



Township Council
1 Municipal Plaza
Bloomfield, NJ 07003

Louise M. Palagano
Municipal Clerk

<http://www.bloomfieldtwpnj.com>

Meeting: 05/19/25 07:00 PM

2025 ORDINANCE NEW ORDINANCE

Ord 25 16

AN ORDINANCE AMENDING CHAPTER 239 OF THE CODE OF THE TOWNSHIP OF BLOOMFIELD, "FIRE PREVENTION AND PROTECTION", BY ESTABLISHING ARTICLE IV, "FIRE WATCH".

WHEREAS, certain amendments to the Fire Prevention Code of the Township of Bloomfield are needed to ensure fire safety compliance; and

WHEREAS, New Jersey Uniform Fire Code (N.J.A.C. §5:70-1.1, et. seq.) has adopted the 2018 International Fire Code (N.J.A.C. §5:70-3.1) as the State Fire Prevention Code for New Jersey; and

WHEREAS, 2018 International Fire Code New Jersey Edition provides for a Fire Watch when a required fire protection system is out of service (N.J.A.C. §5:70-3, 901.7, et. seq.); and

WHEREAS, the Fire Chief is desirous of promulgating rules and regulations as well as a fee schedule for remittance of costs associated with fire watch. **NOW, THEREFORE**

BE IT ORDAINED, by the Mayor and Township Council of the Township of Bloomfield as follows:

Section 1. Chapter 239 of *The Code of the Township of Bloomfield* ("Fire Prevention and Protection") is hereby amended, adding Article IV, Chapter 239-39, et seq. ("Fire Watch"), which shall read as follows:

Article IV - Fire Watch

239-39 Intent and Purpose.

Fire safety compliance has always been and continues to be a high priority for the Township of Bloomfield. Fire officials frequently assess what can be done to assure the safety of all Bloomfield residents, and to that end, the Township 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 Township 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. In certain circumstances detailed herein, the Fire Official, or his designee, is hereby authorized to order a fire watch for the affected structure to ensure continued safety of residents during this period.

239-40 Fire Watch Defined.

As used in this Article, the following terms shall have the meanings indicated:

Fire Watch - Is a Township-ordered temporary measure intended to ensure continuous and systematic surveillance of a building or portion(s) thereof by one or more qualified individuals for the purpose of identify and controlling fire hazards, detecting early signs of an unwanted fire, raising an alarm of fire to the occupants and notifying the Fire Department.

239-41 Fire Watch; when required.

A. A fire watch may be ordered by the Fire Official or his assigned designee in public and privately owned buildings and/or properties within the Township of Bloomfield under the following circumstances:

- 1) Required fire-protection systems are out of service due to system failure, repair, scheduled maintenance, vandalism, etc.;
- 2) A fire watch is requested by the building owner, tenant, or lessee;
- 3) Public and private events where 100 people or more are in attendance;
- 4) Events where with the approval of the Fire Official or their assigned designee where the posted occupancy load is exceeded;
- 5) The presence of an imminent hazard as defined by N.J.A.C. 5:70-2.16;
- 6) Conducting hot work; and
- 7) All other situations deemed necessary by the Fire Official or their assigned designee.

B. A fire watch may include the maintaining of posted fire lanes, means of egress, posted occupancy loads, enforcement of no smoking in posted areas, building surveillance for signs of smoke or fire, checking for proper permits, inspecting for proper safety precautions of cooking equipment, and other functions as required by the Fire Official or their assigned designee.

239-42 Who Performs Fire Watch.

Fire watches shall be performed by active members of the Township of Bloomfield Fire Prevention Bureau, and/or the Township of Bloomfield Fire Department. Any qualified individuals used for the purposes of a fire watch shall report directly to the Fire Official or their assigned designee, who will report to the Administrator of the Township of Bloomfield. In the event none of the above is available, other qualified individuals or third-party private service

may be utilized at the discretion of the Fire Official or their assigned designee. The third-party service would be required to provide the Township and the Fire Department with indemnification and insurance coverage as outlined herein.

239-43 Assignment of off-duty Firefighters.

Sworn members of the Bloomfield Fire Department who are authorized to engage in off-duty employment shall be permitted to accept fire watch duties in accordance with the Bloomfield Fire Department Rules and Regulations, for private employers who are separate and independent from the Township of Bloomfield, only during off-duty hours, to perform fire watch functions on behalf of and as assigned by the Fire Chief, while receiving compensation from the Fire Department at the rates established by the contracting entity representing the Bloomfield Fire Department with the Township of Bloomfield, at such times as will not interfere with the efficient actual performance of regularly scheduled or emergency duty for the Township.

239-44 Terms.

The Fire Official or their designee shall stipulate the terms of the fire watch to include staffing, equipment needs, and back-up fire protection based on the situation. Fire watch responsibilities will include but not be limited to:

- A. Notifying the Fire Department and building occupants of an emergency;
- B. Assisting evacuations;
- C. Surveillance of the property;
- D. Prevention of fires;
- E. Extinguishment of fires; and
- F. Mitigation of hazards to life and property.

