



Borough of Oakland

Fire Prevention Bureau

Certificate of Approval for Occupancy and Fire Certificate Application Packet For Resale of a Single and Two Family home Includes:

- Step by Step Process to get full Certificate of Approval for Occupancy.
- Board of Health Requirements and Septic Information.
- Fire Certificate Process.
- Building Requirements.
- **Application** - This portion is the only part that must be filled out and complete and returned to the Fire Prevention Office.

Fees due at time of submission of application:

Residential Fire Certificate: *\$85.00*

Residential Certificate of Approval for Occupancy: *\$115.00*
(Includes relator sign fee and Board of Health review fee)

Residential Fire Certificate Expedite Fee: *\$50*

Residential Fire Certificate Reinspection Fee = *\$50*
(This fee is collected only when applicable.)

Residential Certificate of Approval for Occupancy Extension Fee: *\$30 for 30 days*

We currently only accept check or exact cash. *Checks can be made out to 'Oakland Borough'.*

Certificate of Approval for Occupancy for Single and Two Family Resale

Step by Step Process

Selling a home can be stressful, to help eliminate some of that stress below is a step by step process to obtain a **Certificate of Approval for Occupancy** for the Borough of Oakland. The purpose of a **CAO** is to ensure that the property meets basic safety requirements. Please note the time frames below are general time frames and can sometimes be longer or shorter depending on the home.

If you have not listed your house for sale yet, consider having your septic inspected and confirming all construction permits are closed on your property before listing to ensure no delays once under contract. **Please note that septic repairs and replacements have the longest lead time and are most often the biggest delay in obtaining a CAO.**

1. **Submit a Certificate of Approval for Occupancy and Fire Certificate application form and fee to the Fire Prevention office.**

The CAO application can be found on the Borough website www.oakland-nj.org by going to **Departments > Fire Prevention > Certificate of Approval for Occupancy and Fire Certificate > CAO & Fire Cert Application Residential**. The application should be submitted **at least 30 days prior to closing** and can be done as soon as the house has a buyer. The application can be submitted by the seller or buyer but it most often done by the seller.

****PLEASE MAKE SPECIAL NOTE FOR THE BELOW CHANGES TO THE ACCEPTANCE OF AN APPLICATION:**

- Form must be filled out in its entirety. Forms will only be allowed to be missing certain information when the property is currently bank owned.
- Buyers **MUST** provide a secondary address that they will be receiving mail at until the CAO is complete and all sign offs have been completed.
- Telephone and email address **MUST** be provided for the Buyer and the Seller.

****ONCE THE FIRE CERTIFICATE IS GIVEN THE APPLICANT HAS 90 DAYS TO COMPLETE THE CAO BEFORE VIOLATIONS CAN BE ISSUED. PLEASE NOTE IF AN EXTENSION IS NEEDED PAST THIS 90 DAYS A WRITTEN LETTER MUST BE PROVIDED AND \$30 FEE FOR A 30 DAY EXTENSION. PLEASE NOTE AN EXTENSION DOES NOT GRANT OCCUPANCY. ****

2. **Open Building Permits and Property Maintenance Violations**

Once the Fire Prevention Department has the application they will check for any open building permits or property maintenance violations and will reach out to the property owners to get the permits and/or violations closed out. **All violations and permits must be closed out before a CAO will be issued.**

3. **Board of Health Information for Sign off and approval**

Once the Fire Prevention Office receives the application, it will be handed over immediately to the Board of Health office for the Health Inspectors to review. Board of Health must sign off before a CAO can be granted for the property. Board of Health will review a variety of information, including septic reports, sewer information, well water reports etc. **Please ensure that all septic systems have been inspected and repaired and/or replaced as needed.** Septic repairs and replacements have the longest lead time so the seller should start as quickly as possible to avoid possible delays in closings.

