Short-term Rentals Frequently Asked Questions

Chapter 255 of the Jersey City Municipal Code (the “Ordinance”) establishes the permitting requirements and penalties for Short-term Rentals in the City. The following will serve to summarize the Ordinance requirements and answer some common questions.

What is a Short-term Rental (“STR”)?

A STR is the accessory use of a residential dwelling, a Short-term Rental Property (“STRP”), for a period of no more than 28 consecutive days.

Who is allowed to be a STR landlord?

STRs may only be operated by a property owner after obtaining a permit.

Can an owner of any type of property in Jersey City obtain a permit?

No. Only the following types of properties and owners will qualify for a permit:

- A dwelling or rooms within the dwelling located in a condominium association, homeowners association, or cooperative association, where:
  1. the association’s Bylaws, Master Deed, or other relevant governing document permits STRs, and
  2. the owner of the unit legally identifies an address within the association as his or her principal residence.

- Individually or collectively owner-occupied single-family residences, in whole or in part.

- Two dwelling units or rooms within the units in a two-family residential dwelling, where one unit is owner-occupied.
Short-term Rentals Frequently Asked Questions

- Two dwelling units or rooms within the units in a three (3) or four (4) unit multiple dwelling, which is not a condominium or other association, where one of the other dwelling units is owner-occupied.

- No more than three rooms within an owner-occupied single-family residence operating as a bed and breakfast as defined in the City Code. (Certain occupancy limits apply to this type of STR.)

A permit is required for each STR even if the STR is owned by the same owner and/or the STRs are in the same dwelling.

What does “owner occupied” mean?

“Owner-occupied” means that the owner of the STRP resides in the STRP or in the principal residential unit with which the STRP is associated on the same lot, and identifies same as his or her principal residence. If a STRP is not owned by an individual, then at least one principal or member of the owner entity must reside in the STRP or in the principal residential unit with which the STRP is associated on the same lot, and identify same as his or her principal residence.

In those cases where an owner was operating two STRs at the time this Ordinance was adopted (June 25, 2019), the owner may continue to operate the non-owner occupied STR provided that (1) the non-owner occupied STR qualifies as a type of property in which a STR may be operated; (2) a person is designated for maintenance, to answer for the conduct of the transient guests, and for service of process; and (3) all other conditions of the Ordinance are met.

What does “principal residence” mean?

“Principal residence” means the address:

(1) where at least one of the property owners spends the majority of his or her non-working time;
(2) which is most clearly the center of his or her domestic life; and
(3) which is identified on his or her driver’s license or State Identification Card as being his or her legal address.

All the above requirements must be met in order for an address to constitute a principal residence.

What does Responsible Party mean?

“Responsible Party” means the STRP owner or a person (property manager) designated by the owner to be called upon and be responsible at all times during the period of a STR and to answer for the maintenance of the STRP, or the conduct and acts of occupants of the STRP, and, in the case of the property manager, to accept service of legal process on behalf of the STRP owner.
Short-term Rentals Frequently Asked Questions

What does Short-Term Rental Property Agent mean?

“Short-Term Rental Property Agent” means any New Jersey licensed real estate agent or other person designated and charged by the STRP owner with the responsibility for making the STR permit application to the City on behalf of the owner, and fulfilling all of the obligations in connection with completion of the application process on behalf of the owner. The STRP Agent must be available for and responsive to contact on behalf of the owner at all times.

Can a tenant be a STR landlord?

No.

Is there a limit on the number of nights that a STRP can be rented as a STR?

By definition, a STR cannot be more than 28 consecutive days. The only other limitation on the number of nights is that rentals of any dwelling unit where the owner/operator of the STRP is not present may be conducted no more than sixty (60) total nights per calendar year.

How can a property owner apply for a permit?

The Division of Housing Preservation will begin accepting permit applications on December 3, 2019. Permit applications must be completed online at:

https://cityofjerseycity.com/CityHall/HousingAndDevelopment/housingpreservation

What are the requirements for obtaining a permit?

