

## ORDINANCE NO. 24-11

### AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF HANOVER AMENDING AND SUPPLEMENTING SECTION 137-26.1 ENTITLED “ADDITIONAL NON-LIFE-HAZARD USE INSPECTIONS AND FEES” UNDER CHAPTER 137 OF THE CODE OF THE TOWNSHIP FIRE PREVENTION

**WHEREAS**, on December 9, 2010, the Township Committee adopted Ordinance No. 31-10 which Ordinance amended and supplemented various provisions of Article II entitled “Uniform Fire Safety Standards” under Chapter 137 of the Code of the Township entitled Fire Prevention as they relate to non-life-hazard use inspections and fees; and

**WHEREAS**, it is necessary to clarify the entities responsible for the payment of the non-life-hazard use inspection fees under Sections 137-26.1. and 137-26.1.B.

**NOW, THEREFORE, BE IT ORDAINED**, by the Township Committee of the Township of Hanover in the County of Morris and State of New Jersey as follows:

**Section 1.** Section 137-26.1. entitled “Additional non-life-hazard use inspections and fees” under Chapter 137 of the Code of the Township entitled Fire Prevention is hereby amended and supplemented with new wording which is printed in bold faced and underlined as set forth below:

“The Bureau of Fire Prevention of Fire Districts No. 2 and No. 3 established by this Chapter shall accept responsibility for cyclical inspections and enforcement of the Uniform Fire Code that are not life-hazard uses on an annual basis. The fee for the inspection on non-life-hazard use shall be as set from time to time by resolution, and shall be paid for by the building and/or property owner, or, where applicable, **by a tenant and/or occupant of a commercial property, or,** by a condominium and/or townhouse association.”

**Section 2.** Paragraph B. under Section 137-26.1. is hereby deleted and the following new paragraph is inserted in its place and stead:

“B. The uses mentioned above in paragraph A. shall be inspected at a minimum once per calendar year. And, the owner occupant(s) and/or tenant(s) of buildings and structures shall be responsible in paying the applicable fee set forth below:”

**Section 3.** All ordinances or parts of ordinances in conflict or inconsistent with the provisions of this ordinance are, to the extent of such inconsistency, hereby repealed.

**Section 4.** In case, for any reason, any section or provision of this Ordinance shall be held to be unconstitutional or invalid, the same shall not affect any other section or provision of this Ordinance, except so far as the section or provision so declared unconstitutional or invalid shall be severed from the remainder or any portion thereof.

**Section 5.** This ordinance shall take effect in accordance with the law.

TOWNSHIP COMMITTEE  
TOWNSHIP OF HANOVER  
COUNTY OF MORRIS  
STATE OF NEW JERSEY

DATE OF INTRODUCTION: August 11, 2011

DATE OF ADOPTION: September 8, 2011

## **NOTICE OF INTRODUCTION**

**NOTICE IS HEREBY GIVEN**, That the foregoing Ordinance was submitted in writing at a meeting of the Township Committee of the Township of Hanover, in the County of Morris and State of New Jersey, held on the 11<sup>th</sup> day of August, 2011, introduced and read by title and passed on first reading and the Governing Body will further consider the same for second reading and final passage thereof at a meeting to be held on the 8<sup>th</sup> day of September, 2011, at 8:30 o'clock in the evening prevailing time, at the Municipal Building, 1000 Route 10, Whippany, in said Township of Hanover, 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.

JOSEPH A. GIORGIO, TOWNSHIP CLERK  
TOWNSHIP OF HANOVER  
COUNTY OF MORRIS  
STATE OF NEW JERSEY

DATED: August 18, 2011