separate and distinct for the purpose of this section and shall be registered pursuant thereto.

(a) ~~Life Hazard Use Annual Registration Fee: \$75.00~~

2. All use groups as defined in the latest edition of the International Building Code:

(a) Type K uses: All multiple family dwellings of Use Group R-2 and condominiums listed as R-3.

(b) Type L uses: Business, mercantile or storage buildings, 250 square feet or less total floor area.

(c) Type M uses: Business, mercantile or storage buildings not classified as a life hazard use; more than 250 square feet, but less than 500 total floor area.

(d) Type N uses: Business, mercantile or storage buildings not classified as a life hazard use; more than 500 square feet, but less than 1,000 square feet.

(e) Type O uses:

(1) Business, mercantile or storage buildings not classified as a life hazard use; more than 1,000 square feet, but less than 1,500 square feet.

(2) Eating and drinking establishments with less than 50 occupants in which no alcoholic beverages are consumed.

(f) Type P uses: Business, mercantile or storage buildings not classified as a life hazard use; more than 1,500 square feet, but less than 2,000 square feet.

(g) Type Q uses: Business, mercantile or storage buildings not classified as a life hazard use; more than 2,000 square feet, but less than 5,000 square feet.

(h) Type R uses: Business, mercantile or storage buildings not classified as a life hazard use; more than 5,000 square feet, but less than 7,500 square feet.

(i) Type S uses:

(1) Business, mercantile or storage buildings not classified as a life hazard use; more than 7,500 square feet, but less than 12,000 square feet.

(2) Building where less than 50 persons assemble for the purpose of amusement, entertainment, recreation centers and health spas and are not classified as a life hazard use.

(j) Type T uses: Factories, assembly plants, wood and metal workshops not classified as a life hazard use.

(k) Type U uses: Factories, assembly plants, wood and metal workshops not classified as life hazard use; more than 5,000 square feet, but less than 500 square feet.

3. ~~Inspection Fees:~~ Annual Registration Fees for Borough of Matawan Fire Prevention Bureau:

<i>Type</i>	<i>Fee</i>	
Type K uses:		
Multiple-family, per building up to 25 units	\$30.00	\$60.00
Each unit over 25	\$5.00	\$10.00
Type L uses	\$15.00	\$25.00
Type M uses	\$20.00	\$30.00
Type N uses	\$25.00	\$35.00
Type O uses	\$30.00	\$40.00

Type P uses	<del>\$35.00</del>	\$45.00
Type Q uses	<del>\$50.00</del>	\$60.00
Type R uses	<del>\$65.00</del>	\$75.00
Type S uses	<del>\$110.00</del>	\$120.00
Type T uses:		
First 1,000 square feet, or a fraction thereof	\$60.00	
Each additional 1,000 square feet, or a fraction thereof	\$25.00	
Type U uses		Same as Type T uses

4. Other Fees

<i>Type</i>	<i>Fee</i>	
Each single-family APPLICATION for a RESALE-Certificate of Continued Occupancy received prior to <b>10 business days</b> OF REQUESTED INSPECTION		\$110.00
	RESALE- CCO \$75.00	
	Smoke Certificate \$35.00	
Each single-family APPLICATION for a RESALE-Certificate of Continued Occupancy received <b>4 to 10 business days</b> OF REQUESTED INSPECTION		\$100.00
	RESALE- CCO \$100.00	\$135.00
	Smoke Certificate \$35.00	
Each single-family APPLICATION for a RESALE-Certificate of Continued Occupancy received <b>fewer than 4 business days</b> OF REQUESTED INSPECTION		\$125.00
	RESALE-CCO \$125.00	\$160.00
	Smoke Certificate \$35.00	
Each duplex or TWO FAMILY for a RESALE-Certificate of Continued Occupancy.		<del>\$150.00</del>
		\$185.00
This fee includes CSDMAC smoke certificate.		
Temporary RESALE-Continued Certificate of Occupancy – Is an additional	\$50.00	\$250.00
RENTAL-Continued Certificate of Occupancy (RENTAL-CCO) FEES		*
*Same Fees as Above and Inspection Dates Requested		
Certificate of fire code status – non-residential/commercial		
Per floor to 2,500 square feet	\$40.00	\$80.00
In excess of 2,500 square feet, per floor, same building, per 1,000 square feet	\$15.00	\$30.00

