

ORDINANCE NO. O-24-21

AN ORDINANCE REPEALING AND REPLACING ORDINANCE 2-9 REGARDING THE FIRE DEPARTMENT IN THE BOROUGH OF WEST LONG BRANCH

WHEREAS the West Long Branch Fire Department has been working on the existing borough ordinances affecting the Fire Department, updating the same and recommending changes; and

WHEREAS the Fire and EMS Committee of the West Long Branch Borough Council has reviewed the recommended changes and recommends their adoption to the full governing body;

NOW, THEREFORE, BE IT ORDAINED by the Borough Council of the Borough of West Long Branch that Ordinance 2-9 be and the same is hereby repealed and replaced with the following:

2-9.1 Fire Department Jurisdiction Established.

The incorporated limits of the Borough as now established under an act entitled "An Act to Incorporate the Borough of West Long Branch, in the County of Monmouth, and to Provide for the Holding of an Election," approved April 17th, 1908, and constituting Chapter 102 of the Laws of 1908, *shall be the jurisdictional boundaries of the Fire Department.*

2-9.2 Composition of Fire Department.

The Fire Department of this Borough of West Long Branch shall consist of Borough Chemical and Truck Co. No. 1 INC. and West Long Branch Fire Co. No. 2. INC.

2-9.3 Membership. **

Membership of the fire companies shall consist of the following six (6) classes:

A. Active.

1. No person shall become an active member unless above the age of eighteen (18) years and not over the age as set forth in N.J.S.A. 40A:14-56, a citizen of the United States, a resident of the Borough of West Long Branch *or Towns listed in 8 below*, and County of Monmouth *for six (6) months or more*. He/She shall be physically fit to perform the duties of fireman evidenced by a certificate to that effect *provided by* a practicing physician of the State of New Jersey after a physical examination for that purpose. Fees associated with the physical examination will be covered by the Borough.
2. The above age limit of and the six (6) months resident requirement shall not apply to a duly enrolled member of another fire department in the State of New Jersey upon a transfer to the Department provided he/she is at the time of transfer *is* a member in good standing of the other department. A letter from the company's secretary will be necessary.

3. Every person seeking to join the Fire Department or transfer thereto from another department shall make an application to the company which he/she desires to join upon application forms furnished by the Fire Company and N.J. State Firemen's Association. He/She shall become a member of the Fire Department upon confirmation by the Mayor and Council, and He/She name shall be entered on the roll of firemen kept by the Borough Clerk Office and the Fire Administrator. He/she shall be given a badge of membership by the Fire Administrator.
4. All persons upon being admitted to active membership shall complete an initial probationary period. During said probationary period, the probationary firefighter will follow guidelines established in Subsection 2-9.3a,10. If said candidate has completed a probationary period in another department and can present documentation certifying same, he/she will be exempt from the aforementioned probationary procedures. Said initial probationary period shall not be less than one (1) year nor more than two (2) years. A member shall be considered to have successfully completed the initial probationary period if he:
 - a. Complies with requirements set forth by the New Jersey Division of Fire Safety Firefighter requirements (NJDFS) National Incident Management System (NIMS), and all required training set forth as defined below in the training requirements section, 2-9.8.1 Exhibit (A) below.
 - b. Successfully completes a training review, established in Subsection 2-9.3a,10 administered by the Fire Administrator and
 - c. Attends not less than Twenty-Five 25% percent of the regular alarms of fires during the probationary period, and
 - d. Attends not less than fifty (50%) percent of the regular monthly meetings during the probationary period, and
 - e. Attends not less than fifty (50%) percent of the drills during the probationary period.
5. Every active member shall attend not less than Twenty-Five 25% percent of alarms answered by the Department during the calendar year. The total number of alarms used in computing said percentage may include not more than twelve (12) fire drills called by the Company or the Department. Any active member who shall have been absent from a fire alarm or drill for any reasons must contact the Captain setting forth the excuse before the Captain's report of alarms and drills is presented at the next regular company meeting. The total number of excusable reasons used in computing said percentage shall not exceed Twenty-Five 25% percent of the total number of regular alarms of fires.

6. Active members, after successful completion of the initial probationary period, who thereafter fail to maintain Twenty-Five 25% percent fire duty for two (2) successive years shall be stricken from the rolls of active members and removed from the NJ State Fireman's Association Relief program.
7. Any active or associate member who has received a satisfactory compliance and meets all the training and back ground qualifications of this ordinance and resides in one of the listed towns below shall be accepted as member.
 - Deal
 - Eatontown
 - Little Silver
 - Long Branch
 - Monmouth Beach
 - Ocean Twp. (all)
 - Oceanport
8. When said active member has met all requirements set forth in Subsection 2-9.3A, and 8.1 (A) Exhibit (A) of this Ordinance, he shall have all rights to be nominated and elected to a company and/or departmental level officer's position providing he or she meets all the required training and or company bylaws for said position being held prior to taking office.
9. Firefighter Training Qualifications. All Firefighting Active, and Associate members must comply with the requirements set forth in The New Jersey Division of Fire Safety Training Requirements, NIMS Training requirements, as well as meet any additional training required to maintain firefighter status within the Borough. Also, must meet the requirements of N.J.A.C. 5:73 New Jersey Division of Fire Safety Firefighter requirements (NJDFS). Course requirements above may be conducted by the National Fire Academy, Monmouth County Fire Academy, Courses outlined from the New Jersey Division of Fire Safety Training addendum, or equivalent, or any approved course delivered by a certified agency.
10. Should a member/employee refuse to sign for the SOP's/SOG's and directives, they shall be removed from active service and charges shall be brought against said member/employee for refusal to accept and sign for the department's firefighter/employee SOP's/SOG's and directives as required.

B. Active Exempt.

1. The active exempt membership shall consist of all those active members who shall have been awarded exempt certificates for service from the Fireman's Relief Secretary who still fulfill the obligations of an active member.

2. Active exempt members who fail to meet the annual regulatory training requirements shall be transferred to the roles of exempt membership.

C. Exempt.

1. The exempt membership shall consist of all those active members who shall have been awarded exempt certificates, and who have not continued their active status.

2. Exempt members shall be entitled to all the rights and privileges of the company except that they shall not hold the office of Chief, Assistant Chief, Captain, or Lieutenant. They shall not take part in any active firefighting duties.

3. Exempt members shall attend not less than three (3) monthly company meetings a year prior to the election meeting to be eligible to vote in company or departmental elections of officers.

4. If an exempt member wishes to change his exempt status back to active membership status, said member will have to meet the qualifications of the active membership category in Subsection 2-9.3a and 8.1 Exhibit (A) training requirements of this section for a period of not less than one (1) complete year from the date of the change of status.

D. Associate.

1. The associate membership shall consist of not more than twenty-five (25) members of each company.

2. No person shall become an associate member unless above the age of eighteen (18) years, citizen of the United States, and a resident of the Borough or listed communities or a full-time student at Monmouth University or employee within the Borough who is able to respond to emergencies.

3. All persons seeking associate membership shall do so in accordance with the procedures set forth in Subsection 2-9.3a,4. And must meet the educational and regulatory requirements of Subsection 2-9.3a,5. And 8.1 Exhibit (A) training requirements.

5. Associate members shall be entitled to all the rights and privileges of the company except that they shall not be entitled to vote in the elections for the office of Chief, Assistant Chief, Captain, or Lieutenant nor shall they be eligible to hold such offices.

6. Associate members shall perform any and all duties incumbent upon them as members of the Department.

E. Honorary.

1. Honorary members shall not perform any Firefighting related duties. Honorary Membership shall be a company level membership ONLY and not represent the Borough of West Long Branch as a Firefighter.
2. Honorary members shall have no voting privileges, nor shall they hold any fire company executive or Line Officer Position.

F. Life.

1. Any active or active exempt member who shall have completed twenty-five (25) years of service and whose years of service and age when added total seventy-five (75) or greater and who desires to be free of the obligation or membership may at his request, by action of the company, be transferred to the status of a life member.
2. Life members shall be entitled to all rights and privileges of active members except that they shall not hold any Chief or Line Officer position, they must attend two (2) company meetings per year to be eligible to vote for company or departmental officers.
3. Any active or active exempt member who suffers a permanent disability which prohibits his performing the normal duties may, by the action of the Fire Company, be transferred to the status of Life Member.

2-9.3A Disclosure Information Regarding Present Membership and ALL NEW Applicants.

1. Purpose. This subsection is enacted for all new and existing membership in part pursuant to N.J.S.A. 40:42-1 et seq. for the health, welfare and safety of its citizens and to implement N.J.S.A. 15:8-1.1. SHALL Comply with 2-9.3.
2. Membership Defined. Membership in a volunteer fire company, means present membership in the West Long Branch Fire Department (either company). Applicants and or present membership within the Borough refers to all new applicants or present membership.
3. Contents. Any adult person desiring new membership in a volunteer fire company, or as an employee or present member of the Borough requiring this process, shall complete in duplicate, filing the same with the Borough Clerk, a separate record check application, which shall contain the following information about the applicant or Present Member:
 - a. Name.
 - b. Home address.
 - c. Birth date.
 - d. Social Security number.
 - e. Driver's license number.
 - f. Any conviction of violation of N.J.S.A. 2C:17-1:

- (1) Aggravated arson, or
- (2) Arson, or
- (3) Failure to control or report dangerous fire, or
- (4) Directly or indirectly pays or accepts any form of consideration for the purpose of starting a fire or explosion.

g. Any conviction or violation of N.J.S.A. 2C:33-3 (False Public Alarms).

h. Any conviction of a crime, as defined in N.J.S.A. 2C:1-4a, or a felony or misdemeanor under Federal law, however, such person may be an honorary member, if permitted by the company.

i. Any conviction of a disorderly person's offense, petty disorderly persons offense or ordinance violation.

4. *Investigation by Chief of Police or Chief's designee.*

a. *Following the filing of such records check application, the Borough Clerk shall transmit one (1) copy of the application to the Chief of Police of the Borough of West Long Branch, who shall investigate to ascertain the truth of the statements made by the applicant and or member upon his/her application and any such other investigation of the applicant's or members background as the Chief deems necessary for the protection of the public good.*

b. *If, as the result of such investigation, the applicant or member is found to have been convicted of any violation of any matter referred to in section 2-9.3A or any other information that would indicate the applicant or member may be a threat to the health, safety or welfare of the community, the Chief of Police shall report such information and the particulars thereof to the Borough Clerk. The Borough Clerk shall, thereafter, provide that information to the Fire administrator who shall notify the respective company official of the Fire Company that the applicant or member is in good standings or has been denied entry or re-entry into the department.*

5. As to the volunteer fire company's application or requirement for an existing listed member, such other information as the volunteer fire company or Borough of West Long Branch deems relevant to the application or present membership, provided none of such information is prohibited by law.

6. Any present member in the West Long Branch Fire Department that is required to submit to a background check shall follow 2-9.3A all Disclosure Information with the WLBPD as directed.

7. He/She shall schedule an appointment with the WLBPD detective division once notified that they shall proceed with the background check, this is for present membership and new applicants.

8. *Fingerprinting of Applicant and or present member. In connection with said investigation, they SHALL submit to fingerprinting, and the Chief of Police is authorized to submit the fingerprint card and receive State criminal history record information from the Division of State Police/State Bureau of Identification for use in considering the suitability of all covered under these sections as listed above.*
9. *Time Limit for Investigation. The above investigation by the Chief of Police shall be completed within thirty (30) days of receipt of the fingerprinting, unless such time shall be extended by formal action of the governing body.*
10. *Should a present member of the West Long Branch Fire Department be found to be in violation of any section of 2-9.3A, that member shall be notified in writing that he/she has been charged with a violation of the ordinance and placed on suspension pending the outcome of the investigation. Said member shall follow section 2-9.3A to return as a member in good standing. At any time upon demand of the Chief or Company Official, or whenever said member shall be under charges involving moral turpitude or neglect of duty, all company and Department-issued equipment will be relinquished to the Chief. Said member if in violation they shall also be obligated to notify the company officials as well as a department official immediately upon the violation/infraction.*
11. *A suspension notice shall be issued by the Fire Chief and/or Borough designated official.*
12. *Fees. Any fees required for fingerprinting shall be paid by the Borough and not by the Fire Company or the Fire Department.*
13. *Release of criminal history information shall comply with N.J.A.C. 13:59-1.2*

2-9.4 Elections; Terms of Office.

On the first Tuesday after the first Monday of December in each Election year, the companies shall elect one (1) person to be known as Fire Chief of the Fire Department and one (1) person to be known as Assistant Fire Chief. The Fire Chief shall serve for a term of TWO years and the position shall alternate between companies on a bi-annual basis. The Fire Chief and Assistant Fire Chief shall not be members of the same company. Exempt, active, active exempt, and life members in good standing of said Fire Companies shall be eligible to vote for said officers. The secretary of each Fire Company in the Fire Department of the Borough of West Long Branch shall no later than November 15, file with the Borough Clerk, as a matter of record, a list of all such members who are then in good standing and entitled to vote at the election.

2-9.5 Eligibility for the Office of Fire Chief or Assistant Fire Chief.

A. No person shall be eligible for the office of Fire Chief or Assistant Fire Chief who has not met all of the training requirements of the position of Captain and the following additional requirements and 2-9.3A-4a-e: See 2-9.8.1 Exhibit (A) below for the minimum training requirements needed prior to taking office.

B. Fire Chief.

If for any reason the term of Fire Chief cannot be completed by the elected Fire Chief, a qualified nominee from the company which the vacancy arose from will be voted upon in a special departmental election, to serve the remainder of the Fire Chief's term. Said election shall be held within thirty (30) days of the vacancy and follow the by-annual election criteria.

C. Assistant Fire Chief.

If for any reason the term of Assistant Fire Chief cannot be completed by the elected Assistant Fire Chief, a qualified nominee from the company which the vacancy arose from will be voted upon in a special departmental election, to serve the remainder of the Assistant Fire

D. Chief's Vacancy. Said election shall be held within thirty (30) days of the vacancy and follow the bi-annual election criteria.

2-9.6 Nominations for Fire Chief and Assistant Fire Chief as well as Captain and Lieutenant.

A. All nominations for the offices of Fire Chief and Assistant Fire Chief shall be in the hands of the Borough Clerk not later than November 15th of the election year.

B. Nominations for Fire Chief and Assistant Fire Chief shall be made only from the company from which the candidate is a member.

C. The company secretary shall supply to the Fire Administrator, all Fire Chief, Assistant Fire Chief and Line Officers who intend to be nominated for an officer's position no later than September 10th so each candidate can be certified that they meet the minimum requirements of the position being nominated for prior to the October nomination meeting.