Below is some helpful information regarding Board of Health Sign off and frequently asked questions:

- What are the regulations for septic systems?
 - o N.J.A.C. 7:9A standards for individual subsurface sewage disposal systems.
- How do I check the septic system information of a property, such as number of bedrooms, age of septic system, type of system?
 - o Review the Health Department's file. You can do so by filling out an OPRA request through the Borough Clerk Office.
- What do I do about my current septic system when selling my house?
 - o 2012 Septic Code requires cesspool to be updated at **REALTY TRANSFER**. If you are not sure about the current status of your septic system you may have a septic inspection performed by a private company to confirm the status of your septic system.

- Where do the septic plans get submitted?
 - o Submit all septic plans to the Oakland Board of Health Office.
- I have building plans/permit application that need to be submitted for my septic system, where do I submit?
 - o All building plans and permit application need to be submitted to both the Construction department and the Oakland Board of Health. Please note that the same documentation is required for both offices and additional fees may be required.
- If you have a well on your property you will need to have the well tested in accordance with the Private Well Testing Act Regulations NJAC 7:9E at **REALTY TRANSFER**. The results then need to be sent to the Oakland Board of Health Department at health@oakland-nj.org and the Health Inspector at septics@co.bergen.nj.us .
- **Please note that if you had your septic system inspected and received a non-complaint letter from the Bergen County Department of Health Services you will need to do as the letter advises which will be:**
 - o **ALTERATION** – if marked alteration you will need to contact a septic engineer to correct.
 - o **REPAIR** – If repair is marked you will need to contact a licensed septic contractor to correct. (Check the Borough website for licensed contractors in Oakland or email health@oakland-nj.org.)
- If a new system is being installed the final sign off by the Board of Health will be given once all permits are pulled, all inspections are performed and passed, and the engineer provides the As-Built and Certificate of Compliance to the Oakland Board of Health Office.
- If you would like a status update on plans that were submitted to the Board of Health Office please note that:
 - o All plans are reviewed in the order in which they are received.
 - o By code, the department has 30 days to review septic plans.
 - o Plan review expediting cannot be granted under any circumstances.
 - o You can email health@oakland-nj.org.

4. Fire Certificate and what is looked for during Fire Inspection

The Fire Certificate is for **SETTLEMENT PURPOSES ONLY** and does not allow occupancy of the premise. The complete Certificate of Approval for Occupancy will be needed to occupy the premise. Please see pages 4 through 6 for more details.

Below is what is looked at during a fire inspection:

SMOKE DETECTORS –

Smoke detectors must be installed on each level of the dwelling, including the basement, and within ten (10) feet of each separate sleeping area. The detectors must be hardwired in or ten-year sealed battery-powered. More detail on page 5-6.

CARBON MONOXIDE DETECTORS –

Carbon Monoxide detectors must be installed within ten (10) feet of each separate sleeping area. For example if you have 1 bedroom in a basement and 3 on a second floor, then you would need 2 carbon monoxide detectors. Carbon Monoxide Detectors can be battery, hardwire or plug in operated. More detail on page 5-6.

FIRE EXTINGUISHER –

One (1) fire extinguisher, UL listed, labeled, charged and operable, rated for residential use, size no smaller than 2A:10B:C and no more than 10 lbs. The extinguisher must be visible and in a readily accessible location, typically the kitchen. The extinguisher must be near an exit or travel path that provides an escape route to the exterior of the dwelling. More details on page 7.

HOUSE NUMBERS –

House numbers must be in a contrasting color, (3) inches high, permanently affixed, CLEARLY VISABLE near front door and light.

5. Building Inspection

While the Fire Inspector is conducting the fire inspection, if they see something that is a concern, regarding UCC rules and regulations, they will contact the Construction Official to conduct a building inspection on the property. A building inspection will only be necessary if one is called in, otherwise no building inspection will be necessary. (Examples: Water heater and boiler blow off pipe must be within 6” from floor, holes in the ceiling of the garage, no extension cords are to be used as a permanent form of wiring, etc).

Fire Prevention Information for Fire Certificate

Below is more information regarding Smoke detectors, Carbon Monoxide detectors, fire extinguishers, regarding placement and types.

