

December 27, 2019
COMMISSION MEETING MINUTES
BOROUGH OF COLLINGSWOOD, NJ

A regular meeting of the Board of Commissioners was held at the Collingswood Community Center 30 Collings Ave. Collingswood, NJ, on the second floor, at 10:00 AM. Commissioner Joan Leonard called the meeting to order, with Commissioner Robert Lewandowski present and Mayor M. James Maley, Jr. absent.

Commissioner Leonard read the Sunshine Notice stating that the Borough has complied with provisions of the Sunshine Law by adopting before January 10 of this year, a resolution prescribing the dates, times and locations of all regular meetings of the Commission. Commissioner Leonard led the Pledge of Allegiance.

The Treasurer, CFO and Municipal Court report was approved and seconded.

The Commissioners called for the Second Reading and Public Hearing of Ordinance 1677

**AN ORDINANCE AMENDING CHAPTER 293 OF THE
BOROUGH OF COLLINGSWOOD CODE**

BE IT ORDAINED by the Board of Commissioners of the Borough of Collingswood that the Borough Code is hereby amended as follow:

I. **PURPOSE**

The purpose of this Ordinance is to amend Chapter 293, Vehicles & Traffic of the Borough Code. The Borough has determined that amending the Code is in the best interest of the Borough's residents.

II. **AMENDMENTS.**

Section 293 – 57 Stop Intersections – Add the following stop intersections:

Stop Sign on:

At Intersection of:

Woodlawn Terrace
Magill Avenue

Princeton Avenue
Franklin Avenue

III. **EFFECTIVE DATE.**

This Ordinance shall take effect immediately upon final passage, approval, and publication, as provided by law.

With no comments Commissioner Leonard moved the public hearing closed and the ordinance be adopted on second and final reading which was seconded and approved by the call of the roll:

Absent: M. James Maley, Jr.

Aye: Joan Leonard

Aye: Robert Lewandowski

**THE COMMISSIONERS CALLED FOR THE SECOND READING AND PUBLIC HEARING OF
ORDINANCE 1678**

**AN ORDINANCE AMENDING CHAPTER 237 OF THE
BOROUGH OF COLLINGSWOOD CODE**

BE IT ORDAINED by the Board of Commissioners of the Borough of Collingswood that the Borough Code is hereby amended as follow:

Chapter 237. Rental Property.

§ 237-3 Violations and penalties.

Any person who violates any provision of this Chapter shall, upon conviction in the Municipal Court of the Borough of Collingswood, or such other court having jurisdiction, be liable to a fine not exceeding \$1,000, and subject to revocation of the registration permit. Each day that a violation occurs shall be deemed a separate and distinct violation, subject to the penalty provisions of this article.

Article II. Definitions.

§ 237-4 Definitions.

Unless the context clearly indicates a different meaning, the following words or phrases, when used in this chapter, shall have the following meaning:

AGENT

The individual or individuals designated by the owner as the person(s) authorized by the owner to perform any duty imposed upon the owner of this article. The term does not necessarily mean a licensed real estate broker or salesman of the State of New Jersey, as those terms are defined by N.J.S.A. 45:15-3; however, such term may include a licensed real estate broker or salesman of the State of New Jersey, if such person designated by the owner as his agent is so licensed.

APARTMENT or DWELLING

Any apartment, cottage, bungalow, any room or rooms, or other dwelling unit, consisting of one or more rooms occupying all or part of a floor or floors in a building, whether designed with or without housekeeping facilities for dwelling purposes and notwithstanding whether the apartment be designed for residence, for office or the operation of any industry or business or for any other type of independent use. Each dwelling unit shall contain no more than one kitchen or cooking facility.

COMMERCIAL

Related to or connected with trade and traffic or business and commerce.

COMMERCIAL UNIT

A building or structure, or any part thereof, used for the manufacturing, processing or assembling of material or manufactured products, or for research, office, industrial, commercial, retail, service, recreational, hotel or motel facilities, or for warehousing purposes, or for any combination thereof.

DWELLING UNIT

Any room or rooms or suite or apartment, including any room or rooms, whether furnished or unfurnished, which is occupied or intended, arranged or designed to be occupied for residential use by one or more persons, including, but not limited to, the owner thereof or any of his servants, agents or employees, and shall include all

privileges, services, furnishings, furniture, equipment, facilities and improvement connected with use or occupancy thereof. Each dwelling unit shall contain no more than one kitchen or cooking facility.

OWNER

Any person or group of persons, firm, corporation or officer thereof, partnership association or trust who owns, operates, exercises control over, and is in charge of a Rental Facility.

OWNER-OCCUPIED

A portion of a rental facility, dwelling, commercial unit or dwelling unit shall be considered owner-occupied if the owner makes his primary residence therein. For purposes of this ordinance, a person may have only one primary residence in the Borough.

PERSON

An individual, firm, corporation, partnership, association, trust or other legal entity, or any combination thereof.

RENT or RENTED

Occupied by any person or persons other than the Owner, regardless of whether there is a written or oral agreement and regardless of whether the owner receives consideration for the occupancy.

RENTAL FACILITY

Every building, group of buildings or a portion thereof consisting of less than three dwelling units and has sleeping facilities for less than 25 occupants, kept, used, maintained, advertised or held out to be a place where living accommodations are supplied, whether furnished or unfurnished, for pay or other consideration, to one or more individuals.

RENTAL UNIT

A dwelling unit or commercial unit which is available by lease, rental or otherwise, to persons other than the owner for a period of not less than 365 days. Rental Unit shall not include that portion of a rental facility, dwelling, commercial unit or dwelling unit that is owner-occupied. Rental Unit shall not include any Rooming House or Boarding House, which are prohibited as set forth in this Chapter.

ROOMING HOUSE or BOARDING HOUSE

A rooming or boarding house as defined under P.L. 1979, c.496, N.J.S.A. 55:13B-1, et al.

SHORT TERM RENTAL OWNER

An individual or group of individuals or legal entity (e.g. trust, family partnership, limited liability company) owning residential real property which contains a Short Term Rental Unit. The residential real property which contains the Short Term Rental Unit must be the primary residence of the Owner of the property or if it is owned by a legal entity, it must be the primary residence of at least one of the owners of the legal entity.

SHORT-TERM RENTAL UNIT

A residential Dwelling Unit which is made available for a Tenancy by a Short Term

Rental Owner no more than 30 days within a period of 365 days.

TENANCY

Occupancy of a Rental Unit or Short Term Rental Unit by one or more tenants.

TENANT

Person occupying a Rental Unit or a Short Term Rental Unit other than the owner.

Article III. Rental Registration, Rental Permit, Rental Certificate of Occupancy, and Rental Inspections.

§ 237-5 Registration.

- A. All Rental Units and Short Term Rental Units shall be registered annually with the Borough Clerk or other designated department of the Borough in accordance with procedures established by the Borough, on forms which shall be provided for that purpose. Such registration shall occur on an annual basis, as provided herein.

No person shall hereafter occupy any Rental Unit or Short Term Rental Unit, nor shall the Owner permit occupancy of any Rental Unit or Short Term Rental Unit within the Borough which is not registered in accordance with this article.

- B. In addition to the annual registration, each Rental Unit shall be registered with each change in occupancy. The registration term shall commence on January 1 and shall be valid for a calendar year, at which time it shall expire and a new registration shall be required.

§ 237-6 Registration forms; filing; contents.

In addition to the registration requirements of N.J.S.A. 46:8-28, all Rental Units and Short-Term Rental Units shall be registered annually, as provided herein. Every owner shall file with the Borough Clerk or other designated department in the Borough, a registration form for each Rental Unit or Short-Term Rental Unit, which shall include the following information:

- A. The name and address of the record owner or owners of the Rental Facility and the record owner or owners of the rental business, if not the same persons. In the case of a partnership, the name and addresses of all general partners shall be provided, together with the telephone numbers for each of such individuals, where such individual may be reached both during the day and evening hours.
- B. If the record owner is a corporation or limited liability company, the name and address of the registered agent, together with a telephone number of the registered agent, and the name and address of the corporate officers of said corporation.
- C. If the address of any record owner is not located in Collingswood or in Camden County, the name and address of a person who resides in Camden County and who is authorized to accept notices from a tenant and to issue receipts therefor and to accept service of process on behalf of the record owner.
- D. The name and address of the managing agent of the premises, if any.
- E. The name and address, including the Dwelling Unit number, apartment or room number, of the superintendent, janitor, custodian or other individual employed by the owner or managing agent to provide regular maintenance service, if any.

