

**ORDINANCE NO. 2023-03
FRANKLIN TOWNSHIP
HUNTERDON COUNTY, NEW JERSEY**

**ORDINANCE OF THE TOWNSHIP OF FRANKLIN, COUNTY OF HUNTERDON,
STATE OF NEW JERSEY, CREATING CHAPTER 192 ENTITLED "FIRE POLICE"
TO ESTABLISH A MECHANISM BY WHICH A FIRE DEPARTMENT MAY
PROVIDE FOR THE APPOINTMENT OF CERTAIN MEMBERS OF THE
DEPARTMENT FOR LIMITED POLICE DUTIES AT FIRES AND FIRE DRILLS**

WHEREAS, pursuant to N.J.S.A. 15:8-4, any duly organized volunteer fire company may provide for the appointment of certain members thereof to perform certain, limited, police duties at fires and fire drills, for a term of office not exceeding five (5) years from the date of appointment; and

WHEREAS, the Township Committee has been approached by Quakertown Fire Company Chief Bradley Patkochis in relation to establishing a fire police membership; and

WHEREAS, the Township Committee recognizes the importance of said fire police membership, and is desirous of establishing such membership pursuant to statutory authority.

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Franklin that Chapter 192 "Fire Police" is created to establish a mechanism by which a duly organized volunteer fire company may provide for the appointment of members for fire police duties, as follows:

SECTION I.

§ 192-1. Establishment; Composition; Qualifications; Appointment.

- A. As authorized by N.J.S.A. 15:8-4, any duly organized volunteer fire company may provide for the appointment of certain members of said fire company to perform certain police duties at fires and fire drills, for a term of office not exceeding five (5) years from the date of the appointment. The appointed members, before entering upon their duties, shall qualify by:
1. Successfully completing a basic fire police training course formulated or approved by the New Jersey Division of Fire Safety.
 2. Taking and subscribing to an oath that they will justly, impartially and faithfully discharge their duties according to the best of their ability and understanding. The oath shall be administered by the municipal clerk and subscribed to in duplicate. The original copy of the oath shall be filed with the municipal clerk and a copy thereof filed with the secretary of the fire company making the appointment.
- B. After appointment, a qualified member shall be eligible as a fire police officer and shall have full power and authority to act as a fire police officer in Hunterdon County or other county in which the fire police officer may be called upon to act.

§ 192-2. Nomination and Confirmation; Term of Office.

The Quakertown Fire Company may nominate not more than twelve (12) volunteer members of the Company to serve as fire police. Candidates nominated to said office shall be confirmed by the Township Committee and shall serve for a term of one (1) year or until their successors are nominated and confirmed. Fire police officers shall serve without compensation from the Township.

§ 192-3. Duties and Powers.

The rights, privileges, powers, and duties of a fire police officer shall be as follows:

- A. Protect property and contents.
- B. Establish and maintain fire lines.
- C. Perform such traffic duties as necessary, from the fire station to and at the vicinity of the fire, fire drill or other emergency call, until the arrival of a duly authorized police officer or at any public event where fire police services may be requested to protect the public, subject to the approval of and supervision by the chief law enforcement officer of the municipality in which the public event takes place.
- D. In the absence of investigating authorities, fire police shall investigate all causes of fires and preserve all evidence pertaining to questionable fires and turn evidence over to proper investigating authorities.
- E. Wear the authorized fire police badge on the left breast of the outermost garment while on duty.

§ 192-4. Command and Supervision.

It shall be the duty of a member of the fire police to perform his duties under the supervision of the fire officer in charge of the fire or fire drill, until the arrival of a duly authorized police officer, who shall assume responsibility for the supervision of the performance of traffic duties, preservation of evidence and all other law enforcement duties. Nothing in this paragraph shall diminish the powers of the chief or other superior officer of any volunteer fire company in the exercise of his duties pursuant to N.J.S.A. 40A:8-54.1.

§ 192-5. Violations and Penalties.

If any person shall unreasonably refuse to obey the orders of the fire police, a fire police officer may arrest him and keep him under arrest until the fire is extinguished or the drill completed. If the offender is found guilty by a municipal court or Superior Court, he shall be sentenced to pay a fine not exceeding two hundred dollars (\$200.00) and costs.

SECTION II.

All Ordinances or parts of Ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistencies.

SECTION III.

If any article, section, subsection, paragraphs, phrase or sentence is, for any reason, inconsistent with the Code of the Township of Franklin, or is held to be unconstitutional or invalid, said article, section, subsection, paragraph, phrase or sentence shall be deemed severable.

SECTION IV.

This Ordinance shall take effect immediately upon final passage and publication as provided by law.