A permit is required for each STR even if the STR is owned by the same owner and/or the STRs are in the same dwelling.
In addition to the permit application fee ($250.00 for the initial application and $200.00 annually thereafter), the following information is required:
1) STRP information - Street address, tax block and lot, and ward
2) STRP owner personal contact information – Name, address, email, telephone number
3) If the owner of record is not a natural person, names and personal contact information for all partners, officers and/or directors of the owner entity
4) STRP Agent - 7 day a week, 24-hour a day contact information
5) STRP Responsible Party - 7 day a week, 24-hour a day contact information
6) Parking Spaces - The number and location of all parking spaces available to the STRP, which shall include the number of legal off-street parking spaces and on-street parking spaces directly adjacent to the premises.
Short-term Rentals Frequently Asked Questions

Documentation required:

- **Proof of the owner's current ownership of the STR unit (ie – tax bill)**
- **Proof of principal residence (ie – driver’s license or State ID card)**
- **Copies of two (2) recent (less than 30 days old) utility bills**
- **Proof of general liability insurance in a minimum amount of $500,000.00**
- **Copy of the Bylaws, Master Deed, or other relevant governing document if the STR is in a condominium or other association.**

- **Zoning Compliance Certificate (ZCC)**
  
  The Certificate must be obtained from:
  Division of Zoning Enforcement
  City Hall Annex
  1 Jackson Square
  Jersey City, New Jersey 07305
  (201) 547-4832

  To obtain the ZCC please provide a written request for the ZCC and include a photo of the property and the appropriate unit number along with a money order for the $100 fee payable to the City of Jersey City. These can be hand-delivered or mailed to the Division of Zoning Enforcement at the address above.

- **Proof of no outstanding fines or penalties with Jersey City Municipal Court**
  
  - Initial applications - confirmation must be obtained from:
    Office of the Municipal Prosecutor
    365 Summit Avenue, Room 219
    Jersey City, New Jersey 07306
    (201) 209-6755
    Email: prosecutor@jcnj.org

  This request must be made by email. The applicant must specify that he/she is requesting confirmation that (1) there are no outstanding fines or penalties with Jersey City Municipal Court and that (2) there are no noise violations under Local Ordinance Chapter 222 in the last two years, as required for a STR permit. The request must include the name, address, email address and telephone no. of the owner or, if the owner is not a natural person, names and personal contact information for all partners, officers and/or directors of the owner entity. The Office of the Municipal Prosecutor will respond to the request with a written confirmation; if there are outstanding fines, penalties or violations these will have to be resolved in order to qualify for a STR Permit.
Short-term Rentals Frequently Asked Questions

- Renewal applications - confirmation must be obtained from:
  Municipal Court, Summit Avenue, Room 118
  Jersey City, New Jersey 07306
  201-209-6730
  Email municipalcourtinfo@jcnj.org

  The applicant must specify that he/she is requesting confirmation that (1) there are no outstanding fines or penalties with Jersey City Municipal Court and that (2) there are no noise violations under Local Ordinance Chapter 222 in the last two years, as required for a STR permit. The request must include the name, address, email address and telephone no. of the owner or, if the owner is not a natural person, names and personal contact information for all partners, officers and/or directors of the owner entity. The Municipal Court will respond to the request with a written confirmation; if there are outstanding fines, penalties or violations these will have to be resolved in order to qualify for a renewal of the STR Permit.

- Proof of no outstanding taxes, water and sewer charges
  Confirmation must be obtained from:
  Division of Collections
  City Hall
  280 Grove Street, Room 101
  Jersey City, New Jersey 07302
  (201) 547-5124
  Email: jctaxcollectorinquiry@jcnj.org

  The applicant must specify that he/she is requesting confirmation that there are no outstanding taxes, water and sewer charges as required for a STR permit. The request must include the property address including the unit no. if applicable and the name and current address of the owner.

- In addition, for renewal applications, proof of collection and remittance to the city of the Hotel and Transient Accommodation Occupancy Tax (6%) with a certified accounting of the tax collected as attached to the Certification of Owner Re: Tax Remittance.

- Affidavit of Owner with Notice to Transient Occupants

- Certification of STRP Agent

- Certification of Responsible Party
Short-term Rentals Frequently Asked Questions

These forms – Affidavit of Owner, Certification of STRP Agent, Certification of Responsible Party, and Notice to Transient Occupants available online at:

https://cityofjerseycity.com/CityHall/HousingAndDevelopment/housingpreservation

Is an inspection required?

Yes. Once the permit application is reviewed and all the necessary documents are verified, inspections for compliance with the city’s fire safety regulations and Property Maintenance Code will need to be scheduled with:

- An inspector from the Division of Housing Preservation
  Email: HousingPreservation@jcnj.org

- An inspector from the Division of Fire
  ○ Email: mrubiano@njjcps.org
    ▪ Subject line must list the address of property and indicate “STR inspection request”
    ▪ The email must contain the following information:
      • Name
      • Mailing address
      • Phone number

What is required to pass the inspections?

