

ORDINANCE 2025-15

**AN ORDINANCE OF THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN, STATE OF NEW JERSEY,
AMENDING CHAPTER 447 PROPERTY MAINTENANCE**

WHEREAS, Chapter 447, Property Maintenance, of the Code of the Town of Phillipsburg establishes the minimum regulations to be upheld for the inspection of property within the Town; and

WHEREAS, the Town has adopted regulations and amendments thereof of the International Property Maintenance Code (2000 Edition) known as the "Property Maintenance Code"; and

WHEREAS, changes to other regulations and new information require the Property Maintenance Code to itself be maintained; and

WHEREAS, this code is essential to ensure safe and sanitary conditions for occupants; and

WHEREAS, there is a need to amend the code to reflect the current needs and interest of the Town;

NOW THEREFORE BE IT ORDAINED by the Town Council, Town of Phillipsburg, County of Warren, State of New Jersey as follows:

Section 1

Chapter 447-3 Modifications shall be replaced and revised and amended as listed below:

Section 305.3.2, Containers, shall be replaced to read:

305.3.2 Containers. The operator of every establishment producing garbage, vegetable waste or other putrescent material shall provide at all times leakproof containers provided with closed-fitting covers for the storage of such materials until the removal from the premises for disposal. Approved containers shall be watertight and insect-tight metal or plastic containers with tightly fitting covers no larger than 45 gallons in capacity. Every outside container must be maintained and located on the premises so that no odor will permeate any dwellings, structures, or inhibit enjoyment of public sidewalks and right-of-ways. Containers must not be stored in front yards or visible to the front ROW without specific approval of an authorized code official. All rigid refuse containers and other non-disposable containers or receptacles used for storing refuse or garbage shall not be placed along the frontage of the property, curbside or within the Town right-of-way prior to 24 hours before the scheduled day for collection. All containers or receptacles must be constructed of sufficient strength to withstand the rigors of normal refuse collection practices. Plastic bags may not be placed for collection outside of an approved container, other than for lawn/leaf debris and are to be clear allowing for identification of the enclosed vegetative materials.

Section 504.1, General, shall be replaced to read:

504.1 General. All plumbing fixtures shall be properly installed, supported and maintained in working order, and shall be kept free from obstructions, leaks and defects and be capable of performing the function for which such plumbing fixtures are designed. All plumbing fixtures shall be maintained in a safe, sanitary and functional condition. Visible galvanized water lines at fixtures, made accessible during renovation, during the course of regular maintenance or inspection and servicing installed fixtures shall be eliminated and replaced with copper, cross-linked polyethylene, or other Approved lead-free materials to the greatest practicable extent in the equivalent size required to maintain adequate flow.

Section 505.1, General, shall be replaced to read:

505.1, General. Every sink, lavatory, bathtub or shower, drinking fountain, water closet or other plumbing fixture shall be properly connected to the municipal water system or where deemed impractical an approved private water system. All kitchen sinks, lavatories, laundry facilities, bathtubs and showers shall be provided with hot or tempered and cold running water in accordance with principles of the *National Standard Plumbing Code* and applicable municipal, state and federal health codes. Galvanized water supply lines, where visible in basements shall be eliminated and replaced with copper, cross-linked polyethylene, or other Approved lead-free materials to the greatest practicable extent in the equivalent size required to maintain adequate flow.

Section 505.4 Water heating facilities, shall be replaced to read:

505.4 Water heating facilities. Water heating facilities shall be properly installed, maintained and capable of providing an adequate amount of water to be drawn at every required sink, lavatory, bathtub, shower and laundry facility at a temperature not less than 110°F(43°C). Replacement or installation of valves serving a bathtub or shower shall be tempered by an Approved ASSE 1070 tempering valve [“mixing valve”] limiting temperature at the faucet to a maximum of 120°F (49°C). An Approved combination temperature and pressure-relief valve and relief valve discharge pipe shall be properly installed and maintained on water heaters.