SMOKE DETECTORS

The State of New Jersey requires, by Sections N.J.A.C. 5:70-2.3 and 4.9 of the New Jersey State Uniform Fire Code, a Smoke Detector Certification.

ANY DETECTOR THAT IS OLDER THAN 10 YEARS MUST BE REPLACED UNDER THIS REQUIREMENT AND IN ACCORDANCE WITH NFPA 72 (14.4.5.4.1 AND 14.4.5.5)

Smoke detector requirements vary because of code changes adopted over the past years. At a minimum, homes were not altered or made larger and built prior to January 1977 require battery detectors to level and outside of each sleeping area usually with 10 feet of any bedroom doors. The use of a be installed. One on each combination Smoke and CO detector is allowed to fulfill the requirements.

AS OF JANUARY 1, 2019, 10-YEAR SEALED BATTERY ONLY POWERED ALARMS SHALL BE INSTALLED IN ACCORDANCE WITH ANSI/UL 217 AND ALL BATTERY-OPERATED SMOKE DETECTORS THAT USE REMOVABLE BATTERIES MUST BE REPLACED WITH THE SEALED BATTERY REQUIREMENT MENTIONED ABOVE.

Any building constructed after January 1977 needs to meet the requirements of the code at the time the building was constructed. If the code only required hard wired smoke detectors on one or two floors, hardwired detectors need to be installed on each floor. However, A/C-powered single or multiple-station smoke alarms installed as part of the original construction or rehabilitation project **SHALL NOT** be replaced with **BATTERY ONLY** powered smoke alarms (Hardwired stays hardwired).

Where to Locate Detectors:

Detectors are to be located on every level of a residence, (basement, first floor, second floor, etc) (excluding crawl spaces and unfinished attics) and in every separate sleeping area, between sleeping areas and living areas such as the kitchen, garage, basement or utility room. Depending on the year the structure was built, locations vary, some have just hallway or corridor detectors and others have them hardwired in the bedroom along with the other locations. If they are multi-level, you should have one on every level in the locations noted below. Please see below diagrams for more information about placement in multi level and single level homes.

Where NOT to locate Detector:

To avoid false alarms and/or improper operation, avoid installing smoke detectors in the following areas:

- Kitchens – Smoke from cooking may cause nuisance alarms.
- Bathrooms – Excessive steam from a shower may cause nuisance alarms.
- Near forced air ducts – Used for heating or ai conditioning – air movement may prevent smoke from reaching detector
- Near furnaces of any type – Air and dust movement and normal combustion products may cause a nuisance alarm.



ALL INSTALLED SYSTEMS MUST BE MAINTAINED AT ALL TIMES (IFC 907.1.11.2)

CARBON MONOXIDE DETECTORS

Carbon Monoxide Alarms should be installed with 10 feet of any sleeping areas so they will be audible in each bedroom. Multiple Carbon Monoxide Alarms may be necessary to accomplish this requirement. The use of a combination Smoke and CO detector are allowed to fulfill the requirement.

Carbon Monoxide Alarms may be battery type, AC plug-in type and shall be listed and labeled in accordance with UL-2034 and installed in accordance with NFPA-720



RED= SMOKE DETECTOR ON EACH LEVEL WITHIN 10 FEET OF THE BEDROOM

BLUE = CO DETECTOR OUTSIDE THE SLEEPING AREA IN THE SAME LOCATION AS THE SMOKE DETECTOR

HARDWIRED DETECTORS MUST BE REPLACED WITH SAME. YOU CANNOT SUBSTITUTE A BATTERY ONLY DETECTOR FOR A HARDWIRED/ELECTRIC DETECTOR THAT WAS ORIGINALLY INSTALLED DURING CONSTRUCTION. ALL DETECTORS MUST BE LESS THAN 10 YEARS OLD

IF THE HOME WAS BUILT PRIOR TO 1977 WITHOUT HARDWIRED DETECTORS, 10-YEAR BATTERY SMOKE DETECTORS MUST BE INSTALLED ON EACH LEVEL AND IN THE SAME LOCATIONS AS MENTIONED.

