



Township of Hillsborough

COUNTY OF SOMERSET
THE PETER J. BIONDI BUILDING
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ORDINANCE 2019-07

Ordinance Amending Chapter 57 “Fire Operations, Bureau of” of the Code of the Township of Hillsborough, Somerset County, State of New Jersey. Further Consideration And A Public Hearing Will Be Held On Tuesday, April 9, 2019.

BE IT ORDAINED by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey, as follows:

Section 1. Chapter 57 of the Municipal Code of the Township of Hillsborough, shall be amended as follows: (**additions are underlined, deletions are ~~stricken~~**)

§ 57-1. Creation; goals and duties.

A. Creation. There is hereby created the Bureau of Fire Operations in the Township of Hillsborough.

B. Goals and duties.

- (1) The Bureau of Fire Operations shall pursue any and all fire safety, fire prevention and fire operations legislation beneficial to the residents of Hillsborough Township, both on a state and municipal level, ~~and shall act to educate the populace of the municipality~~ in the area of fire safety, prevention and operations.
- (2) The Bureau of Fire Operations shall coordinate those drills and functions of the member companies which can best be coordinated by the Bureau.
- (3) The Bureau of Fire Operations shall develop regulations to be obeyed by the public with respect to the efficient fighting of fires and the maintenance of equipment in connection therewith. Said regulations shall be delineated in § 57-7 of this chapter and shall be enforced by the Township Chief Fire Marshal described or the Township Police or Fire Chief in charge of a particular fire-fighting operation or his duly authorized representative.
[1] Editor's Note: See Ch. 166, Fire Prevention.
- (4) The Bureau of Fire Operations shall establish the standard operating procedure

and other policies for the member companies during fire emergencies.

- (5) All the proposed regulations [referred to in §§ 57-18(3) and 57-7] and all proposed operating procedures [referred to in § 57-18(4)] shall be submitted to and receive the approval of the Board of Fire Commissioners before being considered for adoption by the Bureau of Fire Operations. Any disapproval by the Board of Fire Commissioners must be made within 30 days, together with specific reasons therefor, or else the same shall be considered approved.

§ 57-2. Membership; voting.

- A. An appointed Fire Commissioner (to be appointed from among the Board of Fire Commissioners) and all presiding Chiefs and Assistant Chiefs of the Fire Companies serving the Township of Hillsborough, known as "Hillsborough No. 1 (Flagtown)," "Hillsborough No. 2," "Hillsborough No. 3" and "Neshanic," and the Township Chief Fire Marshal shall constitute the membership of the Bureau of Fire Operations. Passage of any action or resolution shall require the affirmative vote of three members of the Bureau, with the exception of §§ 57-5 and 57-6.
- B. Only the Chief and Assistant Chief of each company shall be entitled to one vote per company. If the Chief and Assistant Chief cannot agree on the vote for their company, the vote of the Chief shall govern. In the absence of the Chief, the Assistant Chief shall cast his company vote. The appointed Fire Commissioner shall have one vote. The Township Chief Fire Marshal, although not a voting member of the Bureau, shall act in an advisory capacity to the Bureau.

§ 57-3. Officers.

- A. The officers of the Bureau of Fire Operations shall consist of a President, Vice President, and Secretary, ~~and~~ ~~Treasurer~~. The order in which officers in each company shall serve shall progress in ascendancy and shall be in the same rotation as that of the meeting place, i.e., Hillsborough No. 1 (Flagtown), Hillsborough No. 2, Hillsborough No. 3 and Neshanic.
- B. The powers and duties of an officer shall be shared by the Chief and Assistant Chief of the member company which assumes that office, ~~except for the office of~~ ~~Treasurer~~.
- C. The duty of the Chief Fire Marshal regarding this chapter is to attend all Bureau meetings, to act in an advisory capacity to the members of the Board of Fire Commissioners and to supervise the administration and enforcement of the regulations developed by the Bureau of Fire Operations for the fighting of fires and

the maintenance of equipment as described in § 57-7. The referenced last duty shall be shared by the members of the Bureau serving the Township of Hillsborough.

~~D. The office of the Treasurer will be held jointly by the Chief holding that office and one of his assistants appointed by him at the annual meeting.~~

D E. For the purpose of conducting a meeting, the highest ranking Chief in attendance holding an office shall act as spokesman for that office.

E F. All terms of office will be for one year.

F G. The slate of officers from the companies shall assume their respective offices at the Bureau's annual January meeting.

§ 57-4. Meetings.

A. The stated meeting of the Bureau shall be held quarterly. on the first Thursday of January, March, May, July, September and November at a place designated by the company which is to hold the next meeting.

B. A special meeting may be called by the President at the request of two companies, at which no business shall be transacted other than that for which the meeting was called.

C. Regular or special meetings of the Bureau shall be conducted only when the number of companies represented shall not be fewer than three.

~~§ 57-5 Expenditures.~~

~~No appropriations of any funds shall be made and no debts shall be contracted in the name of the Bureau by any member except by authority of 4/5 of the membership.~~

~~§ 57-6 Bylaws.~~

~~The Bureau of Fire Operations shall create such bylaws as may be necessary to carry out the goals, duties and responsibilities contained herein by the vote of 4/5 of the membership.~~

§ 57--7 5. Regulations.

A. Authority at fires and other emergencies. The Fire Chief or duly authorized

representative as may be in charge at the scene of a fire or other emergency involving the protection of life and/or property is empowered to direct such operations as may be necessary to extinguish or control any suspected or reported fires, gas leaks or other hazardous conditions or situations or to take any other necessary action in the reasonable performance of his duty. The Fire Chief or duly authorized representative may prohibit any person, vehicle or object from approaching the scene and may remove or cause to be removed from the scene any person, vehicle or object which may impede or interfere with the operations of the Fire Department. The Fire Chief or duly authorized representative may remove or cause to be removed any person, vehicle or object from hazardous areas. All persons ordered to leave the hazardous area shall do so immediately and shall not reenter the area until authorized to do so by the Fire Chief or his duly authorized representative.

- B. Interference with Fire Department operations. It shall be unlawful to interfere with, attempt to interfere with, conspire to interfere with, obstruct or restrict the mobility of or block the path of travel of any Fire Department emergency vehicle in any way or to interfere with, attempt to interfere with, conspire to interfere with, obstruct or hamper any Fire Department operation.
- C. Vehicles crossing fire hose. A vehicle shall not be driven or propelled over any unprotected fire hose of the Fire Department when laid down on any street, alleyway, private drive or any other vehicular roadway without the consent of the Fire Chief in command of said operation.
- D. Operations of vehicles on approach of fire apparatus. Upon the approach of any fire apparatus giving audible and visual signal, the operator of every other vehicle shall immediately drive the same to a position as near as possible and parallel to the right-hand edge or curb of the street or roadway, clear of any intersection, and shall stop and remain in such position until the fire apparatus is passed, unless otherwise directed by the Fire Chief or a police officer.
- E. Hydrant use approval. A person shall not use or operate any fire hydrant intended for use by the Fire Department for fire suppression purposes unless such person first secures approval for such use from the Chief Fire Marshal. ~~or the Bureau of Fire Operations.~~
- F. Unlawful for vehicles to follow fire apparatus. It shall be unlawful for the operator of any vehicle other than one on official business to drive any vehicle within the block or immediate area where fire apparatus has stopped and answered a fire alarm.

G. Boarding of or tampering with emergency equipment prohibited. A person shall not, without proper authorization from the Fire Chief or his duly authorized representative in charge of said Fire Department emergency equipment, cling to, attach himself to, climb upon or into, board or swing upon any Fire Department vehicle, whether the same is in motion or at rest, or sound the siren, horn, bell or other sound-producing device thereon or manipulate or tamper with any lever, valve, switch, starting device, brake, pump or any other equipment or protective clothing on or a part of any Fire Department emergency vehicle.

§ 57--~~8~~ 6. Violations and penalties.

Any violation of any subsection of § 57-7 of this chapter shall be deemed a Class C violation as it is defined in the Hillsborough Code § 1-15. The violation of such subsection of this chapter shall constitute a separate and distinct offense independent of the violation of any other subsection or of any other order issued pursuant to this chapter. Each day of violation shall constitute an additional, separate and distinct offense.

Section 2. All other ordinances or other local requirements that are inconsistent or in conflict with this ordinance are hereby repealed to the extent of any inconsistency or conflict, and the provisions of this ordinance shall apply.

Section 3. If any provisions of this ordinance shall be adjudged invalid, such adjudication shall not affect the validity of the remaining provisions which shall be deemed severable therefrom.

Section 4. This ordinance shall take effect immediately upon its adoption, passage and publication according to law.

ATTEST:

TOWNSHIP OF HILLSBOROUGH:

Pamela Borek, Township Clerk

Frank DelCore, Mayor

Introduced: 3/13/2019

Published:

Public Hearing:

Adopted:

Published: