

**BOROUGH OF WOODCLIFF LAKE  
COUNTY OF BERGEN**

**ORDINANCE AMENDING CHAPTER 178 OF THE WOODCLIFF LAKE  
CODE TO CREATE A FIRE WATCH PROGRAM**

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**Section 1. Purpose & Authority.** Pursuant to N.J.S.A. 40:48-1 and 40:49-2, the Borough of Woodcliff Lake hereby amends Chapter 178 of the Woodcliff Lake Code to add Article VII, "Fire Watch Program." The purpose of the amendment is to create a fire watch program where, for example, a fire protection system is temporarily out of service.

**Section 2. Fire Watch Program.** Article VII, "Fire Watch Program," is added to Chapter 178 of the Woodcliff Lake Code:

(a) "Fire watch" is defined as a temporary measure ordered by the Borough of Woodcliff Lake intended to insure continuous and systematic surveillance of and response to the Borough or a portion thereof, or a building or portion thereof, by one or more qualified individuals, for the purpose of identifying and controlling fire and other life/property hazards, detecting early signs of an unwanted fire, raising an alarm of fire to the occupants, notifying the Woodcliff Lake Fire Department and engaging in firefighting or other emergency response.

(b) A fire watch may be ordered by the Fire Official with the preapproval of the Borough Administrator or his/her designee, except that in an emergency the Fire Official, or in his/her absence the ranking Fire Department officer present, may act on his/her own. A fire watch may be posted in any portion of the Borough and also in public and privately owned buildings and/or properties. As the Borough may direct, a fire watch shall be paid for by the Borough, or by a building owner, tenant, lessee, or organization under the following circumstances: required fire protection systems are out of service; a fire watch is directed by the Borough or is requested by the building owner, tenant, or lessee; public and private events where 100 people or more are in attendance; events where with the approval of the Fire Official or his assigned designee the posted occupancy load is exceeded; all other situations deemed necessary by the Fire Official or his assigned designee.

(c) A fire watch may include firefighting, rescue, recovery and other emergency responses; the maintaining of posted fire lanes, means of egress, and posted occupancy loads; enforcement of no smoking in posted areas; area and building surveillance; checking for proper permits; inspecting for proper safety precautions of cooking equipment; and such other functions as required by the Fire Official or his assigned designee.

(d) Fire watches shall be performed by active members of the Fire Department. Any qualified individuals used for the purposes of a fire watch shall report directly to the Fire Official or his/her assigned designee, who will, in turn, report to and be subject to the direction of the Borough Administrator.

(e) All fire watch services ordered for the benefit/protection of private property shall be paid at the rate of \$40 per hour per person, and there shall be a minimum payment of four hours per worker plus an administration fee of 15% applied for the individual and the vehicle used. Additionally, there will be a fee of \$10 per hour for the use of a regular Borough motor vehicle and a fee of \$25 per hour for the use of each Borough fire apparatus. All payments shall be made within 10 days after service is provided.

(d) All payments to the Fire Department for a fire watch shall be paid into \_\_\_\_\_. No volunteer firefighter shall be paid for any fire watch under this ordinance.

(e) The Fire Department indemnifies and holds the Borough harmless (including for negligence) for any fire watches not ordered by the Borough. For fire watches ordered by the Borough, the Fire Department shall secure the same indemnification from the building owner in a form provided by the Borough.

(f) Any building otherwise subject to this ordinance can opt out of a fire watch by submitting proof to the Fire Department that the building is covered by a private security watch or other comparable substitute for a fire watch.

**Section 3. Repealer.** All prior ordinances that are inconsistent with this ordinance are repealed. All ordinances are hereby amended to be consistent with this ordinance and all ordinances, including this one, shall be construed consistent with the express purpose of this ordinance.

**Section 4. Savings and Construction.** This ordinance shall be construed consistent with the purpose stated in section 1 hereof. Any ambiguities in this ordinance shall be construed in accordance with the purpose of this ordinance. If any part of this ordinance is invalidated by a court of competent jurisdiction, the remainder of this ordinance shall be saved to the full extent possible. This ordinance repeals provisions of the Borough Code only where stated herein; otherwise this ordinance is amendatory and supplementary to existing provision of the Borough Code.

**Section 5. Codification.** This ordinance shall be codified as Article VII, "Fire Watch Program," Chapter 178-39 of the Woodcliff Lake Code.

**Section 6. Effective Date.** This ordinance shall take effect immediately upon approval and publication of notice of adoption as provided by law.