Copy of fire investigation report - Contact Monmouth County Fire Marshal

## **17-3 RESIDENTIAL RENTAL INSPECTIONS AND RENTAL CONTINUED CERTIFICATES OF OCCUPANCY.**

### **17-3.1 Periodic Inspections.**

All properties residential rental units must be available and accessible for periodic inspections, which will be made at intervals at the discretion of the Fire Official or his authorized representatives. Owners, operators and occupants are required to provide the necessary arrangements to facilitate these inspections. The Fire Official is hereby authorized and empowered to apply for, obtain and execute a search warrant for any building subject to the Uniform Fire Code whenever necessary to inspect such building or premises.

### **17-3.2 Time of Inspections.**

All inspections and re-inspections shall be made during daylight hours or during hours when the buildings and premises are open to the public, unless other arrangements are jointly made between the Fire Official and the owner, operator or occupant of the premises, or, unless there is reason to believe a violation exists of a character which is an immediate threat to health and safety requiring inspection and abatement without delay.

### **17-3.3 Inspection Between Tenancy.**

**All income producing residential properties** as covered by the this code except as listed in subsection 15-18.5 shall be inspected either before occupancy by a tenant not previously occupying the premises or between tenancies and that a Certificate of Continued Occupancy be issued to each subject dwelling unit either before occupancy or between occupancies of tenants; if for any reason the Certificate of Occupancy inspection is requested while the dwelling unit is occupied, a letter must accompany the Certificate of Continued Occupancy application requesting a waiver of inspection while the rental unit is occupied outlining the reasons for the waiver request. The granting of this waiver will be at the sole discretion of the Fire Official.

a. The Fire Official may change the day and time of inspection upon verbal notice to the landlord or individual requesting the inspection.

b. In the event the inspection reveals violations of such a nature so as to render occupancy unsafe, the owner shall be responsible for the reasonable moving costs and temporary dwelling costs of the tenant until the premises are made safe for occupancy.

c. The landlord shall include in its lease, or a notice attached to the lease, a statement that the State of New Jersey, Department of Community Affairs, inspects municipal dwellings of three (3) units or more every five (5) years and that the Borough of Matawan has a Property Maintenance Code, copies of which are available for review in the apartment superintendent's office and at the Borough Hall. A brief one-page summary of the Property Maintenance Code shall be permanently and (1) conspicuously affixed in every dwelling unit together with a list of telephone numbers of the appropriate officials and employees.

d. Copies of all notices required under this Article shall be supplied to the owners at the addresses supplied and specified by the owners. The master copies of the notice shall be supplied to all municipal dwelling owners by the Property Maintenance Officer.

(Ord. No. 13-05)

#### **17-3.4 Petitioned Inspections.**

An inspection will be required when petitioned by a tenant or occupant of a rental dwelling unit provided that the petitioner:

- a. Is the tenant or occupant of the premises in the petition; and
- b. Files the petition in writing with the Fire Official, Property Maintenance Officer or the Borough Clerk's Office and with the property owner, specifying a violation under the Commercial Property Maintenance Code or Uniform Fire Code; and
- c. Agrees to provide access to the premises under his control for the purposes of inspection and for the abatement of any violation found to exist; and
- d. In the event that a petition for inspection is so made, the property owner shall have ten (10) days to correct the violation and to notify the Fire Official or Property Maintenance Officer of its action. If petitioner still requests an inspection and if the violation still exists, the property owner shall pay the fee. If the violation has been corrected, the fee shall be paid by the petitioner. The inspection will be made within ten (10) days.

