

# Borough of Fair Lawn



## ORDINANCE NO. 2670-2023

### AN ORDINANCE SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF FAIR LAWN TO ADD A NEW ARTICLE XX, FIRE WATCH PROGRAM OF CHAPTER 13, FIRE DEPARTMENT OF THE CODE OF THE BOROUGH OF FAIR LAWN

**WHEREAS**, fire safety compliance has always been and continues to be a high priority for the Borough of Fair Lawn; and

**WHEREAS**, the Borough deems it necessary to implement fire watch procedures when there exist substantial risks to life, safety and property, including when all or part of the required fire protection systems in structures are intentionally interrupted for repairs and maintenance, not functioning properly, not functioning at all, or when they are damaged or destroyed by fire or other disaster.

**NOW THEREFORE, BE IT ORDAINED** by the Mayor and Council of the Borough of Fair Lawn, in the County of Bergen, and State of New Jersey, as follows:

**SECTION 1.** That the Revised General Ordinances of the Borough of Fair Lawn be and is hereby supplemented and amended to add Article XX, Fire Watch Program of Chapter 13, Fire Department by inserting the text **underlined and marked in bold** to read as follows:

#### **CHAPTER 13: Fire Department**

#### **Article XX Fire Watch Program**

#### **§13-87 Definition.**

**As used in this article, the following term shall have the meaning indicated:**

#### **FIRE WATCH**

**A temporary measure, ordered by the Fire Official, Fire Chief or their designated representative, intended to ensure continuous and systematic surveillance of a building or portion(s) thereof, by two or more qualified individuals for the purpose of identifying and controlling fire and other life/property hazards, detecting early signs of an unwanted fire, raising an alarm of fire to the occupants, and notifying the fire department and engaging in firefighting or other emergency response. All statements of**

“Fire Official” below will be understood as the “Fire Official, Fire Chief or designated representative.”

**§13-88 Fire Watch; when required.**

- A. A fire watch may be ordered by the Fire Official with the approval of the Borough Manager. After consulting with the Fire Official and the Borough Manager, a fire watch may be ordered in public and privately owned buildings and/or properties within the Borough under the following circumstances:
1. Required fire protection systems are out of service due to system failure; repair, scheduled maintenance, or vandalism;
  2. An imminent hazard exists; as defined by N.J.A.C. 5:70-2.16;
  3. Requested by the building owner, tenant, lessee or organization;
  4. Any other condition or event that may pose unusual hazards or risk to the public or fire service when deemed necessary by the Fire Official.

**§13-89 Services or requirements during Fire Watch.**

A fire watch may include firefighting, rescue, recovery, and other emergency responses, maintaining posted fire lanes, means of egress and posted occupancy loads, enforcement of no smoking in posted areas, area and building surveillance, checking for proper permits, inspecting for proper safety precautions of cooking equipment and such other functions as required by the Fire Official.

**§13-90 Individuals authorized to perform Fire Watch.**

Fire watches will be conducted by a minimum of two (2) firefighters, subject to adjustment based on needs as deemed necessary by the Fire Official, with approval from the Borough Manager. One regular borough vehicle will be supplied with every fire watch and additional equipment may be added as deemed necessary by the Fire Official with approval from the Borough Manager.

Fire watches shall be performed by active regular members of the Borough of the Fair Lawn Fire Department. Other qualified individuals may be utilized at the discretion of the Fire Official or the Official's designee with prior approval of the Fire Chief, Assistant Chief, Deputy Chief, Battalion Chief or Borough Manager. Any qualified individuals used for the purpose of a fire watch shall report directly to the Fire Official or the Official's assigned designee, who will in turn report to and be

subject to the direction of the Borough Manager. Persons appointed to a fire watch shall be subject to all Borough ordinance, rules, and regulations.

**§13-91 Rates and payments.**

- A. A fire watch shall be paid for by the building owner, tenant, lessee, or organization for which the fire watch is requested or required, as appropriate.**
- B. Firefighters shall receive a minimum of four (4) hours pay for fire watch services.**
- C. If a fire watch is canceled less than two (2) hours prior to the start of the watch, the building owner, tenant, lessee or organization shall be required to pay the firefighters assigned a minimum of two (2) hours.**
- D. Payments shall be made payable to the Borough of Fair Lawn and within ten (10) days after service is provided.**
- E. Rates and payments are set forth in § 94-1J(4) of the Borough Code.**

**§13-92 Violations and penalties.**

**Any person violating any of the provisions of this Chapter shall, upon conviction thereof, be subject to the penalty as stated in Chapter 1, General Provisions, Article III, General Penalty Provisions, of this Code, the Uniform Fire Code or other state codes.**

**SECTION 2:** If any section, paragraph, clause, or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to this section, paragraph, clause or provision so adjudged and the remainder of the Ordinance shall be deemed valid and effective.

**SECTION 3.** All ordinances inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

**SECTION 4.** This Ordinance shall take effect upon passage and publication according to law.

**Introduced:** May 23, 2023

	<b>Motion</b>	<b>Second</b>	<b>Aye</b>	<b>Nay</b>	<b>Abstain</b>	<b>Absent</b>
Reinitz		X	X			
Rottenstrich			X			
Cutrone	X		X			
Krause			X			
Peluso			X			

**Adopted:** June 20, 2023

	<b>Motion</b>	<b>Second</b>	<b>Aye</b>	<b>Nay</b>	<b>Abstain</b>	<b>Absent</b>
Reinitz	X		X			
Rottenstrich			X			
Cutrone			X			
Krause		X	X			
Peluso			X			

**Attest:**

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Nicholas J. Magarelli, RMC  
Municipal Clerk

**Approved:**

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Kurt Peluso  
Mayor