

First Jersey Title Reports

*a periodic newsletter from **First Jersey**
to keep you up to date with the changes in **Title Services**.*

April 2005

Portable Fire Extinguisher Requirement

On April 14, 2005, Acting Governor Richard Cody signed Senate bill 1294 known as Public Law 2005, Chapter 71 amending N.J.S.A. 52:27D-198.1 (the “smoke alarm” law) by adding the portable fire extinguisher requirements. (You can find a complete copy of Senate Bill 1294 by clicking on the following site: http://www.njleg.state.nj.us/2004/Bills/AL05/71_.HTM) This law takes effect November 1, 2005.

“Every dwelling unit located in a building with fewer than three dwelling units, upon its sale, lease or transfer, shall be equipped with at least one portable fire extinguisher, at the expense of the seller, landlord or transferor, as appropriate...” The dwelling unit as defined “...shall not include a seasonal rental dwelling unit rented for a term of not more than 125 consecutive days for residential purposes by a person having a permanent place of residence elsewhere.”

“In any case in which a change of occupancy of any dwelling unit in a building with fewer than three dwelling units is subject to a municipal ordinance requiring the issuance of a certificate of occupancy, certificate of inspection or other documentary certification of compliance with laws and regulations relating to the safety, healthfulness and upkeep of the premises, no such certificate shall issue until the officer or agency responsible for its issuance has determined that the dwelling unit is equipped with at least one portable fire extinguisher as required...”

“No owner shall sell, lease or otherwise permit occupancy for residential purposes of that dwelling unit without first obtaining from the relevant enforcing agency... a certificate indicating that the dwelling unit is equipped with at least one portable fire extinguisher as required...”

This newsletter provides general information only. The information contained herein, while we believe to be reliable and accurate, should not be used as a substitute for review of your specific situation with your counsel or advisor. In no circumstances is this newsletter intended to be a complete treatise of the subject matter. It is intended as insight into new developments and a beginning point for gathering additional information.

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