

**TOWNSHIP OF TABERNACLE
ORDINANCE 2017-9**

**AN ORDINANCE OF THE TOWNSHIP OF TABERNACLE,
COUNTY OF BURLINGTON, STATE OF NEW JERSEY
DESIGNATING AND OFFICIALLY CREATING A DEPARTMENT OF
PUBLIC SAFETY AND THE POSITION OF PUBLIC SAFETY DIRECTOR 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 requires cooperation and coordination by and between the volunteer fire 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 Department of Public Safety and the position of Public Safety Director within the Township of Tabernacle; and

Whereas, the Mayor and Township Committee are granted the authority to recognize and authorize the creation of a Department of Public Safety within the Township of Tabernacle by New Jersey Statute;

Now, Therefore, Be it Resolved by the Mayor and Committee of the Township of Tabernacle as follows:

I Department Generally:

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

The head of the Department of Public Safety shall be the Public Safety Director who shall be appointed by the Township Committee and serve at the pleasure of the Township Committee. The Public Safety Director shall be responsible for the organizational and administrative control of the Department of Public Safety and all of its Divisions.

The Public Safety Director shall be responsible for coordination between the Township and the New Jersey State Police for the provision of police services.

All candidates for the position of Public Safety Director shall possess and satisfy training and experience qualifications for the duties of his/her office, as determined, from time to time, by the Township Committee.

The Public Safety Director shall be responsible for providing the Township Committee with quarterly status reports.

The Public Safety Director shall be a civilian position and is not responsible for any operational (day-to-day) control of any division of the Department of Public Safety.

The Public Safety Director shall be responsible for the dedication and effective, proficient and efficient utilization of all emergency assets, resources and equipment in the Township of Tabernacle.

The Public Safety Director is not authorized to supervise, manage or direct the actual delivery of emergency services during an emergency response by any division of the Department of Public Safety.

The Public Safety Director, subject to the approval of the Township Committee, shall promulgate and from time to time revise and enforce rules and regulations for the control, disposition and discipline of the officers, employees and volunteers of the various volunteer companies delivering firefighting and emergency services in the Township and for their training and efficiency and for the use and care of Township equipment, Township apparatus and Township property real and otherwise.

The Public Safety Director shall be a paid position. The salary for the position of Public Safety Director shall be set forth in the Township's annual Salary Ordinance.

II Division of Fire:

The Division of Fire shall be headed by the Chief of the volunteer firefighting company providing services in the Township. The Chief shall report to and be responsible to the Public Safety Director. The Chief shall come from the volunteer staff and be selected by the volunteer firefighting company's members in accordance with the by-laws of the volunteer fire company.

Fire-protection services shall be provided in accordance with applicable law and pursuant to a contract between the parties as modified from time to time.

The objective of any fire company delivering firefighting services in the Township is the protection and preservation of life and property. The age of active members hereafter joining any fire company operating in the Township 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 fire company. The Public Safety Director 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 firefighting service responsibilities. Further, all members must comply with any and all federal, state or other rules and regulations pertaining to firefighting service qualifications for membership.

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.

III Division of Emergency Services:

The Division of Emergency 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 Public Safety Director. 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.

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.

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. 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 Public Safety Director 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.

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.

IV Office 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 Public Safety Director on a quarterly basis.

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 Public Safety Director. 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.

V 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, shall bill for ambulance, transportation, 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 Public Safety Director. These charges shall be billed to the insurance company of the resident or party receiving assistance from the Department of Public Safety. The Public Safety Director shall administrate and ensure the accurate and timely billing for services by the Department.

The Public Safety Director 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 Public Safety Director, and the various volunteer companies delivering firefighting and emergency services in the Township, 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.

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: September 11, 2017

Adopted:

La Shawn R. Barber, RMC
Township Clerk

Stephen V. Lee IV
Mayor

NOTICE

NOTICE IS HEREBY GIVEN that the foregoing ordinance was **introduced and passed by the Township Committee on first reading** at a meeting of the Township Committee of the Township of Tabernacle held on the **11th day of September, 2017**, and will be considered for second and final passage at a meeting of the Township Committee to be held on the 25th day of September, **2017**, at 7:30 p.m. at the Municipal Building located at 163 Carranza Road, New Jersey, at which time and place any persons desiring to be heard upon the same will be given the opportunity to be so heard.