The Property Maintenance Code, Chapter 254 of the Jersey City Municipal Code, establishes minimum standards for the maintenance, appearance, condition, utilities, facilities, and occupancy of dwellings. STRPs must meet these standards. The Fire Safety requirements differ depending on type of property. The fact sheet, check list, and sample Violation Notice attached summarize the requirements.

When will the permit be issued?

Upon receipt of compliant documentation and satisfactory inspections, as set forth above, the permit will be issued within thirty (30) days.

Can a STR owner operate a STR without a permit?

No. An individual or entity may not operate a STRP or advertise a residential property for use as a STR, without the owner/operator of the property first obtaining a STR permit issued by the Division of Housing Preservation.
Fire Code Status Inspection Requirements

- **One/Two Family Homes**
  (See attached Jersey City Department of Public Safety - Division of Fire Certification)

  1- Working battery operated Smoke Detectors. Ten (10) year sealed battery devices required.
  2- Working Carbon Monoxide Detectors. These can be plug in or battery operated.
  3- Fire Extinguisher within ten (10) feet of the kitchen, mounted to the wall (no more than five (5) feet from the floor) and must be an approved listed and labeled device having a minimum rating of 2A-10B:C and be no more than 10 pounds.
  4- Safety review to insure that the interior stairs are not obstructed.
  5- Safety check of the furnace/hot water heater room to insure that the devices are vented properly and do not have combustibles stored in close proximity.

- **Three/Four Family Homes**

  1- Each unit needs working battery-operated smoke detectors. These smoke detectors need to be 10 year sealed battery devices.
  2- Each unit needs working battery operated detectors. These devices can be battery operated or plug in. They do not have to be ten year sealed battery devices.
  3- Egress review to determine if a fire escape is required.
     General rule: If the building does not have sprinklers, is three stories in height, there is only one interior stair and floor surface within the third floor unit is more than 16 feet, a Fire Escape is necessary.
  4- If an existing fire escape is in place, provide your 5-year structural report to insure the fire escape is structurally sound and available for use as intended.
  5- If an electric fire alarm system is in place in the common area or throughout the building, provide a written report from a licensed electrician to confirm the alarm devices have been tested and are operational.
  6- If the basement is located below grade and falls under the Code Requirements of a windowless basement, provide contact information for the entity responsible for monitoring the alarm system.
  7- Egress stairwells need to be clear of storage and provide a clear well lighted egress path out of the building.
  8- Furnace/hot water room must be clear of combustibles.
  9- Electric and gas meters must be clear of storage and accessible by firefighters during any emergent conditions.

- **Condominiums**

  1- Provide a copy of annual Fire Inspection report from the Condominium Board which report will confirm that the building and common area systems (alarms, sprinklers, elevators) are in compliance.
  2- The unit must meet the requirements of One/Two Family Homes above.
Submitted to the Fire Official
City of Jersey City, N.J.
N.J.A.C. 5:70-2.3(a) Before a one-family, two-family, or attached single family 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, carbon monoxide alarm, and portable fire extinguisher compliance CSACMAPFEC, evidencing compliance with N.J.A.C. 5:70-4.19, from the appropriate enforcing agency.

PROPERTY LOCATION:

CHECK PROPERTY TYPE: □ 1 FAMILY □ 2 FAMILY □ CONDOMINIUM UNIT #: __________

DATE & TIME OF INSPECTION:

NAME OF OWNER OF PROPERTY:

NAME (PERSON CONDUCTING TEST):

ADDRESS (PERSON CONDUCTING TEST):

PHONE # (PERSON CONDUCTING TEST):

PLEASE CHECK ALL THAT APPLY
NIAC 5:70 – 4.19 (a) (b) (c) (d) (e)

