

TOWNSHIP OF TABERNACLE

ORDINANCE 2020-4

**AN ORDINANCE OF THE TOWNSHIP OF TABERNACLE,
COUNTY OF BURLINGTON, STATE OF NEW JERSEY
DESIGNATING AND OFFICIALLY CREATING A TOWNSHIP FIRE
DEPARTMENT AS A DIVISION OF THE PUBLIC SAFETY DEPARTMENT
AND THE POSITION OF FIRE CHIEF IN THE TOWNSHIP OF TABERNACLE**

Whereas, The Township Committee recognizes a compelling public safety interest in coordinating the use of emergency personnel, assets, resources and equipment in the Township of Tabernacle; and

Whereas, the Committee finds that the efficient, proficient and effective delivery of emergency services require cooperation and coordination by and between the volunteer fireman and volunteer emergency medical and rescue service entities operating within the Township and the Tabernacle Office of Emergency Management; and

Whereas, NJSA 40:48-2, **Other necessary and proper ordinances**, provides that any municipality may make, amend, repeal and enforce such ordinances, as it may deem necessary and proper for the good government, order and protection of persons and property, and for the preservation of the public health, safety and welfare of the municipality and its inhabitants; and

Whereas, The Township Committee hereby desires to fully designate and officially create a Township Fire Department and the position of Fire Chief within the Township of Tabernacle; and

Whereas, the Township Committee is granted the authority to recognize and authorize the creation of a Township Fire Department within the Township of Tabernacle by New Jersey Statute;

Now, Therefore, be it Resolved by the Committee of the Township of Tabernacle as follows:

Tabernacle Township Revised Ordinances Chapter 2, Article 7 entitled DEPARTMENT OF PUBLIC SAFETY, is hereby deleted in its entirety and replaced with the following:

2-7 DEPARTMENT OF PUBLIC SAFETY.

Chapter 2, Section 7.1 Department Generally.

Established. There shall be a Department of Public Safety in and for the Township. The Department of Public Safety shall include the Tabernacle Township Fire Department, the Division of Emergency Medical and Rescue Services and the Division of Emergency Management.

Chapter 2, Section 7.2.1 Tabernacle Township Fire Department.

a. Establishment.

There is hereby established in and for the Township of Tabernacle a Municipal Fire Department to be known as the "Tabernacle Fire Company." No other fire-fighting organization is to be formed within the Township without the consent of the Township Committee. The Fire Department hereby created must comply with all the requirements of this chapter and any rules or regulations promulgated hereunder.

b. Officers.

The officers of the Fire Department shall consist of a Chief who shall be appointed by the Township Committee and such other Assistant Chiefs, Captains, Lieutenants, and other line officers and members as shall be appointed by the Chief with the consent of the Township Committee.

c. Reports to Committee.

It shall be the responsibility of the Chief of the Fire Department to make all reports to the Township Committee as hereafter required by this chapter.

d. Ownership of quarters.

The Township of Tabernacle shall retain ownership and control over all quarters entrusted to the Fire Department.

e. Expenses.

All expenses for the operation and maintenance of the Department shall be paid by the Township in accordance with applicable state statutes.

f. Purchasing and title of equipment.

The Township of Tabernacle shall retain title to all equipment purchased with funds supplied by the Township Committee for the purpose of purchasing such equipment. However, nothing shall preclude donations of equipment or property to the Fire Department with approval of acceptance of the donated item from the Township Committee.

Chapter 2, Section 7.2.2 **Tabernacle Township Fire Department. Duties of Fire Chief.**