- F. The name, address and telephone number of an individual representative of the owner or agent or the owner, if domiciled in Camden County, who may be reached or contacted at any time in the event of an emergency affecting the Rental Facility or any Rental Unit or Short Term Rental Unit therein, and who has the authority to make emergency decisions concerning the building and any repair thereto or expenditure in connection therewith and shall, at all times, have access to a current list of Tenants that shall be made available to emergency personnel as required in the event of an emergency.
- G. The name and address of every mortgagee of the premises and each person or legal entity identified as the Grantee on the deed for the property.
- H. If fuel oil is used to heat the building and the landlord furnishes the heat in the building, the name and address of the fuel oil dealer servicing the building and the grade of fuel oil used.
- I. As to each Rental Unit or Short-Term Rental Unit, a specification of the exact number of sleeping rooms and the dimensions of each contained in the Rental Unit or Short-Term Rental Unit. In order to satisfy this requirement, an Owner shall include a floor plan of each level of the Rental Facility, as part of the application and attached to the registration form when filed with the Borough Clerk or other designated department.
- J. The name, phone number of each Tenant of each Rental Unit and whether they are a minor (under 18 years of age) or an adult. The Short Term Rental Owner of any Short Term Rental Unit shall be responsible for maintaining a record of each Tenant for every Tenancy of the Short Term Rental Unit for a three year period from the termination of each Tenancy. In addition, the Short Term Rental Owner shall maintain a record of each Tenant's permanent address.
- K. The number and type of all pets.
- L. The submitted registration form shall include proof of a Property Liability Insurance policy providing coverage for each Rental Unit or Short-Term Rental Unit for which registration is sought. The Property Liability Insurance policy shall be valid and in effect for the full-term of the registration period.
- M. Such other information as may be required by the Borough of Collingswood.

§ 237-7 Registration form; permit; indexing and filing; public inspection.

- A. The Borough Clerk or designee shall index and file the registration forms. In doing so, the Borough Clerk or designee shall follow the mandates of N.J.S.A. 46:8-28.1, as amended and supplemented, so that the filing of the registration form will also satisfy the registration requirements of N.J.S.A. 46:8-28 to the extent that it applies to the property being registered, and will also satisfy the registration requirements of this article.
- B. Upon a determination that the registration application meets the requirements of § 238-6, and completion of an inspection of the Rental Unit or Short Term Rental Unit to the satisfaction of the Borough Fire Department and any other designated official, the Borough Clerk or other designated department shall provide a certificate or permit to the Owner. Each Rental Certificate of Occupancy or permit shall correspond only to the Rental Unit listed on the registration application even if more than one Rental Unit is contained in the Rental Facility.
- C. The owner shall conspicuously post the Rental Certificate of Occupancy or Short Term Rental Unit Certificate of Occupancy at the Rental Unit or Short-Term Rental Unit.

§ 237-8 Registration form; amendments; filing.

Every person required to file a registration form pursuant to this article shall file an amended registration form within 20 days after any change in the information required to be included thereon.

§ 237-9 Periodic inspections and Unsatisfactory Inspections.

- A. Each Rental Unit or Short-Term Rental Unit shall be inspected at least once every 12-month period.
- B. The landlord of all buildings containing more than 29 Rental Units shall be responsible for scheduling annual inspections with the Borough officials to confirm compliance with the legal occupancy and building, property maintenance and fire code requirements of the Borough Code to safeguard the health, safety and welfare of all tenants. The landlord shall submit to the Borough a certification annually confirming that all Rental Units located in the building comply with the occupancy, building, property maintenance and New Jersey Uniform Fire Safety Act and of the Borough Code on a form prescribed by Borough officials. Nothing contained herein shall preclude the Borough of Collingswood from conducting inspections of any Rental Unit located within any building containing more than 29 Rental Units in accordance with the provisions of this chapter.
- B. Such inspections shall be performed by such person, persons or agency duly authorized and appointed by the Borough of Collingswood.
- C. Such inspection shall be for the purpose of determining zoning ordinance compliance, and to the extent applicable, to determine if the property complies with the Property Maintenance Code, Uniform Construction Code, BOCA Maintenance Code, Housing Code and/or Building Code and/or New Jersey Uniform Fire Safety Act.
- D. In the event that the inspection(s) of a Rental Unit or Short-Term Rental Unit does not result in a satisfactory inspection, such property shall not thereafter be registered and the owner of the property or his agent shall not lease or rent such property, nor shall any tenant occupy the property, until the necessary corrections have been made, so as to bring the property and Rental Unit or Short-Term Rental Unit into compliance with the applicable code, and the property is thereafter subsequently inspected and registered. In the event that the property is occupied when such conditions are discovered, all such corrections shall be made within 30 days, and if not made within that time period, the owner shall be deemed in violation of this article, and, every day that the violation continues shall constitute a separate and distinct violation, subject to the penalty provisions of this Chapter. The owner, however, shall be permitted to apply for extension of time to make repairs or corrections so as to comply with this article, for good cause shown.

§ 237-10 Access for inspections; repairs.

- A. The inspection officers are hereby authorized to make inspections to determine the condition of every Rental Facility Rental Units, and Short-Term Rental Units, in order that they may promote the purposes of this article to safeguard the health, safety and welfare of the occupants of every Rental Facility, Rental Units, and Short-Term Rental Units. For the purposes of making such inspections every Owner(s) and Tenant of every Rental Facility or Rental Units, and Short-Term Rental Units shall provide access to the Borough's inspecting officers who are hereby authorized to enter, examine and survey every Rental Facility, Rental Units, and Short-Term Rental Units

at all reasonable times. In the event of an emergency or when a public health danger is presented, as determined by the inspecting officers or other Borough public safety officials, said consent shall not be required prior to the entry and inspection of any Rental Facility, Rental Units, or Short-Term Rental Units.

- B. Every Owner shall provide access to the Borough representatives access to any part of such Rental Facility, Rental Unit, or Short-Term Rental Unit at all reasonable times for the purpose of making such repairs or alterations, as are necessary, to effect compliance with the provisions of this article.
- C. Any Owner or Tenant of any Rental Facility, Rental Unit or Short Term Rental Unit that unreasonably or unlawfully denies access to the Borough's inspecting officers for the purposes stated herein shall be subject to immediate termination of the registration permit.

§ 237-11 Inspection and reinspection fees.

- A. At the time of the filing of the registration form the Owner or agent of the Owner must pay an inspection fee as follows:
 - (1) For 1 to 7 nonowner occupied units, \$65.00 per Rental Unit or Short Term Rental Unit.
 - (2) For 8 to 14 nonowner occupied units: \$55.00 per Rental Unit.
 - (3) For 15-21 nonowner occupied rental units, \$50.00 per Rental Unit.
 - (4) For 22-29 nonowner occupied rental units, \$40.00 per Rental Unit.
 - (5) For more than 30 nonowner occupied Rental Units or a Certificate of Occupancy inspection upon change of Tenant or Owner: ~~no charge.~~
- B. In the event that a reinspection of a Rental Unit or Short-Term Rental Unit is deemed to be necessary pursuant to § 237-10, the owner or agent of the owner must pay a reinspection fee as follows:
 - (1) First reinspection: no charge.
 - (2) Second reinspection: \$50.00 per unit.
 - (3) Third reinspection: \$70.00 per unit.
 - (4) Fourth reinspection: \$100.00 per unit.
- C. An inspection fee in the amount of \$75.00 shall be imposed upon each change of occupancy for each Rental Unit in rental facilities with 30 or more rental units.
- D. If the owner of the property is a senior citizen who resides in a unit of the property and rents out the remaining unit and would otherwise qualify under the State of New Jersey property tax deduction under N.J.S.A. 54:4-8.41, there shall be no inspection or reinspection fee.
- E. If any inspection or reinspection fee is not paid within 30 days of its due date, a late fee surcharge of \$50 will be assessed.

§ 237-12 Taxes and other municipal charges; payment precondition for registration.

No Rental Unit or Short-Term Rental Unit may be registered unless all municipal taxes,

water and sewer charges and any other municipal assessments are paid on a current basis.

Article IV. Rental Unit and Short-Term Rental Unit Standards and Facilities Required.

§ 237-13 Rental Unit; Minimum Term.

Rental Units must be Rented for a minimum of 365 consecutive days, whether by lease or otherwise.

§ 237-14 Insurance.

