

Premises: Vintage Nutrition  
155 Midland Ave  
aka 155-159 Midland Ave  
Kearny, New Jersey 07032

Registration No. 00492-1  
Inspection Date: August 8, 2023  
Initial Inspector:  
Print Name: Daniel Murray  
Page number: 1

Owner/Agent: JeanCarlos Ramirez  
501 2nd Ave  
Lyndhurst, NJ0

## VIOLATIONS

Date:

Inspector:

The violations cited on the above premises are as follows:

| Number | Description (Maintenance: 3 Retrofit: 0)                                                                                                                                                  | Abate by   | U/A | U/A | U/A |
|--------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|-----|-----|-----|
| 1.     | Location: Entire premises<br>Nature: Fire Alarm/Detection Systems shall be tested annually<br>Code Section: N.J.A.C. 5:70-3,907.8.2                                                       | 09/07/2023 |     |     |     |
| 2.     | Location: first floor shop ceiling<br>Nature: Fire Barriers must be maintained according to Nfpa 80<br>Code Section: N.J.A.C. 5:70-3,703.1.3                                              | 09/07/2023 |     |     |     |
| 3.     | Location: exterior stairs to baement<br>Nature: Any fire escape or exterior stairway found to in disrepair or unsafe must be repaired immediately<br>Code Section: N.J.A.C. 5:70-3,1031.6 | 09/07/2023 |     |     |     |

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.



**KEARNY FIRE DEPARTMENT  
BUREAU OF COMBUSTIBLES**

109 MIDLAND AVENUE  
KEARNY, N.J. 07032

JUAN C. BARROSO JR  
FIRE OFFICIAL  
CHIEF FIRE INSPECTOR

PHONE: 201-955-7422 FAX: 201-998-8287

Mail To: Vintage Nutrition  
155 Midland Ave  
aka 155-159 Midland Ave  
Kearny, New Jersey 07032

**NEW JERSEY UNIFORM FIRE CODE  
CERTIFICATE OF INSPECTION**

Registration #: 00492-1  
Use Code: 1M  
Local ID: 00492-1

Issued To: Vintage Nutrition  
155 Midland Ave  
aka 155-159 Midland Ave  
Kearny, New Jersey 07032

LEA Code # 0907-001

Issue Date: 4/9/2021  
Quarterly Insp:

Expiration Date: 4/30/2022

THIS CERTIFIES THAT THE REFERENCED PROPERTY HAS BEEN INSPECTED  
PURSUANT TO THE UNIFORM FIRE SAFETY ACT AND SATISFIES MINIMUM  
REQUIREMENTS OF THE NEW JERSEY UNIFORM FIRE CODE.

**THIS CERTIFICATE MUST BE POSTED IN A CONSPICUOUS LOCATION IN  
THE ABOVE PREMISES.**

April 9, 2021  
Date

  
Inspector

 #166556  
Juan C. Barroso Jr.  
Fire Official/Chief Inspector



**Department of Fire  
Bureau of Combustibles**  
109 MIDLAND AVENUE  
KEARNY, NJ 07032

Fire Official  
fireboc@kearnynj.org  
Ph.: 201-955-7422  
Fax: 201-998-8287

Business name: Vintage Nutrition Address: 155 Midland Ave Date: 4/9/61

Owner/agent: \_\_\_\_\_ Phone: \_\_\_\_\_

**IFCNJ-UFC FIRE CODE VIOLATIONS**

**ADMINISTRATION: N.J.A.C. 5:70-3**

\_\_\_ 102.1.1-Remove dangerous condition

**PRECAUTIONS AGAINST FIRE: 301**

- \_\_\_ 301.1.1-Wrecking/junk yard operations
- \_\_\_ 304.1.1-Waste material accumulate
- \_\_\_ 304.1.2-Vegetation space maintained
- \_\_\_ 304.4.1-Fire access aisles/driveways
- \_\_\_ 305.1-Ignition source clearance
- \_\_\_ 307.1.1-Open burning prohibited
- \_\_\_ 308.3.1-Open flame cooking/fireplaces
- \_\_\_ 308.3.1.1-LPG cooking devices
- \_\_\_ 313.1-Fueled equipment storage
- \_\_\_ 315.1-Miscellaneous in/out storage
- \_\_\_ 315.2.1-Ceiling 2' sprinkler 18"
- \_\_\_ 316.1-Rooming/residential care facilities

**EMERGENCY PLANNING: 401**

- \_\_\_ 403.1-Fire watch
- \_\_\_ 404.1-Safety/evacuation plans
- \_\_\_ 405.1-Evacuation drills
- \_\_\_ 406.1-Training/response procedures
- \_\_\_ 407.1-Hazard communication MSDS
- \_\_\_ 408.1-Use/related requirements

**FIRE SERVICE FEATURES: 501**

- \_\_\_ 503.1-Fire apparatus access roads
- \_\_\_ 505.1-Premises identification
- \_\_\_ 506.1-Key boxes
- \_\_\_ 508.2-Water supplies

**BUILDING SYSTEMS: 601**

- \_\_\_ 604.1-Emergency/standby power systems
- \_\_\_ 604.3.1.1-emergency/exit lighting
- \_\_\_ 605.3-Electrical clearance 30w36d78h
- \_\_\_ 608.7-Signage
- \_\_\_ 609.2-Kitchen hoods/maint

