



Borough of Red Bank

FIRE MARSHAL'S OFFICE

90 Monmouth Street

Red Bank, NJ 07701

Thomas J. Welsh
Fire Marshal

Tel: (732) 530-2760

Fax: (732) 530-2766

Date: March 13, 2019

Page: 1

Registration No.: 1340-47298-001-01

To: BOROUGH OF RED BANK
90 MONMOUTH STREET
RED BANK, NJ 07701

NOTICE OF IMMINENT HAZARD and ORDER TO TAKE CORRECTIVE ACTION

Type of Use: BB02
Inspector: THOMAS J. WELSH
Inspection Date: March 13, 2019
Premises: RED BANK SENIOR CITIZEN CENTER
80 SHREWSBURY AVENUE, RED BANK, NEW JERSEY 07701

YOU ARE HEREBY NOTIFIED THAT an inspection by the Borough of Red Bank Fire Marshal's Office 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.), and Borough of Red Bank local ordinance, which constitute an IMMINENT HAZARD TO PUBLIC HEALTH, SAFETY, OR WELFARE. These violations are specified on the accompanying "Violations Report" page(s).

Due to the violations listed on the accompanying page(s), YOU ARE HEREBY ORDERED by the Fire Official to take the action regarding the above referenced premises as specified in the space below:

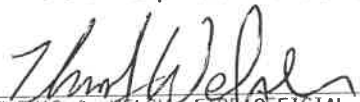
==> **Close the Entire Premises of/in the above
referenced building, structure, or premises by 10:00 AM
on March 14, 2019.**

You are advised that the Fire Code imposes Liability on the owner for the actual costs of fire suppression where a violation directly or indirectly results in a fire.

REINSPECTION:

TAKE NOTICE THAT, pursuant to the Uniform Fire Code, WITHIN 48 HOURS of receiving written notice from the owner/agent stating that the violation(s) requiring vacation or closure have been abated or that removal has been completed, the Borough of Red Bank Fire Marshal's Office will undertake a reinspection. If this reinspection confirms that the violation(s) have been abated, or removal completed, this order will be rescinded.

By:


THOMAS J. WELSH, FIRE OFFICIAL

APPEAL RIGHTS

See the attachment for information concerning your administrative appeal rights, and a description of authorized penalties.

ADMINISTRATIVE APPEAL RIGHTS

GENERAL

IF YOU DENY THAT THE VIOLATIONS CITED JUSTIFY THE ACTION TAKEN, YOU MAY APPEAL BY APPLYING FOR A RECONSIDERATION HEARING. Your appeal request must be made within 24 hours after receipt of this notice to:

Red Bank Construction Board of Appeals
90 Monmouth Street
Red Bank, New Jersey 07701

Copy to: Borough of Red Bank
Fire Marshal's Office
90 Monmouth Street
Red Bank, New Jersey 07701
Phone: (732) 530-2760

The notification of Appeal must include the Appellant's Registration number, the address of the premises involved, the reference numbers of the violation cited, the argument with regard to each and specific code section or other authority the Appellant will rely on in support of his position.

You are advised that the appeal to the Construction Board of Appeals must be accompanied by the fee of \$ 100.00 payable to Red Bank Construction Board of Appeals.

Appeals will not be deemed as received until payment of fee is made.

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 the Courts for summary collection pursuant to the Penalty Enforcement Law (N.J.S.A. 2A:58-10 et. seq.).

DEDICATED PENALTIES

When an owner has been given notice of the existence of a violation and has not abated the violation, That owner shall, in addition to being liable to the penalty provided for by N.J.A.C. 5:70-2.12, be liable to a dedicated penalty, whenever any penalty is assessed pursuant to N.J.A.C. 5:70-2.12, then a dedicated penalty in like amount shall be assessed.

The amount of any dedicated penalty assessed above shall be in accordance with the above standards as set forth in N.J.A.C. 5:70-2.12(b), except that a dedicated penalty of up to \$50,000 for each violation may be assessed where there is a serious injury or loss of human life directly or indirectly resulting from any unabated violation.

