

SENATE, No. 2522

STATE OF NEW JERSEY
217th LEGISLATURE

INTRODUCED SEPTEMBER 12, 2016

Sponsored by:
Senator JIM WHELAN
District 2 (Atlantic)

SYNOPSIS

Requires certain local authorities to inspect, maintain, and repair fire hydrants in planned real estate developments.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT concerning fire hydrants located on private streets and
2 supplementing P.L.1957, c.183 (C.40:14B-1 et seq.).
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4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:
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7 1. In the interest of public safety, every municipal authority
8 created pursuant to P.L.1957, c.183 (C.40:14B-1 et seq.) shall
9 assume the same responsibility for the inspection, maintenance, and
10 repair of fire hydrants located on streets and roads in planned real
11 estate developments within its service borders, regardless of
12 whether those roads or streets are dedicated to the municipality in
13 which the planned real estate development is located, as it exercises
14 over fire hydrants located along public streets and roads. Such a
15 municipal authority shall inspect, maintain, and repair, fire hydrants
16 located on streets and roads in planned real estate developments
17 within its service borders in the same manner and to the same extent
18 as fire hydrants that are not located in planned real estate
19 developments are inspected, maintained, and repaired by that
20 authority.

21 As used in this act, “planned real estate development” means any
22 real property situated within the State, whether contiguous or not,
23 which consists of or will consist of, separately owned areas,
24 irrespective of form, be it lots, parcels, units, or interest, and which
25 are offered or disposed of pursuant to a common promotional plan,
26 and providing for common or shared elements or interests in real
27 property, but shall not include timeshares.
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29 2. This act shall take effect immediately.
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32 STATEMENT
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34 This bill would require, in the interest of public safety, that every
35 municipal authority created pursuant to the “municipal and county
36 utilities authorities law,” P.L.1957, c.183 (C.40:14B-1 et seq.) must
37 assume the same responsibility for the inspection, maintenance, and
38 repair of fire hydrants located on streets and roads in planned real
39 estate developments within its service borders, regardless of
40 whether those roads or streets are dedicated to the municipality in
41 which the planned real estate development is located, as it exercises
42 over fire hydrants located along public streets and roads. Under the
43 provisions of the bill, these authorities must inspect, maintain, and
44 repair, fire hydrants located on streets and roads in planned real
45 estate developments within their service borders in the same manner
46 and to the same extent as fire hydrants that are not located in
47 planned real estate developments are inspected, maintained, and
48 repaired by that authority.

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1 The bill defines “planned real estate development” as any real
2 property situated within the State, whether contiguous or not, which
3 consists of or will consist of, separately owned areas, irrespective of
4 form, be it lots, parcels, units, or interest, and which are offered or
5 disposed of pursuant to a common promotional plan, and providing
6 for common or shared elements or interests in real property, but not
7 timeshares.

8 The requirements of this bill are intended to ensure fundamental
9 fairness between these authority customers, regardless of where
10 they live, and to ensure that all fire hydrants are inspected,
11 maintained, and repaired, in the same manner so that in case of a
12 fire, water will be available to fight it from any available fire
13 hydrant.