**FIRE-RESISTANCE-RATED CONST: 701**

- \_\_\_ 703.1-Maintaining protection

**INTERIOR FINISH, DECORATIONS: 801**

- \_\_\_ 803.1-General requirements

**FIRE PROTECTION SYSTEMS: 901**

- \_\_\_ 901.4-Original installation
- \_\_\_ 901.6-Inspect/test maintain
- \_\_\_ 901.8-Remove/tamper
- \_\_\_ 903.3.3-Sprinkler maintenance
- \_\_\_ 903.4-Monitoring
- \_\_\_ 903.4.2-Alarms
- \_\_\_ 903.5-Testing
- \_\_\_ 904.1-Alternative systems
- \_\_\_ 904.3.5-Building alarm monitoring
- \_\_\_ 904.5.1-System 6 month insp
- \_\_\_ 904.11.6-Class K extinguisher
- \_\_\_ 905.1-Standpipes
- \_\_\_ 906.2-Fire extinguishers
- \_\_\_ 907.20-Alarm/detection test/maintain
- \_\_\_ 912.2.2-FDC signage

**MEANS OF EGRESS: 1001**

- \_\_\_ 1003.2-Egress plan
- \_\_\_ 1003.4-Posted occupant load
- \_\_\_ 1003.5-Overcrowding/obstructing
- \_\_\_ 1006.1-Illumination required
- \_\_\_ 1008.1.8-Door operations
- \_\_\_ 1008.1.8.4-Bolt locks
- \_\_\_ 1008.6-Panic hardware
- \_\_\_ 1008.7-Door closing
- \_\_\_ 1011.1-Exit signs
- \_\_\_ 1014.1-Aisles

**FLAMMABLE FINISHES: 1501**

- \_\_\_ 1504.5-Housekeeping/maint

**FUEL DISPENSING, GARAGES: 2201**

- \_\_\_ 2203.2-Emergency disconnect
- \_\_\_ 2210.3-Marine dispensing
- \_\_\_ 2211.2.3.1-Disposal of liquids

**HIGH-PILED STORAGE: 2301**

- \_\_\_ 2303.1-Commodity classification
- \_\_\_ 2305.1-Rack structures
- \_\_\_ 2305.2-Clearance
- \_\_\_ 2305.4-Aisle width

**COMPRESSED GASES: 3001**

- \_\_\_ 3003.5.3-Securing containers
- \_\_\_ 3006.1-Medical gas systems

**LP GASES: 3801**

- \_\_\_ 3803.2-Use in buildings
- \_\_\_ 3804.3-Container location
- \_\_\_ 3809.10-Inside industrial storage
- \_\_\_ 3809.13-Container protection
- \_\_\_ 3809.14-Outside storage

**UNIFORM FIRE SAFETY ACT: N.J.S.A.**

- \_\_\_ 52:27D-130-Construction permit
- \_\_\_ 52:27D-133-Certificate of occupancy

**UNIFORM FIRE CODE: N.J.A.C. 5:70-**

- \_\_\_ 2.7-Permits required
- \_\_\_ 2.20-Truss construction signs
- \_\_\_ 3.102.1.1-Dangerous/hazardous
- \_\_\_ 4.12(c)-Interior finish
- \_\_\_ 4.12(d)-Flame retardant
- \_\_\_ 4.2-Maintain code compliance
- \_\_\_ 4.7-Fire suppression systems
- \_\_\_ 4.7(g)-Cooking operations
- \_\_\_ 4.7(h)6-Windowless basement<3000
- \_\_\_ 4.7(h)7-Windowless basement>3000
- \_\_\_ 4.7(h)7-FDC & sign
- \_\_\_ 4.7(h)7i-Supervised alarm
- \_\_\_ 4.9-Automatic fire alarms
- \_\_\_ 4.11-Means of egress
- \_\_\_ 4.13-Interior stairway protection
- \_\_\_ 4.19-Smoke/CO detectors

**NO VISUAL VIOLATIONS:** \_\_\_\_\_

**ABATEMENT DATE:** \_\_\_\_\_

**COMMENTS:** \_\_\_\_\_

INSPECTOR'S SIGNATURE

OWNER/AGENT'S SIGNATURE - APPEAL RIGHTS ON BACK

# 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:

Kearny Construction Board of Appeals  
Kearny Town Hall  
402 Kearny Avenue  
Kearny, New Jersey 07032

Copy to: Town of Kearny  
Bureau of Combustibles  
109 Midland Avenue  
Kearny, New Jersey 07032  
Phone: (201) 955-7422

In accordance with the rules promulgated under the Administrative Procedure Act (NJSA 52:148-1 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 Kearny Construction Board of Appeals.

At a hearing, a corporation may be represented only by a licensed attorney, unless prior general 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 TOWN OF KEARNY BUREAU OF COMBUSTIBLES. 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. 5:20-2.10(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 for each occurrence.
- j. Any other act or omission prohibited by the Act or 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 Kearny Municipal Court 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.

COPY



# Zoning Certificate of Occupancy Kearny, New Jersey

Construction Code Enforcement Department

Type: ☒ Continued Use ☐ Change of Use ☐ Temporary

Location: 155 Midland Avenue

Issued to: ☒ Owner ☐ Tenant Krystina Przybylski Tenant: Jean Carlos Ramirez d.b.a

Block 190 Lot 23 Zone C3

Use Group R-3/B Type of Construction 5B

Use of the premises:

"Vintage Nutrition"; smoothie shop.

Occupying Approximately - 1215 sq. ft.

Maximum Occupancy - 36 people.

If these premises are used for any purpose other than stated in this Certificate of Occupancy, monetary penalty assessment will be imposed and Municipal Court action instituted against the owner.

This certifies that said building conforms to the Zoning Ordinance of the Town of Kearny, regarding legal use.

Date: 11/25/2020

Fee: \$ 250.00 ☐ CASH ☒ CHECK No. 240

CONSTRUCTION OFFICIAL OR DESIGNEE