All properties registered as a Rental Unit or Short-Term Rental Unit must be insured through an applicable combined Property/Liability Insurance single limit of no less than policy of \$500,000.00.

§ 237-15 Maintenance Standards.

All Rental Units and Short-Term Rental Units shall be maintained in accordance with the Uniform Construction Code, the BOCA National Property Maintenance Code, the New Jersey Uniform Fire Safety Act and the Code of the Borough of Collingswood.

§ 237-16 Occupant(s) standards.

- A. Occupants. Only those occupants whose names are on file with the Borough Clerk, as provided in this article, may reside in the registered premises. It shall be unlawful for any other person to reside in said premises, and this provision may be enforced against the landlord, tenant or other person residing in said premises.
- B. It shall be unlawful for any person, including the owner, agent, tenant or registered tenant, to allow a greater number of persons than the posted maximum number of occupants to sleep in or occupy overnight the Rental Unit or Short Term Rental Unit.
- C. Nuisance prohibited. No Rental Facility shall be conducted in a manner which shall result in any unreasonable disturbance or disruption to the surrounding properties and property owners or of the public in general, such that it shall constitute a nuisance, as defined in the ordinances of the Borough of Collingswood.
- D. Compliance with other laws. The maintenance of all Rental Facilities and the conduct engaged in upon the premises by occupants and their guests shall at all times be in full compliance with all applicable ordinances and regulations of the Borough of Collingswood, and with all applicable state and federal laws.
- E. Penalties. Any landlord, tenant or other person violating the provisions of this section shall be subject to the penalty provisions of this Chapter.

§ 237-17 Facilities required.

Heating and cooling facilities shall be provided in all Rental Facilities, Rental Units, and Short-Term Rental Units. This article does not amend, but rather enhances, the general heating requirements contained in Chapter 211 of the Municipal Code of the Borough of Collingswood, to impose additional requirements upon landlords who have agreed, either expressly or implicitly, to provide their tenants with heating and cooling facilities.

§ 237-18 Residential rental structures.

Every Rental Unit or Short-Term Rental Unit located within the Borough shall be provided

with heating and cooling facilities capable of maintaining certain temperatures within the living area of the Rental Unit or Short-Term Rental Unit.

- A. Heat supply. Every owner and operator of any building who rents, leases or lets one or more dwelling units, Rental Unit or Short Term Rental Unit, on terms, either express or implied, to furnish heat to the occupants thereof shall supply sufficient heat during the period from October 1 to April 30 to maintain the room temperature at no less than 65° F. in all living areas of the Rental Units or Short-Term Rental Units during the hours between 6:30 a.m. and 10:30 p.m. of each day and not less than 60° F. during all other hours.
- B. Cooling supply. Every owner and operator of any building who rents, leases or lets one or more dwelling units, Rental Unit or Short Term Rental Unit, on terms, either express or implied, to furnish air conditioning or cooling mechanisms to the occupants thereof shall supply sufficient cool air during the period from May 1 to September 30 to maintain the room temperature at no more than 74° F. in all living areas of the Rental Units or Short Term Rental Units.

§ 237-19 Inspection; remedial measures.

- A. Landlords shall provide heating and/or cooling facilities to their tenants shall be bound to such obligation. Failure of heating and/or cooling facilities, mechanical, electrical or otherwise, shall not excuse a landlord's obligation to provide such facilities.
- B. Borough officials, accompanied by trained medical and/or emergency response personnel, shall have the right to enter and inspect any and all Rental Units and Short-Term Rental Units located within the Borough during the hours of 8:00 a.m. and 8:00 p.m., with or without notice to the landlord, or at any other time if the Borough officials are advised of conditions within the Rental Unit(s) or Short-Term Rental Units which do not meet the standards set forth in § 237-18 or which otherwise may present a danger to the health and safety of the tenants of such unit(s).
- C. Upon notice by the Borough after the aforementioned inspection, the landlord shall be obligated to promptly repair the heating or cooling systems for the affected Rental Units or Short-Term Rental Units or, in the alternative, provide for alternate, temporary housing for the tenants of the Rental Unit(s) or Short-Term Rental Units affected by the failed system.
- D. In the event that any landlord in the Borough fails to act in accordance with the requirements contained in this § 237-31, the Borough shall have the authority to act immediately to protect the health and safety of the tenants, if following consultation with trained medical and/or emergency response personnel, it is determined that extreme hot or cold weather conditions exist which may present a danger to the health and safety of Borough residents. To this end, the Borough may either cause the repair of the failed system or provide for alternate temporary housing for the tenants of the Rental Units or Short-Term Rental Units affected by the failed system. All expenses incurred by the Borough pursuant to this Section shall be the responsibility of the landlord of the subject Rental Unit(s) or Short-Term Rental Units.

§ 237-20 Short-Term Rental Units.

This Section is intended to regulate Short Term Rental Units to preserve the health, safety, and public enjoyment of all residents and Tenants within the Borough.

- A. The requirements, prohibitions, restrictions, and all other provisions of this Chapter shall apply to the rental of Short-Term Rental Units and the Short Term Rental Owners.

- B. In addition to the requirements, prohibitions, and restrictions set forth in this Chapter, Short-Term Rental Units shall comply with each of the following regulations:
- (1) The person offering a Dwelling Unit for rent as a Short-Term Rental Unit shall be the Owner of the Dwelling Unit. The Rental Facility containing the Short Term Rental Unit shall be the primary residence of the Owner.
 - (2) Advertisements for the availability of Short-Term Rental Units shall not contain any language that is inconsistent with the requirements and prohibitions set forth in this Section.
 - (3) A Short-Term Rental Unit shall be limited to a maximum tenancy of thirty (30) days within a period of 365 days. No Short-Term Rental Unit shall be rented for more than fourteen (14) consecutive days. A Short Term Rental Owner shall be limited to one Tenancy of a Short Term Rental Unit at any one time.
 - (4) No Tenancy of a Short Term Rental Unit shall be permitted if such Tenancy causes the Rental Facility to violate the Borough's residential occupancy requirements.
 - (5) No accessory buildings on a property may be used for a Short-Term Rental Unit.
 - (6) Short-term rentals shall not be conducted in a manner that is disruptive or adverse to the safety, well-being and quiet enjoyment of the Borough's residents and visitors;
 - (7) Short-term rentals shall not be permitted for the purpose of hosting commercial or social events.
 - (8) Short-Term Rental Units shall not be Rented to any person younger than 21 years of age.
 - (9) Signs or any other type of advertisement indicating a Dwelling Unit is available for occupancy as a Short-Term Rental Unit shall not be placed on the property where the Short-Term Rental Unit is located.
 - (10) Any Short Term Rental Owner shall be responsible for providing parking for any Tenant of the Short Term Rental Unit.
 - (11) Every Rental Facility with a Short-Term Rental Unit shall contain the requisite number of smoke detectors and carbon monoxide detectors as required by the New Jersey Uniform Fire Safety Act and the Borough's ordinances. In the event that the Short Term Rental Owner of the Rental Facility is not present during the Tenancy of the Short Term Rental Unit, each smoke detector and carbon monoxide detector within the Rental Facility shall be hardwired in such a manner that the activation of one detector will activate all of the detectors in the Rental Facility.
 - (12) The Short Term Rental Owner of a Short-Term Rental Unit shall post the following information in a prominent location therein:
 - (i) The telephone number of the Short Term Rental Owner and person responsible for building maintenance issues of the Short-Term Rental Unit.

- (ii) The telephone number(s) for the Borough Police Department, the Borough Fire Department, and the Borough Code Enforcement Department.
- (iii) A floor plan indicating the locations of all emergency exit routes, fire extinguishers, and CO alarms within the Short-Term Rental Unit.
- (iv) The maximum number of parking spaces available onsite.
- (v) Notification that any Short-term renter shall be subject to fines and penalties for any violations of this Chapter or for violations of the Borough Municipal Code.

Article V. Revocation of Rental Unit or Short Term Rental Unit Certificate of Occupancy.

§ 237-21 Revocation of rental permit; procedure.