A new Section 506.3, Grease interceptors, is added and shall read:

506.3, Grease interceptors. Grease interceptors and automatic grease removal devices shall be maintained in accordance with this code and the manufacturer’s installation instructions. Grease interceptors and automatic grease removal devices shall be regularly serviced and cleaned to prevent the discharge of oil, grease and other substances harmful or hazardous to the building drainage system, the public sewer, the private sewage disposal system or the sewage treatment plant processes. Records of maintenance, cleaning and repairs shall be available for inspection by the code official.

Section 704.1, Smoke detectors, shall be replaced to read:

704.1 Life safety devices and equipment. All Group R occupancies shall be provided with detection and alarm devices in accordance with this section. All other occupancies shall be provided with devices as determined compliant with applicable regulations. All detectors and alarms shall be equipped with a manual test button. All devices and equipment shall be installed in accordance with applicable municipal, state and federal codes. All single family and two-family homes shall be provided with a minimum 2-A:10-B:C fire extinguisher mounted within 10ft of the kitchen in an unobstructed location no higher than 5 feet above the finished floor and weigh no more than 10lbs. The extinguisher shall be maintained visibly as fully charged and in usable condition. Multiple dwellings shall be provided with 1-A:10-B:C fire extinguishers within each dwelling unit mounted within 10ft of the kitchen in an unobstructed location no higher than 5 feet above the finished floor and weigh no more than 10lbs.

Section 704.2, Installation, shall be replaced to read:

704.2 Installation. Approved single station smoke alarms shall be installed in the immediate vicinity and within 10 feet of bedrooms on each habitable story of a dwelling, including the basement. Attics shall require an Approved smoke alarm (or heat alarm where a nuisance is identified) where served by a permanent stair. Approved carbon monoxide alarms shall be installed in the immediate vicinity of and within 10 feet of bedrooms. Carbon monoxide alarms shall be installed in commercial units other than garages or similar areas where nuisance alarms. Required smoke alarms shall be 120v powered with battery backup or, where powered solely by battery, of the sealed type preventing battery removal. Smoke or Combo alarms with a manufacture date greater than 10 years prior must be replaced. Carbon monoxide alarms with a manufacture date greater than 5 years prior must be replaced. Existing 120v alarms or other interconnected detection systems must not be replaced by systems powered solely by battery or by systems providing other than an equivalent or greater degree of protection. Multiple-family dwellings shall be required to have a 120v interconnected with battery backup system installed in all common areas, including basements, vestibules, hallways, stairways and in other common or public elements of the building. Additional audible and/or visual alarms and central station monitoring shall be installed whenever required under provisions of the New Jersey Uniform Construction Code or New Jersey Uniform Fire Code as applicable.

Section 2

All ordinances or parts of ordinances inconsistent with this ordinance are hereby repealed to the extent of such inconsistencies.

Section 3

If any article, subsection, paragraph, phrase or sentence of this ordinance is, for any reason, declared to be unconstitutional or invalid, such article, section, subsection, paragraph, phrase or sentence shall be deemed severable.

Section 4

This ordinance shall take effect immediately upon final publication as provided by law.

ATTEST:

TOWN OF PHILLIPSBURG

Acting Municipal Clerk

Mayor

CERTIFICATION

NOTICE IS HEREBY GIVEN that the foregoing Ordinance was introduced to pass at a regular meeting of the Town Council of the Town of Phillipsburg held on July 23, 2024 and ordered published in accordance with the law. Said Ordinance will be considered for final reading and adoption at a regular meeting of the Town of Phillipsburg Council to be held on August 27, 2025 at 6:00PM or as soon thereafter as the Town Council may hear this Ordinance at the Phillipsburg Senior Center, 310 Firth Street, Phillipsburg, NJ 08865 at which time all persons interested may appear for or against the passage of said Ordinance.

Susan Turner, Acting Municipal Clerk