

ORDINANCE O-24-02

ORDINANCE AMENDING CHAPTER 131 OF THE TOWNSHIP CODE, EMERGENCY MANAGEMENT, TO BE CONSISTENT WITH STATE STATUTE

WHEREAS, the current Township Code setting forth the residency qualifications of the municipal emergency management coordinator are more restrictive than the state statute requirements for residency qualifications of municipal emergency management coordinators; and

WHEREAS, the Township desires to modify the Township code to reflect the requirements of N.J.S.A. App.A:9-40.1, requiring that a municipal emergency management coordinator reside within the municipality *or* within a reasonable proximity of the municipality so as to ensure a prompt response or coordination of municipal resources for any local incident.

NOW THEREFORE BE IT ORDAINED by the Township Council of the Township of Howell, County of Monmouth, and State of New Jersey, as follows:

SECTION 1. Chapter 131 of the Howell Township code shall be amended with the following addition:

NOTE: All deletions are ~~struck through~~. All additions are **underlined and in bold**.

§ 131-6 Director and Deputy Directors; appointment; term; qualifications.

- A. The Township Manager shall appoint a Director of the Howell Township Office of Emergency Services, in accordance with the New Jersey statutes, who shall be a person well versed and trained in planning operations involving the activities of many different agencies, which will operate to protect the public health, safety and welfare in the event of danger from enemy action or disaster as defined in this chapter. The Director shall be a resident of the Township, **or reside within a reasonable proximity of the municipality to ensure a prompt response or coordination of municipal resources for any local incident.** ~~and~~ **The Director** shall serve for a term of three years. As a condition of his or her appointment and his or her right to continue for the full term of his or her employment, he or she shall have successfully completed at the time of his or her appointment or within one year immediately following his or her appointment the current approved home study course and the basic emergency management workshop. Failure to fulfill such requirement within the period prescribed shall disqualify the individual from continuing the office of Director, and thereupon a vacancy in said office shall be deemed to have been created.
- B. The Emergency Services Director shall designate and appoint Deputy Directors, with the approval of the Township Manager, to assume the emergency duties of the Director in the event of his or her absence or inability to act. Wherever possible, such Deputy shall be appointed from among the salaried officers or employees of the Township.

SECTION 2. INCONSISTENT ORDINANCES

All other Ordinances or parts thereof inconsistent with the provisions of this Ordinance are hereby repealed as to such inconsistency.

SECTION 3. SEVERABILITY

If any section, paragraph, subdivision, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision so adjudged and the remainder of this Ordinance shall be deemed valid and effective.

SECTION 4. EFFECTIVE DATE

This Ordinance shall take effect upon its passage and publication according to law.

NOTICE

The Ordinance published herewith was introduced and passed on first reading by the Township Council of the Township of Howell on January 16, 2024 and will be further considered for final passage and adoption at the Township Municipal Building on 4567 Route 9 North, Howell, New Jersey on February 6, 2024 at 7:00 p.m. or as soon thereafter as the matter can be reached on the Agenda, at which time and place all persons interested therein shall be given an opportunity to be heard and during the week prior thereto, and up to, and including, the date of such meeting, copies of said Ordinance will be available at the Clerk’s Office in the Township of Howell Municipal Building to the members of the general public who shall request same.

Introduction:

COUNCIL	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
<i>Councilwoman Fischer</i>	X		X			
<i>Councilman Gasior</i>		X	X			
<i>Councilwoman O'Donnell</i>			X			
<i>Deputy Mayor Nadel</i>			X			
<i>Mayor Berger</i>			X			

I, Diane Festino, Municipal Clerk of the Township of Howell, in the County of Monmouth, State of New Jersey, hereby certify this to be a true copy of the action of the Mayor and Township Council, at its Meeting held January 16, 2024. WITNESS my hand this 17th day of January 2024.

Diane Festino

DIANE FESTINO, Municipal Clerk

Adoption:

COUNCIL	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
<i>Councilwoman Fischer</i>			X			
<i>Councilman Gasior</i>	X		X			
<i>Councilwoman O'Donnell</i>			X			
<i>Deputy Mayor Nadel</i>		X	X			
<i>Mayor Berger</i>			X			

This is to certify that the foregoing Ordinance was adopted by the Township Council at a regular meeting of the Township of Howell held on February 6, 2024.

Diane Festino

DIANE FESTINO, Municipal Clerk

Explanatory Statement: O-24-02 amends to be consistent with State Statute.