#### **17-3.5 Inspection and Inspection Certificates Not Required.**

- a. When an inspection certificate has been issued in within the previous sixty (60) days, however, should these premises have been occupied during the sixty (60) day period and a change in occupant is to be accomplished, then the provisions of subsection 17-3.3 regarding inspections shall still apply.
- b. For twelve (12) months after the issuance of a Certificate of Occupancy for a new rental dwelling unit.
- c. When an existing tenant or occupant remains in the same rental dwelling unit under a new lease or as a holdover.

#### **17-3.6 Action after Inspection.**

Within two (2) days after the completion of any inspection covered in subsections 17-3.1, 17-3.3 and 17-3.4 the Fire Official shall either:

- a. Issue an inspection certificate indicating favorable findings as to matters which are embraced in the Uniform Fire Code and this section; or
- b. If, in the opinion of the Fire Official, only minor violations are found to exist after the inspection, a temporary inspection certificate can be issued, permitting a new occupant to conditionally occupy the premises. This shall specify that the owner or operator has agreed to make all required repairs within fifteen (15) days after the receipt of such a temporary certificate. For the purpose of this paragraph, "minor violations" shall be construed to mean violations whose correction would not exceed a total cost of two hundred (\$200.00) dollars and which do not present an immediate danger to health, safety or welfare of the occupant; or
- c. Issue a written notice of violation to the owner or operator, prohibiting occupancy until re-inspection shall show the violations to have been corrected. This notice of violations must enumerate each violation of the Uniform Fire Code or Borough of Matawan ordinance found during the original inspection and give the owner or operator dates for the abatement of these violations.

**17-3.7 Continued Certificate of Occupancy Information Checklist for Residential Resale and Change of Rental Occupant.**

a. No building shall be sold or transferred unless the owner shall have first obtained a Certificate of Occupancy.

1. Meet the requirements of the New Jersey Uniform Fire Code N.J.A.C. 5:70-4.319 and all its updates regarding smoke, carbon monoxide detectors and fire extinguishers.

2. Smoke alarms are required on all levels, including the attic spaces and basements. Smoke alarms shall be **10-year sealed battery type** and or hardwired interconnected type (less than 10 years old). Smoke alarms as well as Carbon Monoxide alarms shall be installed within 10 feet of all sleeping areas. **NO NEST, OR WIRELESS SYSTEM SHALL BE PERMITTED AS AN APPROVED SYSTEM. ALL SYSTEMS SHALL BE AS ORIGINALLY INSTALLED.**

3. All walls, floors, and ceiling shall be in good condition and free of damage and holes.

4. All residential properties and dwelling units shall have operable kitchen and bathrooms: Hot and Cold water in kitchens and bathrooms shall operate properly and have shut off valves for each. All sinks shall have approved drain traps. Toilets shall be secured, operate correctly and have shut off valve on the water feed line. Bathroom fixtures cannot be used as a source of power.

5. All stoves shall have an anti-tipping device installed. The device can be wall mounted or floor mounted. All appliances shall be installed as per manufacturers' instructions. A fire extinguisher shall be installed/mounted in the kitchen area as per fire code.

6. All electrical outlets, equipment, junction boxes, shall be in good working order and free of damage and have proper cover plates installed. All wire connections shall be boxed, wire nuted with proper cover plate installed. All electrical outlets within 6' of any sink must be ground fault protected. All exterior outlets must be ground fault protected. Main electrical service lines (pipes or cable) shall be properly secured to structure with approved cable straps or pipe straps. All electrical wires must terminate in approved boxes.

7. Water heaters, boilers, furnaces, and HVAC systems shall be in good working order. Adequate ventilation is required to assure proper combustion. Vent and flue pipes are to be properly sealed at chimney connections. Screws and supports on vent pipes if needed. All devices that have been replaced shall **HAVE A CONSTRUCTION PERMIT ON FILE.**

8. Fireplaces/ wood stoves and their chimneys shall be properly maintained and in good condition (if applicable). Any visible issues on chimney seen during inspection will require an inspection report from licensed chimney company.

9. All doors shall have proper hardware. All exit doors to the exterior shall be functional and maintained. Double keyed deadbolts are prohibited on exit doors, and instead shall be a thumb-latch type lock.