<table>
<thead>
<tr>
<th>SMOKED DETECTOR REQUIREMENTS:</th>
<th>(A), TEN YEAR SEALED BATTERY SINGLE STATION DEVICES</th>
<th>(B), ON EACH LEVEL OF THE PREMISE (C), OUTSIDE OF EACH SEPARATE SLEEPING AREA</th>
<th>(D), ELECTRIC DEVICES SHALL MEET THE REQUIREMENTS OF THIS CODE AND SHALL NOT BE REPLACED WITH BATTERY OPERATED DEVICES</th>
<th>(E), BY CHECKING THE BOX TO THE LEFT YOU CONFIRM THAT THESE DEVICES ARE INSTALLED AS REQUIRED</th>
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</thead>
<tbody>
<tr>
<td>CARBON MONOXIDE ALARM REQUIREMENTS:</td>
<td>(A), INSTALLED AND MAINTAINED IN THE IMMEDIATE VICINITY OF THE SLEEPING AREAS</td>
<td>(B), MAY BE BATTERY OPERATED, HARD-WIRED, OR THE PLUG-IN TYPE</td>
<td>(C), BY CHECKING THE BOX TO THE LEFT YOU CONFIRM THAT THESE DEVICES ARE INSTALLED AS REQUIRED</td>
<td></td>
</tr>
<tr>
<td>PORTABLE FIRE EXTINGUISHERS REQUIREMENTS:</td>
<td>(A), THE EXTINGUISHER IS AN APPROVED LISTED AND LABELED DEVICE WITH A MINIMUM RATING OF 2A-10B:C AND NO MORE THAN 10 POUNDS</td>
<td>(B), THE EXTINGUISHER IS INSTALLED WITHIN 10 FEET OF THE KITCHEN AND LOCATED IN THE PATH OF EGRESS</td>
<td>(C), THE EXTINGUISHER IS READILY ACCESSIBLE AND NOT OBSTRUCTED FROM VIEW</td>
<td>(D), THE EXTINGUISHER IS MOUNTED USING THE MANUFACTURER HANGING BRACKET SO THAT THE OPERATING INSTRUCTIONS ARE CLEARLY VISIBLE</td>
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NIAC 5:70-212(b)(9), II SUBMISSION OF A MATERIALLY FALSE APPLICATION FOR A PERMIT OR REGISTRATION -- A MAXIMUM OF $1000.00 PER OCCURANCE.

TEST CONDUCTED BY: SIGN AND PRINT NAME

DATE

NOTARY SEAL TO RIGHT CORNER:
THE STATE FIRE CODE HAS CHANGED

THE NEW JERSEY FIRE CODE HAS CHANGED. THE FOLLOWING DEVICES ARE NOW REQUIRED TO BE INSTALLED AND/OR IN PLACE IN ORDER TO SECURE YOUR CSACMAPFEC CERTIFICATE.

1. 10 YEAR SEALED BATTERY SMOKE ALARM  2. CARBON MONOXIDE ALARM

3. FIRE EXTINGUISHER

PROCEDURE TO OBTAIN A CSACMAPFEC CERTIFICATE

TO ASSIST HOMEOWNERS WITH COMPLIANCE, THE FIRE PREVENTION BUREAU WILL CONDUCT WALK THROUGH INSPECTIONS. PRIOR TO THE ISSUANCE OF YOUR CERTIFICATE, FOLLOW THESE GUIDELINES TO ALLOW FOR AN EFFICIENT PROCESS:

1. COMPLETE THE SMOKE CERTIFICATE APPLICATION AND HAVE THE APPLICATION NOTARIZED.
2. REPORT TO FIRE HEADQUARTERS WITH THE FOLLOWING:
   I. NOTARIZED FORM
   II. CHECK OR MONEY ORDER IN THE AMOUNT OF $75.00 MADE OUT TO CITY OF JERSEY CITY
   III. KEYS TO THE PROPERTY
3. BE PREPARED TO LEAVE FIRE HEADQUARTERS AND MEET WITH A FIRE INSPECTOR AT THE PROPERTY.
Submitted to the Fire Official
City of Jersey City, N.J.

N.J.A.C. 5:70-2.3(a) Before a one-family, two-family, or attached single family 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, carbon monoxide alarm, and portable fire extinguisher compliance CSACMAPPEC, evidencing compliance with N.J.A.C. 5:70-4.19, from the appropriate enforcing agency.

Fire Prevention has received your request for an inspection for your short term rental. The following items will be required at the time of inspection.

☐ 10 YEAR SEALED BATTERY OPERATED SMOKE DETECTORS-
   Carefully read the attached certification form. The form must be completed entirely and notarized and submitted to the inspector at time of inspection. The test must be conducted by the property owner or registered agent.

☐ BATTERY OPERATED CARBON MONOXIDE DETECTOR- Carefully read the attached certification form. The form must be completed entirely and notarized and submitted to the inspector at time of inspection. The test must be conducted by the property owner or registered agent.

☐ FIRE EXTINGUISHER MOUNTED BY KITCHEN EGRESS PATH

☐ SERVICE ROOMS/ UTILITIES ROOM FREE OF STORAGE
BATTERY OPERATED SMOKE DETECTORS & CARBON MONOXIDE DETECTOR CERTIFICATION FORM

Submitted to the Fire Official
City of Jersey City, N.J.

As required under The New Jersey Uniform Fire Code N.J.A.C. 5:70-3, 103.4, Technical Assistance. The Fire Official is authorized to require the owner or agent to provide, without charge to the jurisdiction, a technical and opinion report. The opinion and report shall be prepared by a qualified specialist, laboratory or fire safety specialty organization acceptable to the fire code official. The reports are to determine the acceptability of technologies, processes, products, facilities, materials and uses attending the design, operation or use of a building or premises subject to inspection by the Fire Code Official.

ADDRESS OF INSPECTION: __________________________

DATE & TIME OF INSPECTION: __________________________

NAME OF ELECTRICAN, FIRE ALARM COMPANY OR REGISTERED OWNER OR AGENT

ADDRESS, CITY, STATE AND ZIP CODE

PHONE NUMBER

PROFESSIONAL LICENSE #

TEST CONDUCTED BY: SIGN AND PRINT NAME __________________________ DATE __________________________

PLEASE CHECK ALL THAT APPLY

<table>
<thead>
<tr>
<th>BY SIGNING AND CERTIFYING BELOW, YOU HEREBY CONFIRM THAT YOU HAVE INSPECTED ALL 10 YEAR BATTERY OPERATED SMOKE DETECTORS IN ALL APARTMENT'S THROUGH-OUT THE ENTIRE PREMISES LISTED ABOVE. ALL 10 YEAR BATTERY OPERATED SMOKE DETECTORS ARE OPERATIONAL AND ARE IN WORKING ORDER. ALL BATTERY OPERATED SMOKE DETECTORS MUST BE 10 YEAR SEALED DEVICES AS PER: N.J.A.C. 5:70-4.19(a) AND N.J.A.C. 5:70-3, 907.21.1</th>
</tr>
</thead>
<tbody>
<tr>
<td>BY SIGNING AND CERTIFYING BELOW, YOU HEREBY CONFIRM THAT YOU HAVE INSPECTED ALL CARBON MONOXIDE DETECTORS IN ALL APARTMENT'S THROUGH-OUT THE ENTIRE RESIDENTIAL PREMISES LIST ABOVE, AND THAT ALL CARBON MONOXIDE DETECTORS ARE OPERATIONAL AND IN WORKING ORDER AS PER: N.J.A.C. 5:70-4.19(d).</td>
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AFFIX COMPANY SEAL OR NOTARY SEAL TO RIGHT CORNER:

Updated 2019
To:  SHORT-TERM RENTAL VIOLATION SAMPLE
     465 MARIN BLVD
     JERSEY CITY NJ 07302

NOTICE OF VIOLATIONS
and
ORDER TO CORRECT

Premises:  SHORT-TERM RENTAL VIOLATION SAMPLE
Address:  465 MARIN BLVD,
          JERSEY CITY NJ 07302
Phone:  201-547-4255

Type of use:

BUILDING OWNER                          AGENT                          TENANT/OPERATOR
Name:  JOHN SMITH
Address:  465 MARIN BLVD
         JERSEY CITY NJ 07302
Phone:  201-547-4255

YOU ARE HEREBY NOTIFIED THAT an inspection by the Jersey City Fire Prevention Bureau disclosed violations of the Uniform Fire Code (N.J.A.C. 5:70-1 et. seq.), promulgated pursuant to the New Jersey Uniform Fire Safety Act (N.J.S.A. 52:27D-192 et. seq.). The violations are specified on the accompanying "Violations Report" page(s).

YOU ARE HEREBY ORDERED by the FIRE OFFICIAL to correct the violations listed on the accompanying "Violations Report" page(s) within the time, or by the date specified. If a reinspection discloses that violations have not been corrected, and an extension has NOT been requested and granted, you will be subject to penalties of up to $5,000 per violation per day, or as otherwise authorized by the Act and Bureau Regulations.

