Ordinance No. 2026-27

AN ORDINANCE AMENDING CHAPTER 157, "FIRE PREVENTION," OF THE CODE OF THE BOROUGH OF NETCONG

BE IT ORDAINED, by the Borough Council of the Borough of Netcong, in the County of Morris, and State of New Jersey, as follows:

SECTION 1. Chapter 157 of the Revised General Ordinances of the Borough of Netcong, Article I, "Fire Prevention", Section 157-8, which shall be retitled "Certificate of Smoke Alarm and Carbon Monoxide Alarm Compliance" and shall read, in its entirety, as follows:

§ 157-8 Certificate of smoke alarm and carbon monoxide alarm compliance.

A. Certificates Required. Before any one and two-family or attached single family structure (Use Group R-3, R-4, or R-5), or portion thereof, that is sold, leased, or otherwise made subject to a change of occupancy for residential purposes shall have a certificate of smoke alarm and carbon monoxide alarm (CSACMAC) obtained by the owner prior to said change of occupancy in accordance with N.J.A.C. 5:70-2.3 which evidences compliance with N.J.A.C. 5:70-4.19.

(1) Fire and life safety systems within residential premises. The following requirements shall be applicable to and satisfied by applicants for a CSACMAC prior to the issuance of a certificate of compliance:

(a) Smoke alarms. Smoke alarms shall be maintained in accordance with NFPA 72, their listing, and manufacturer specifications. Smoke alarms shall be located as specified in N.J.A.C. 5:70-4.19. Smoke alarms located and maintained in accordance with approvals contingent with a certificate of occupancy issued in accordance with the State Uniform Construction Code Act that concurrently satisfy the requirements of N.J.A.C. 5:70-4.19 shall also satisfy this section.

(b) Carbon monoxide alarms. Carbon monoxide alarms shall be maintained in accordance with NFPA 720, their listing, and manufacturer specifications. Carbon monoxide alarms shall be located as specified in N.J.A.C. 5:70-4.19. Carbon monoxide alarms located and maintained in accordance with approvals contingent with a certificate of occupancy issued in accordance with the State Uniform Construction Code Act that concurrently satisfy the requirements of N.J.A.C. 5:70-4.19 shall also satisfy this section.

(c) Fire alarm systems. Residential premises that contain installed fire alarm systems as defined in the Uniform Construction Code may be required to submit documentation of testing and maintenance evidencing that the

system is maintained in good working order prior to the issuance of a CSACMAPFEC. The Fire Official and his/her designee shall assure such documentation meets or exceeds the criteria contained within NFPA 72. Fire alarm systems may only be substituted for requirements of N.J.A.C. 5:70-4.19 when installed in accordance with the State Uniform Construction Code Act and when received a proper certificate of approval or been installed prior to the receipt of a certificate of occupancy.

(d) Secondary power source identification. A structure used or intended for use for residential purposes by one or two household must have a label installed within 18 inches of the main electrical panel and electrical meter warning of the dangers associated with secondary power sources. A secondary power source may include permanently installed internal combustion generators, solar panels, battery storage system, or any other supplemental sources of electrical energy to the primary power supply.

(2) Certificate of compliance. In the case of a change of occupancy of any Use Group R-3, R-4, or R-5 building or portion thereof subject to the requirements of Subsection 157-8A of this section, no owner shall sell, lease or otherwise permit occupancy for residential purposes of that building without first obtaining a certificate evidencing compliance with this section. Where a certificate of occupancy is required under the land development chapter or other General Ordinances of the Borough, it shall not be issued prior to the time the owner obtains the certificate of compliance.

(3) Inspections. The Fire Official of the Bureau of Fire Prevention and duly appointed Inspectors are hereby empowered to conduct the necessary inspections and to issue certificates of compliance as contemplated herein.

(4) Fees. A fee of $80 shall be paid by the owner prior to each inspection provided the inspection is requested at least ten (10) days prior to the change of occupancy or ownership. If the inspection is requested within 10 days of the change of occupancy or ownership, a fee of $150 shall be paid. If the inspection is requested within four days of the change of occupancy or ownership, a fee of $200 shall be paid.

SECTION 2. Chapter 157 of the Revised General Ordinances of the Borough of Netcong," Fire Prevention", Section 157-3, "Non-life-hazard use inspections/registration fees" is hereby amended to read, in its entirety, as follows:

§ 157-3. Non-life-hazard use inspections/registration fees.

A. Whenever the Fire Official shall have cause to believe that a building or business would require an annual fire prevention inspection, and the building or business is not a life-hazard use, the owner of the building or business, if not already registered, shall fill out a registration form provided by the Fire

Prevention Bureau. Each calendar year a business must register with the Fire Prevention Bureau and are subject to an annual non-life-hazard registration fee. The owner shall pay to the Fire Prevention Bureau and return the required registration form, within 30 days of receiving the written notice to register. The fees shall be based upon the square footage of the use. The fees are as follows:

(1) Premises under 3,000 square feet: $80.00.

(2) Premises over 3,000 square feet and under 6,000 square feet: $165.00.

(3) Premises over 6,000 square feet and under 12,000 square feet: $265.00.

(4) Premises over 12,000 square feet: $450.00.

(5) Common areas, hallways, garages, storage areas: $65.00.

B. Portions of churches and religious facilities are exempt from these fees.

SECTION 3. This Ordinance may be renumbered for codification purposes.

SECTION 4. All ordinances or parts of ordinances in conflict or inconsistent with any part of this Ordinance are hereby repealed to the extent that they are in such conflict or inconsistent.

SECTION 5. In the event that any section, part or provision of this Ordinance shall be held to be unenforceable or invalid by any court, such holding shall not affect the validity of this Ordinance as a whole, or any part thereof, other than the part so held unenforceable or invalid.

SECTION 6. This Ordinance shall take effect upon final passage and publication as required by law.

NOTICE IS HEREBY GIVEN, that the foregoing Ordinance was introduced in writing at a meeting of the Borough Council of the Borough of Netcong, County of Morris and State of New Jersey, held on the 12th day of November, 2026 introduced and read by title and passed on the first reading and that the said Governing Body will further consider the same for second reading and final passage thereon at a meeting to be held on the 10th day of December, 2026 at 7:30 p.m., prevailing time, at the Municipal Building in said Borough, at which time and place a public hearing will be held thereon by the Governing Body and all persons and citizens in interest shall have an opportunity to be heard concerning same.

ATTEST:

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Cynthia Eckert, Borough Clerk

By: _____

Elmer Still, Mayor

Introduced: 11/12/26

Adopted: