WEST DEPTFORD TOWNSHIP

O-2021-09

ORDINANCE OF THE TOWNSHIP OF WEST DEPTFORD, COUNTY OF GLOUCESTER, STATE OF NEW JERSEY AMENDING ORDINANCE O-2020-16

WHEREAS, Chapter 26 of the Township Code governs the Township of West Deptford's Fire Department; and

WHEREAS, Chapter 26 was repealed and replaced by O-2020-16, and subsequently amended by O-2020-21 and O-2020-25, for the purpose of transitioning to a part-paid and part-volunteer Fire Department; and

WHEREAS, the Township Committee has great respect for the service to the Township provided by Colonial Manor Fire Association, Green-Fields Volunteer Fire Company, Thorofare Volunteer Fire Company, and Verga Fire Company (collectively, the "Volunteer Companies"); and

WHEREAS, the Volunteer Companies requested that Chapter 26 be amended to expressly designate them as volunteer firefighting forces to ensure the continued existence and preserve the proud history of those institutions; and

WHEREAS, the Township Committee finds this to be in the best interest of the Township as it transitions to the West Deptford Fire Department;

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Township Committee of the Township of West Deptford, County of Gloucester, and the State of New Jersey, that Chapter 26 of the Township Code shall be and hereby is amended to read as set forth in the attached document; and

BE IT FURTHER ORDAINED that this Ordinance shall take effect immediately upon final passage and publication as required by law.

TOWNSHIP OF WEST DEPTFORD

DENICE DICARLO, Mayor
James P. Mehaffey, Deputy Mayor

ATTEST:

LEE ANN DEHART, Registered Municipal Clerk

INTRODUCED at a meeting of the Township Committee of the Township of West Deptford, held on May 5, 2021.

ROLL CALL VOTE				
	AYES	**NAYS**	**ABSTAIN**	**ABSENT**
Denice DiCarlo	/			
Megan Kerr	/			
James Mehaffey	/			
Adam Reid	/			
James Robinson	/			
TALLY:	5			

ADOPTED at a meeting of the Township Committee of the Township of West Deptford, held on May 19, 2021.

ROLL CALL VOTE				
	AYES	**NAYS**	**ABSTAIN**	**ABSENT**
Denice DiCarlo				/
Megan Kerr	/			
James Mehaffey	/			
Adam Reid	/			
James Robinson	/			
TALLY:	4			/

Chapter 26 FIRE DEPARTMENT

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§ 26-1. Establishment; Fire Stations.

A. Creation. The Township of West Deptford hereby creates and establishes the West Deptford Fire Department. The Fire Department shall be composed of paid firefighters, including officers, members, and other personnel as deemed necessary by the Township Committee for the effective government of the Department.

B. Responsibility. The Township Committee shall have the general responsibility of ensuring that the Fire Department authorized to fight fires and respond to emergencies pursuant to this Chapter possess the necessary degree of efficiency to ensure the maximum level of protection against fire and emergencies is provided to the inhabitants of the Township of West Deptford.

C. Review. The Township Committee shall annually review the Fire Department to ensure that these companies possess the necessary degree of firefighting and emergency response competency to ensure the necessary level of potential within the township.

D. Rules and regulations. The Township Committee shall have the right to enact, by resolution, rules and regulations designed to ensure the necessary degree of competency within the Fire Department. Said rules and regulations shall, whenever possible, be inserted within this chapter. However, failure to insert said rules and regulations within this chapter shall not in any way impair their validity or enforceability.

E. Fire Stations. The following Fire Stations are hereby established within the West Deptford Fire Department:

(1) North Station
(2) South Station

Fire stations shall be based at such location as designated by the Township Committee in consultation with the Fire Administrator. The Township Committee may also designate locations for sub-stations in consultation with the Fire Administrator.

§ 26-2. Jurisdiction.

The following shall constitute the jurisdictional boundaries for the Fire Department Stations:

A. North Station: Beginning at the Westville Borough line going south to the center of the Woodbury Creek. From the Deptford Township line at Route 45 and Woodbury City line at Tatum Street west to National Park Borough line and the center of the Delaware River.

B. South Station: Center of Route 45 west to the center of the Delaware River from the center of the Mantua Creek north to the center of the Woodbury Creek.

C. Township Committee reserves the right to alter jurisdictional boundaries or add sub-stations based upon fire protection needs.

§ 26-3. Powers and duties.

A. The West Deptford Fire Department as constituted in this Chapter shall act as the chief firefighting force within the Township.

B. The West Deptford Fire Department shall have primary jurisdiction over the control, fighting, and extinguishment of any conflagration or fire which occurs within the Township limits or its contracted service areas, over the control and mitigation of emergency medical and hazardous material incidents.

C. The West Deptford Fire Department and designated volunteer fire companies are authorized to enter upon, without fee or hindrance, all premises, grounds, structures, buildings, and passages whenever necessary in the performance of their duties.

D. Duties.

(1) Appropriations. The Fire Administrator shall, on or before February 15th, submit a financial report that conforms to generally accepted accounting practices which details funds expended in the prior year to the Township Administrator. The purpose of this report is to ensure that public resources are being expended in an efficient and appropriate manner with proper budgetary controls. All requests for appropriation are to be received by the Township Administrator no later than November 15th in order to allow sufficient time for the preparation of the budget.

(2) Maintenance of efficiency. Each Fire Station operating within the Township of West Deptford shall conduct a proper schedule of training as directed by the Fire Administrator to ensure that its members maintain the highest degree of fire-fighting and medical response efficiency and proficiency.

(3) Conduct according to State Law. The West Deptford Fire Department shall be responsible to conduct its activities in accordance with the requirements of State Law.

§26-4. Fire Administrator.

There shall be a Fire Administrator who shall be appointed by Township Committee. The salary of the Fire Administrator shall be determined by Township Committee and shall be listed under the appropriate caption in the Salary Ordinance each year. The powers and duties of the Fire Administrator shall be as follows:

A. The Fire Administrator shall be the department head of the Fire Department and shall be responsible for oversight of the administrative operations and day-to-day management of the two (2) Fire Chiefs.

B. The Fire Administrator will assist in policy development in conjunction with the Fire Chiefs and implementation of such policies for the Fire Department and staffed personnel. The Fire Administrator shall review the Fire Department Rules and Regulations on an annual basis and propose any amendments to the Township Administrator as needed in the future. The Fire Administrator will review the Township training schedules to assure compliance with the state mandatory training requirements and advise the Fire Chiefs of personnel not meeting the mandated requirements.

C. The Fire Administrator shall be responsible to coordinate with the Township Administrator in order to use established protocols for maintaining recordkeeping for all personnel, the Fire Department budgets, soft billing of services rendered, scheduling of salaried employee hours, sick time and vacation time, and such other recordkeeping as may be required in connection with the day-to-day operations of the Fire Department.

D. The Fire Administrator shall maintain personnel records for all members of the Fire Department. The Fire Chiefs shall keep and maintain a verified eligibility list of all volunteer firefighters, to be verified by the Fire Administrator upon request.

E. The Fire Administrator shall be responsible for the coordination and oversight of the volunteer fire companies, the assignment of volunteer fire companies to Fire Stations, and the creation of volunteer on-call schedules.

F. The Fire Administrator, in consultation with the Fire Chiefs and Chief Financial Officer of the Township, shall prepare and oversee the budgets of the Fire Department, oversee and authorize expenditures made pursuant to the budget and establish and maintain a recordkeeping system for the budget process. The Fire Administrator shall upon request report on the status of the budget no less than quarterly to the Township Administrator to assist in the record keeping.

G. The Fire Administrator shall assure that the Fire Chiefs report any and all vehicle accidents, equipment damage or personal injury accidents that occur in their area of responsibility pursuant to the Township policies. The Fire Administrator will be responsible for the career staff during their duties while under his control during fire inspections and the Fire Chiefs will be responsible for all fire responses and during fire ground operations.

§26-5. Department Officers.

