

52:27D-213

LEGISLATIVE HISTORY CHECKLIST
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NJSA: 52:27D-213

(Local
government
facilities--fire
inspection)

LAWS OF: 1991

CHAPTER: 222

Bill No: S1944

Sponsor(s): Orechio

Date Introduced: Pre-filed

Committee: Assembly: Municipal

Senate: County and Municipal Government

Amended during passage: No

Date of Passage: Assembly: June 13, 1991

Senate: March 8, 1990

Date of Approval: July 26, 1991

Following statements are attached if available:

Sponsor statement: Yes

Committee Statement: Assembly: Yes

Senate: Yes

Fiscal Note: No

Veto Message: No

Message on signing: No

Following were printed:

Reports: No

Hearings: No

KBG/SLJ

1 AN ACT concerning fire safety and amending P.L.1983, c.383.

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

5 1. Section 22 of P.L.1983, c.383 (C.52:27D-213) is amended
6 to read as follows:

7 22. a. This act shall not be construed as authorizing the
8 adoption of a regulation or the enactment of an ordinance
9 requiring that a building conforming in all respects to the
10 requirements of the "State Uniform Construction Code Act,"
11 P.L.1975, c.217 (C.52:27D-119 et seq.) be made to conform to
12 more restrictive standards.

13 b. Buildings, structures and premises owned or operated by
14 the State, its agencies, departments, or instrumentalities or an
15 interstate agency shall be inspected exclusively by the
16 Department of Community Affairs, and shall conform to this act
17 in the same manner as all other buildings, structures and
18 premises of similar construction and use classification; but no
19 fees or penalties shall be charged to or assessed against the
20 State, its agency, department or instrumentality, or an
21 interstate agency. For purposes of this section, a unit of local
22 government, whether county, inter-local or municipal, or a
23 local, county, regional or consolidated school district, shall not
24 be deemed to be an instrumentality of the State.

25 c. Buildings, structures and premises subject to inspection for
26 fire safety by an agency of the State shall be inspected by the
27 agency in accordance with the standards established pursuant to
28 this act. Any State fire safety standard for buildings, structures
29 or premises established by or pursuant to any statute other than
30 this act shall continue in effect until such time as that standard
31 is superseded by appropriate regulations promulgated under this
32 act. An agency of the State that enforced fire standards prior
33 to the effective date of this act shall be entitled to petition the
34 commissioner to establish a regulation establishing the standards
35 it considers to be necessary and appropriate for buildings,
36 structures and premises subject to its inspection.

37 (cf. P.L.1983, c.383, s.22)

38 2. This act shall take effect immediately.

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in the
above bill is not drafted and is intended to be omitted in the law.

Matter underlined thus is new matter.

S1944

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PUBLIC SAFETY

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Clarifies that local government facilities are to be inspected by local fire inspectors.

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STATEMENT

When the "Uniform Fire Safety Act," P.L.1983, c.383, was enacted, it was not the intention of the Legislature to place locally owned buildings under the exclusive jurisdiction of the Department of Community Affairs. Subsection b. of section 22 of the act was, on the contrary, intended to apply only to property owned by the State of New Jersey or interstate agencies. Some municipalities, however, have contended that local units and school districts may also be considered State instrumentalities. This amendatory legislation is intended to make it clear, in conformity with the original legislative intent, that the facilities of local units and school districts will continue to be inspected primarily by local fire inspectors.

PUBLIC SAFETY

Clarifies that local government facilities are to be inspected by local fire inspectors.

ASSEMBLY MUNICIPAL GOVERNMENT COMMITTEE

STATEMENT TO

SENATE, No. 1944

STATE OF NEW JERSEY

DATED: SEPTEMBER 10, 1990

The Assembly Municipal Government Committee reports favorably Senate Bill No. 1944.

Senate Bill No. 1944 clarifies that local government facilities are to be inspected by local fire inspectors.

When the "Uniform Fire Safety Act," P.L.1983, c.383, was enacted, it was not the intention of the Legislature to place locally owned buildings under the exclusive jurisdiction of the Department of Community Affairs. Subsection b. of section 22 of the act was, on the contrary, intended to apply only to property owned by the State of New Jersey or interstate agencies. Some municipalities, however, have contended that local units and school districts may also be considered State instrumentalities. This amendatory legislation is intended to make it clear, in conformity with the original legislative intent, that the facilities of local units and school districts will continue to be inspected primarily by local fire inspectors.

SENATE COUNTY AND MUNICIPAL
GOVERNMENT COMMITTEE

STATEMENT TO

SENATE, No. 1944

STATE OF NEW JERSEY

DATED: FEBRUARY 5, 1990

The Senate County and Municipal Government Committee reports favorably Senate Bill No. 1944.

Senate Bill No. 1944 clarifies that local government facilities are to be inspected by local fire inspectors.

When the "Uniform Fire Safety Act," P.L.1983, c.383, was enacted, it was not the intention of the Legislature to place locally owned buildings under the exclusive jurisdiction of the Department of Community Affairs. Subsection b. of section 22 of the act was, on the contrary, intended to apply only to property owned by the State of New Jersey or interstate agencies. Some municipalities, however, have contended that local units and school districts may also be considered State instrumentalities. This amendatory legislation is intended to make it clear, in conformity with the original legislative intent, that the facilities of local units and school districts will continue to be inspected primarily by local fire inspectors.

This bill was pre-filed for introduction in the 1990 session pending technical review. As reported, the bill includes the changes required by technical review which has been performed.