10. All windows must be forty-five (45%) percent openable and stay open with no support. Every window (other than a fixed window) shall operate properly and have all



proper hardware installed. All broken windowpanes and window screens with holes, rips, and tears or are missing shall be repaired.

11. Roof gutters and leaders must be properly installed and in good repair. Roofs shall be in good repair with no evidence of leaks. Foundation walls shall be in good repair.

12. The use of extension cords to replace permanent wiring is prohibited and illegal. Garage door openers, sump pumps and all appliances shall be plugged directly into a wall outlet without the use of an extension cord, surge protector strip, or multiplug adaptor. No electrical cords (wires) installed on or through walls, floors or ceilings or from room to room are permitted.

13. All open construction permits shall be finalized before a Certificate of Continued Occupancy and Smoke Certificate is issued.

14. House numbers are required to be installed on the exterior of the structure with a minimum of 3" inches in height and must be visible from the street.

15. Handrails are required on all stairways and steps with three or more steps/risers. All stairways shall be in good condition. Railings on decks and porches must be in good condition and secure.

16. Property maintenance: The lawn, shrubs, and trees on the exterior of the property shall be maintained in a neat and orderly manner. Grass must be cut and trimmed; weeds must be cut and removed; and the property shall be free of excessive storage, rodents, insects, and offensive odors. Any items noted during inspection shall be referred to property maintenance inspector/code enforcement for inspection.

17. All swimming pools, inground or above ground, must have proper protection. All fences must be in good condition, free of damage, holes, or openings. **ALL GATES WITH ACCESS TO THE POOL AREA** must have self-closing and self-latching hardware and operate smoothly and completely. (Chained gates shall not be an actable substitute).

**ALL INSPECTIONS ARE SUBJECT TO FIRE OFFICIAL'S DISCRETION AND DECISION**

**REALTORS AND AGENTS SHALL GIVE A COPY OF THIS CHECKLIST TO THE HOMEOWNER TO ENSURE COMPLIANCE AT TIME OF INSPECTION.**

It will be the responsibility of the agent or owner in case of a central fire alarm system to be able to secure system for test by the inspector and after test to return system to normal code.

b. Any residential unit that is sold or transferred without a Continued Certificate of Occupancy is in violation, and the buyer and seller are subject to fines.

c. All buildings and items (boilers, hot water heaters, pools, decks, finished basements, etc.) must have the proper permits in place as per the Construction Department records. If any building or items do not have construction permits, new permits must be taken out in that subcode and be inspected before a Continued Certificate of Occupancy can be issued.

d. The Continued Certificate of Occupancy inspection is to be in no way interpreted as a structural inspection. For your protection, you may wish to obtain an engineering or structural analysis.

e. Temporary Continued Certificate of Occupancy (TCCO) may be issued by the Fire Official at his/her discretion upon written application for CCO by the owner or proposed occupant of such use. The Fire Official may issue a TCCO only in those circumstances where the property meets or exceeds the requirements of N.J.A.C. 5:70-4.19 for CSDCMDC. Any

other deficiency established during an inspection shall be addressed before occupancy takes place and TCCO will be issued for transfer purposes only. TCCO's issued pursuant to the terms of this article shall expire within 90 days of the date of issuance thereof and shall be transferrable at the discretion of the Fire Official.

#### **17-4 KNOX BOX HAZMAT CABINETS.**

[1] *Editor's Note: Ord. No. 21-02 deleted former Section 17-4, Key Boxes and Hazardous Materials Information Boxes. Previous history includes Ord. No. 96-18 §§ 1 and 3. Ord. No. 21-02 also renumbered former Section 17-5 as 17-4.*

##### **17-4.1 Required.**

Any facility, firm, or corporation that handles, uses, or stores hazardous material in the (3) or (4) range of the N.F.P.A. 704M symbol and total aggregate is more than fifty-five (55) gallons, five hundred (500) pounds, or two hundred (200) cubic feet, shall have a Knox Box Document Cabinet, for Matawan Fire Department use. A weatherproof cabinet shall be installed when appropriate. Exception: not required for underground fuel storage.

a. The cabinet shall contain the following:

1. Binder.

(a) List of responsible persons and phone numbers (i.e. plant manager, owner, all principal employees, management types, and major chemical manufacturers).