SMOKE AND CO COMBINATION DETECTORS CAN BE USED IN ALL CONFIGURATIONS

IF YOU HAVE A CENTRAL OR LOW VOLTAGE SYSTEM, AN ALARM TEST OF THE SYSTEM WILL BE NEEDED TO PASS AND SYSTEM MONITORING NEEDS TO BE MAINTAINED FOR THE TEST. IF MONITORING WAS CANCELLED, IT MUST BE RE-ESTABLISHED TO HAVE A TEST PERFORMED.

Fire Prevention Bureau Procedure - Continued

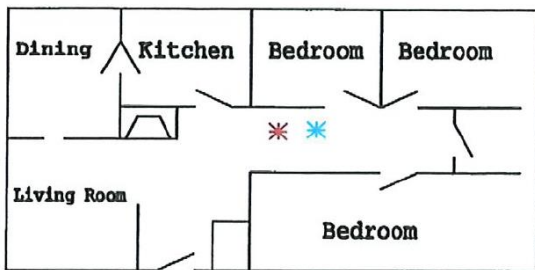


Figure 1
 * Smoke Detector and Carbon Monoxide Detector needed

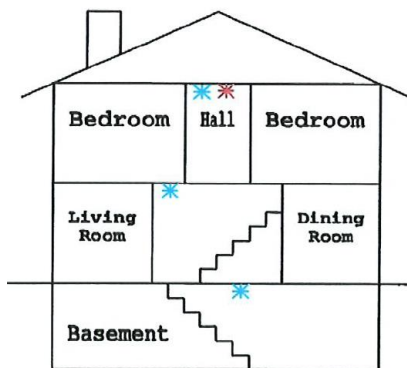


Figure 3
 * Smoke Detector
 * Carbon Monoxide Detector

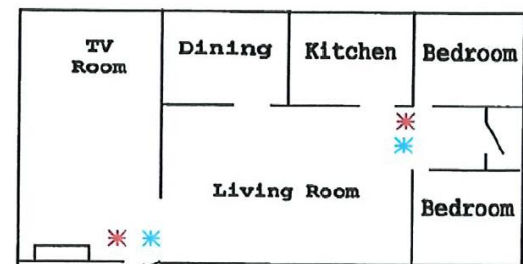
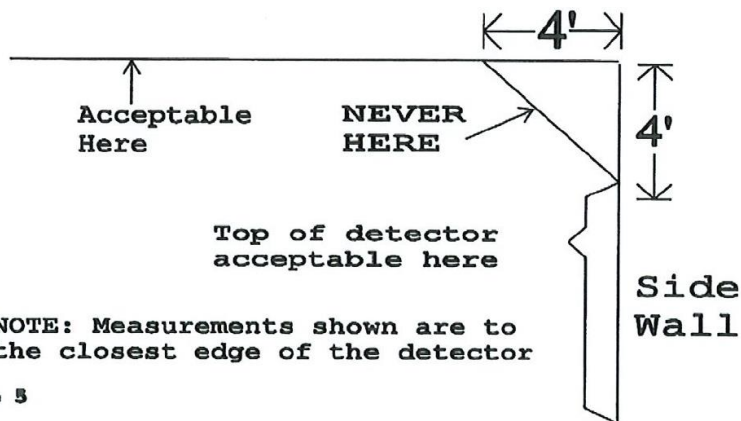