D. Each Company SHALL supply the nominated Fire Chief and or Assistant Fire Chief elected from the company to be placed on the official ballot for the chief's election, in addition each company secretary shall also supply the elected captain and lieutenant to be sworn in with the chief officers at the swearing in ceremony.

E. All nominated officers shall meet the minimum certified training requirements listed in 8.1 Exhibit (A) Training Requirements prior to holding said position. The Borough Fire Administrator shall verify that each candidate is qualified for each

nominated position and return the results prior to the October company nominating meetings.

F. At the November nomination and election meeting the secretary of each company shall supply a list of elected chief officer or assistant chief officer as well as the captain and lieutenant to the borough clerk no later than November 15th.

2-9.6 Election of Fire Chief and Assistant Fire Chief.

A. The election for Fire Chief and Assistant Fire Chief shall be held at the fire station of the nominated Fire Chief belonging to the West Long Branch Fire Department. *The* polls open at 7:00 p.m. and close at 9:00 p.m. of the day appointed for holding the election. *It* shall be conducted by ballot and a statement of the results of the election shall be signed by the judge and clerk of each company and transmitted to the Borough Clerk. It shall be submitted to the Mayor and Council at the next regular meeting held after the election. The Mayor and Council shall canvass the returns and declare the results and the persons so declared to be elected as Fire Chief and Assistant Fire Chief shall hold office for TWO (2) Years from the first day of January next ensuing.

B. The President and Secretary or designated company executive board member of each company shall act as judge and clerk of the election held under the provisions of this section.

C. The chief officers shall be sworn in at the January borough council meeting or at any other convenient date to the Borough Clerk on or soon after January 1, at which time the officer(s) shall sign the documents required.

2-9.8 Line Officers.

A. Each company in the Fire Department of the Borough of West Long Branch shall elect the Line Officers of Captain, and Lieutenant to serve for a term of two (2) years. All candidates for line officers shall have been in active firefighter status in this Borough for at least three (3) years in order to be nominated, and eligible for election to the position. Section 2-9.6 above shall be followed for all line officers' positions.

B. Course requirements listed in section 8.1 Exhibit (A) training qualifications, shall be conducted in accordance with the requirements for fire services training as defined in N.J.A.C. 5:73-1.6.

C. The training requirements listed in section 8.1 Exhibit (A) are minimum requirements to hold the listed positions defined below, the borough has the authority at any time to accept equal training certifications for said positions. All positions shall meet the minimum training requirements PRIOR to holding any position listed below.

D. SEE ATTACHED EXHIBIT (A) LISTING MINIMUM TRAINING QUALIFICATIONS FOR THE FOLLOWING West Long Branch Fire Department POSITIONS:

- Firefighter
- Lieutenant
- Captain
- Assistant Fire Chief
- Fire Chief
- Driver Operators (all Vehicles & Apparatus)
- Training Officer's I & II
- Fire Police

2-9.9 Election of Line Officers and other company elected positions.

A. Election of company line officers, as well as other company officers, shall be by ballot, and such officers shall be chosen by a majority of the votes cast. If upon any ballot there be no election, a new ballot shall be cast and on each successive ballot the candidate receiving the lowest number of votes shall be dropped from the balloting. Such balloting shall continue until one (1) candidate shall have received a majority of votes cast.

B. The company captain's and lieutenants shall be sworn in at the January borough council meeting along with the fire chiefs. Should a captain or lieutenant not be able to be sworn in at the January borough council meeting, said captain or lieutenant shall decide with the borough clerk to be sworn in at a later date and sign the documents as required.

C. Nominations for Line officers, Fire Chief, Assistant Fire Chief as well as other company elected positions shall be made on the first Monday in October of the election year, the nominations to remain open until annual meeting for election of officers to be held on the first Monday in November. The regular term of elected officers shall commence the first day of the year following the election. All voting members, with the exception of life members, shall be required to attend no less than three (3) company meetings per year prior to an election meeting to be eligible to vote for company or departmental officers.

2-9.10 Management of Companies.

A. The two (2) Fire companies of the Fire Department shall manage their own affairs pertaining to company meetings and company operations (committees), not open to the public or subject to the sunshine laws, and shall be subject to the terms and conditions of this Ordinance and regulations of the department approved by the

Borough Council. If the Council shall see fit to exercise such right of approval in the interest of the general welfare of the Borough, they SHALL give guidance of same.

B.The two fire companies shall bi-annually meet with the Fire and EMS council committee and discuss the rent that is paid by the borough to each fire company. The borough and the fire company shall draft up an agreement, signed by both parties and be incorporated into the annual fire department line item budget. The payment shall be issued in a lump sum once the annual budget is passed. The fire administrator shall process the purchase orders to each company for payment accordingly.

C.The two (2) Fire companies of the Fire Department shall be required to follow all OPRA guidelines as required by law when applicable. The Executive Officers of each company shall be responsible to provide all documentation to the FIRE ADMINISTRATOR upon request to meet the OPRA Filing timeframe. Should there be a discretion on what the agency is to provide to the Fire Administrator, then the borough attorney shall be contacted immediately to render a decision. This is to meet all filing deadlines and or file for an extension should additional time be required to produce the documents requested. The Fire Administrator as the appointed borough fire records custodian for the Fire Department shall be authorized to request said information from each company as required by law.

2-9.11 Refusal to Obey or Enforce This Ordinance.

Any company which shall refuse to obey or enforce obedience of any provisions of this ordinance or direction of the Borough Council in accordance herewith, may be suspended from duty in the Borough of West Long Branch at the discretion of the Borough Council.

2-9.12 Duty of the Officers of the Fire Department to Preserve Orderly Conduct

It shall be the duty of the Fire Chief's, Line officers as well as the executive officers of each company to prevent any conduct that may be likely to cause a breach of misconduct or reflect discredit on the Fire Department, or Borough of West Long Branch.

2-9.13 Duty of the Fire Chief and Assistant Fire Chief; Apparatus.

A.It shall be the duty of the Fire Chief, or in his absence the Assistant Fire Chief to examine all the fire apparatus, equipment and stations in use for the protection of the same, and report any defect thereof to the Fire Department Administrator and Fire Commissioner, at its next regular meeting; The Fire Chief's shall be responsible for the overall operations of the two fire companies' manpower, equipment, stations and apparatus.

B.It shall also be the responsibility of the Fire Chief or, in his absence, the Assistant Fire Chief to submit a detailed monthly report of the number of responses, drills and operations for said month to the Fire Department Administrator and Fire

Commissioner and such other information as he/she shall see fit. He/she shall direct all necessary repairs to the apparatus and or equipment to the Fire Department Administrator so the item(s) may be addressed accordingly.

2-9.14 Chain of Command in the Fire Chief's Absence.

In the absence of the Fire Chief, his command shall devolve upon, and his duties be performed by the Assistant Fire Chief, or in his absence, by the Senior company Line Officer. Shall it be required for an ex-chief to be in command he or she SHALL meet all the required training listed in this ordinance to act as the incident commander. A list of those ex-chiefs shall be noted in January each year so it is clear who would be able to act in the absence of a WLbfd officer and be able to act as an OIC.

2-9.15 Chief and Assistant Chief Should Attend All Fires.

The Fire Chief and Assistant Fire Chief should attend all fires when dispatched when they are within responding distance, and are hereby empowered and required to take charge of any Emergency Scene, working *within a* Unified Command with other agencies; Police, Fire Investigators, EMS, etc.

2-9.16 Identification of Fire Chief, Assistant Fire Chief and Company Line Officers.

The Fire Chief, Assistant Fire Chief, and all Line Officers shall carry official identification at all times when on duty.

2-9.17 Power of Fire Chief or Assistant Fire Chief to Suspend or discipline a Member.

A. The Fire Chief or Assistant Fire Chief shall have power to suspend from duty any member of any company for disobedience or insubordination of his or an officer's orders, or the orders of the officer in command when on duty.

B. All appeals from his decision shall be made in writing within ten (10) days of notification to the Fire Department Board of Appeals, who shall try the same and affirm, reverse or change said decision of said Fire Chief by majority vote.

C. The Fire Department Board of Appeals shall be comprised of the three (3) most recent Ex-Chiefs, one (1) active or active exempt member from each company, and the Secretary (whose sole responsibility is to take notes of the proceedings) who are empowered by this subsection to make the final decision on personnel matters.

D. The active or active exempt members are to be elected by their respective company for a term of two (2) years. Said election will be held in conjunction with the annual company elections. Neither the current Fire Chief nor the current Assistant Fire Chief may serve as one of the active or exempt member(s) of the Fire Department Board of Appeals.

E. The Board of Appeals shall set forth honest and reasonable decisions on suspensions, which decisions will be voted upon, by the majority of votes cast of the board.

F. The Board of Appeals, when necessary, may consult the Borough Attorney to mediate legal matters.

G. Note: The above-mentioned suspension or disciplinary action shall not be presented for an appeal if it violates any section of 2-9.3 All listed in this ordinance.

These matters are strictly for minor violations and suspensions other than those listed in 2-9.3 All listed above.

2-9.18 The Chief's Annual Report.

The outgoing Fire Chief shall file a complete year-end report by February 1 to the Fire Department Administrator and Fire Commissioner. Percentage of fire duty performed, apparatus & equipment status, during that year including any injuries or pertinent information needing to be passed up to the borough officials and to the new line officers and Fire Chiefs.

2-9.19 Permission for Fire Apparatus to Leave Borough in a non-Emergency situation.