(b) A scaled complex card of the facility, to Matawan Fire Department and Fire Prevention Bureau complex card guidelines, to include room numbering, extinguishing systems (OSY, PI valves, Fire Department connections, etc.), drains, secondary containment, ventilation systems, and hydrant locations.

(c) Alphabetical list of chemicals, room number location, and approximate quantity and strength (i.e. 50%, 60%, 85%, etc.)

(d) Material Safety Data Sheet (MSDS) of all chemicals in alphabetical order.

2. Keys.

(a) Keys to all locked doors with plastic identification tags corresponding to complex card map.

3. Location.

(a) The Knox Box shall be located on the exterior of the building near the front entrance as shown by the Fire Department HazMat Specialist or designee.

#### **17-5—17-9 RESERVED.**

#### **17-10 FIRE ALARM SYSTEMS.**

### **17-10.1 Findings.**

Fire alarm systems, including protective signaling systems, serve a useful function; and the State Uniform Construction Code governs installation and the State Fire Code requires maintenance of such systems. Maintenance inspections do not reveal all problems with such systems and no State standard governs the use and control of fire alarm and protective signaling systems. The incidence of false alarms attributable to defective equipment or failure to monitor and maintain such systems results in a response which creates needless risk of injury to both fire suppression personnel and the public as well as a cost in time, efficiency, equipment and funds. In order to reduce risks and costs as well as increase fire suppression efficiency the municipality seeks to promulgate operational requirements for the use and control of fire alarm and protective signaling systems, and establish remedies and penalties for the violation thereof.

### **17-10.2 Definitions.**

As used in this section:

**False Alarm** shall mean any fire alarm causing direct notification to a Fire Department through an alarm panel, switchboard or alarm lines, in a case where no fire exists.

**False Alarm System** shall mean a system containing automatic detecting device(s) which actuate an alarm signal, requiring a response by fire suppression forces. It includes Protective Signaling Systems or devices designed to transmit alarms and supervisory and trouble signals necessary for the protection of life and property.

### **17-10.3 Alarm System Permit Required; Penalty.**

- a. Any person or business desiring to install a fire alarm system on any premises must apply for a fire alarm system permit from the Matawan Construction Department.
- b. Failure to obtain a permit is in violation of this Code and is subject to a penalty as stated in Chapter I, Section 1-5 of this Code.

### **17-10.4 Reset Codes Required.**

The owner shall supply to the Matawan Fire Prevention Bureau and install inside the fire alarm panel the reset code to the horn(s)/bell(s) and to reset the system to normal mode.

### **17-10.5 Certificate of Occupancy for Multiple Dwellings; Alarms and Detectors Required.**

**In the case of multiple family dwellings, no Certificate of Occupancy for any contiguous unit shall be issued unless the fire alarm system for the common areas and hallways is in working order as well as the smoke detectors for all units.**

### **17-10.6 Operation Without Permit; Penalty; False Alarm.**

- a. The response of the Matawan Fire Department to an alarm location without a fire or drill will be considered a violation of this section and will be subject to a penalty.
- b. All penalties must be paid within thirty (30) calendar days or subject to additional penalties of the same amount.
- c. It will be in violation of this section to operate an alarm system without a permit. The penalty for a violation shall be as stated in Chapter I, Section 1-5 of this Code.

### **17-10.7 Investigation of False Alarm; Notice to Repair Alarm.**

In the case of a false alarm, the local Fire Official shall investigate or cause to be investigated and keep a record of the alarm on file. If an investigation discloses that the false alarm was due to misuse, accident, improper supervision, or equipment malfunction and was not due to an unpreventable, unavoidable outside cause, the Fire Official shall provide notice and order corrective action or that the alarm system be disconnected for a specified period of time.

