

Sponsored by: _____

Seconded by: _____

**CITY OF HOBOKEN
ORDINANCE NO.: __**

**AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 101
OF THE ADMINISTRATIVE CODE OF THE CITY OF HOBOKEN,
ENTITLED "FIRE PREVENTION," REGARDING FALSE FIRE ALARMS**

WHEREAS, the Council of the City of Hoboken declares it to be in the best interest of public health, safety and welfare of the City to ensure that false fire alarms are minimized to the extent possible; and,

WHEREAS, false fire alarms caused by malfunctioning or poorly maintained equipment incur a significant cost to the City due to the expenses incurred each time the Fire Department is summoned to an apparent fire; and,

WHEREAS, false fire alarms also threaten public safety since precious resources and manpower are forced to respond each time such a false alarm is sounded; and,

WHEREAS, the Fire Marshal and Fire Chief have advised that an ordinance establishing fines for false fire alarms would be greatly beneficial in reducing this continuing problem; and,

WHEREAS, the Fire Marshal and Fire Chief have further advised that the existing ordinance needs certain revisions in order to be fully effective.

NOW, THEREFORE, BE IT ORDAINED, by the City Council of the City of Hoboken that Chapter 101 of the Code of the City of Hoboken is hereby amended as follows:

SECTION ONE:

Section 101-10.4 of the Code of the City of Hoboken is hereby amended, as follows (additions noted by underline, deletions by ~~striketrough~~):

§101-10.4. False Fire Alarms

It shall be unlawful to permit a false fire alarm in any building in the City of Hoboken.

- A. False fire alarm defined. As used in this Ordinance, a "false alarm" shall mean the transmission, either directly or indirectly, to the Hoboken Fire Division of any automatic fire alarm, smoke alarm, fire sprinkle water flow

alarm, that was not caused by an actual fire, smoke condition or other condition beyond the control of the owner.

- B. The Hoboken Fire Division shall investigate and determinate the cause of any false alarm, as it is defined in this Ordinance, and shall maintain a list of all false alarms. Said list shall identify the location of each false alarm the number of false alarms at the location, and the determined reason for the false alarm.
- C. Upon the determination that a false alarm has occurred, the Fire Chief or his designated representative shall promptly notify the Fire Marshal, who shall issue ~~the appropriate penalty~~ a municipal summons to the property owner.
- D. The following penalties shall apply to false alarms:

False Alarm#	FINE
1	WARNING ONLY
2	\$25.00
3	\$100.00
4	\$150.00
5	\$200.00
6 and above	\$250.00 (per each violation)

These penalties shall reset and start anew on January 1st of each year.

- ~~E. All penalties assessed for the violation of this Ordinance shall be paid into the Fire Prevention penalty account.~~
- E. All provisions of the New Jersey Uniform Fire Code with respect to the maintenance of fire alarms shall continue to apply.

SECTION TWO:

All ordinances and parts of ordinances inconsistent herewith are hereby repealed.

SECTION THREE:

This ordinance shall be a part of the Code of the City of Hoboken as though codified and fully set forth therein. The City Clerk shall have this ordinance codified and incorporated in the official copies of the Code. The City Clerk and the Corporation Counsel are authorized and directed to change any Chapter, Article and/or Section number of the Code of the City of Hoboken in the event that the codification of this Ordinance reveals that there is a conflict between the numbers and the existing Code, and in order to avoid confusion and possible accidental repealers of existing provisions not intended to be repealed.

SECTION FOUR:

This Ordinance shall take effect as provided by law.

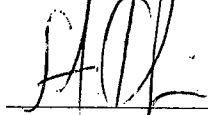
Adopted:

Approved:

City Clerk James Farina

_____, Mayor

Approved to Form:



Steven W. Kleinman
Corporation Counsel

DATE OF INTRODUCTION: October 21, 2009