No fire apparatus shall leave the Borough limits except by permission of the Fire Chief first or in his/her absence the Assistant Fire Chief or in his absence the senior line officer;

2-9.20 Department Training Officer(s)

A. The Fire Chief shall appoint a Department Training Officer(s), shall meet the qualifications set forth by the NJDFS Instructor level II, the Instructor level I shall be appointed only to assist the level II instructor. Such personnel shall carry out efficiently and effectively the duties and responsibilities of the Fire Department training division. The Training Officer(s) shall be subject to the terms and conditions of this section, and regulations of the Fire Department, no person shall be eligible for the position of Department training personnel who does not meet the training officer qualifications set forth by the NJ Division of Fire Safety and as listed in 8.1 Exhibit (A) below.

B. Instructors shall maintain CEU's of courses resulting in certification as a fire service instructor per New Jersey NJDFS Instructor I and II.

2-9.21 Interference with Fire Apparatus Prohibited.

No person shall interfere with, impede or delay any apparatus performing their duties in any manner or for any cause under their control, fire apparatus nor in any manner willfully damage, deface or injure any member.

2-9.22 Fire Department Drivers.

A. Each company Officers in the Fire Department shall appoint qualified drivers for each apparatus, the approved list shall be timely forwarded to the Borough Fire Administrator. Said drivers shall undergo an operator's proficiency test issued by a NJDFS qualified instructor in addition said driver shall meet the minimum required

certifications listed in this ordinance in section 8.1 Exhibit (A) to drive or operate any borough vehicle or apparatus.

B. The Fire Company(s) Officers shall in January each year issue a list of said drivers names, DL numbers and required information to the Borough Fire Administrator so a driver abstract can be conducted as required by the borough and its insurance carrier.

C.Said drivers SHALL be experienced NJ licensed drivers and said drivers to be subject to the rules and regulations of the Fire Department and their respective companies.

D.Driver/operators must meet the minimum qualifications listed in 8.1 Exhibit (A) in this Ordinance.

E. Only those officers or drivers holding the requirements to conduct training shall have the authority to conduct apparatus or any type of training to members of the department. At no time will any training be conducted without the approval of the Fire Chief or Assistant Fire Chief and company Captains. All required training documentation shall be completed by the Level II instructor. Head drivers shall be designated by the company officers.

F. Drivers are appointed by the officers of each company and, at any time a driver can be removed from driving or restricted from becoming a driver at the discretion of the officers or chiefs.

G. The boroughs insurance committee and or designee shall also have the authority to recommend that any member be restricted from driving privileges at any time.

H. Any and all directives, SOP's, SOG's that are issued and in place shall be followed as well as any directives set forth by the borough's insurance carrier requirements for driving of any borough vehicles or apparatus shall be adhered to.

2-9.23 Fire Police.

A.It shall be the duty of each company in the Fire Department to elect or appoint Fire Police, the selections to be approved by the Mayor and Council.

B. All fire police members must meet the annual required training that each member must maintain see 8.1 Exhibit (A) below training requirements.

C.All fire police members must have the certified fire police course prior to performing any fire police duties.

D.All fire police members must carry proper identification at all times and shall have the proper PPE to perform the duties of a fire police member.

E.Must be sworn in by the Borough Clerk.

2-9.24 Assistance from Out of Town Fire Departments.

A. Should a fire or emergency develop in the Borough limits that requires mutual/or automatic aid assistance from out of town Fire Departments, the Fire Chiefs or Officer(s) in Charge (OIC) shall have the authority to request any greater alarm assignment or special call resources as defined in the District 53 *Mutual Aid* Response Plan that is on file with the dispatch center and noted in the SOP/SOG directives.

B. The mutual aid/automatic aid directive that is on file shall also be covered under this section.

C. Any resolution on file that requires a monetary payment for services shall be issued through the annual fire department budget, said payment shall be issued by purchase order and completed by the fire administrator.

D. The Fire Administrator shall issue a purchase order for services under the assigned resolutions with any municipality providing all documentation is in order for the payment of services.

2-9.26 Reporting of Violations.

It shall be the duty of the Officers of the Department to promptly report any violation of this ordinance to the Fire Chief, and that officer shall follow 2-9-17 all above.

2-9.27 Violations; Penalty.

A. Any persons who shall violate this ordinance shall be liable, upon being found guilty to a penalty as established in 2-9-17.

B. This section does not apply to any violation of 2-9-3.

2-9.28 Emergency Services Administrator.

A. Position Created. There is hereby created the position of Emergency Services Administrator of the Borough of West Long Branch.

B. Appointment. The Emergency Services Administrator shall be appointed by the Mayor, with the advice and consent of the Council, pursuant to N.J.S.A. 40A:60-6(d). At least three (3) affirmative votes shall be required to appoint. He shall serve a term not exceeding one (1) calendar year, such appointment to terminate on December 31 of each year, or until his successor is appointed and qualified. Vacancies shall be filled for the balance of any unexpired term. Compensation. The Emergency Services Administrator shall receive a salary as established in the annual salary ordinance, together with any approved stipend(s).