The Fire Official shall serve on the owner of the building a written order stating the nature of the violations and the date by which the violations must be corrected. (Ord. No. 96-29)

### **17-10.8 False Alarm Penalties.**

Any person who, after receiving notice of the malfunction of the alarm system, and an order and an opportunity to correct, refuses or neglects to comply shall be subject to a penalty as set forth below in addition to any other penalties issued under State law or regulation for improper installation or maintenance:

- a. For the first false alarm following notification—a penalty of \$50.00.
- b. For the second false alarm—a penalty of \$100.00.
- c. For the third false alarm—a penalty of \$200.00.
- d. For the fourth and subsequent false alarm—a penalty of \$300.00 and/or imprisonment not to exceed five (5) days.

## **17-11 FIRE LANES.**

### **17-11.1 Designation of Fire Zones; Marking of Pavement; Signs.**

Upon a finding that such an action is necessary for the public safety, the Fire Official may require the owner or owners of any shopping center, commercial structure, place of public assembly, multiple dwelling group, industrial park, office building, hotel, or motel, school or commuter parking lot to designate fire zones in the driveways of the premises leading to and from the parking areas, loading areas, public streets or right-of-way leading to the above-type buildings or structures.

Such fire zones may also be known as fire lanes. The Fire Official may require and designate public or private fire lanes as deemed necessary for the efficient and effective operation of fire apparatus. Fire lanes shall have a minimum width of eighteen (18) feet (5486 mm). Fire lanes shall be striped and lettered in yellow on a paved surface, such striping and lettering to remain legible at all times. Metal fire zone signs, the lettering of the same to be legible at all times, shall be provided, erected and maintained by the owner or owners and placed at the discretion of the Fire Official. The signs are to be of a design and quality and lettered in accordance with the applicable State law and approved by the Fire Official.

### **17-11.2 Obstruction of Fire Lanes.**

Designated fire lanes shall be maintained free of obstructions and vehicles and shall be identified in an approved manner.

### **17-11.3 Maintenance of Fire Lanes.**

All designated fire lane signs and markings shall be maintained in a clean and legible condition at all times and replaced when necessary to ensure adequate visibility.

### **17-11.4 Shopping Centers and Office Buildings.**

a. Fire zones shall be established in all shopping centers to ensure fire equipment and other emergency vehicles unobstructed means of ingress and egress to the properties and buildings located therein in the event of fire or other emergency.

b. The number, location, dimensions and markings of such areas shall be determined by the Fire Official based upon the size, type, and location of the building in such shopping centers or office buildings; the types of uses combined therein; the number of motor vehicles operated and parked upon the property; the number of persons using and occupying the premises; the existing means of ingress and egress; and the total areas of the property and other relevant factors.

c. The Fire Official is authorized to regulate, restrict, and prohibit the parking and operation of motor vehicles in and near such fire zones and to impose other reasonable regulations necessary to ensure that such areas are free from obstruction.

d. Emergency telephone numbers and information signs shall be installed in all shopping centers and office buildings. The cost of installation and maintenance and operation thereof shall be borne by the shopping center and office building owners.

### **17-11.5 Definitions.**

As used in this section:

**Office Buildings** shall mean and include any business complex that has four (4) or more offices or separate businesses in one (1) building.

**Shopping Center** shall mean and include an integrated commercial building complex made up of separate commercial retail establishments, and generally serving the needs of a neighborhood or regional area.

### **17-11.6 Jurisdiction for Enforcement.**

The Fire Official, the Fire Inspector, the Parking Authority Officer and the Police Department shall have concurrent jurisdiction to enforce the provisions of this section.

### **17-11.7 Penalty.**

Unless another penalty expressly provided by N.J.A.C. 5-70, any person convicted of a violation of this section or any supplement thereto shall be liable to a penalty of:

- a. For the first violation following notification—a penalty of \$75.00.
- b. For the second violation—a penalty of \$150.00.
- c. For the third and subsequent violation(s)—a penalty of \$300.00 and/or imprisonment not to exceed fifteen (15) days.

**Deletions are strikethrough**  
**Additions are yellow highlighted**