

BOROUGH OF CLOSTER
BERGEN COUNTY, NEW JERSEY
ORDINANCE NO. 2023:1316

ORDINANCE AMENDING CHAPTER 173-52 (F) OF THE BOROUGH OF CLOSTER

WHEREAS, Section 173-52 (F) of the Code of the Borough of Closter addresses ambulance services with respect to senior citizen housing, nursing homes, assisted-living facilities or substantially similar sites designed to house at least 25 residents within the Borough, and currently requires EMT-staffed ambulance and ambulance service 24 hours per day, seven days per week on that site; and

WHEREAS, the Borough of Closter seeks to amend this section to address the impact on such institutions, yet preserve and enhance the availability of volunteer first aid squad services for other medical emergency situations in the Borough by reducing the use of volunteer first aid squad services and certain non-emergency situations.

NOW, THEREFORE BE IT ORDAINED by the Governing Body of the Borough of Closter, County of Bergen, State of New Jersey that Chapter 173-52 (F) is hereby amended as follows:

(1) Ambulance services.

The developer or subsequent owner of any senior citizen housing, nursing home, assisted-living facility or substantially similar site designed to house at least 25 residents within the Borough are hereby required to own, lease, rent or have promptly available by other arrangement sufficient appropriately staffed private ambulance services for the treatment and transport of patients in need of nonemergency medical care. Such ambulance services shall be available 365 days a year and 24 hours a day, and shall be utilized for all calls for medical care and transport of patients except in those situations. The ambulance shall meet all other state, county and local regulations. The ambulance and service shall be provided in perpetuity at no cost to Closter.

(2) Proof of Availability.

Each patient care facility subject to this section shall file proof of the availability of private ambulance services with the Borough Clerk within 60 days after final passage of this section, and on or before June 1 of each year thereafter. For purposes of this subsection, proof of private ambulance availability shall consist of a contract with one or more private ambulance service providers under which such providers are obliged to respond promptly to the patient care facility. If a patient care facility elects to own and operate its own ambulance, such proof shall consist of documentation of the make, model, year, color, serial number, license plate number, location and staffing of such ambulance. In addition, at the time such proof is filed each year, the resident director, manager or authorized corporate officer of each patient care facility shall make and file with the Borough Clerk a signed certification that adequate private ambulance services are available, and that all agents and employees of such facility involved with patient care have been apprised of and trained in the use of such private ambulance services.

(3) Emergency Medical Situations Warranting Emergency Calls to the Borough.

A patient care facility subject to this section may request the dispatch of a volunteer first aid squad from the Borough in those emergency circumstances that meet the criteria for dispatch of "advanced life support" or paramedic units, as defined in N.J.S.A. 26:2K-7 et seq., and regulations promulgated thereunder. Such circumstances include, by way of example and subject to statutory and regulatory clarifications and amendments, sudden-onset chest pain suspected to be cardiac in nature, other cardiac emergency, difficulty in breathing, sudden loss of consciousness, suspected stroke, diabetic emergency, life-threatening hemorrhaging and life-threatening trauma and/or hypoperfusion (shock). The dispatch of a volunteer first aid squad may also be requested in cases of suspected spinal or other major skeletal injury and/or extreme pain that precludes movement of a patient without immediate and appropriate immobilization precautions. Regardless of nature, chronic or persistent medical conditions or symptoms exhibited by patients shall not, absent significant and acute complications, be cause for request of a volunteer first aid squad by a patient care facility. Likewise, the decision by a patient, a patient's medical professional or a patient's family member to hospitalize the patient for evaluation or testing shall not warrant the dispatch of a volunteer first aid squad.

(4) False Reports.

It shall constitute a violation of this section for any patient care facility, or any agent or employee thereof, to cause or abet the making of any false report to the Borough requesting that a volunteer first aid squad be dispatched to the facility. For purposes of this subsection, "false report" shall be defined as any circumstance in which an agent or employee of a patient care facility calls, or causes or encourages another person to call, the Borough to request the dispatch of a volunteer first aid squad for treatment and/or transport of a patient at that facility in circumstances that do not warrant such a dispatch as set forth above.

(5) Violations and Penalties; Enforcement.

- a. Any person, firm, association, partnership, company, joint venture or corporation violating any of the provisions of this section shall be subject to a fine not exceeding \$1,000 or 90 days in jail, or both, for each such violation. Each day a violation continues and/or each time a false report is made shall constitute a separate violation. It shall not be a defense to any violation of the provisions of this section that private ambulance services were not available promptly when requested.
- b. Any Borough police officer who, in the course of performing official duties, has cause to believe that a false report (as defined above) has been made shall be authorized to write and serve on the patient care facility and/or the individual(s) responsible for the violation a summons or summonses requiring personal appearance in Municipal Court to hear and adjudicate the charge of making a false report; and

BE IT FURTHER ORDAINED that other than Chapter 173-52 (F), the remaining sections of Chapter 173-52 shall remain in full force and affect.

This Ordinance shall take effect upon final passage and publication in accordance with law.

Councilperson	Motion	Second	Yes	No	Absent	Abstain
Councilwoman Amitai						
Councilwoman Chung						
Councilman Devlin						
Councilwoman Latner						
Councilwoman Witko						
Councilman Yammarino						

Introduced: March 22, 2023
 Adopted: April 12, 2023

ATTEST:

APPROVED BY:

 Stephanie Evans, Borough Clerk

 John C. Glidden, Mayor

Certified to be a true copy of Ordinance adopted by the Mayor and Council of Borough of Closter at the Regular Meeting held on March 22, 2023.

 Stephanie Evans, Borough Clerk