

**TOWN OF WEST NEW YORK  
COUNTY OF HUDSON, STATE OF NEW JERSEY**

**ORDINANCE # 1/19**

**AN ORDINANCE AMENDING CHAPTER 198 OF THE CODE OF THE TOWN OF  
WEST NEW YORK ENTITLED “FIRE PREVENTION”**

**WHEREAS**, the Uniform Fire Safety Act, N.J.S.A. 52:27D-192 et seq. and the Uniform Fire Code, N.J.A.C. 5:70-1 et seq. are locally enforced in the Town of West New York by the Fire Prevention Bureau; and

**WHEREAS**, Chapter 198 of the Code of the Town of West New York (“Code”) creates and governs the Fire Prevention Bureau; and

**WHEREAS**, Chapter 198-9C of the Code sets forth the application fee for a certificate of smoke detector and carbon monoxide alarm compliance (CSDCMAC), as required by N.J.A.C. 5:70-2.3; and

**WHEREAS**, the Board of Commissioners of the Town of West New York recently amended the amount of the CSDCMAC application fee, and now seek to amend Chapter 198 to clarify that a new CSDCMAC is required each time there is a change of occupancy by way of sale, lease or tenancy.

**NOW, THEREFORE, BE IT ORDAINED** by the Mayor and Board of Commissioners of the Town of West New York, that Chapter 198 entitled “Fire Prevention” shall be amended as follows:

**Section One**

Chapter 198-9C shall be deleted and replaced as follows:

- A. The application fee for a certificate of smoke detector and carbon monoxide alarm compliance (CSDCMAC), as required by N.J.A.C. 5:70-2.3, shall be \$150.00.
- B. A property owner is required to obtain a new CSDCMAC each time a change of occupancy occurs – whether by sale, lease or change in tenant.

**Section Two**

**Severability.** The provisions of this Ordinance are declared to be severable and if any section, subsection, sentence, clause or phrase thereof for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections,

subsections, sentences, clauses and phrases of this Ordinance, but shall remaining in effect; it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

**Section Three**

**Repealer.** All ordinances or portions thereof in conflict or inconsistent with this Ordinance are hereby repealed, but only however, or the extent of such conflict or inconsistency, it being legislative intent that all ordinances or portions of ordinances now existing or in effect shall remain in effect unless the they are in conflict or inconsistent with any provision of this Ordinance.

**Section Four**

**When Effective.** This ordinance shall take effect upon passage and publication as required by law.

**SUMMARY OF ORDINANCE**

This Ordinance amends Chapter 198-9C by clarifying that a property owner is required to obtain a new CSDCMAC each time there is a change of occupancy.

**Introduced: 2/20/19**

**Adopted: 3/27/19**

**Notice**

The foregoing Ordinance was adopted for first reading by the Mayor and Board of Commissioners of the Town of West New York, New Jersey, on **February 20, 2019** and ordered published, and will be further considered before final passage at a public hearing on **March 27, 2019** at **6:30 p.m.** at the Commission Chambers, Municipal Building, West New York, NJ. A copy of this Ordinance has been posted on the bulletin board upon which public notices are customarily posted on in the Town Hall of the Town of West New York, and a copy (at no charge) is available up to and including the time of such meeting to the members of the public of the Town who shall request such copies, at the Office of the Town Clerk in said Town Hall in West New York, N.J.

Carmela Riccio, RMC  
Town Clerk