

Explanation: An Ordinance creating the position of the Director of the Building Department within the Township of Hillsborough.

TOWNSHIP OF HILLSBOROUGH

ORDINANCE 2005-34

AN ORDINANCE AMENDING CHAPTER 73 OF THE CODE OF THE TOWNSHIP OF HILLSBOROUGH TITLED “OFFICERS AND EMPLOYEES” ESTABLISHING THE POSITION OF DIRECTOR OF THE BUILDING DEPARTMENT.

BE IT ORDAINED by the Township Committee of the Township of Hillsborough that Chapter 73 of the Code of the Township of Hillsborough titled “Officers and Employees” is hereby amended as follows:

Section 1: Preamble.

The Township Committee deems it desirable to establish the position of Director of the Building Department and to reorganize the Building Department consistent with applicable law and Sections 5 and 6 of this Ordinance.

Section 2: Creation.

The position of Director of the Building Department is hereby created, who shall operate the Building Department, and who will be responsible to the Township Administrator for the management of the Building Department.

Section 3: Hiring Criteria, Compensation, Residency.

(1) The Director of the Building Department shall be appointed by and serve at the pleasure of the Township Committee. The Director of the Building Department shall be selected based upon prior management and supervisory experience.

(2) Compensation for the Director of the Building Department shall be established by resolution of the Township Committee.

(3) The Director of the Building Department need not be a resident of the Township of Hillsborough.

Section 4: Removal from Office.

The Township Committee may remove the Director of the Building Department pursuant to the provisions of Chapter 89 of the Township Municipal Code and in accordance with New Jersey law.

Section 5: Duties and Responsibilities .

The Director of the Building Department, under the supervision of the Township Administrator, shall perform all of the following duties, including but not limited to:

- A. In consultation with the Construction Official, oversee the record keeping practices of the Building Department, including ensuring proper maintenance of all records required by applicable law through an organized filing system.
- B. In consultation with the Construction Official, recommend an annual operating and capital budget for the Building Department to the Township Administrator.
- C. Prepare daily reports to the Township Administrator regarding the activities of the Building Department.
- D. In consultation with the Construction Official, assign office space, vehicles and equipment to employees within the Building Department, as well as regulate the use of computers by employees of the Building Department.
- E. In consultation with the Construction Official, make recommendations to the Township Administrator regarding overtime requests by employees of the Building Department and review time-off requests by employees of the Building Department.
- F. Require a periodic report from the Construction Official detailing the activities of the Building Department. That report, however, shall not interfere with the duties of the Construction Official in enforcing the Uniform Construction Code.
- G. Review the performance of the Construction Official, Subcode Officials and employees of the Building Department to ensure that the Building Department serves the public in a courteous, efficient and effective manner and adheres to scheduled meetings with the public. Failure by an employee of the Building Department to serve the public in a courteous, efficient, effective and timely manner will result in the Director of the Building Department recommending to the Township Administrator that discipline be imposed.
- H. Establish and enforce a professional dress code for the employees of the Building Department, with the exception of the Construction Official.

- I. Report to the Township Administrator an employee of the Building Department for intoxication, drug use, habitual tardiness, failure to maintain office hours, dishonesty and failure to maintain records required by law.
- J. In consultation with the Construction Official, perform personnel evaluations of all employees within the Building Department, and make recommendations to the Township Administrator regarding employment decisions, including but not limited to, promotions, demotions, hiring, terminations and salary increases within the Building Department.

Section 6: Limitation of Powers of the Director of the Building Department.

The Director of the Building Department is prohibited from engaging in all of the following, which are the responsibilities of the Construction Official:

- A. Determining whether all requirements for the issuance of a permit have been satisfied by an applicant.
- B. Issuing a Stop Construction Order, Notice of Violation or any other enforcement action.
- C. Coordinating the activities of the Subcode Officials regarding the enforcement of the Uniform Construction Code.
- D. Establishing the daily routines of the Building Department as they relate to the enforcement of the Uniform Construction Code.
- E. Enforcing the Uniform Construction Code pursuant to N.J.S.A. 52:27D-119 et seq. within the Township of Hillsborough.
- F. Any other powers conferred on the Construction Official by law.

Section 7: Severability and Effectiveness Clause

If any sentence, paragraph or section of this Ordinance, or the application thereof to any persons or circumstances shall be adjudged by a court of competent jurisdiction to be invalid, or if by legislative action any sentence, paragraph or section of this Ordinance shall lose its force and effect, such judgment or action shall not affect, impair or void the remainder of this Ordinance.

Section 8: Effective date.

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

Introduced: 8/30/05
Published: 9/1/05
Public Hearing: 9/13/05
Adopted: 9/13/05
Published: 9/22/05

ATTEST:

**HILLSBOROUGH
TOWNSHIP COMMITTEE**

By: _____
Kevin P. Davis, Clerk/Administrator

By: _____
Robert C. Wagner, Jr., Mayor