IN ADDITION, the ACT imposes liability on the owner for the actual costs of fire suppression where a violation directly or indirectly results in fire.

If you do not understand this order, need assistance, or desire further information about this order, please call the Fire Prevention Division at (201) 547-4253.

BY ORDER OF THE FIRE OFFICIAL

_____________________________
Fire Official/Fire Inspector

APPEAL RIGHTS-EXTENSIONS

See the attached page of information concerning your administrative appeal rights, authorized penalties and the procedure for requesting an extension of time in which to correct violations.

_____________________________
Signature of Owner or Representative

_____________________________
Printed Name of Owner or Representative

_____________________________
Date
### VIOLATIONS

Date:

Inspector:

The violations cited on the above premises are as follows:

<table>
<thead>
<tr>
<th>Number</th>
<th>Description</th>
<th>Abate by</th>
</tr>
</thead>
</table>
| 1.     | Location: RESIDENTIAL UNITS  
Nature: TEST REPORTS REQUIRED FOR SINGLE STATION 10 YEAR  
BATTERY SEALED SMOKE DETECTOR: FORMS ATTACHED  
Code Section: N.J.A.C. 5:70-4.9(a)3.v | 06/18/2021 |
| 2.     | Location: RESIDENTIAL UNITS  
Nature: SUBMIT ANNUAL CARBON MONOXIDE TEST REPORT  
Code Section: N.J.A.C. 5:70-4.9(d) | 06/18/2021 |
| 3.     | Location: KITCHEN EGRESS PATH  
Nature: FIRE EXTINGUISHERS – ANNUAL TEST REPORT – SHOW UPDATED TAGS ON ALL DEVICES MOUNTED TO WALL  
Code Section: N.J.A.C. 5:70-3, 906.2 | 06/18/2021 |
| 4.     | Location: SERVICE ROOMS / UTILITIES ROOM  
Nature: STORAGE PROHIBITED IN SERVICE ROOM  
Code Section: N.J.A.C. 5:70-3, 315.2.3 | 06/18/2021 |

Key: The numbering of violations is for identification purposes only and shall not be construed as bearing in any way on the seriousness of any violation.

"U" Unabated – Violation uncorrected.  
"A" Abated – Violation corrected.
ADDITIONAL EXPLANATION

Violation #01: TEST REPORTS REQUIRED FOR SINGLE STATION 10 YEAR BATTERY SEALED

5:70-4.6  Automatic fire and carbon monoxide alarms

(a) An automatic fire alarm system shall be installed as required below in accordance with the New Jersey Uniform Construction Code.

3. In all buildings of Use Group R-2 as follows:

v. In dwelling units, approved 10-year sealed battery-powered single station alarms shall be installed. The effective date of this subparagraph shall be January 1, 2019. The alarms shall be maintained in accordance with N.J.A.C. 5:70-3, the State Fire Prevention Code, Section 907.11.2.

Violation #02: SUBMIT ANNUAL CARBON MONOXIDE TEST REPORT

5:70-4.6  Automatic fire and carbon monoxide alarms

(d) Effective September 3, 2017, carbon monoxide detection equipment shall be installed in all existing buildings which contain a fuel-burning appliance or have an attached garage. An "open parking structure," as defined in the building subcode of the Uniform Construction Code, shall not be deemed to be an attached garage.

1. One- and two-family dwellings: Carbon monoxide detection shall be installed in buildings of Use Groups R-3 and R-4 in accordance with the requirements of N.J.A.C. 5:70-4.19.

2. Carbon monoxide detection equipment shall be installed in the immediate vicinity of each sleeping area in any guestroom or dwelling unit located in a building of Group I-1, R-1 or R-2 occupancies, except as provided in (d)2(i) or (ii) below.

   i. Guestrooms or dwelling units which do not themselves contain a fuel-burning appliance or have an attached garage, but which are located in a building with a fuel-burning appliance or an attached garage, need not be provided with single station carbon monoxide detection equipment provided that:

      (1) The guestroom or dwelling unit is located more than one story above or below any story which contains a fuel-burning appliance or an attached garage;

      (2) The guestroom or dwelling unit is not connected by duct work or ventilation shafts to any room containing a fuel-burning appliance or an attached garage and the building has a common area carbon monoxide alarm system with all common area detectors connected to an approved supervisory station or other approved local visual and audible supervisory signal; and
(3) Individual detection equipment is located in every room adjacent to the room(s) containing a fuel-burning appliance; and

(A) In every corridor, hall or lobby adjacent to such room(s);

(B) In the immediate vicinity of any ventilated shaft, including, but not limited to, stair shafts, elevator shafts, ventilation shafts on the story containing the fuel-burning appliance; and

(C) On any story within two stories above or below the story containing the fuel-burning appliance.

11. The building is provided with a supervised carbon monoxide detection system. Individual detectors shall be located in every room containing a fuel-burning appliance. All such detectors shall be connected to an approved supervisory station. Carbon monoxide and fire alarms may be incorporated into a common monitored system.

3. Carbon monoxide detection equipment shall be installed in all occupancies other than those listed in (d)2 above in accordance with this paragraph. Systems using detectors shall have a distinct visual and audible notification. When alarms are installed in lieu of detectors, they shall be located such that the audible signal is not less than 15 dB above the average ambient sound level. Carbon monoxide detectors or alarms shall be installed in the immediate vicinity of all potential source(s) of carbon monoxide.

1. Carbon monoxide detection equipment shall not be required:

(1) In locations, such as repair garages, where the presence of carbon monoxide may be expected as a function of the normal use of the space;

(2) In the immediate area of large-drop battery charging;

(3) In unconditioned spaces where detectors or alarms may be subject to ambient temperatures outside the device's listed operating range or spaces where exposure to potential contaminants which may adversely affect their operation. For unconditioned spaces that require such detection, detection equipment shall be installed in approved adjacent room(s) or space(s);

(4) In other occupiable space(s) not connected by duct work or ventilation shafts to any room containing a fuel-burning appliance or to an attached garage, provided that the building has a common area carbon monoxide detection system with all common area detectors connected to an approved supervisory station or other approved local visual and audible supervisory signal and individual carbon monoxide alarms are located:
(A) In every room adjacent to the room(s) containing a fuel-burning appliance, and in every corridor, hall or lobby adjacent to such room(s);

(B) In the immediate vicinity of any ventilated shaft, including, but not limited to, stair shafts, elevator shafts, or ventilation shafts on the story containing the fuel-burning appliance;

(C) In the first area served by each main duct leaving the area where the appliance is located; and

(D) Any story within two stories above or below a story containing a fuel-burning appliance.

4. For carbon monoxide detection systems in occupancies other than those listed in (d)2 above, audible and visual supervisory notification shall only be provided at the detector, control panel and remote annunciator. The balance of the system installation shall comply with NFPA 720 and with the Uniform Construction Code. Carbon monoxide and fire alarms may be incorporated into a common monitored system.

5. Carbon monoxide alarms shall be manufactured, listed and labeled in accordance with UL 2034 and shall be installed and maintained in accordance with the requirements of this section and the edition of NFPA 720 currently referenced in this chapter, as applicable. Carbon monoxide alarms may be battery operated, hard wired or of the plug-in type. Expired alarms shall be immediately replaced.

6. Carbon monoxide detection systems shall comply with the edition of NFPA 720 currently referenced in this chapter. Carbon monoxide detectors shall be listed in accordance with UL 2075.

Violation #03: FIRE EXTINGUISHERS - ANNUAL TEST REPORT - SHOW UPDATED PAGE ON

906.2 General requirements. Portable fire extinguishers shall be selected, installed and maintained in accordance with this section and NFPA 10.

Exceptions:

1. The distance of travel to reach an extinguisher shall not apply to the spectator seating portions of Group A-5 occupancies.

2. Thirty-day inspections shall not be required and maintenance shall be allowed to be once every 3 years for dry-chemical or halogenated agent portable fire extinguishers that are supervised by a listed and approved electronic monitoring device, provided that all of the following conditions are met:

   2.1. Electronic monitoring shall confirm that extinguishers are properly positioned, properly charged and unobstructed.

   2.2. Loss of power or circuit continuity to the electronic monitoring device shall initiate a trouble signal.
2.3. The extinguishers shall be installed inside of a building or cabinet in a noncorrosive environment.

2.4. Electronic monitoring devices and supervisory circuits shall be tested every 3 years when extinguisher maintenance is performed.

2.5. A written log of required hydrostatic test dates for extinguishers shall be maintained by the owner to verify that hydrostatic tests are conducted at the frequency required by NFPA 10.

3. In Group I-3, portable fire extinguishers shall be permitted to be located at staff locations.

906.2.1 Certification of service personnel for portable fire extinguishers. Service personnel providing or conducting maintenance on portable fire extinguishers shall possess a valid certificate issued by an approved governmental agency, or other approved organization for the type of work performed.

Violation #04: STORAGE PROHIBITED IN SERVICE ROOM
Ref: N.J.A.C. 5:70-3, 315.2.3
ADMINISTRATIVE APPEAL RIGHTS

GENERAL

YOU MAY CONTEST THESE ORDERS BY FILING AN APPEAL. The request for a hearing must be made in writing within 15 DAYS after receipt of this order and addressed to:

Jersey City Construction Board of Appeals
1 Jackson Square
Jersey City, New Jersey 07305

Copy to: Fire Prevention Division
City of Jersey City
465 Marin Blvd.
Jersey City, New Jersey 07302
Phone: (201) 547-4255

In accordance with the rules promulgated under the Administrative Procedure Act (N.J.A.S. 52:14B-1 et. seq. and 52:14F-1 et. seq.) an appeal request must sufficiently identify the decision or action you wish to appeal, and the specific reasons forming the basis for your dispute, in order that a decision may be made as to whether your appeal constitutes a contested case.

You are advised that only matters deemed to be CONTESTED CASES, as defined by the Administrative Procedures Act, will be scheduled for a Hearing. If a hearing is scheduled, you will be notified in advance of the time and place.

You are also advised that the appeal to the Construction Board of Appeals must be accompanied by the fee of $50.00; payable to Jersey City Construction Board of Appeals.

At a hearing, a corporation may be represented only by a licensed attorney, unless prior approval is given by the Office of Administrative Law.

EXTENSIONS

If a specified time has been given to abate a violation, YOU MAY REQUEST AN EXTENSION OF TIME by submitting a WRITTEN request to the JERSEY CITY FIRE PREVENTION BUREAU. To be considered, the request must be made before the compliance date specified and must set forth the work accomplished, the work remaining, the reason why an extension of time is necessary, and the date by which all work will be completed.

TAKE NOTICE THAT, pursuant to N.J.A.C. 5:70-2.10(d), an application for an extension constitutes an admission that the violation notice is factually and procedurally correct, and that the violations do or did exist. In addition, the request for an extension constitutes a waiver of the right to a hearing as to those violations for which an extension is applied.

PENALTIES

Violation of the Code is punishable by monetary penalties of not more than $5,000 PER DAY FOR EACH VIOLATION. Each day a violation continues is an additional, separate violation except while an appeal is pending. Specific penalties are as follows:

a. Failure to install required protection equipment after having been given written notice of the requirement to do so: A maximum of $2,500 per violation per day.

b. Failure to abate any violation after having been given notice of the violation: A maximum of $5,000 per violation per day.

c. Storage of any material in violation of this Code or the conduct of any process in violation of the Code: A maximum of $5,000 per violation per day.

d. Blocking, locking, or obstructing required exits:
   i. In a place of public assembly: A maximum of $5,000 per occurrence.
   ii. In any other place: A maximum of $2,500 per occurrence.

e. Disabling or vandalizing any fire suppression or alarm device or system:
   i. In a place of public assembly: A maximum of $5,000 per occurrence.
   ii. In any other place: A maximum of $1,000 per occurrence.

f. Failure to obey a Notice of Imminent Hazard and Order to Vacate: A maximum of $5,000 per day for each day that the failure continues.

g. Failure to obey an Order to Close for a fixed period of time: A Maximum of $5,000 per day that the failure continues.

h. Obstructing the entry into a premises or interfering with the duty of an authorized inspector: A maximum of $2,500 for each occurrence.

i. Any willfully false application for a Permit or Registration: A maximum of $1,000.00 for each occurrence.

j. Any other act or omission prohibited by the Act or the Regulations: A maximum of $5,000 per violation per day.

Claims arising out of penalty assessments can be compromised or settled if it shall be likely to result in compliance. Moreover, no such disposition can be finalized while the violation continues to exist.

Any penalties assessed are in addition to others previously assessed. Penalties must be paid in full within 30 days after an order to pay. If full payment is not made within 30 days, the matter will be referred to City Attorney for summary collection pursuant to the Penalty Enforcement Law (N.J.S.A. 2A:58-10 et. seq.).

NOTICE: If you require guidance or advice concerning your legal rights, obligations or the course of action you should follow, consult your own advisor.