A. The Fire Department officers shall consist of two (2) Fire Chiefs and two (2) Deputy Chiefs, one for each of the two Fire Stations set forth herein, North and South. The terms of office shall be for three years, commencing January 1, after the expiration of which officers may be reappointed for successive three year terms. To be eligible for the Fire Chief position, a person shall have a minimum of seven (7) years of active firefighting service with the West Deptford Fire Department or a volunteer fire company designated in Section 26-8 prior to his or her appointment and maintained the State of New Jersey statutory requirements for Fire Officers as specified in N.J.A.C. 5:73-1.6.

B. The Fire Chiefs will be selected by the Township Committee in consultation with the Fire Administrator and Township Administrator.

C. The Deputy Chiefs will be selected by the Fire Chiefs for each Fire Station in consultation with the Fire Administrator, and approval of the Township Committee. The Fire Chiefs and Fire Administrator shall be responsible for interviewing potential candidates for the Deputy Chief position and to ensure they meet the State of New Jersey statutory requirements for Fire Officers as specified in N.J.A.C. 5:73-1.6. To be eligible for the Deputy Chief position, a person shall have a minimum of seven (7) years of active service, which is not limited to the West Deptford Fire Department. The terms of office shall be for three years, commencing January 1.

D. The salary of the Fire Chiefs shall be determined by Township Committee and shall be listed under the appropriate caption in the Salary Ordinance each year. Except for the Fire Chiefs, all other Department Officers shall be volunteer positions.

E. There shall be an Incident Safety Officer appointed on a yearly basis by the Fire Administrator, as well as a Safety Officer for each Station appointed on a yearly basis by the applicable Chief and confirmed by the Fire Administrator.

F. Each Fire Station set forth herein shall have as Line Officers two (2) Captains and three (3) Lieutenants. In January of each year, the Chief of each Station, after consultation with the Deputy Chief and Fire Administrator, shall interview and appoint qualified persons to such positions who shall serve a term until December 31 of that year. To be eligible for the position of Captain a person shall have a minimum five years of active service, which is not limited to the West Deptford Fire Department. For the position of Lieutenant, a person shall have a minimum of three years of active service, which is not limited to the West Deptford Fire Department. Any person considered for appointment shall have and maintained the State of New Jersey statutory requirements for fire officers as specified in N.J.A.C. 5:73-1.6.

G. Upon the vacancy of the office of Chief before the expiration of such officer's term, the Fire Administrator, in consultation with the Township Administrator, and approval of the Township Committee, shall select a new Chief.

H. There shall be a Fire Administrator appointed by Township Committee as set forth herein.

I. The Chiefs, Deputy Chiefs, Safety Officers, Captains, or Lieutenants shall serve for their respective term(s) or, when applicable, until the successor has been appointed and qualified.

J. In addition to all other requirements set forth in Chapter 26 of the Code of the Township of West Deptford regarding qualifications for officers within the Fire Department, the Fire Chiefs should be residents of the Township of West Deptford or live within three miles of the Township limits at the time of their election or appointment and at all times throughout the term of their office.

§26-6. Powers and Duties of Fire Chiefs.

The powers and duties of the Chief of each Fire Station for the Township shall be as follows:

A. Control at fires. The Chief shall have full and complete control of all fires within his Fire Station's jurisdiction and shall be accountable for his or her actions to the Fire Administrator and shall make written and verbal reports as the Fire Administrator shall require. All other Departmental officers shall be accountable to the Chief of their respective Fire Station, except when such officers are acting as Chief in his or her absence.

B. The Chief shall have supervision over the salaried members only in response to any emergency calls to the West Deptford Fire Department. The Chief shall have supervision, enforcement authority, and disciplinary authority over all volunteer fire fighters in coordination with the Fire Administrator in accordance with the Township and Department policy.

C. Rules and regulations. All Fire Department employees and volunteers fire fighters shall be subject to the terms of the Township's Personnel Handbook and other applicable rules and regulations. The Chiefs, in coordination with the Fire Administrator and in accordance with the policies of the Township, shall formulate any additional rules and regulations necessary to govern the volunteer fire fighters, subject to approval of the Township Committee, and shall be responsible to the Fire Administrator for the personnel, morale and general efficiency of the volunteer fire companies.

D. Conducting drills, training, and certifications.

(1) The Chief of each Fire Station, or Officers designated by him or her shall, at least twice a month, conduct suitable drills or training regarding the operation and handling of equipment, rescue work, salvage work, a continued study of buildings in the central business district, fire prevention, water supply, and all other matters generally considered essential to good firemanship and safety of life and protecting property from fire.

(2) Additionally, the Chief of each Fire Station, or designated Officers, shall utilize all systems adopted by the Division of Fire Safety per N.J.A.C. 5:73 as may be required by law or regulation and provide that all required certifications as may be required by law are obtained by the appropriate officers or members of their respective Fire Station.

(3) Each Fire Chief shall, in a written form to be determined by the Fire Administrator, certify to the Fire Administrator that all Fire Department personnel are in compliance with the safety training standards established by this section and/or federal or State regulations.

(a) All fire chiefs shall report to the Fire Administrator certifying that all personnel possess the required training certification(s) as determined by this section.

(b) All fire chiefs shall report to the Fire Administrator that all personnel have received the required basic safety training and/or retraining that is required by this section and/or federal or State regulations.

(c) All fire chiefs shall report to the Fire Administrator in accordance with the schedule listed below:

Certification/Training	**Reporting Schedule**
Firefighter I	Semi-annual (June15/December 15)
Incident Management System 2000	Semi-annual (June15/December 15)
Respiratory Protection	Annual (March 31)
Bloodborne Pathogens	Annual (December 15)
Community Right-to-Know Act	Bi-annual Compliance Notification Due within 15 days of Completion of Training
Hazmat	Annual (December 15)

E. Investigating suspicious fires. The Chief of each Fire Station is hereby required to assist the Fire Official of the designated Local Enforcing Agency or other proper authorities in suppressing the crime of arson, assisting in the investigation, cause, origin and circumstances of all fires of questionable origin that occur within the jurisdiction of their respective Fire Station.

F. Recordkeeping. The Chief of each Fire Station, in conjunction and cooperation with his or her designee, will supply to the Fire Administrator, or, in the absence of the Fire Administrator, the Township Administrator or his or her designee, complete records of all fires, apparatus and minor equipment, training records, and other information concerning the work of their Fire Station. The Chief of each Fire Station will report any and all vehicle accidents, equipment damage or personal injury accidents that occur within the jurisdiction of their Fire Station per the terms of the Township Policies and Procedures Manual and Personnel Handbook and shall provide notice to the Fire Administrator and Township Administrator.

G. Quarterly reports to the Fire Administrator. The Chief of each Fire Station, in conjunction and cooperation with his or her designee, and in coordination with the Fire Administrator, shall report quarterly to the Fire Administrator or his/her designee, the following with regard to their respective Fire Station: the conditions of the apparatus and equipment, the number of fires during the quarter, their location and cause, the date of same and loss occasioned by such fires, the number and purpose of all other runs made, the number of members responding to each fire or other run, and any changes in membership.

H. Annual Report. The Chief of each Fire Station, in coordination with the Fire Administrator, shall make a complete annual report to the Township Administrator and Township Committee; such report shall include information as specified in the proceeding subsection, together with comparative data for previous years and recommendations for improving the effectiveness of their Fire Station and the Fire Department.

§ 26-7. Paid members of the Fire Department.

A. The paid members of the Fire Department shall consist of the Chiefs, firefighters, and other paid personnel, the number and rank of which shall be determined by the Township Committee.

B. The salaries of paid members of the Fire Department shall be determined by Township Committee and shall be listed under the appropriate caption in the Salary Ordinance each year.

C. Such paid members shall be under the jurisdiction of the Fire Administrator or acting head of the Department and may be assigned by him or her according to need in any given situation, and they shall be accountable to him or her, as well as the Township Administrator, for their behavior and their actions.

D. Every person appointed as a paid member of the Fire Department of the Township shall, before he or she enters upon the duties of his or her office and within 10 days of such appointment, take and subscribe before the Mayor, Township Clerk, Township Administrator, or other officer authorized to administer same an oath or affirmation, in the form prescribed by law, to faithfully, fairly and impartially execute the duties of his or her office according to his or her knowledge, skill and ability.

§ 26-8. Volunteer Fire Companies.