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

VIOLATIONS

Premises: RED BANK SENIOR CITIZEN CENTER
80 SHREWSBURY AVENUE

RED BANK, NEW JERSEY 07701

Registration No. 1340-47298-001-01

Inspection Date: March 13, 2019

Initial Inspector:

Print Name: THOMAS J. WELSH

Page number: 3

Owner/Agent: BOROUGH OF RED BANK
75 CHESTNUT STREET
ATTN: BOB HOLIDAY
RED BANK, NJ 07701

Date:

Inspector:

The violations cited on the above premises are as follows:

Number	Description (Maintenance: 0 Retrofit: 0)	Abate by	U/A	U/A	U/A
1.	Location: Entire Premis Nature: Return Fire Sprinkler system to full operatable condition and provide contractor report. Code Section: N.J.A.C. 5:70-2.16(b)5.	03/14/2019			

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.



Borough of Red Bank

FIRE MARSHAL'S OFFICE

90 Monmouth Street

Red Bank, NJ 07701

Thomas J. Welsh
Fire Marshal

Tel: (732) 530-2760

Fax: (732) 530-2766

Registration No.: 1340-47298-001-01
Municipality: Borough of Red Bank
County: Monmouth County
Inspector: THOMAS J. WELSH
Inspected: March 13, 2019
Page: 1

To: BOROUGH OF RED BANK
90 MONMOUTH STREET
RED BANK, NJ 07701

NOTICE OF VIOLATIONS and ORDER TO CORRECT

Premises: RED BANK SENIOR CITIZEN CENTER

Address: 80 SHREWSBURY AVENUE, RED BANK, NEW JERSEY 07701

Phone: 732-747-5204

Block/Lot: 39/24

Type of use: BB02 SENIOR CITIZEN CENTER

Name: BUILDING OWNER
BOROUGH OF RED BANK
Address: 90 MONMOUTH STREET

Phone: RED BANK, NJ 07701
732-530-2748

AGENT

TENANT/OPERATOR
BOROUGH OF RED BANK
75 CHESTNUT STREET
ATTN: BOB HOLIDAY
RED BANK, NJ 07701
732-530-2748

YOU ARE HEREBY NOTIFIED THAT an inspection by the Borough of Red Bank Fire Marshal's Office 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. 52:270-192 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 Borough 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 Marshal's Office at (732) 530-2760.

BY ORDER OF THE 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

Premises: RED BANK SENIOR CITIZEN CENTER
80 SHREWSBURY AVENUE
RED BANK, NEW JERSEY 07701

Registration No. 1340-47298-001-01
Inspection Date: March 13, 2019
Initial Inspector: 
Print Name: THOMAS J. WELSH
Page number: 2

Owner/Agent: BOROUGH OF RED BANK
75 CHESTNUT STREET
ATTN: BOB HOLIDAY
RED BANK, NJ 07701

Date:

Inspector:

The violations cited on the above premises are as follows:

Number	Description (Maintenance: 0 Retrofit: 0)	Abate by	U/A	U/A	U/A
1.	Location: Entire Premis Nature: Return Fire Sprinkler system to full operatable condition and provide contractor report. Code Section: N.J.A.C. 5:70-2.16(b)5.	03/14/2019			

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.

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 CALENDAR DAYS after receipt of this order and addressed to:

Red Bank Construction Board of Appeals
90 Monmouth Street
Red Bank, New Jersey 07701

Copy to: Borough of Red Bank
Fire Marshal's Office
90 Monmouth Street
Red Bank, New Jersey 07701
Phone: (732) 530-2760

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 \$100.00 payable to Red Bank 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 RED BANK FIRE MARSHAL'S OFFICE. 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)2., 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 the Courts for summary collection pursuant to the Penalty Enforcement Law (N.J.S.A. 2A:58-10 et. seq.).

ADMINISTRATIVE APPEAL RIGHTS - cont.

DEDICATED PENALTIES

When an owner has been given notice of the existence of a violation and has not abated the violation. That owner shall, in addition to being liable to the penalty provided for by N.J.A.C. 5:70-2.12, be liable to a dedicated penalty, whenever any penalty is assessed pursuant to N.J.A.C. 5:70-2.12, then a dedicated penalty in like amount shall be assessed.

The amount of any dedicated penalty assessed above shall be in accordance with the above standards as set forth in N.J.A.C. 5:70-2.12(b), except that a dedicated penalty of up to \$50,000 for each violation may be assessed where there is a serious injury or loss of human life directly or indirectly resulting from any unabated violation.

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