- A. Grounds. In addition to any other penalty prescribed herein, an owner may be subject to revocation or suspension of the permit or Certificate of Occupancy issued pursuant to § 237-8 upon the occurrence of one or more of the following, after hearing before the Borough Commission or the Commission's designee, as set forth below:
 - (1) Conviction of a violation of this article in the Municipal Court or any other court of competent jurisdiction.
 - (2) Continuously renting the Rental Unit(s) to a tenant or tenants who are convicted of a violation of the Noise Ordinance.
 - (3) Continuously permitting the Rental Unit or Short Term Rental Unit to be occupied by more than the maximum number of occupants as defined in this article.
 - (4) Maintaining the Rental Unit(s) or Short Term Rental Unit(s) or the Rental Facility in a dangerous condition.
 - (5) Continuous violations or conviction of a violation under the New Jersey State Housing Code; the New Jersey Uniform Fire Safety Act; the Uniform Construction Code; the BOCA Maintenance Code; and the New Jersey Building Code.
 - (6) Conviction under Chapter 227 of the Borough's Code, entitled "Property Maintenance."
 - (7) Continuously renting the Rental Unit(s) or Short Term Rental Units to a Tenant or Tenants who are convicted of local ordinance violations, disorderly persons offenses or other crimes.
 - (8) Soliciting, advertising, offering and/or permitting, allowing, or failing to discontinue the use or occupancy of any Rental Unit for a period of 365 days or less or any Short Term Rental Unit for a period of more than thirty (30) days annually or fourteen (14) days consecutively.
 - (9) Soliciting, advertising, offering and/or permitting, allowing, or failing to discontinue the use or occupancy of any Rooming House and/or Boarding House.

- (10) Failing to otherwise comply with the requirements of this ordinance including occupancy limits or time periods for any Tenancy.

B. Procedures; written complaint; notice; hearing; appeal.

- (1) Notice. Whenever the Borough or any other person or office authorized to file a notice determines that there has been a violation of this chapter, he or she shall serve a written notice of the violation of the owner or agent, which written notice shall include a statement of the reason or reasons why it is being issued and what action, if any, the owner or agent must make to abate the violation. Said notice shall also state that the violation(s) must be corrected within 15 days (unless an imminent hazard in which case it shall be immediate) and if such violations are not corrected, that the certificate of occupancy for the subject property may be revoked after a hearing before the Borough Commissioners.
- (2) Written complaint. If a violation is not corrected within 10 days of the service of the notice thereof, the individual issuing the written notice shall file a written complaint with the Borough Clerk or designee and with the owner or agent by certified and regular mail or by personal service at the address indicated on the registration form. The complaint shall apprise the landlord, owner and/or agent of the charges, so as to permit said individuals to present a defense. The individual(s) filing the complaint may do so on the basis of information and belief and need not rely on personal information. Upon the filing of such written complaint, the Borough Clerk or designee shall immediately inform the Borough Commission, and a date for a hearing shall be scheduled, which shall not be sooner than 10, nor more than 30 days thereafter, unless the landlord, owner and/or agent requests a waiver of the thirty-day requirement and the Borough Commission authorized said waiver. The Borough Clerk or designee shall forward a copy of the complaint and a notice, as to the date of the hearing, to the landlord, owner or agent, if any, at the address at which the written complaint was served.
- (3) Hearing. The hearing required by this section shall be held before the Borough Commission, unless, in its discretion, the Borough Commission determines that the matter should be heard by a Hearing Officer, who shall be appointed by the Borough Commission. If the matter is referred to a Hearing Officer, such officer shall transmit his findings of fact and conclusions of law to the Borough Commission within 30 days of the conclusion of the hearing. The Borough Commission shall then review the matter and accept, reject or modify the recommendations of the Hearing Officer based on the record before such Hearing Officer. In the event that the matter is not referred to a Hearing Officer and is heard by the Borough Commission, then the Borough Commission shall render a decision within 30 days of the conclusion of the hearing. Following the hearing, a decision shall be rendered dismissing the complaint, revoking or suspending the rental permit or determining that the rental permit shall not be renewed or reissued for one or more subsequent calendar years.
- (4) A stenographic transcript shall be made of the hearing. All witnesses shall be sworn prior to testifying. The strict rules of evidence shall not apply, and the evidential rules and burden of proof shall be that which generally controls administrative hearings.
- (5) The Borough Solicitor, his designee or appointed special counsel shall appear and prosecute on behalf of the complainant in all hearings conducted pursuant to this section.

(6) Appeals. If a rental permit is revoked, suspended or the Borough Commission determines that the rental permit shall not be renewed or reissued for one or more subsequent years, the landlord, owner and/or agent may appeal said decision to the New Jersey Superior Court-Law Division in Camden County in accordance with the New Jersey Court Rules.

C. Defenses. It shall be a defense to any proceeding for the revocation, suspension or other disciplinary action involving a rental permit by demonstrating that the owner has taken appropriate action and has made a good faith effort to abate the conditions or circumstances giving rise to the revocation proceeding.

III. **EFFECTIVE DATE.**

This Ordinance shall take effect immediately upon final passage, approval, and publication, as provided by law.

With no comments Commissioner Leonard moved the public hearing closed and the ordinance be adopted on second and final reading which was seconded and approved by the call of the roll:

Absent: M. James Maley, Jr.
Aye: Joan Leonard
Aye: Robert Lewandowski

THE COMMISSIONERS CALLED FOR THE SECOND READING AND PUBLIC HEARING OF ORDINANCE 1679

AN ORDINANCE AMENDING CHAPTER 163 OF THE BOROUGH OF COLLINGSWOOD CODE-Fire Prevention

BE IT ORDAINED by the Board of Commissioners of the Borough of Collingswood that the Borough Code is hereby amended as follow:

Article I General Provisions

§ 163-1 Local enforcement.

Pursuant to § 11 of the Uniform Fire Safety Act (P.L. 1983, c. 383),^[1] the New Jersey Uniform Fire Code shall be locally enforced in the Borough of Collingswood.

[1]

Editor's Note: See N.J.S.A. 52:27D-202.

§ 163-2 Local enforcing agency designated.

[Amended 12-1-1997 by Ord. No. 1139; 5-6-2013 by Ord. No. 1534]

The local enforcement agency of this article shall be the Bureau of Fire Prevention of the Municipal Fire Department or any other agency designated by the Borough.

§ 163-3 Duties of local enforcing agency. [1]

[Added 1-3-2000 by Ord. No. 1206; amended 5-6-2013 by Ord. No. 1534]

The local enforcing agency shall enforce the Uniform Fire Safety Act,^[2] codes and regulations adopted under it in all buildings, structures and premises within the geographic boundaries of the Borough of Collingswood and shall faithfully comply with the requirements of the Uniform Fire Safety Act and the Uniform Fire Code.

[1]

Editor's Note: Former § 163-3, Duties of local enforcing agency, was repealed 12-1-1997 by Ord. No. 1139.

[2]

Editor's Note: See N.J.S.A. 52:27D-192 et seq.

§ 163-4 Life-hazard uses.

The local enforcing agency established by § **163-2** of this chapter shall carry out the periodic inspections of life-hazard uses required by the Uniform Fire Code on behalf of the Commissioners of Community Affairs.

§ 163-5 Organization; supervision over local enforcing agency.

[Amended 1-3-2000 by Ord. No. 1206; 5-6-2013 by Ord. No. 1534]

The local enforcing agency established by § **163-2** of this chapter shall be a part of the Department of Public Safety. This local enforcing agency shall be under the direct supervision and control of the Fire Official, who shall report to the Municipal Fire Chief of the Borough of Collingswood. If the Fire Official and the Fire Chief are the same person, the Fire Official shall report to the Director of Public Safety.

§ 163-6 Fire Official; inspectors and other employees.

[Amended 1-3-2000 by Ord. No. 1206; 5-6-2013 by Ord. No. 1534]

A.

The local enforcing agency shall be under the supervision of a Fire Official who shall be appointed by the Borough of Collingswood Board of Commissioners.

B.

The Fire Official shall serve for a term of three years. Any vacancy shall be filled for the unexpired term by appointment as provided in this section.

C.

An alternate Fire Official also shall be appointed as provided herein for the same term. The alternate Fire Official shall serve only in the absence of the Fire Official and shall have the same authority of the Fire Official while serving in that capacity.

D.

All fire inspectors and any other employees as may be necessary for the local enforcing agency shall be appointed by the Borough of Collingswood Fire Office and upon the recommendation of the Fire Chief.

E.

The Fire Official and Fire Inspectors and other employees of the local enforcing agency shall be subject to removal by the Borough of Collingswood pursuant to any applicable state or federal laws. Each Fire Inspector or other employee to be removed shall be afforded an opportunity to be heard by the appointing authority or a designated hearing officer.

§ 163-7 Appeals.

Pursuant to §§ 15 and 17 of the Uniform Fire Safety Act,^[1] any person aggrieved by any order of the local enforcement agency shall have the right to appeal to the Construction Board of Appeals of Camden County.