239-45 Fees and Pay Rates.

A fire watch shall be paid for by the building Owner, as defined by N.J.A.C. 5:70-1, et. seq. or organization for which the fire watch is requested or required, as appropriate. All fire watch services deemed necessary by the Fire Official, or their designee, shall be paid in accordance with the fee schedule in this section. When personnel and/or apparatus are required or mandated or as directed by the Fire Chief or Fire Official and/or an authorized representative(s), and/or as requested by any person(s) or entity to perform any duties, fees are outlined as follows:

- A. For a member of the Bloomfield Fire Department or Division of Fire Safety, an hourly rate equal to 1.5 times the currently published collective bargaining agreement rates with Firemen’s Mutual Benevolent Association, American Federation of State, County and Municipal Employees or other such contracting entity with the City. There shall be a four-hour minimum for each person conducting the fire watch.
- B. Fire apparatus shall be an hourly rate equal to 1.5 times the currently published Federal Emergency Management Agency rate(s).

- C. Time shall be in "whole hours"; there are no fractional hours. Once the subsequent hour has begun, the party responsible shall be invoiced for the entirety of that hour.
- D. There shall be an additional 15% administrative fee paid to the Township of Bloomfield.
- E. All payments shall be made within ten calendar days after service is provided.
- F. Payments shall be made payable to the Township of Bloomfield, Local Enforcing Agency.

239-46 Third-Party Services.

- A. By written consent of the Fire Official or their designee a fire watch can be conducted by a private security company or private employer ("third-party").
- B. The Third-Party be responsible for providing all insurance coverage as required by law. The applicant shall provide the Township of Bloomfield with appropriate certificates of insurance naming the Township of Bloomfield, the Fire Department, Local Enforcing Agent, fire fighters of the Township of Bloomfield and fire marshals of the Township of Bloomfield as additional insured and evidencing that the Township of Bloomfield are covered by general liability coverage on an occurrence basis of at least \$1,000,000 each occurrence and statutory workman's compensation insurance with respect to the services to be provided.
- C. The certificate of insurance or the policy shall contain the following language: "The Township of Bloomfield, its agents, servants and administrators are included as additional insureds with respect to general liability coverage as required by written contract."

As an alternative, the Fire Official or their designee, after consultation with the Business Administrator may accept a board-form policy endorsement in addition to a certificate of insurance (with language satisfactory to the Township's Risk Manager, in accordance with Township policies and procedures) naming the Township of Bloomfield, the Fire Department, Local Enforcing Agent, fire fighters of the Township of Bloomfield and fire marshals of the Township of Bloomfield as additional insureds under the policies.

239-47 Violations.

Any person, partnership, corporation, or other entity that violates the provisions of this article shall be subject to the penalties as set forth in the Uniform Fire Code.

Section 2. All Ordinances or portions of Ordinances inconsistent herewith are hereby repealed to the extent of their inconsistency only.

Section 3. The provisions of this Ordinance shall be severable. If any portion of this Ordinance is found to be invalid for any reason by any court of competent jurisdiction, such judgment shall be limited in its effect only to that portion of the Ordinance actually adjudged invalid and shall not be deemed to affect the operation of any other portion thereof, which shall remain in full force and effect.

Section 4. This Ordinance is not meant to repeal any provisions of the Code or any other ordinance other than those designated herein, and all ordinances or portions of ordinances which are inconsistent or in conflict with the provisions of this Ordinance are repealed only to the extent of such inconsistency or conflict.

Section 5. The Township Clerk may change any chapter numbers, article numbers and section numbers if the codification of this Ordinance reveals a conflict between those numbers and the existing Code, to avoid confusion and possible accidental repealers of the existing provisions.

Section 6. This Ordinance shall take effect upon passage and publication according to law.

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Approved as to form and procedure on basis of facts set forth.

Director of Law-Township Attorney

I hereby certify that the above ordinance was duly adopted by the Mayor and Council of the Township of Bloomfield at a meeting of said Township Council held on May 19, 2025.

Municipal Clerk of the Township of Bloomfield

Mayor of the Township of Bloomfield

✓ Vote Record - Ordinance						
		Yes/Aye	No/Nay	Abstain	Absent	
<input type="checkbox"/> Adopt						
<input type="checkbox"/> Deny						
<input type="checkbox"/> Withdrawn	Rosalee Gonzalez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/> Table	Nicholas Joanow	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/> Not Discussed	Sarah Cruz	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/> First Reading	Monica Charris Tabares	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/> Table with no Vote	Wartyna Davis	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/> Approve	Widney Polynice	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/> Veto by Mayor	Jenny Mundell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/> Discussion						
<input type="checkbox"/> Defeated						
<input type="checkbox"/> Discussion No Vote						

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<input type="checkbox"/> Approve						
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<input type="checkbox"/> Discussion	Widney Polynice		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Defeated	Jenny Mundell		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Discussion No Vote						