NOTICE

NOTICE is hereby given that the foregoing Ordinance was introduced to pass on first reading at a regular meeting of the Committee of the Township of Franklin held on June 8, 2023 and ordered published in accordance with the law. Said Ordinance will be considered for final reading and adoption at a regular meeting of the Township Committee to be held on July 13, 2023 at 7:30 p.m. or as soon thereafter as the Township Committee may hear this Ordinance at the Franklin Township School, 226 Quakertown Road, Pittstown, New Jersey, at which time all persons interested may appear for or against the passage of said Ordinance.

Christine Burke
Township Clerk

**FRANKLIN TOWNSHIP
HUNTERDON COUNTY**

PUBLIC NOTICE is hereby given that the following titled Ordinance was introduced by the Franklin Township Committee at a regularly scheduled meeting held on Thursday, June 8, 2023.

ORDINANCE 2023-03

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SUMMARY AND EXPLANATION

The Township Committee has been approached by Quakertown Fire Company Chief Bradley Patkochis in relation to establishing a fire police membership authorized to perform certain, limited, police duties at fires and fire drills. As the Township Committee recognizes the importance of said fire police membership, the Township Committee is desirous of establishing such membership pursuant to N.J.S.A. 15:8-4, which provides that "any duly organized volunteer fire company may provide for the appointment of certain members thereof to perform certain, limited, police duties at fires and fire drills, for a term of office not exceeding five (5) years from the date of appointment".

Provided by Christine Burke, Township Clerk

MICHAEL B. LAVERY
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JOHN J. ABROMITIS
LAWRENCE P. COHEN*
KATHERINE E. INGRASSIA*
JAMES F. MOSCAGIURI
RICHARD W. WENNER*
WILLIAM H. PANDOS*
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IGOR V. BYKOV
KRISTEN A. ROTHE

*CERTIFIED BY THE SUPREME COURT OF
NEW JERSEY AS A CIVIL TRIAL ATTORNEY
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MEMO

TO: Hon. Philip Koury, Mayor
FROM: Igor V. Bykov, Esq.
DATE: June 6, 2023
RE: Franklin Township | Fire Police Ordinance

The purpose of this Ordinance is to vest certain members of the Quakertown Fire Company with specific traffic and safety-related duties that would otherwise be handled by the Township Police. This Ordinance would allow for certain members of the Fire Company to be appointed as Fire Police to perform certain police duties in fires and fire drills. These duties are limited to the following:

- A. Protecting property and contents.
- B. Establishing and maintain fire lines.
- C. Performing all necessary traffic duties, from the fire station to and at the vicinity of the fire, fire drill or other emergency call, until the arrival of duly authorized police officers or at any public event where fire police services may be requested to protect the public.
- D. Investigating all causes of fires and preserving all evidence pertaining to questionable fires and turn evidence over to proper investigating authorities in the absence of investigating authorities.
- E. Wearing the authorized fire police badge while on duty.

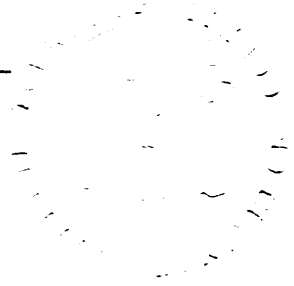
Once a duly authorized police officer arrives at the scene of the fire or fire drill, the need for fire police will no longer be necessary, unless otherwise requested.

This ordinance will allow Quakertown Fire Company to assist with certain safety/traffic related duties, thereby lessening the burden on the Township Police.

I, Christine Burke, Clerk for the Township of Franklin, hereby certify that Ordinance #2023-03 was introduced on first reading by the governing body of the Township of Franklin, County of Hunterdon, on June 8, 2023.

Public hearing and consideration for adoption was held on July 13, 2023, at which time the Ordinance was finally adopted.


Christine Burke, Township Clerk



Introduction : June 8, 2023
Published : June 15, 2023
Amended : N/A
Published : N/A
Public Hearing : July 13, 2023
Adopted : July 13, 2023
Published : July 20, 2023

**FRANKLIN TOWNSHIP
HUNTERDON COUNTY
FINAL PASSAGE**

PUBLIC NOTICE is hereby given that the following titled Ordinance was duly considered for final passage and adopted by the Franklin Township Committee upon conclusion of the public hearing held on Thursday, July 13, 2023.

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By Order of the Township Committee

**Christine J. Burke, RMC
Municipal Clerk**

EMAIL TO THE HUNTERDON COUNTY DEMOCRAT

LEGAL NOTICE, ONE PUBLICATION ONLY, THURSDAY, JULY 20, 2023

NO AFFIDAVIT NEEDED