[1]

Editor's Note: See N.J.S.A. 52:27D-206 and 52:27D-208, respectively.

§ 163-8 Additional inspections and fees; exemption.

[Amended 2-17-1987 by Ord. No. 885; 8-20-1990 by Ord. No. 978; 10-15-1990 by Ord. No. 984; 7-7-2008 by Ord. No. 1449; 6-1-2009 by Ord. No. 1463; 5-6-2013 by Ord. No. 1534]

In addition to the inspection and fees required pursuant to the Act and the regulations of the Department of Community Affairs, the following additional inspections and fees shall be required:

A.

All commercial, business or office uses which are not covered by the life hazard use registration shall be inspected annually. Multifamily dwellings (other than owner-occupied one- and two-family dwellings) shall be included herein as a commercial use.

[Amended 12-4-2017 by Ord. No. 1631]

(1) The fee per unit for inspections for such units shall be:

(2)

	Housing Inspection	Fee
H1	1 to 7 units	\$65
H2	8 to 14 units	\$55
H3	15 to 21 units	\$50
H4	22 to 29 units	\$40

Nonprofit organizations shall be exempt from the fee.

B.

A license shall be issued by the Borough and shall be displayed in the place of business, evidencing that the inspections required herein have occurred. The license shall state the type of business being conducted on the premises.

§ 163-9 **Establishment of fees.**

[Amended 1-3-2000 by Ord. No. 1206; 12-4-2017 by Ord. No. 1631]

A.

Life hazard uses. All fees established in accordance with the N.J.A.C. 5:70-2.9 shall be invoiced by and paid to the New Jersey Division of Fire Safety.

B.

Non-life hazard uses.

(1)

In addition to the registration required by the Uniform Fire Code, the following non-life hazard uses shall register with the local enforcing agency. These uses shall be inspected on an annual (twelve-month) schedule established by the local enforcing agency and shall pay an annual fee as set forth below. No use required to register with the State of New Jersey as a life hazard use shall be required to register pursuant to this section.

(2)

The tenant or user or occupant of a tenant space will be responsible to register and pay the fee for the space that a tenant or occupant of the space actually occupies. All fees are based on the user group assigned and the gross square footage of the area being registered.

(3)

In buildings that have common and/or public areas, the owner of the building is responsible to register and pay the fee for those common and/or public areas.

(4)

For buildings designated as office use groups, the building owner will be responsible for payment of the registration fee. The fee will be based on the total square footage of the building.

(5)

All registrations will be for a period of one year. Fees are not refundable.

C.

Business, mercantile, commercial, factory, industrial, storage, warehousing or utilities.

(1)

All fees for this category shall be as set forth in the following table.

(2)

Exception: The following not-for-profit agencies, businesses and civic organizations are exempt from the inspection fees as established in Article II and from the permit fees established in the Uniform Fire Safety Code:

(a)

State, county and municipal operations within the Borough of Collingswood.

(b)

Local churches and/or synagogues within the Borough of Collingswood.

(c)

Local civic organizations that are located within and directly benefit the residents of the Borough of Collingswood, respectively.

(3)

The following table outlines registration fees based on business use group:

Business Use Group		Fee
B-1	Buildings 2,999 square feet and less	\$80
B-2	Buildings in excess of 3,000 square feet and not exceeding 4,999 square feet	\$125
B-3	Buildings in excess of 5,000 square feet and not exceeding 9,999 square feet	\$195
B-4	Buildings in excess of 10,000 square feet and not exceeding 14,999 square feet	\$255
B-5	Buildings in excess of 15,000 square feet and not exceeding 24,999 square feet	\$355
B-6	Buildings in excess of 25,000 square feet and not exceeding 49,999 square feet	\$480
B-7	Buildings in excess of 50,000 square feet and not exceeding 99,999 square feet	\$605
B-8	Buildings in excess of 100,000 square feet and not exceeding 199,999 square feet	\$755
B-9	Buildings in excess of 200,000 square feet and not exceeding 299,999 square feet	\$905
	Each additional 100,000 square feet	\$355

D.

Collingswood residential fire inspection fees.

(1)

Residential properties with 30 or more units shall pay an annual fire inspection fee based on the square footage of the common areas only in accordance with the table below.

(a)

Exception: life hazard use buildings.

(2)

Residential properties with less than 30 units shall pay a \$30 annual fire inspection fee per unit in addition to the residential housing fees.

(a)

Exception: life hazard use buildings.

(3)

Residential properties with only one residential unit shall pay a \$55 annual fire inspection fee per unit in addition to the residential housing fees.

[Added 3-5-2018 by Ord. No. 1635]

(a)

Exception: life hazard use buildings.

E.

Collingswood residential fire inspection fees.

(1)

All fees for this category do not apply to owner-occupied units.

(2)

The following table outlines registration fees based on residential use group:

Residential User Group		Fee
R-1	3 to 5 units	\$80
R-2	6 to 25 units	\$125
R-3	26 to 50 units	\$255

Residential User Group		Fee
R-4	51 units to 100 units	\$455
R-5	Over 100 units	\$605

F.

Residential housing inspection fees.

(1)

Housing inspection fees shall be \$65 per housing unit up to seven units in addition to the residential fire inspection fee listed in Subsection **D**.

(2)

Housing inspection fees shall be \$55 per housing unit from eight to 14 units.

(3)

Housing inspection fees shall be \$50 per housing unit from 15 to 21 units.

(4)

Housing inspection fees shall be \$40 per housing unit from 22 to 29 units.

(5)

No housing inspection fee shall be charged for 30 or more units as these properties will be required to submit to a certificate of occupancy inspection and fee in Subsection **J** below.

(1)

Housing inspection fees shall be set forth in accordance with the table below:

Housing Inspection		Fee
H1	1 to 7 units	\$65
H2	8 to 14 units	\$55
H3	15 to 21 units	\$50
H4	22 to 29 units	\$40

G.

Fire and housing reinspection fees, use groups B1-B9 and R1-R5.

(1)

The first reinspection shall be completed at no charge to the responsible party.

(2)

The second reinspection fee shall be \$50.

(3)

The third reinspection fee shall be \$70.

(4)

The fourth and all subsequent reinspection fees shall be \$100 per reinspection.

(5)

The following table outlines reinspection fees for use groups B1-B9 and R1-R5:

Reinspection Group		Fee
RE1	First reinspection	No fee
RE2	Second reinspection	\$50
RE3	Third reinspection	\$70
RE4	Fourth and all subsequent reinspections	\$100

H.

Certificate of smoke alarm and carbon monoxide alarm and portable fire extinguisher compliance (CSACMAPFEC).

(1)

CSACMAPFEC -1, inspections requested on all one- and two-family dwellings within 10

calendar days of the settlement date: \$75.

~~(2)~~

(2)

CSACMAPFEC -2, smoke detector/carbon monoxide inspections requested on all one- and two-family dwellings within ten (10) calendar days of the settlement date: \$150.

(3)

Senior citizen discounts in the amount of a \$25 reduction in fees in Subsection **H(1)** through **(3)** will be provided to Borough of Collingswood senior citizen age 65 and older (proof of age required) selling their home.

(4)

The following table outlines fees for CSDCMAC:

CSDCMAC Group	Fee
CSDCMAC-1	\$75
CSDCMAC-2	\$150

(5)

The above fee for CSACMAPFEC entitles the applicant to one inspection. Each additional re-inspection requires an additional fee of \$50.

(6)

A certificate is valid for a period of 180 days from the date of issuance, or one change of ownership.

I.

Exterior resale inspections.

(1)

All fees for exterior property maintenance inspections required for change of ownership shall be \$50 for the initial inspection. No fee is required for subsequent inspections.

(2)

The fee in this section applies to all residential and commercial properties.

J.

Apartment certificate of occupancy inspections. All fees for apartment certificate of occupancy inspections shall be \$75 for each inspection and \$75 for each and every reinspection.

K.

Commercial occupancy certificate inspections. All fees for commercial occupancy certificate inspections shall be \$50 for each inspection. There shall be no charge for reinspections.

L.

Penalties.

(1)

At no time shall penalties exceed the maximum permitted under N.J.A.C. 5:70-2.12.

(2)

Dedicated penalties shall be assessed in accordance with N.J.A.C. 5:70-2.12A in the amount of \$50 per violation only on the first round (P1) of penalties.

(3)

P3, P4, and P5 penalties shall be assessed from the date of the initial inspection.