C. Duties of Emergency Services Administrator shall include the following:

1. All duties previously set forth in Subsection 2-9.28, both for the West Long Branch Fire Department, and the Emergency Medical Service.

2. Maintain all national and State fire incident reporting completed by the Fire chief officers, and maintain a copy on file at borough hall.
3. Maintain all Federal and State mandated training records for all departments, and maintain a copy on file at borough hall
4. Coordinate with the Fire Department Officers and Emergency Medical Service officers, to ensure that all fire and EMS vehicles are properly maintained. As requested by the Fire Chief and First Aid Captain, schedule all repairs, maintenance and testing for the Fire Department and Emergency Medical Service vehicles, and maintain a copy on file at borough hall.
5. Maintain all records issued by each agency for the LOSAP program, and maintain a copy on file at borough hall
6. Develop a schedule and maintain results of all Fire Department required testing of vehicles and equipment, as required by PEOSHA (Public Employees Occupational Safety & Health Act), including mandated and NFPA (National Fire Prevention Association) standards for ladders, pumps, hose, and SCBA (Self-Contained Breathing Apparatus), and maintain a copy on file at borough hall Included therein is any other testing deemed appropriate by the Borough or agency.
7. At the beginning of each calendar year, advise the Fire Department and Emergency Medical service officers of any testing which is to be scheduled for that coming calendar year.
8. Maintain all Purchase Orders regarding all purchases of equipment and vehicles for the West Long Branch Fire Department and the West Long Branch Emergency Medical Service, and set up a data base of all equipment purchased each year. These records will be kept on file at borough hall.
9. The Fire Administrator shall chair the purchase of apparatus and equipment and shall have the responsibility to develop specifications for same along with the assigned agency representatives' officers/members total of up to three (3) not including the fire administrator, this is to maintain the purchase of apparatus, vehicles and equipment standardization, uniformity and to follow all purchasing guidelines as required by law.
10. Compliance with Fire Department Occupational Safety and Health Program, NFPA 1500.

Will be the responsibility of the Fire Chiefs and the Officers, who will establish a committee, to see that all standards are met pertaining to NFPA 1500 for the West Long Branch Fire Department. The Fire Administrator shall oversee

that this is carried out and reviewed annually and shall maintain all records of the program at borough hall.

11. The Fire Administrator shall maintain and approve all department SOP/SOG's and directives for the fire department. Annually a complete review shall be conducted of the SOP/SOG's and directives, those needed to be changed, deleted or up-dated shall be completed and training shall be conducted and all parties shall sign for the up-dates as required. This directive is set in place for the borough to maintain compliance with NJDFS and PE-OSHA regulations, standards and guidelines. The Fire Chief in January shall issue a standard cover letter signed by himself and the Fire Administrator that the SOP's/SOG's and all directives as well as the list of certified members for that year and shall remain in effect for the noted timeframe. Should said member/employee refuse to sign for the SOP's/SOG's and directives, they shall be removed from active service and charges shall be brought against said member for refusal to accept and sign for the department's firefighter/employee SOP's/SOG's and directives as required.

AND BE IT FURTHER ORDAINED THAT THIS ORDINANCE SHALL TAKE EFFECT IMMEDIATELY UPON PASSAGE AND PUBLICATION ACCORDING TO LAW, however the terms of existing Fire Department officers shall not be affected by the passage of this ordinance.

Borough of West Long Branch Fire Department Ordinance Minimum Training

Qualifications for all positions outlined below.

8.1 Exhibit (A)

1. WLBFD Ordinance FIREFIGHTER minimum qualification requirements
 - i) Meet the requirements of an active firefighter in the Borough, Background check and Respiratory Protection clearance
 - ii) Meet the requirements of NJDFS Firefighter 1 and Hazardous Materials Awareness & Operations
 - iii) Meet NIMS - ICS-100, ICS-200, I-700 and I-800
 - iv) BBP/RTK/Haz-Mat annual training and Face Fit Requirements
 - v) Shall meet all current NJDFS as well as NIMS Firefighter Requirements, *(should the mandates change then you shall be required to retain any additional courses listed from these agencies).*
2. WLBFD Ordinance LIEUTENANT minimum qualification requirements
 - i. Meet the requirements of an active firefighter in the Borough for three years.
 - ii. Meet all firefighter training requirements as an active firefighter in the Borough.
 - iii. Meet the training requirements of NJDFS Firefighter 1 and Hazardous Materials Awareness & Operations.
 - iv. Meet the training requirements of 8-hour course in Fire Ground Tactics and Strategy or equivalent.
 - v. Meet the training requirements for Pump Operations and Truck Operations and or Aerial Placement course.
 - vi. Meet NIMS - ICS-100, ICS-200, I-700 and I-800
 - vii. Meet the training requirements of Basic course in Vehicle Extrication
 - viii. Meet the training requirements of NIMS Incident Management Level 1
 - ix. Shall meet all current minimum NJDFS as well as NIMS Firefighter and Officer Requirements, *(should the mandates change then you shall be required to retain any additional courses listed from these agencies).*
3. WLBFD Ordinance CAPTAIN minimum qualification requirements
 - i. Meet the training requirements as an active firefighter and Lieutenant as well as meeting two years as a line officer in the borough to be a Captain
 - ii. Meet all the training requirements of the office of Lieutenant
 - iii. Training Course on Management of the Fire Service or equivalent course
 - iv. Training Course as an Incident Safety Officer.
 - v. Meet the training requirements of NIMS Incident Management Level 1
 - vi. Meet the training requirements of NIMS On Scene Incident Commander
 - vii. NIMS - ICS-100, ICS-200, ICS-300, ICS-400, I-700 and I-800

viii. Shall meet all current minimum NJDFS as well as NIMS Firefighter and Officer Requirements, *(should the mandates change then you shall be required to retain any additional courses listed from these agencies)*.

4. WLBFD Ordinance ASSISTANT FIRE CHIEF minimum qualifications Requirements.

- i. Must had been an active firefighter in the Borough for three years
- ii. Meet the training requirements of TWO years' service as a WLBFD line officer.
- iii. Meet all the training requirements of the office of Firefighter, Lieutenant & Captain.
- iv. Meet the training requirements of NIMS Incident Management Level 1 & Level 2
- v. NJDFS HAZ-MAT ON SCENE INCIDENT COMMANDER
- vi. Shall meet all current minimum NJDFS as well as NIMS Firefighter and Officer Requirements, *(should the mandates change then you shall be required to retain any additional courses listed from these agencies)*.

5. WLBFD Ordinance FIRE CHIEF minimum qualifications Requirements.

- i. Meet the training requirements of an active firefighter in the Borough for three years
- ii. Meet the training requirements of THREE years' service as a WLBFD line officer.
- iii. Meet all the training requirements of the office of Firefighter, Lieutenant, Captain & Assistant Fire Chief.
- iv. Has served as assistant fire chief in WLBFD.
- v. Meet the training requirements of NIMS Incident Management Level 1 & Level 2
- vi. NJDFS HAZ-MAT ON SCENE INCIDENT COMMANDER
- vii. Shall meet all current minimum NJDFS as well as NIMS Firefighter and Officer Requirements, *(should the mandates change then you shall be required to retain any additional courses listed from these agencies)*.

6. WLBFD Ordinance DRIVER OPERATOR's minimum qualifications Requirements.

- i. Meet the training requirements of an active firefighter in the Borough for three years
- ii. Said Drivers shall be appointed by the company officers.
- iii. Said Drivers shall have a valid NJ Drivers license.
- iv. Said drivers shall provide their driver's license number for a driving abstract to be conducted and cleared by the borough insurance committee prior to driving any borough vehicle or fire apparatus.
- v. Said Drivers shall provide their driver's license annually as listed in iii above.

- vi. Drivers of Pumper/Engine apparatus shall have prior to driving a minimum 16-hour course in PUMP OPERATIONS.
- vii. Drivers of AERIAL/QUINT apparatus shall have prior to driving a minimum 8-hour course in AERIAL PLACEMENT as well as a TRUCK COMPANY Course.
- viii. Said drivers shall have a current CEVO course for the emergency vehicle they will be operating.
- ix. Said Drivers shall be required to have any additional training as required by the borough's insurance carrier as well as any departmental SOP/SOG's or directives. *(should the mandates change then said driver shall be required to retain any additional courses listed from these agencies).*
- x. Said Drivers shall at all times obey all traffic laws when operating any borough vehicle or apparatus when driving under normal conditions as well as in an emergency response mode.

7. WLbfd Ordinance FIRE POLICE minimum qualifications Requirements.

- i. Meet the annual training requirements of BBP/RTK/Hazmat training
- ii. If driving any borough vehicle, shall comply with all driving directives as outlined.
- iii. Said Fire Police shall have a valid NJ Drives license.
- iv. Said Fire Police member shall have the required Fire Police Course.
- v. Said Fire Police member shall carry official identification while on duty
- vi. Said Fire Police member shall be in protective clothing when performing his duty. *(should the mandates change then said Fire Police shall be required to retain any additional courses listed from these agencies).*

8. WLbfd Ordinance FIRE INSTRUCTOR I & II minimum qualifications Requirements.

- i. Said Instructor shall meet the minimum qualifications of NJ State Division of Fire Safety requirements to maintain instructor levels.
- ii. Said instructor shall maintain all CEU's to maintain instructor levels.
- iii. Said instructor shall supply all current certificates and CEU forms to the fire administrator for the master files.
- iv. Said instructor shall comply with all SOP/SOG's and directives as outlined.
- v. Assigned Level II instructor shall see that all required paperwork/forms are completed, and all documentation shall be issued/filed accordingly.

(Should the training mandates change then you shall be required to retain any additional courses listed from these agencies).

Introduced: June 5, 2024
 Passed: June 19, 2024
 Adopted: June 19, 2024

MAYOR

BOROUGH CLERK