A. The Township of West Deptford hereby designates the following volunteer fire companies as additional fire fighting forces:
   (1) Colonial Manor Fire Association;
   (2) Green-Fields Volunteer Fire Company;
   (3) Thorofare Volunteer Fire Company; and
   (4) Verga Fire Company.

B. The volunteer fire companies will be assigned to Fire Stations by the Fire Administrator and called upon to provide firefighting services within the jurisdiction of such Fire Stations in the discretion of the Fire Administrator.

C. Volunteer fire fighters shall operate under the direction and control of the Fire Administrator and Department Officers.

D. Volunteer fire fighters may be eligible for annual stipends in accordance with criteria to be established by the Fire Administrator in coordination with the Township Administrator.

E. The volunteer fire companies shall be governed by all rules and regulation promulgated pursuant to this Chapter 26.

F. Nothing in this Chapter 26 shall be interpreted to limit the authority of the volunteer fire companies to select their own Volunteer Chiefs and/or administrative officers, pursuant to

the terms of their respective bylaws, or to undertake any benevolent, social, or related activities, or to undertake any fundraising activities in support of the same. Except as assigned by the Fire Administrator, Volunteer Chiefs shall have no command or control authority at fires, with respect to Fire Department equipment, or with respect to those responsibilities assigned to the Fire Administrator or Department Officers in this Chapter 26.

§ 26-9. Training; Additional responsibilities.

A. Firefighter/line officer minimum training standard.
   (1) Firefighters.
      (a) All firefighters must be eighteen (18) years of age or older.
      (b) All firefighters must have obtained a Firefighter I certification from a training program recognized by the New Jersey Division of Fire Safety (N.J.A.C. 5:734.2).
      (c) All non-Firefighter I certified personnel involved in any Fire Department activity that has the potential to be hazardous must receive the appropriate safety training before engaging in that activity.
   (2) Line officers.
      (a) All line officers must possess an Incident Management System 200 (IMS 200) Certification from a training program recognized by the New Jersey Division of Fire Safety (N.J.A.C. 5:73-6.1).
      (b) Line officers are the following positions: Chief, Assistant Chief, Captain, Lieutenant, and any other fire company personnel acting as a line officer, including Safety Officer.

B. Respiratory protection.
   (1) Every firefighter shall annually undergo a fit test to be provided by a qualified vendor to be selected by the Township. This test will comply with 29 CFR 1910.034 (PEOSHA regulations).
   (2) As required by the above-referenced federal regulation and/or any subsequent requirements promulgated by the Township, every firefighter shall annually undergo retraining to guarantee proficiency in the use of respiratory protection gear.

C. Bloodborne pathogens. All firefighters shall annually complete training in protection against bloodborne pathogens. This training shall be conducted by certified instructors and shall comply with the applicable Occupational Health and Safety Administration standard in effect.

D. Community right-to-know. As provided for by federal regulation, all firefighters shall complete required training in conformance with the Community Right-to-Know Act. This training shall be completed on a bi-annual basis, unless otherwise provided for by federal or State regulation.

E. Hazardous materials training. All firefighters shall annually complete training for hazardous materials responders as provided for in 29 C.F.R. § 1910.120.

F. Personal accountability system.

(1) All firefighters will be trained in the effective utilization of personal accountability system devices and procedures.
(2) Both the devices utilized and the training will comply with New Jersey regulations adopted on August 22, 2003.

G. Contact training. The Fire Department shall conduct contact training for all firefighter personnel in order to familiarize personnel with basic scenarios.

H. Compliance.
(1) Should fire department personnel or volunteer fire fighters fail to possess the requisite certification and/or training, that individual(s) shall be removed from the fire department's roster and not permitted to engage in any firefighting and/or rescue activities or any other potentially hazardous activity. Such personnel may be placed on the roster once they have obtained the necessary certification and/or training.
(2) The Chief of each Fire Company shall be responsible for maintaining the necessary level of training for each member listed on the roster. The Chief of each Fire House shall be responsible for the accuracy and timeliness of all reports submitted to the Fire Administrator.
(3) Should any Chief fail to ensure compliance with safety training standards established by this ordinance or federal and/or State regulation, the Township Committee or Township Administrator may take appropriate disciplinary action.

§ 26-10. Designation of Color of Fire Apparatus.

All fire apparatus purchased by the Township of West Deptford for the Township of West Deptford Fire Department shall be in the uniform colors of Green #DUHS925673 and White #2185.

§ 26-11. West Deptford Fire Department Junior Firefighter Program

The Township of West Deptford hereby establishes the West Deptford Fire Department Junior Firefighters Program, which is to be known as the Junior Firefighters Auxiliary (the "Junior Auxiliary"). The Junior Auxiliary is to serve as a training program for young men and women, aged 14-17, who are interested in serving their community and preparing to become active firefighters upon reaching the age of 18. At age 18, Junior Firefighters are eligible to attend the Firefighter Course to become a full member of the West Deptford Fire Department upon successful completion. The ultimate goal of the Junior Firefighter Program is to provide future members for the West Deptford Fire Department, whether paid or volunteer.

A. Due to the inherent dangers of firefighting, strict rules of conduct and tight procedural standards are to be established by the Fire Administrator in consultation with the Township Administrator and Fire Chiefs. The Fire Administrator will assist in policy development in conjunction with the Fire Chiefs and implementation of such policies and Standard Operating Guidelines necessary to ensure the safety of all members of the Junior Firefighters Program and that the Program operates consistent with its mission. All policies and Standard Operating Guidelines are to be reviewed by the Township Administrator and approved by the Township Committee.

B. Mission

(1) Establish training standards to ensure that all members are thoroughly familiar with established fire operations that are used by the West Deptford Fire Department.

(2) Provide information and trips to facilities so that members can see first-hand about various fire service careers.

(3) Participate in District and Council Explorer activities.

(4) Assist the West Deptford Fire Department in fire prevention, fire inspection, and public assistance programs.

(5) To be available when activated for individual fire alarms to respond to the West Deptford Fire Department for assignments, to individual apparatus as designated by the policies and Standard Operating Guidelines of the West Deptford Fire Department.

(6) To provide a program that incorporates the five experience areas of a well-rounded Junior Firefighters Program: career; fitness; citizenship; social and outdoors.

C. Organization

(1) There shall be one (1) Advisor from each Fire Station who shall be appointed by the Fire Administrator in consultation with the Chief of each Station. Other members of the West Deptford Fire Department who are interested in assisting may be appointed as Associate Advisors by the Chief of each Station.

(2) All Advisors and Associate Advisors must be twenty-one (21) years of age and a member in good standing with the West Deptford Fire Department.

(3) Juniors who participate in the program are required to maintain a minimum of a "C" or 2.0 grade point average (GPA) in high school. Failure to maintain the required GPA will necessitate a suspension for the following marking period. Juniors shall supply a copy of their current report card to the Advisor at the end of each marking period.

(4) Juniors must be in good standing with their school, work, and family.

(5) Junior members are expected to comply with all policies implemented by both the West Deptford Fire Department and the Township of West Deptford.

(6) No child shall become a member of the Junior Firefighter Program without a prior meeting with his/her parent(s) or guardian to discuss the operation of the West Deptford Fire Department and to answer any concerns of the parent(s) or guardian. A signed permission slip from the Parent(s) or Guardian must be received prior to participating in Department activities.

(7) All Junior Firefighters must have working papers that are supplied from their local high school.

§ 26-12. Initial Implementation of West Deptford Fire Department

A. The Township Administrator, in consultation with the Township Committee, shall set a schedule for the effectuation of the West Deptford Fire Department and implementation of Chapter 26, which may be amended from time to time as deemed advisable by the Township Administrator.

B. Upon the hiring of the initial Fire Administrator, and other Department Officers, they shall assume the duties set forth in this Chapter 26.

C. The volunteer fire companies designated by Ord. Nos. 95-6 and 2007-13 shall continue to act as the designated fire companies and perform all duties within their assigned jurisdictions until the West Deptford Fire Department is ready to assume such duties. The Township Administrator, in consultation with the Township Committee and Fire Administrator, shall designate an official transition date (the "Transition Date").

D. Effective upon on the Transition Date, the volunteer fire companies shall transition to the firefighting roles set forth in Section 26-8, and primary firefighting authority shall be vested in the West Deptford Fire Department.