

# BOROUGH OF BERGENFIELD

198 NORTH WASHINGTON AVENUE  
BERGENFIELD, NEW JERSEY 07621

CONSTRUCTION CODE DEPT.  
(201) 387-4055 EXT. 1-4092  
FAX: (201) 385-7376

## APPLICATION FOR CERTIFICATE OF CONTINUED OCCUPANCY FOR ONE FAMILY, TWO FAMILY AND MULTIPLE DWELLINGS

1. One Family (\$50.00 + \$45.00 Fire Fee) \_\_\_\_\_ Two Family (\$75.00 + \$45.00 Fire Fee) \_\_\_\_\_  
Multiple Family Dwelling (\$25.00 + \$45 Fire Fee) \_\_\_\_\_
2. Property Address: \_\_\_\_\_ Block: \_\_\_\_\_ Lot: \_\_\_\_\_
3. Purpose:  Sale  Rental
4. Closing Date: \_\_\_\_\_
5. Contact Name: \_\_\_\_\_ Phone Number: \_\_\_\_\_
6. Owner Name(s): \_\_\_\_\_ Address: \_\_\_\_\_
7. Purchaser/Tenant Name(s): \_\_\_\_\_ Phone Number: \_\_\_\_\_
8. Purchaser/Tenant Address: \_\_\_\_\_

### QUANTITY & LOCATION

- |  | Basement                                  | First Floor      | Second Floor | Third Floor  |
|--|---|------------------|--------------|--------------|
| 9. Kitchen   | [ ]                                       | [ ]              | [ ]          | [ ]          |
| 10. Bath   | [ ]                                       | [ ]              | [ ]          | [ ]          |
| 11. Bedrooms   | [ ]                                       | [ ]              | [ ]          | [ ]          |
| 12. Garage: # _____  | Location: _____ [ ] Attached [ ] Detached |                  | Size: _____  | x _____      |
| 13. Sheds: # _____   | Location: _____ Size: Width _____         |                  | Height _____ | Length _____ |
| 14. Patio(s): # _____                                      | Location: _____ Size: Width _____         |                  | Height _____ | Length _____ |
| 15. Pool: # _____  | [ ] Above Ground                          | [ ] Below Ground | Size: _____  |              |
| 16. Number of people who will be occupying premises: _____ |   |                  |              |              |
| 17. Maximum permitted occupancy: _____                     |   |                  |              |              |

The above name owner(s) does hereby attest that this property was used as represented for sale/rental as a [one family/two family/other]

Signature of Owner(s): \_\_\_\_\_

Sworn to and subscribe before me this \_\_\_\_\_ day of \_\_\_\_\_

Notary Public: \_\_\_\_\_

The above name purchaser/tenant(s) does hereby attest that this property will be used as a [one family/two family/other]

Signature of Purchaser/Tenant(s): \_\_\_\_\_

Sworn to and subscribe before me this \_\_\_\_\_ day of \_\_\_\_\_

Notary Public: \_\_\_\_\_



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## APPLICATION FOR ONE & TWO FAMILY DWELLING CERTIFICATION OF SMOKE DETECTORS AND CARBON MONOXIDE ALARM COMPLIANCE (CSDCMAC)

Dwelling Location: Block: \_\_\_\_\_ Lot: \_\_\_\_\_  
(not mailing address) Street: \_\_\_\_\_  
Municipality: \_\_\_\_\_ County: \_\_\_\_\_

NOTE ALL BOXES MUST BE CHECKED IN ORDER FOR CERTIFICATION TO BE VALID

- Smoke Detectors on each level of the dwelling, including basements, excluding attic or crawl space; and
- Smoke Detectors and Carbon Monoxide Detector outside each separate sleeping area; and (within 10 feet of bedrooms)
- All Smoke Detectors and Carbon Monoxide Detectors are in working order.

This is a \_\_\_\_\_ story dwelling  with  without a basement.

The smoke detectors required above shall be located in accordance with NfiPA 74. The detectors are not required to interconnected. Battery powered detectors are acceptable. AC powered and/or interconnected smoke detectors installed in home constructed before January, 1977 shall be maintained in working order. See diagrams on the back of this application for further information.

\*\*\*CSDCMAC CERTIFICATES ARE VALID FOR SIX (6) MONTHS\*\*\*

Contact Person: \_\_\_\_\_ Phone #: \_\_\_\_\_ Closing Date: \_\_\_\_\_

I do hereby certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I will be subject to penalty.

Sworn and subscribed to before me this \_\_\_\_\_ day of \_\_\_\_\_ 20 \_\_\_\_\_ .

\_\_\_\_\_  
Notary Signature

\_\_\_\_\_  
(Seller) Applicant Signature

\_\_\_\_\_  
Printed Name

Note: A check or money order made payable to: Borough of Bergenfield must accompany this application. The application fee for a certificate of smoke and carbon monoxide alarm compliance (CSDCMAC), as required by N.J.A.C 5:70-2.3, shall be based upon the amount of times remaining before the change of occupant is expected, as follows: 1. Requests for CSDCMAC received more than 10 business days prior to the change of occupant: \$45.00; 2. Requests for CSDCMAC received 4 to 10 business days prior to the change of occupant: \$90.00; 3. Requests for CSDCMAC received fewer than 4 business days prior to the change of occupant: \$161.00. Please allow 2 to 4 weeks for processing and delivery. A CSDCMAC shall not be transferable. If the change of occupancy specified in the application or a CSDCMAC does not occur within 6 months, a new application shall be required.

\*\*\*\*FOR OFFICE USE ONLY\*\*\*\*

Collected by: \_\_\_\_\_ Date: \_\_\_\_\_ Check Number: \_\_\_\_\_



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### AGREEMENT OF USE REGARDING BASEMENT/ATTIC

Block: \_\_\_\_\_ Lot: \_\_\_\_\_ Property Address: \_\_\_\_\_

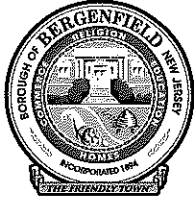
Proposed Buyer: \_\_\_\_\_

The above referenced property is receiving a Certificate of Continued Occupancy as a \_\_\_\_\_ Family dwelling in accordance with the stipulation below.

The basement/attic area of the premises my **NOT** be used for an exclusive dwelling unit. The basement/attic may only be used by the occupants of the first floor/second floor apartment in conjunction with their tenancy. The basement/attic my **NOT** contain any sleeping areas or bedrooms. No cooking facilities may be installed in the basement/attic portion of the premises.

Signature of Purchaser: \_\_\_\_\_ Date: \_\_\_\_\_

Attached Stamp of Notary Below:



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### CHECKLIST FOR CERTIFICATE OF OCCUPANCY

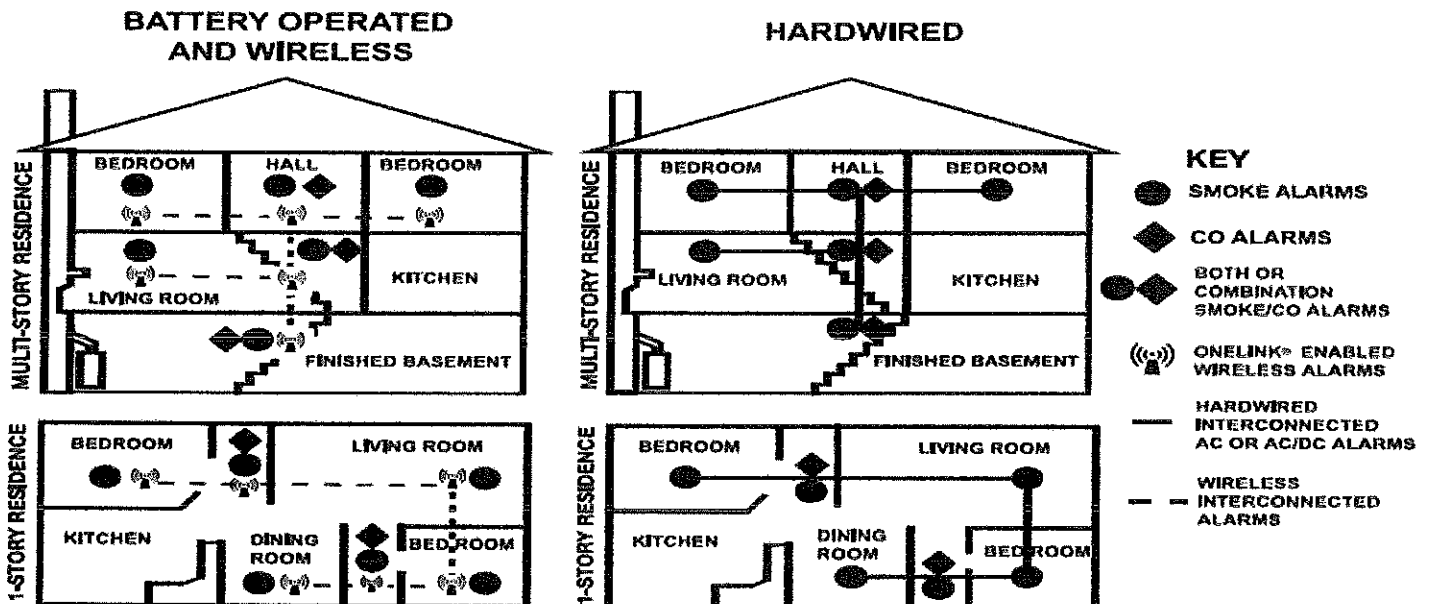
1. Make sure walkways are in good condition, not broken, or lifted as it causes a tripping condition.
2. All exterior stairs to be in good condition. All stairs must have handrails.
3. All roofs to be in good condition.
4. Gutters and leaders in good condition.
5. Paint to be in fair to good condition on exterior.
6. Street number not words must be posted on or close to the door.
7. Plumbing wastes and water supply lines must not be leaking and in good condition.
8. If you have a sump pump it must drain to outside of building and cannot be connected to sewer line, or piped out to the street.
9. All heating equipment and hot water heaters that are vented into chimney must be sealed properly.
10. All exterior stairs must have handrails.
11. All garbage and trash to be removed from property.
12. All overgrown hedges must be cut back and cleaned up.
13. No unregistered vehicles or car parts stored on property.
14. Repair all broken window glass.
15. Install smoke detectors on each level
16. Install carbon monoxide detectors within 10 feet of bedrooms. Must be sealed units if not hardwired.
17. Install dead bolt locks on front exterior door. They are to have thumb latch inside (not key lock).
18. Extension tube of water heaters must go from relief valve to with 6" from floor.
19. Any basement kitchens not installed with a building permit must be removed.
20. Fire extinguishers required see attached.

## INSTALLING SMOKE ALARMS IN SINGLE-FAMILY RESIDENCES

The National Fire Protection Association (NFPA), recommends one Smoke Alarm on every floor, in every sleeping area, and in every bedroom. In new construction, the Smoke Alarms must be AC powered and interconnected. See "Agency Placement Recommendations" for details. For additional coverage, it is recommended that you install a Smoke Alarm in all rooms, halls, storage areas, finished attics, and basements, where temperatures normally remain between 40° F (4° C) and 100° F (38° C). Make sure no door or other obstruction could keep smoke from reaching the Smoke Alarms. More specifically, install Smoke Alarms:

- On every level of your home, including finished attics and basements.
- Inside every bedroom, especially if people sleep with the door partly or completely closed.
- In the hall near every sleeping area. If your home has multiple sleeping areas, install a unit in each. If a hall is more than 40 feet long (12 meters), install a unit at each end.
- At the top of the first-to-second floor stairway, and at the bottom of the basement stairway.

**IMPORTANT!** Specific requirements for Smoke Alarm installation vary from state to state and from region to region. Check with your local Fire Department for current requirements in your area. It is recommended AC or AC/DC units be interconnected for added protection.



NFPA 72 (National Fire Code) Chapter 11 "For your information, the National Fire Protection Association's Standard 72 reads as follows:

### 11.5.1 One- and Two-Family Dwelling Units.

**11.5.1.1 Smoke Detection.** Where required by applicable laws, codes, or standards for the specified occupancy, approved single- and multiple-station Smoke Alarms shall be installed as follows: (1) In all sleeping rooms. Exception: Smoke Alarms shall not be required in sleeping rooms in existing one- and two-family dwelling units. (2) Outside of each separate sleeping area, in immediate vicinity of the sleeping rooms. (3) On each level of the dwelling unit, including basements. Exception: In existing one- and two family dwelling units, approved Smoke Alarms powered by batteries are permitted.

**A.11.8.3 Are More Smoke Alarms Desirable?** The required number of Smoke Alarms might not provide reliable early warning protection for those areas separated by a door from the areas protected by the required Smoke Alarms. For this reason, it is recommended that the householder consider the use of additional Smoke Alarms for those areas for increased protection. The additional areas include the basement, bedrooms, dining room, furnace room, utility room, and hallways not protected by the required Smoke Alarms. The installation of Smoke Alarms in kitchens, unfinished attics, or garages is not normally recommended, as these locations occasionally experience conditions that can result in improper operation."



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### SENATE, No. 150 STATE OF NEW JERSEY 214th LEGISLATURE

PREFILED FOR INTRODUCTION IN THE 2010 SESSION

**Sponsored by:**

**Senator ANTHONY R. BUCCO**  
**District 25 (Morris)**  
**Senator JOHN A. GIRGENTI**  
**District 35 (Bergen and Passaic)**

**SYNOPSIS**

Makes residential fire extinguisher requirement optional at municipal level.

**CURRENT VERSION OF TEXT**

Introduced Pending Technical Review by Legislative Counsel

**AN ACT** concerning residential fire safety, amending and supplementing P.L.1991, c.92.

**BE IT ENACTED** by the Senate and General Assembly of the State of New Jersey:

1. Section 1 of P.L.1991, c.92 (C.52:27D198.1) is amended to read as follows:

1. A structure used or intended for use for residential purposes by not more than two households shall have a smokesensitive alarm device on each level of the structure and outside each separate sleeping area in the immediate vicinity of the bedrooms and located on or near the ceiling in accordance with National Fire Protection Association Standard No. 741984 for the installation, maintenance, and use of household fire warning equipment. The installation of battery operated smokesensitive alarm devices shall be accepted as meeting the requirements of this section. The smokesensitive device shall be tested and listed by a product certification agency recognized by the Bureau of Fire Safety.

[Each] If required pursuant to municipal ordinance, each structure, used or intended for use for residential purposes by not more than two households other than a seasonal rental unit, shall also be equipped with at least one portable fire extinguisher in conformance with rules and regulations promulgated by the Commissioner of Community Affairs pursuant to the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B1 et seq.). For the purposes of this section, "portable fire extinguisher" means an operable portable device, carried and operated by hand, containing an extinguishing agent that can be expelled under pressure for the purpose of suppressing or extinguishing fire, and which is: (1) rated for residential use consisting of an ABC type; (2) no larger than a 10 pound rated extinguisher; and (3) mounted within 10 feet of the kitchen area, unless otherwise permitted by the enforcing agency. "Seasonal rental unit" means a dwelling unit rented for a term of not more than 125 consecutive days for residential purposes by a person having a permanent residence elsewhere, but shall not include use or rental of living quarters by migrant, temporary or seasonal workers in connection with any work or place where work is being performed.

This section shall not be enforced except pursuant to sections 2 and 3 of P.L.1991, c.92 (C.52:27D198.2 and 52:27D198.3). (cf: P.L.2005, c.71, s.1)

2. Section 2 of P.L.1991, c.92 (C.52:27D198.2) is amended to read as follows:

2. a. In any case where a change of occupancy of any building subject to the requirements of section 1 of P.L.1991, c.92 (C.52:27D198.1) is subject to a municipal ordinance requiring the issuance of a certificate of occupancy, certificate of

inspection or other documentary certification of compliance with laws and regulations relating to safety, healthfulness and upkeep of the premises, no such certificate shall issue until the municipal officer or agency responsible for its issuance has determined that the building is equipped with an alarm device or devices and, if required by municipal ordinance, a portable fire extinguisher as required by section 1 of P.L.1991, c.92 (C.52:27D198.1).

b. In the case of change of occupancy of any building subject to the requirements of section 1 of P.L.1991, c.92 (C.52:27D198.1) to which the provisions of subsection a. of this section do not apply, no owner shall sell, lease or otherwise permit occupancy for residential purposes of that building without first obtaining from the relevant enforcement agency under the "Uniform Fire Safety Act," P.L.1983, c.383 (C.52:27D192 et seq.) a certificate evidencing compliance with the requirements of P.L.1991, c.92 (C.52:27D198.1 et seq.). The local governing body having jurisdiction over the said enforcing agency or, where the Bureau of Fire Safety is the enforcing agency, the Commissioner of Community Affairs shall establish a fee which covers the cost of inspection and of issuance of the certificate.  
(cf: P.L.2005, c.71, s.2)

3. Section 3 of P.L.1991, c.92 (C.52:27D198.3) is amended to read as follows:

3. An owner who sells, leases, rents or otherwise permits to be occupied for residential purposes any premises subject to the provisions of P.L.1991, c.92 (C.52:27D198.1 et seq.) when the premises do not comply with the requirements of section 1 of P.L.1991, c.92 (C.52:27D198.1), or without complying with the inspection and certification requirements of section 2 of P.L.1991, c.92 (C.52:27D198.2), shall be subject to a fine of not more than \$500.00 in the case of a violation for an alarm device, or a fine of not more than \$100 in the case of a violation for a portable fire extinguisher, if so required pursuant to municipal ordinance, which may be collected and enforced by the local enforcing agency as defined in subsection g. of section 5 of P.L.1983, c.383 (C.52:27D196) by summary proceedings pursuant to the "Penalty Enforcement Law of 1999," P.L.1999, c.274 (C.2A:5810 et seq.).  
(cf: P.L.2005, c.71, s.3)

4. (New section) a. A municipal governing body may adopt an ordinance requiring structures, other than seasonal rental units, located within that municipality, which structures are used or intended for use for residential purposes by not more than two households, to be equipped with at least one portable fire extinguisher in conformance with rules and regulations promulgated by the Commissioner of Community Affairs pursuant to section 1 of P.L.1991, c.92 (C.52:27D198.1), as amended by P.L.2005, c.71 and P.L. , c. (C. ) (pending before the Legislature as this bill).

b. A municipality adopting an ordinance pursuant to this section shall notify the Director of the Division of Fire Safety within the Department of Community Affairs of the adoption thereof and the effective date of the ordinance.

c. The Division of Fire Safety shall maintain an accessible database listing the municipalities that have adopted an ordinance pursuant to this section, and the effective date of each ordinance so adopted.

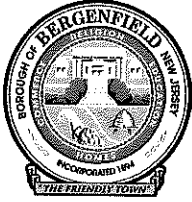
5. This act shall take effect on the first day of the second month next following enactment.

## STATEMENT

This bill would make the provisions of P.L.2005, c.71, which imposed a requirement that all single family and two family residences be equipped with fire extinguishers, inoperative unless the municipal governing body of a municipality chooses to adopt an ordinance making the requirement applicable within that municipality. Since enactment of this law, many fire code officials have expressed concerns that possession of a fire extinguisher sometimes encourages a resident to choose to fight a fire rather than to flee the premises. The bill functions to make the provisions of P.L.2005, c.71 inoperative unless a local governing body chooses to make the law operative in its municipality.

The bill also requires that if a municipality adopts an ordinance pursuant to the bill, it must notify the Director of the Division of Fire Safety within the Department of Community Affairs of that adoption, and the effective date of the ordinance.

The bill directs the Division of Fire Safety to maintain an accessible database listing the municipalities that have adopted ordinances requiring structures to be equipped with a fire extinguisher and setting forth the effective date of each ordinance so adopted.



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### DEPARTMENT OF COMMUNITY AFFAIRS DIVISION OF FIRE SAFETY MEMORANDUM

**TO: ALL LOCAL ENFORCING AGENCIES**  
**FROM: LOUIS KILMER, CHIEF-BUREAU OF FIRE CODE ENFORCEMENT**  
**SUBJECT: REQUIREMENTS FOR FIRE EXTINGUISHER IN 1 AND 2 FAMILY DWELLINGS**  
**DATE: NOVEMBER 15, 2005**

The Legislature amended and enacted P.I.1991, c.92 (C.52:27D-198.1), requiring that all 1 and 2 family dwellings at a change of occupancy be provided with a portable fire extinguisher, in addition to the requirements for smoke and carbon monoxide detectors. This provision does not apply to seasonal rental units. This act was signed into law on April 14, 2005 with an effective date of November 1, 2005.

The regulations were recently made available for public comment. The comment period has ended and the final adoption of the regulations will appear in the New Jersey Register in the near future. The Division of Fire Safety is advising all local enforcing agencies to enforce the regulations; using the guidelines below:

The following are the requirements for the type and placement of extinguishers:

1. At least one portable fire extinguisher shall be installed in all 1 and 2 family dwellings (except seasonal rentals) upon change in occupancy;
2. The extinguisher shall be listed, labeled, charged and operable;
3. The size shall be no smaller than 2A:10B:C, rated for residential use and weighs no more than 10lbs;
4. The hangers or brackets supplied by the manufacturer must be used;
5. The extinguisher must be located within 10 feet of the kitchen;
6. The top of extinguisher must not be more than 5 feet above the floor;
7. The extinguisher must be visible and in readily accessible location, free from being blocked by furniture, storage or other items;
8. The extinguisher must be near a room exit or travel path that provides an escape route to the exterior;
9. The extinguisher must be accompanied by an owner's manual or written information regarding the operation, inspection and maintenance of the extinguisher;
10. Lastly, the extinguisher must be installed with the operating instructions clearly visible.

New fire extinguishers are not required to be serviced and tagged, as long as the seller or agent can provide proof of purchase or receipt.

Until the proposed regulations have been adopted, the statute should be cited for enforcement purposes. The correct citation is N.J.S.A. 52:27D-198.1.

If you have any questions regarding the implementation of this act or its specific requirement, please contact our Local Assistance Unit at 609-633-6112.