(4)

Penalties for violations of the Uniform Fire Code shall be assessed per violation in accordance with the below listed schedule.

Penalty Group	Fee
P1 First round	\$50 + \$50 dedicated

	Penalty Group	Fee
P2	Second round	\$500
P3	Third round	\$100 per day
P4	Fourth round	\$500 per day
P5	Fifth round	Maximum permitted by UFC

M.

Fire incident and/or investigation reports.

(1)

An administrative fee of \$25 shall be charged to any entity requesting reproduction of a fire incident, or fire investigative report, which is not a public document under the New Jersey Open Public Records Act.^[1]

[1]

Editor's Note: See N.J.S.A. 47:1A-1 et seq.

(2)

Exception: Any

Borough of Collingswood resident or business owner will be entitled to reproductions of any of the above-referenced reports for incidents in which they are directly involved, at no cost.

N.

Certificate of Fire Code status. As per Section 5:70-2.2(e) [N.J.A.C. 5:70-2.2(e)] of the Uniform Fire Code, any request for a certificate of Fire Code status shall be \$25.

O.

Permits.

(1)

As defined and required by the Uniform Fire Code, the fees for permits issued shall be set forth in the following table.

(2)

The following table outlines the permit fee schedule:

Permit Type	Fee
Type 1	\$110
Type 2	\$210
Type 3	\$360
Type 4	\$560

P.

Civil court appearance and depositions. Any employee or volunteer member of the Pennsauken Township or Borough of Collingswood Fire Department subpoenaed to testify in civil court or a deposition shall appear and compensation shall be set forth as follows: actual cost based on current salary as approved by the current collective bargaining agreements, plus any additional cost that may be required to backfill an employee's position if that employee is scheduled while on duty. In addition, a per-mile charge based on federal government rate plus tolls for distances exceeding 25 miles will apply. The Fire Department(s) will charge a service charge of \$25 for preparation of all invoices.

Q.

Investigative conferences and meetings. An uninterrupted ninety-minute conference at the Fire Prevention and Inspection Bureau, on site, or at a location designated by the requestor shall be set as follows: \$100 per hour.

R.

Fire safety training. Fire safety training that is requested for the purpose of compliance with a governmental regulation or other such standard, including but not limited to fire extinguisher and evacuation planning: \$125 per hour (maximum 25 students).

S.

Fire watch coverage.

(1)

When requested or required to provide fire watch coverage due to an emergency condition, requirement of permit function, or by notice of violation and order to correct, the cost of such service will be the current Fire Marshal's overtime pay rate, plus an additional administrative fee of \$100 for the actual cost of the processed payroll.

(2)

Failure for the property owner or designated property representative to establish or properly document a fire watch when requested by the Fire Department will result in an assessed penalty not to exceed \$1,000 per day for every day the condition exists.

T.

Fire apparatus and personnel. When requested to provide fire apparatus and personnel for nonexigent circumstances, the requestor must reimburse the Fire Department for the actual cost of the personnel for the time provided and \$150 per vehicle provided.

U.

Cost of suppression. If the origin and cause of the fire results from a violation of the Uniform Fire Safety Act previously cited by the Fire Prevention and Inspection Bureau, the owner/occupant shall be responsible for the cost of fire suppression. The cost of suppression shall be computed based on the following formula: [hourly rate of all personnel on location] + [the cost of each vehicle on the incident scene in accordance with Subsection **M(1)** above].

V.

Collection of fees.

(1)

Delinquent fees:

(a)

All fees and registration forms must be returned to the Fire Marshal's office within 30 days of having been mailed to the user. Failure to respond within this thirty-day period will result in a notice of violations being sent by the Fire Marshal to the user. If the registration and fees are not returned within 15 days of the notice having been mailed to the user, penalties will be imposed pursuant to the Uniform Fire Code. Failure to pay the registration fee or any penalties assessed shall result in a person being liable for a further penalty upon conviction for nonpayment or nonregistration. The penalty upon conviction is \$100 for the first offense and up to \$1,000 for each subsequent offense.

(b)

Collection of any unpaid fee or penalty shall be enforced through the Borough of Collingswood Municipal Court or a court of competent jurisdiction.

W.

Inspection frequency.

(1)

Life hazard uses. Inspection frequency for life hazard uses will be determined by the Uniform Fire Safety Act.

(2)

Non-life hazard use. The following table will show inspection frequency based on use:

User Group	Inspection Frequency
All user groups	12 Months

(3)

Permit uses.

(a)

Permit uses shall be inspected annually with the exception of Subsection **W(3)(a)[1]** through **[9]** through below.

[1]

Fumigation permits shall be inspected quarterly by calendar year.

[2]

All roofing permits kettle, torch, or otherwise shall be inspected per occurrence.

[3]

All group/overnight stays shall be inspected per occurrence.

[4]

All live fire training permits shall be inspected per occurrence.

[5]

All fireworks permits shall be inspected per occurrence.

[6]

All tent permits shall be inspected per occurrence.

[7]

All multipurpose room change of use permits shall be inspected per occurrence.

[8]

All bonfire permits shall be inspected per occurrence.

[9]

All outdoor fireplace permits shall be inspected once per ownership and are nontransferable.

(b)

The following table shall show inspection frequency based on permit use:

Permit Type	Inspection Frequency
Type I thru Type IV	12 months
Fumigation	3 months
Roofing	Per occurrence
Group overnight stay	Per occurrence
Live fire training	Per occurrence
Fireworks	Per occurrence
Tent	Per occurrence
Multipurpose room change of use	Per occurrence
Bonfire	Per occurrence
Outdoor fireplace	Per ownership (nontransferable)

§ 163-10 **Nicky's Law.**

[Added 7-18-1988 by Ord. No. 927; amended 12-1-1997 by Ord. No. 1139; 10-2-2000 by Ord. No. 1233; 5-3-2004 by Ord. No. 1333]

A.

Before any Use Group R-3 or R-4 structure is sold, leased or otherwise made subject to a change of occupancy for residential purposes, the owner shall obtain a Certificate of smoke alarm and carbon monoxide alarm and portable fire extinguisher compliance (CSACMAPFEC).

, evidencing compliance with N.J.A.C. 5:70-4.19, for the enforcing agency of the Borough of Collingswood established by § 163-2 of this chapter.

B.

The owner, or authorized agent of the owner, shall apply for a CSACMAPFEC on a form provided by the enforcing agency. The application shall be accompanied by the appropriate fee as set forth in Subsection **C.**

C.

The fee for the application for a CSACMAPFEC shall be as outlined in H(4) of this code:
[Amended 7-7-2008 by Ord. No. 1449]

D.

All residential sleeping areas within the Borough shall have at least one fully operable smoke detector located within each sleeping area. The detector must meet the requirements in the NJ Uniform Fire Code. All such residential sleeping areas enclosed by a door or otherwise shall, in addition, have at least one fully operable smoke detector located outside each sleeping area within 10 feet of such sleeping area. Installation of the smoke detectors shall be in accordance with the manufacturer recommendations and the National Fire Safety Code, Borough ordinances or any other applicable statute or ordinance. Additionally, a carbon monoxide detector(s) shall be installed, meeting the requirements of UL Standard 2034; provided, however, that no carbon monoxide alarm shall be required in any building that does not contain any fuel-burning appliances and does not have an attached garage.

E.

A CSACMAPFEC shall not be transferable. If the change of occupancy specified in the application for a CSDCMAC does not occur within six months, a new application shall be required.

§ 163-11 Rapid access key boxes.

[Added 1-3-2000 by Ord. No. 1206]

All buildings with an automatic fire alarm system or sprinkler system are required to have a rapid access key box in accordance with Chapter **186**, Key Boxes, of the Code of Collingswood.

§ 163-12 Enforcement of fire lanes.

[Added 10-1-2001 by Ord. No. 1269]

The Fire Official or his/her designee shall have the ability to issue civil penalties against persons who stop or stand a vehicle in a fire lane located within the Borough of Collingswood as such fire lanes are described in Schedule XXIV of Chapter **293** of the Borough of Collingswood Municipal Code (§ **293-71.2**).

Article II Outdoor and Open Burning

[Added 8-10-2012 by Ord. No. 1519]

§ 163-13 Purpose.

This article shall amend Chapter **163** of the Borough of Collingswood Uniform Fire Safety Regulations and is intended to promote the public health, safety and welfare and to safeguard the health, comfort, living conditions, safety and welfare of the citizens of the Borough of Collingswood by regulating the air pollution and fire hazards of open burning and outdoor burning.

§ 163-14 Applicability.

This article applies to all outdoor burning and open burning within the Borough of Collingswood.

A.

This article does not apply to grilling or cooking food using charcoal, wood, propane or natural gas in cooking or grilling appliances.

B.

This article does not apply to burning for the purpose of generating heat in a stove, furnace, fireplace or other heating device within a building used for human or animal habitation.

C.

This article does not apply to the use of propane, acetylene, natural gas, gasoline or kerosene in a device intended for heating, construction or maintenance activities.

§ 163-15 Definitions.

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

CAMPFIRE

A small outdoor fire intended for recreation or cooking, but not including a fire intended for disposal of waste wood or refuse.

CLEAN WOOD

Natural wood which has not been painted, varnished or coated with a similar material; has not been pressure treated with preservatives; and does not contain resins or glues as in plywood or other composite wood products.

CONSTRUCTION AND DEMOLITION WASTE

Building waste materials, including but not limited to waste shingles, insulation, lumber, treated wood, painted wood, wiring, plastics, packaging, and rubble that results from construction, remodeling, repair, and demolition operations on a house, commercial or industrial building, or other structure.

FIRE OFFICIAL

The Fire Official of the Borough of Collingswood or other person designated by the Fire Official.

MUNICIPALITY

The Borough of Collingswood.

OPEN BURNING

Kindling or maintaining a fire where the products of combustion are emitted directly into the ambient air without passing through a stack or a chimney. This includes burning in a burn barrel.

OUTDOOR BURNING

Open burning or burning in an outdoor wood-fired boiler or patio wood-burning unit.

OUTDOOR WOOD-FIRED BOILER

A wood-fired boiler, stove or furnace that is not located within a building intended for habitation by humans or domestic animals.

PATIO WOOD-BURNING UNIT

A chimnea, patio warmer, outdoor fireplace or other portable wood-burning device used for outdoor recreation and/or heating.

REFUSE

Any waste material, except trees, logs, brush, stumps, leaves, grass clippings, and other vegetative matter.

§ 163-16 **General prohibition.**

Open burning and outdoor burning are prohibited in the Borough of Collingswood unless the burning is specifically permitted by this article.

§ 163-17 **Open burning of refuse.**

Open burning of refuse is prohibited.

§ 163-18 **Burning trees, logs, brush, stumps, leaves, and grass clippings.**

Open burning of trees, logs, brush, stumps, leaves, and grass clippings is prohibited.

§ 163-19 **Outdoor wood-fired boilers.**

No person shall install, use, or maintain an outdoor wood-fired boiler in the Borough of Collingswood, unless approved by permit through the Construction Office.

§ 163-20 **Patio wood-burning units.**

A patio wood-burning unit may be installed and used in Borough of Collingswood only in accordance with all of the following provisions:

A.

A permit must be obtained through the Fire Official.

B.

The patio wood-burning unit shall not be used to burn refuse.

C.

The patio wood-burning unit shall burn only clean dry wood.

D.

The patio wood-burning unit shall be located at least 15 feet from the nearest structure

which is not on the same property as the patio wood-burning unit. The unit shall not be located less than five feet from combustible structures on the same property or on any decks, porches or balconies.

E.

The patio wood-burning unit and its by-products shall not cause a nuisance to neighbors.

F.

Must be in an approved container with an ember-suppressing lid. (Stone/block fire pits must have a lid or screen.)

G.

The use of flammable liquids and accelerants is prohibited.

H.

Trees, brush, grass, leaves or other material is prohibited.

I.

Must have working garden hose stretched to fire place or proper fire extinguisher within 10 feet.

§ 163-21 Permit.

A permit must be obtained through the Borough Fire Official's office. There will be no fee for the permit, and it will be valid to the person or agency to which it is issued for the length that that person or agency occupies the property. This permit must be on hand, and available for inspection, anytime that the patio wood-burning unit is in use.

§ 163-22 Liability.

A person utilizing or maintaining an outdoor fire shall be responsible for all fire-suppression costs and any other liability resulting from damage caused by the fire.

§ 163-23 Right of entry and inspection.

The Fire Official or any authorized officer, agent, employee or representative of the Borough of Collingswood who presents credentials may inspect any property for the purpose of ascertaining compliance with the provisions of this article.

§ 163-24 Enforcement; violations and penalties.

A.

The Fire Official, his/her designee and the Borough of Collingswood are authorized to enforce the provisions of this article.

B.

The Fire Official, at any time and with just cause, has the right to revoke a permit.

C.

Any person, firm, association, partnership, corporation, or governmental entity who or which violates any of the provisions of this article or fails to comply with a duly authorized order issued pursuant to this article shall be deemed to be responsible for a municipal civil infraction which shall be punishable by civil fine of no less than \$50 and no more than \$100.

D.

The violator shall pay costs, which may include all expenses, direct and indirect, which the Borough of Collingswood has incurred in connection with the municipal infraction. In no case, however, shall costs of less than \$50 or more than \$100 be ordered. In addition, the Borough of Collingswood shall have the right to proceed in any court of competent jurisdiction for the purpose of obtaining an injunction, restraining order, or other appropriate remedy to compel compliance with this article. Each day that a violation of this article exists shall constitute a separate violation of this article.

With no comments Commissioner Leonard moved the public hearing closed and the ordinance be adopted on second and final reading which was seconded and approved by the call of the roll:

Absent: M. James Maley, Jr.

Aye: Joan Leonard

Aye: Robert Lewandowski

The Commissioners Called for the Second Reading and Public Hearing of Ordinance 1680

2020 SALARY ORDINANCE

AN ORDINANCE TO PROVIDE FOR AND DETERMINE THE RATE OF COMPENSATION OF EACH OFFICER AND EMPLOYEE OF THE BOROUGH OF COLLINGSWOOD AND METHOD OF PAYMENT OF SUCH COMPENSATION

THE BOARD OF COMMISSIONERS OF THE BOROUGH OF COLLINGSWOOD IN THE COUNTY OF CAMDEN, AND STATE OF NEW JERSEY DOES ORDAIN:

SECTION 1. THE RATE OF COMPENSATION OF EACH OFFICER AND EMPLOYEE OF THE BOROUGH OF COLLINGSWOOD, WHOSE COMPENSATION SHALL BE ON AN ANNUAL, MONTHLY OR BIWEEKLY BASIS, SHALL BE PAYABLE AS FOLLOWS:

POSITION	SALARY

COMMISSIONERS	
Commissioner of Public Safety	\$7,500.00 to \$9,000.00
Commissioner of Revenue/Finance	\$7,500.00 to \$9,000.00
Commissioner of Public Works	\$7,500.00 to \$9,000.00
Mayor or Acting Mayor	\$900.00 to \$1,200.00
ELECTIONS	
Borough Clerk	\$500.00 per Election
Deputy Borough Clerk	\$150.00 per Election
POLICE DEPARTMENT	
Chief	\$100,000.00 to \$120,000.00
Deputy Chief	\$90,000.00 to \$110,000.00
Captain	\$90,000.00 to \$105,000.00
Sergeants	\$88,000.00 to \$98,000.00
Records Clerk	\$27,500.00 to \$62,000.00
Clerical Receptionist	\$27,500.00 to \$35,000.00
Meter Man	\$27,500.00 to \$35,000.00
Part Time Meter Man	\$15.00 To \$17.00 per hour
Crossing Guards	\$39.50 per day
Clerks-Part-time as needed	\$11.00 To \$17.00 per hour
Special Police - part-time as needed	\$15.00 to \$25.00 per hour
MUNICIPAL COURT	
Judge	\$20,000.00 to \$45,000.00
Administrator	\$40,000.00 to \$60,000.00
Deputy	\$30,000.00 to \$45,000.00
Clerk	\$27,500.00 to \$30,000.00
Clerks-hourly	\$11.00 to \$17.00 per hour
On Call Duty	\$25.00 per call-out

REVENUE AND FINANCE

Chief Finance Officer/ QPA	\$40.00 to \$50.00 per hour
Treasurer	\$15.00 to \$20.00 per hour
Borough Clerk	\$40,000.00 to \$60,000.00
Deputy Borough Clerk	\$1,500.00 to \$2,500.00
Clerks –part time as needed	\$11.00 to \$17.00 per hour

FIRE DEPARTMENT

Secretary	\$27,500.00 to \$35,000.00
Clerks - Part-time as needed	\$11.00 to \$17.00 per hour
Fire Inspectors	\$15.00 to \$20.00 per hour

STATE UNIFORM CONSTRUCTION CODE

Secretary	\$27,500.00 to \$45,000.00
Construction Code Official	\$30,000.00 to \$38,000.00
Electrical Subcode	\$10,000.00 to \$20,000.00
Plumbing Subcode	\$10,000.00 to \$20,000.00
Fire Subcode	\$8,000.00 to \$12,000.00
Building Subcode	\$5,000.00 to \$8,000.00
Building Inspector	\$8,000.00 to \$12,000.00
Building Inspector Additional Day as needed	\$82.85 per day

ASSESSMENT OF TAXES

Assessor	\$15,000.00 to \$25,000.00
Assistant/ Clerk	\$3,000.00 to \$6,000.00

COLLECTION OF TAXES

Tax Collector	\$40,000.00 to \$60,000.00
Clerks-part-time as needed	\$11.00 to \$17.00 per hour

LIBRARY

Director	\$50,000.00 to \$75,000.00
Technical Services Supervisor & Head Access	\$30,000.00 to \$45,000.00
Youth Services Supervisor	\$30,000.00 to \$50,000.00
Youth Services Specialist & Reference	\$27,500.00 to \$40,000.00
Youth Services Assistant	\$27,500.00 to \$35,000.00
Circulation Assistant	\$27,500.00 to \$35,000.00
Reference Librarians	\$11.00 to \$20.00 per hour
Temporary Part Time as needed	\$10.00 to \$14.00 per hour

MUNICIPAL ALLIANCE

Coordinator	\$1,500.00
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ZONING DEPARTMENT

Zoning Officer	\$15.00 to \$20.00 per hour
Zoning Secretary	\$3,000.00 to \$4,000.00
Part time help as needed	\$11.00 to \$17.00 per hour

PLANNING/HISTORICAL DEPARTMENT

Planning/Historical Secretary	\$5,000.00 to \$10,000.00
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SENIOR COMMUNITY CENTER

Director	\$30,000.00 to \$45,000.00
Hall Attendants	\$125.00 per event

Part-time help \$11.00 to \$15.00 per hour

ROBERTS PARK SWIMMING POOL

Certified Pool Manager \$2,000.00 to \$5,000.00
Pool Managers \$13.00 to \$25.00 per hour
Assistant Managers \$11.00 to \$20.00 per hour
Guards \$10.30 to \$15.00 per hour
Clerks \$10.30 to \$15.00 per hour

RECREATION DEPARTMENT

Director \$10,000.00 to \$25,000.00
Community Theater Director \$5,000.00
Community Chorus Director \$4,500.00
Program Director and Snack Stand Coordinator \$5,000.00 to \$10,000.00
Secretary \$3,000.00 to \$6,000.00
Website Management \$1,000.00 to \$1,500.00
Program Coordinators \$500.00 to \$5,000.00
Assistant Program Coordinators \$200.00 to \$1,500.00
Part-time help as needed \$10.00 to \$17.00 per hour

COMMUNITY DEVELOPMENT

Director of Community Development \$20,000.00 to \$45,000.00
Farmers Market \$5,000.00 to \$10,000.00

COLLINGSWOOD PARTNERS

Office Manager \$30,000.00 to \$50,000.00
Director of Community Development \$20,000.00 to \$45,000.00
Part-time help as needed \$10.00 to \$17.00 per hour

WATER DEPARTMENT

Assistant Water Superintendent \$55,000.00 to \$70,000.00
Clerk \$27,500.00 to \$45,000.00
Meter Reader \$40,000.00 to \$55,000.00
Part Time help as needed \$10.00 to \$17.00 per hour

SEWER DEPARTMENT

Administrator \$85,000.00 to \$105,000.00
Acting Public Works Superintendent \$5,000.00 to \$30,000.00
Administrative Assistant \$27,500.00 to \$45,000.00
Crew Chief \$40,000.00 to \$60,000.00
Laborers \$40,000.00 to \$55,000.00
Clerk \$27,500.00 to \$35,000.00
Part-time help as needed \$10.00 to \$17.00 per hour

HIGHWAY DEPARTMENT

Tree Official \$4,000.00 to \$10,000.00
Crew Chief \$45,000.00 to \$60,000.00
Mechanic \$40,000.00 to \$60,000.00
Laborers \$40,000.00 to \$55,000.00
Safety Coordinator Stipend \$500.00
Recycling Coordinator Stipend \$500.00
Stormwater Management Coordinator Stipend \$500.00

ONCALL AND OVERTIME TO BE PAID AS SET FORTH IN CONTRACT RATIFIED BY

BOARD OF COMMISSIONERS.

SECTION 2. ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT WITH THIS ORDINANCE ARE HEREBY REPEALED. FULL TIME EMPLOYEES OF THE BOROUGH SHALL IN ADDITION TO THE COMPENSATION PROVIDED FOR HEREIN, SHALL RECEIVE LONGEVITY PAY, WHICH SHALL BE PAYABLE ONCE YEARLY OR AS SET FORTH IN LABOR CONTRACT, RATIFIED BY THE BOARD OF COMMISSIONERS.

SECTION 3. THE DUTIES AND TERMS OF EMPLOYMENT OF THE SEVERAL OFFICERS AND EMPLOYEES SHALL BE PRESCRIBED BY STATUTE, ORDINANCE, OR RESOLUTION, IF ANY SHALL HAVE BEEN ENACTED OTHERWISE SUCH DUTIES AND TERMS SHALL BE AS SUCH SHALL BE PRESCRIBED BY THE BOARD OF COMMISSIONERS.

SECTION 4. ALL OTHER EMPLOYEES, NOT LISTED ABOVE, SHALL BE PAID AS SET FURTHER IN PRIOR ORDINANCES ON A BIWEEKLY BASIS. DEPARTMENT HEAD.

SECTION 6. ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT WITH THIS ORDINANCE ARE HEREBY REPEALED.

SECTION 7. THIS ORDINANCE SHALL TAKE EFFECT UPON ITS PASSAGE AND PUBLICATION ACCORDING TO LAW.

With no comments Commissioner Leonard moved the public hearing closed and the ordinance be adopted on second and final reading which was seconded and approved by the call of the roll:

Absent: M. James Maley, Jr.

Aye: Joan Leonard

Aye: Robert Lewandowski

Public Comment on Resolution Agenda Items:

No Comments

The Following Resolutions were Approved without a Dissenting Vote

DECEMBER 27, 2019

211. Authorizing 2019 Budget Transfer

212. Authorizing the 2020 Animal Shelter Services Contract with the Voorhees Animal Orphanage

213. Canceling Tax Account Balances and Utility Rent Balances Less than \$5.00

214. Authorizing the Cancellation of Grant Funds Received and Appropriated

215. Authorizing a Contract to Think Pavers Hardscaping LLC for the Safe Routes to School and Traffic Calming Project

216. Appointing Anne Vogelmann to the Collingswood Library Board of Trustees

217. Robert T. Zane, III - Municipal Court Judge –

218. Carol Staszewski - Municipal Court Administrator

219. Elena Kline - Deputy Municipal Court Administrator

220. Tara Riley - Deputy Municipal Court Administrator

221. Approving the 2020 Salary Resolution

222. Approving the Payment of Bills as Presented by the Treasurer

Commissioner Lewandowski thanked the Borough employees and community volunteers that work at making Collingswood a special place.

Commissioner Leonard also thanked the employees for the work on making our town look so great at the holidays and all year long. Commissioner Leonard thanked everyone shopping our businesses and participating in town events.

Commissioner Leonard opened the meeting to the public.

Emilia Carlofi, 427 Haddon Ave. asked who is the point of contact for noise complaints during the construction of the Safety Building. Administrator Hastings said there is a point person on site but said she can reach out to him. Ms. Carlofi asked about changes in traffic patterns and parking during the construction.

Kate Delany 126 E. Palmer Ave. stated she has conflict of interest concerns with Mayor Maley voting on the JIF agreement. Ms. Delany stated she has concerns about the JIF in general.

Richard Klingerman, 743 Maple Terrace, reported a water leak on E. Collings Ave. Mr. Klingerman said it has been investigated and there is a leak. Administrator Hastings said that is an issue the homeowner needs to address. Mr. Klingerman said the homeowner knows. Mr. Hastings advised it will be addressed. Deputy Water Superintendent said he will look into it.

With no further comments, Commissioner Leonard moved the meeting be adjourned at 10:22 AM, which was seconded.

