

ORDINANCE #2017-21

AN ORDINANCE TO AMEND CHAPTER 10 OF THE BORDENTOWN TOWNSHIP CODE
TO ADD NEW SUBCHAPTER 10.04.070 ENTITLED "FIRE LANES"

WHEREAS, upon recommendation of emergency management staff and in order to provide unobstructed means of access to the buildings and other structures within the Township in the event of a fire or other emergency the Township Committee seeks to clarify the procedure and standards for the creation of fire lanes and zones and provide for enforcement of the same.

NOW THEREFORE BE IT ORDAINED, by the Township Committee of the Township of Bordentown as follows:

Section 1. Chapter 10 of the Township Code is hereby amended to include new subchapter 10.04.070 entitled Fire Lanes as follows:

A. Creation of fire lanes.

The Fire Official may require and designate public or private fire lanes or/ or fire zones as deemed necessary for the efficient and effective uses of fire apparatus. Unless stated to the contrary, the phrases "fire lanes" and "fire zones" shall be identical in meaning and used interchangeably.

Fire lanes shall be marked and constructed in accordance with this chapter and shall be described in Schedule IX, attached hereto and made a part of this section which Schedule shall also be on file with the Township. Notwithstanding anything herein to the contrary, approval of the designation of such fire lanes and/or fire zones by the Township Committee may be by resolution.

B. Standards for the establishment of fire zones and fire lanes.

The location, dimensions, markings and number of signs that shall be required in or upon a fire lane or zone shall be determined by the Fire Official of the Township who shall base his findings upon the size, type and location of the buildings and/or other structures; provided, however, that each such lane or zone shall, where possible, conform to the schedule in this chapter.

C. Responsibility of owner of land or premises having a fire lane and/or zone located within said land or premises.

It shall be the responsibility of the owner or owners of the land or premises wherein a fire lane or zone has been designated to stripe, letter or maintain the appropriate signs as required and to maintain said striping, lettering and signage in a legible manner at all times. The signs and painting designation required hereunder shall be completed before the certificate of occupancy is issued. If not so completed, the Township may take the necessary steps to obtain compliance and bill the owner for the reasonable cost thereof.

D. No parking.

No person shall, at any time, stop or park a vehicle or in any other manner obstruct any area that has been designated as a fire lane. If deemed necessary by the enforcing agency, the vehicle may be removed and stored at the owner's expense. The Fire Official and the Police Department shall have concurrent jurisdiction to enforce the provisions of this chapter. Violation of the fire lane regulations shall be considered a violation of the Township parking ordinances, as well as violations of the Uniform Fire Code. N.J.A.C. 5:70-3.1 et seq. Enforcement by the Township Police Department or parking enforcement officers shall be handled as a Township ordinance violation or as a Uniform Fire Code violation. Enforcement by the Township Fire Official shall be pursuant to N.J.S.A. 52:27D-210, which provides for penalties under the Penalty Enforcement Law of 1999, N.J.S.A. 2A:58-10 et seq., for violations of the Uniform Fire Code.

E. Violations and Penalties

Any violation of this section shall be punishable by a fine of not less than \$50 per occurrence nor more than the maximum penalty as set forth in Chapter 1.08, General Penalty.

Section 2. Current Section 10.04.070 shall be renumbered as Section 10.04.080.

Section 3. Repealer. Any and all other ordinances inconsistent with any of the terms and provisions of this ordinance are hereby repealed to the extent of such inconsistencies.

Section 4. Severability. In the event that any section paragraph, clause phrase, term, provision or part of this ordinance shall be adjudicated by a court of competent jurisdiction to be involved or unenforceable for any reason, such judgment shall not effect, impair or invalidate the remainder thereof, but shall be confined in its operation to the section, paragraph, clause, term, provision or part thereof directly involved in the controversy in such judgment shall be rendered.

Section 5. This ordinance shall take effect immediately upon adoption and publication according to law.

INTRODUCED: AUGUST 21, 2017
ADOPTED: SEPTEMBER 11, 2017