Figure 2
 * Smoke Detector and Carbon Monoxide Detector needed



NOTE: Measurements shown are to the closest edge of the detector

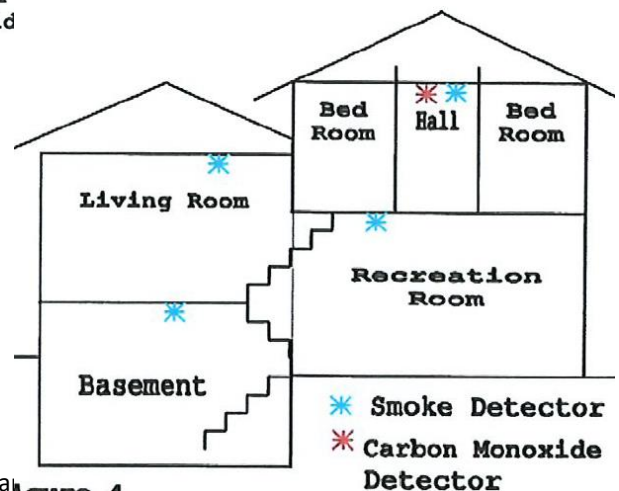


Figure 4
 * Smoke Detector
 * Carbon Monoxide Detector

FIRE EXTINGUISHERS

Within 10 feet of the kitchen and located in the exit or travel path; and is visible and in a readily accessible location. The top of the fire extinguisher is not more than 5 feet above the floor and is mounted using a manufacturer's hanger or brackets. Minimum size of 2A:10B:C and weigh no more than 10 pounds, is accompanied with the owners manual or with the proper written instructions. The extinguishers is listed, labeled, charged and operable. The extinguisher must have been serviced and tagged by a contractor certified by the New Jersey Division of Fire Safety within the past 12 months or seller must provide a recent proof of purchasing receipt.

The requirements for extinguisher type and placement are as follows (N.J.A.C 5:70- 4.19(e):

1. At least one portable fire extinguisher shall be installed in all one- and two-family dwellings upon change of occupancy.
2. The extinguisher shall be listed, labeled, charged and operable.
3. The size shall be no smaller than 2A-10B:C, rated for residential use and weighs no more than 10lbs.
4. The hangers or brackets supplied by the manufacturer must be used.
5. The extinguisher must be within 10 feet of the kitchen and located in the path of egress.
6. The top of the extinguisher must be no more than 5 feet above the floor.
7. The extinguisher must be readily accessible location and not obstructed from view.
8. The owner's manual or written information regarding the operation shall be provided during the inspection
9. The extinguisher shall be serviced and tagged within the past 12 months or the seller must have a receipt for a recently purchased extinguisher.

Pictures of Fire Extinguisher is for reference only, we **DO NOT** recommend any specific brand:



Please see below for some helpful Questions and Answers:

1. **CAN I INSTALL BATTERY DETECTORS INSTEAD OF HARDWIRED ONES?** *Answer. NO.* Building codes since 1977, require all detectors that were originally installed at the time of construction be maintained and up to date. If the home has hardwired detectors, then they must stay hardwired and be 10 years old or less. Homes built prior to 1977 did not have detectors installed and they can have battery only devices, one outside the bedroom and on each level of the home. See questions 4 and 13.
2. **HOW LONG DO DETECTORS LAST?** *Answer.* Detectors made today are made to last 10 years. Any detector that is close to the age limit are advised to be replaced even though they may be within the timeframe. You need to replace them the new 10-year battery backup devices going forward. Recently, we have seen detector and the batteries being removed from the device and not replaced or replaced in a non-working order.
3. **I HAVE A LOW VOLTAGE SYSTEM, DO I NEED TO HAVE IT TESTED?** *A. YES.* All low voltage system that are not part of the original construction must be tested annually by a qualified service. At the time of a sale, the system must have been tested and still be monitored within the same year of the sale with no errors or faults per the NFPA 72. The NFPA 72 form is the guideline the tester must use and the NFPA 72 report is what we need to see.
4. **DO I NEED TO HAVE MY BUILDING PERMITS CLOSED BEFORE A FIRE INSPECTION IS DONE?** *A. YES.* All building permits and property maintenance violations must be closed before a fire inspection can be set up. If you have a building permit or property maintenance violation open the fire prevention clerk will advise you before setting up any inspection.
5. **DO FIRE EXTINGUISHERS GO BAD?** *A. YES.* Fire extinguishers do have expiration dates. For residential they should have been purchased within the year of selling the home. It is suggested that the receipt is kept with the extinguisher for proof of purchase.
6. **WHEN DO I NEED TO SUBMIT THE PAPERWORK FOR THE CAO AND FIRE CERTIFICATION?** *A.* The application for the CAO and Fire Certification should be submitted **30 DAYS** prior to the closing date. This also allows time for any and all inspections needed and review of the paperwork.
7. **DO I NEED TO COMPLETE A CAO AND FIRE CERT FOR A SINGLE-FAMILY RENTAL PROPERTY?** *A. YES.* For a single-family rental property, a Fire Cert and CAO is needed. If the property is on a well, a well report will be needed by the Board of Health. Also a Lead-Based Paint Safe Certificate will be needed as of July 2022 for all rental properties that were constructed prior to 1978. For more information regarding the Lead-Based Paint inspection contact our office and/or review page 7 and 8 of this packet.