- a. The Chief shall be in full command and complete control at all fires and during the period of all alarms and shall be held accountable for his/her actions to the Township Administrator and Committee and shall make written and verbal reports as the Committee may require. All other line officers shall be accountable to the Chief except when any of said officers are acting as Chief in his/her absence.
- b. The Chief shall formulate rules and regulations to govern the operation of the Fire Department, such rules and regulations being subject to review and approval by the Township Committee, and shall be responsible to the Township Administrator and Committee for the morale and general efficiency of the Fire Department.
- c. The Chief or line officer designated by him/her shall, at least once a month, conduct suitable drills or instructions in the operation of fire-fighting apparatus and equipment and study buildings presenting unusual fire problems, water supply and other matters generally considered essential to good firefighting and safety of life and property from fire.
- d. The Chief or any line officer designated by him/her is hereby required to report to the Township Administrator any suspected crime of arson and shall render all possible assistance to the Township Administrator and the State Police in investigating the cause, origin, and circumstances of all fires of questionable origin.
- e. The Chief shall cause to be kept complete records of all fires, apparatus and minor equipment, personnel and other information about the work of the Fire Department.
- f. The Chief shall report monthly to the Township Administrator the number and type of fires during the month, the number and purpose of all other runs made, the number of members and man hours involved in responding to each fire or other run, and the estimated loss involved in all building fires.
- g. The Chief shall make a complete annual report to the Township Administrator, such report to include information as specified in Subsection f of this section, together with comparative data for previous years and recommendations for improving the effectiveness of the Fire Department.
- h. The Chief shall be responsible to transmit to the Township Administrator, on or before October 31 of each year, a proposed annual budget.

Chapter 2, Section 7.2.3 Recognized standards and practices.

The recognized standards and practices for the prevention of fire shall be held to mean the standard practices and requirements as set forth in the Fire Prevention Code currently in effect in the Township.

§ Chapter 2, Section 7.2.4 Membership.

- a. Every person seeking to join the Fire Department shall make application to the Fire Department in accordance with the rules and regulations of the Fire Department. Applicants must be at least 18 years of age and must pass a physical examination by a practicing physician in the State of New Jersey. All applicants must submit to a background check. All appointments are subject to the approval of the Township Committee. Members of the Fire Department are subject to the Township of Tabernacle Personnel Policies and Procedures.
- b. It shall be the duty of the active members to participate in drills and instructions and to aid the Chief and the other line officers to the best of their ability in the prevention and control of fire and the protection of life and property within the Township of Tabernacle and wherever the Fire Department may have cause to conduct operations.
- c. All members of the Fire Department shall serve without compensation.
- d. An exempt firemen's certificate shall be issued by the Township Committee, in the form and manner provided by law, to all members of the Fire Department lawfully entitled to receive the same.
- e. Members may not use any tobacco products while on duty or at any time when in Township vehicles, public buildings or during training. "Tobacco product" means smoking and smokeless tobacco.
- f. All of the present Tabernacle Fire Co. No. 1 members, at the time of the adoption of this Ordinance shall automatically be probationary members of the new Township Fire Department and shall have ninety (90) days to apply for permanent membership in the Township department as volunteer after the appointment of a Chief.

§ Chapter 2, Section 7.2.5 Equipment.

- a. Recommendations for the purchase of apparatus and equipment needed to maintain the effectiveness of the Fire Department and properly protect life and property from fire shall be made by the Chief to the Township Administrator.
- b. All Township equipment of the Fire Department shall be safely and conveniently housed by the Fire Department.
- c. Suitable arrangements shall be provided for citizens to turn in an alarm, and for notifying members of the Fire Department so that they may promptly respond. It shall be the duty of the Chief to notify the Township Administrator of any condition that would interfere with the proper functioning of the fire alarm system.
- d. Except as may be authorized by the Township Administrator, no person shall use any fire apparatus or equipment of the Township for any private purpose. No person shall willfully and without authority take away or conceal any article used in any way by the Fire Department.
- e. No person except authorized employees of the Township of Tabernacle shall enter any place where fire apparatus is housed or handle any equipment belonging to the Township unless accompanied by or having the special permission of an officer or authorized member of the Fire Department.
- f. The Chief of the Fire Department is hereby authorized to extend aid to neighboring communities upon request for fire protection or to establish a mutual aid system.
- g. No apparatus of the Township shall be hired out or permitted to leave the Township of Tabernacle without consent of the Township Committee, except in response to a call for aid in a neighboring community or on official business. No apparatus is to leave the Township on official business without the consent of the Chief or highest-ranking line officer available. The line officer in charge of the Fire Department shall have power to assign equipment for response to calls for outside aid in accordance with Subsection f of this section, and in other cases, only when the absence of such equipment in his/her judgment will not jeopardize fire protection in the Township of Tabernacle.

§ 2-7.3 Division of Emergency Medical Services.

