ORDINANCE NO. 18-2014

AN ORDINANCE AMENDING CHAPTER XIV ADDING SECTION 14-5 CARBON MONIXIDE

CHAPTER XIV

14-5 Carbon Monoxide Detectors

14-5.1 Purpose.

 a. The Borough of Bloomingdale has increased concerns over carbon monoxide (CO) hazards. The purpose of this ordinance is to insure protection of individuals outside of residential environments.

14-5.2 Definitions.

 a. Carbon Monoxide Detector (CO detector): Device that detects the presence of the carbon monoxide (CO) gas in order to prevent carbon monoxide poisoning.

 b. Nursery School (also Preschool): Educational establishment offering early childhood education to children between the ages of three and five. Nursery School shall include privately operated or government-run centers, and the costs may be subsidized.

 c. Day Care Center: An establishment caring for children by a person(s) other than their legal guardians. Day care is typically an ongoing service during specific periods, such as the parents' time at work. Services may include but are not limited to education, child development, discipline and preschool education.

14-5.3 Required Locations.

 a. In every structure housing a licensed nursery school or day care facility, a carbon monoxide detector shall be installed and maintained at the following locations.

 1. Within ten (10) feet of any area used for sleeping or napping.

 2. One (1) detector shall be located for each 1,000 square feet of sleeping or napping area.

 3. Detectors must be located as designated by the Fire Official.

14-5.4 Specifications and Maintenance.

 a. The device shall be manufactured, listed and labeled in accordance with UL 2034 and installed in accordance with NFPA 720.

b. Detectors shall be battery operated or wall plug-in with battery back-up. When carbon monoxide detection is part of an automated fire alarm system, the provisions of this ordinance are satisfied.

 c. Detectors shall be replaced per manufacturer's recommendation.

 d. Detector batteries shall be changed every six (6) months or earlier as needed. A log must be kept of the battery replacement for each detector. The log shall contain the location of the detector, date of replacement and signature of person replacing battery. The log shall be available upon request of the Fire Official or Building Inspector.

14-5.6 Installation, Enforcement and Penalties.

 a. It shall be the duty of the Fire Official or a designated representative to enforce the provisions of this ordinance.

 b. The Fire Official shall perform an initial placement survey within sixty (60) days of the adoption of this ordinance and notify in writing all licensed nursery schools and day care centers of the need to install and maintain carbon monoxide detectors. The licensed nursery school or day care center must install the required carbon monoxide detector(s) upon thirty (30) days’ notice from the Fire Official.

 c. Each CO detector shall be tested and the replacement logs reviewed during regular fire code inspections.

 d. Failure to comply with any provision of this ordinance shall be subject to the fines and penalties pursuant to the Uniform Fire Code Section 901.4.1 Fire Protection Systems and/or $150.00 per day until satisfied.

14-5.7 Precedence.

 a***.*** If county or state governments subsequently adopt requirements for carbon monoxide detection that contradict with this Ordinance, then the rules of the highest jurisdiction shall govern.

14-5.8 Limitation of Liability.

 a. This Section 14-5 Carbon Monoxide Detectors shall not be construed to hold the Borough of Bloomingdale, its officers or employees responsible for any injury to persons or damage to property by reason of the inspection or re-inspection authorized herein, or failure to inspect or re-inspect as herein provided or by reason of the approval or disapproval of any fire alarm system or carbon monoxide detector authorized herein.

**NOTICE**

NOTICE IS HEREBY GIVEN, that the above Ordinance was introduced and passed on first reading at the Regular Meeting of the Governing Body of the Borough of Bloomingdale held in the Municipal Building on the 21st day of October 2014, and the same shall come up for final passage at the Work Session Meeting of the Governing Body to be held on the 25th day of November 2014, at 7:00 P.M., at which time any persons interested shall be given the opportunity to be heard concerning said Ordinance

Jane McCarthy, Municipal Clerk