**BOROUGH OF OAKLAND
CODE ENFORCEMENT DEPARTMENT**

1 MUNICIPAL PLAZA OAKLAND, NJ 07436 201-337-8111

OFFICE USE: DATE OF INSPECTION: _____
TIME: _____

**APPLICATION FOR CERTIFICATE OF APPROVAL FOR OCCUPANCY (CAO) AND FIRE CERTIFICATE
FOR RESALE OF A SINGLE AND TWO FAMILY DWELLING**

MUST SUPPLY APPLICATION 30 DAYS BEFORE CLOSING DATE

FIRE CERTIFICATE FEE: \$85.00 & CERTIFICATE OF APPROVAL FOR OCCUPANCY FEE: \$115.00

CHECK OR EXACT CASH; ALL CHECKS TO BE MADE OUT TO 'OAKLAND BOROUGH'

THIS APPLICATION IS VALID FOR 6 MONTHS FROM APPLICATION DATE; APPROVALS BELOW EXPIRE 90 DAYS FROM SIGNATURE DATE.

ALL FIELDS MUST BE COMPLETED BEFORE SUBMISSION

APPLICATION SUBMITTED BY (CIRCLE 1): *OWNER OR BUYER OR REALTOR* Closing Date: _____

Please indicate if you would like the Certificate of Approval for Occupancy (CIRCLE 1): MAILED or EMAILED or PICK UP
If MAILED or EMAILED, please provide below the best address or email address:

Name of Current Owner: _____ Phone: _____

Email Address: _____

Property Address: _____

Block: _____ Lot: _____ Well or City water? _____

Name of Buyer: _____

Alternate Address of Buyer : _____

Email of Buyer: _____

Contact Phone Number of Buyer: _____

*****An ALTERNATE ADDRESS, PHONE NUMBER & EMAIL MUST be provided for the Buyer – This is to ensure the Fire
Prevention and Board of Health can contact them when needed*****

of smoke detectors as per N.J.A.C. 5:18-2.20 & 4.19 & carbon monoxide detectors as per N.J.A.C. 5:70-2.3: _____

Number of fire extinguishers as per P.L.1991,c.92 (C.52:27D-198.01): _____

The issuance of a Certificate of Approval of Occupancy and Fire Certificate and the related inspections are conducted solely for the benefit of the municipality, and not for the purchaser or seller of real property. The CAO not intended as a representation of the condition of the property, or that the property is safe or meets any or all of the conditions of the CAO. The issuance of a CAO is not intended, and should **NOT** be relied upon, as evidence that the property is safe, structurally sound, and in compliance with zoning codes, fire codes, building codes, or that any of the systems serving the property are operating properly, including well, septic, electrical, plumbing, etc.

Applicant's signature: _____ Date: _____

Applicant's printed name: _____

FOR OFFICE USE ONLY:

CHECK # _____ CASH: _____ CCO #: _____

Board of Health Approval:

Board of Health Signature: _____ Date: _____

COMMENTS: _____

Fire Prevention Bureau: Inspection Date: _____ Approved: Yes No

Reasons for Denial: _____

Fire Inspector Signature: _____ Date: _____

Building Dept: Open Permits: Yes No Date: _____ Admin Initials: _____

Code Enforcement Dept: Open Property Maintenance NOV: Yes No Date: _____ Admin Initials: _____