§ Chapter 2, Section 7.3

Head of Division. The Division of Emergency Medical Services shall be headed by the Chief of the volunteer company providing emergency medical services in the Township. The Chief shall report to and be responsible to the Township Committee. Emergency and rescue services shall be provided in accordance with applicable law and pursuant to a contract between the parties as modified from time to time.

§ Chapter 2, Section 7.3.1

Members. In addition to such other qualifications as heretofore established by ordinance or by general law, all members of the emergency squads and rescue services providing emergency services in the Township shall be limited to those individuals who meet and maintain those qualifications to provide prehospital emergency care and/or rescue services as established by ordinance or by general law.

§ Chapter 2, Section 7.3.2

The objective of any squad delivering emergency services in the Township is the protection and preservation of life through providing emergency medical and rescue services in cooperation with the Tabernacle Fire Co. in accordance with any contract in existence from time to time. The age of active members hereafter joining the squad shall be above the age of 18 except for junior members who shall not be deemed fully active members but shall serve at the discretion and direction of the chief of the volunteer emergency squad. The Township Administrator shall have the right to require a doctor's certificate from any current or prospective member at any time as to their physical fitness and ability to fulfill emergency medical service responsibilities. Further, all members must comply with any and all federal, state or other rules and regulations pertaining to technical emergency medical service qualifications for membership.

§ Chapter 2, Section 7.3.3

Members, volunteers and employees may not use any tobacco products while on duty or at any time when in Township vehicles, public buildings or during training. "Tobacco product" means smoking and smokeless tobacco.

§ 2-7.4 Office of Emergency Management.

Created; Director of Emergency Management. Within the Department of Public Safety there shall be a Division of Civil Defense, known as the "Office of Emergency Management," the head of which shall be the Director of Emergency Management, who shall be appointed by the Township Committee from among the residents of the

municipality, pursuant to N.J.S.A. App. A:9-40.1. The Office of Emergency Management and the Director of Emergency Management shall perform all of the functions, powers and duties prescribed by general law, executive order, ordinance or resolution. The Director of Emergency Management shall provide a written report to the Township Administrator on a quarterly basis.

§ Chapter 2, Section 7.4.1

Community Emergency Response Team (CERT). Within the Office of Emergency Management, there shall be a volunteer Community Emergency Response Team (CERT) consisting of citizens who have completed basic CERT training as recommended by the Federal Emergency Management Agency to be appointed by the Township Administrator. All individuals seeking to volunteer for the Team shall be required to submit to a mandatory background check. The objective of the Team is to train community members to be able to support emergency services personnel during disasters, emergency events, and special community events. Members of the Team must be 18 years of age or older. Three Team leaders shall be chosen from its members and shall report to the Director of Emergency Management or his designee.

§ 2-7.5 General Provisions.

The Tabernacle Township Department of Public Safety, in order to support the provision of emergency services and the volunteer companies serving the Township, may bill for ambulance, transportation, fire, rescue, response and other services provided by the emergency service entities operating within the Township in accordance with all applicable State and Federal law and regulation. The rates of such services shall be determined and modified from time to time by the Township Administrator. These charges shall be billed to the insurance company of the resident or party receiving assistance from the Department of Public Safety. The Township Administrator shall administrate and ensure the accurate and timely billing for services by the Department.

The Township Administrator may also act as the Director of Emergency Management and in such case shall provide a written report to the Township Committee on a quarterly basis.

Unless otherwise required by law and then in accordance with all applicable Federal and State regulation, Tabernacle Township, in the case of the Township Administrator, and the various volunteer companies delivering firefighting and emergency services in the Township, and in the case of volunteers, shall conduct a background check on any applicant once an applicant's credentials have been reviewed, it has been determined that the applicant is otherwise qualified for a position, and the applicant has been recommended for hire or membership.

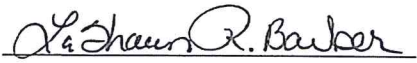
§ 2-7A TABERNACLE RESCUE SQUAD.

Tabernacle Rescue Squad, Inc. is hereby designated, endorsed and authorized as the official emergency medical and rescue service for the Township of Tabernacle, County of Burlington, and State of New Jersey.

Effective date: This Ordinance shall be in full force and effect from and after its adoption and any publication as may be required by law.

Introduced: October 13, 2020

Adopted: October 26, 2020



La Shawn R. Barber, RMC
Municipal Clerk