

WEST DEPTFORD TOWNSHIP

ORDINANCE 2021-20

**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, the Township Committee has determined that it is in the interest of the Township to amend Chapter 26 to add Section 26-13, which creates a Fire Police position; and

WHEREAS, the Township Committee has determined it would be in the interest of the Township to further amend Chapter 26 to add Section 26-14, which creates a Fire Chaplain position.

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, as follows:

1. Chapter 26 of the Township Code, Section 26-13, shall be and hereby is amended to read as follows:

§ 26-13. Fire Police

- A. Position Created: There is hereby created within the West Deptford Fire Department the office of Fire Police.
- B. Nomination and Confirmation; Term of Office: The West Deptford Fire Department may nominate not more than 12 volunteer members of the Department to serve as fire police. Candidates nominated to said office shall be confirmed by the Township Committee and shall serve for a term of one year or until their successors are nominated and confirmed. Fire police officers shall be volunteers and serve without compensation from the Township.
- C. Requisites for Appointment: No member of the West Deptford Fire Department shall be appointed to the office of fire police unless the person:
 - (1) Is a volunteer member of the volunteer fire companies designated in Section 8(A) of this Chapter in good standing;
 - (2) Is a citizen of the United States;
 - (3) Is able to read, write, and speak the English language well and intelligently;
 - (4) Is of good moral character and has not been convicted of any criminal offense involving moral turpitude;
 - (5) Has a valid New Jersey driver's license prior to the date of employment;

- (6) Has successfully passed a physical examination and submitted to a criminal history background check as defined in Section 56-7 of the Township Code not more than three months prior to said appointment; and
 - (7) Has successfully completed the "New Jersey Fire Police Basic Training Course" or an equivalent course approved by the New Jersey Department of Community Affairs, Division of Fire Safety.
- D. Oath of Office: Each individual appointed and qualified as a fire police officer shall, before entering upon the performance of his or her duties, take and subscribe to an oath to faithfully, impartially and justly perform all of the duties of his or her office. The original of the oath shall be filed with the Township Clerk and a copy thereof filed with the Fire Administrator.
- E. Duties and Powers: The rights, privileges, powers, and duties of a fire police officer shall be as follows:
 - (1) The protection of property;
 - (2) The establishment and maintenance of fire lines;
 - (3) The performance of such necessary traffic control duties from the fire station to and as the vicinity of the fire scene, fire drill, or other emergency call as the Fire Department may respond to, until the arrival of a duly authorized police officer, or any public event where Fire Police services may be requested to protect the public, subject to the approval of and supervision by the chief law enforcement officer of the Township;
 - (4) The preservation of all evidence pertaining to fires of questionable origins, before the arrival County Fire Marshal or as directed by the County Fire Marshal; and
 - (5) The wearing and exhibition of an authorized Fire Police badge on the left breast of the outermost garment while on duty and acting in the capacity of a fire police officer.
- F. Supervision: The performance of the duties of a fire police officer shall be under the supervision of the Fire Administrator or the highest ranking fire officer in charge of the fire scene or fire drill, until the arrival of a duly authorized police officer, who shall assume responsibility for the supervision of traffic duties, preservation of evidence, and all other law enforcement duties. Nothing in this section shall diminish the powers of the Fire Administrator or other superior officers of the West Deptford Fire Department in the exercise of his or her duties or confer on a fire police officer the right to supersede a duly authorized police officer.
- G. Standard Operating Procedures: The West Deptford Fire Department shall amend the Department's standard operating procedures to provide for the establishment of the position of fire police officer and for the process of nomination to said position.

H. Violations and Penalties:

- (1) The refusal to obey a direction or command given by a fire police officer in the performance of his or her duties shall be considered a violation of this Chapter.
- (2) Any person, firm, or corporation violating any of the provisions of this Chapter shall be subject to such penalties as are provided for in Section 1-15 of the Code of the Township of West Deptford.

2. Chapter 26 of the Township Code, Section 26-14, shall be and hereby is amended to read as follows:

§ 26-14. Fire Chaplains

- A. Position Created: The position of Fire Chaplain for the West Deptford Fire Department is hereby created in accordance with N.J.S.A. 40A:14-24. The position will be a volunteer position. The position of Chaplain shall be under the authority of the Fire Administrator.
- B. Qualifications: Any person appointed as Chaplain shall be an ordained clergy person in good standing in the religious body from which he/she is selected. The Chaplain shall have basic training and shall be a certified Fire Chaplain credentialed in accordance with the General Order of the West Deptford Fire Department.
- C. Duties: The duties of Fire Chaplain shall include but not be limited to assisting the West Deptford Township Fire Department in death notifications, counseling and any other duties that may be assigned by the Fire Administrator.
- D. Rank and Salary: Any person appointed as Chaplain shall hold the rank of Battalion Chief and serve in that capacity as a volunteer without salary.
- E. Term of Office: A person appointed as Chaplain shall serve on a yearly basis and may be re-appointed if recommended by the Fire Administrator and approved by the Township Committee.
- F. Appointment: The Fire Administrator may recommend to the Township Committee, persons, that he/she believes meet the qualifications of N.J.S.A. 40A:14-24 as well as General Orders of the West Deptford Township Fire Department with reference to Chaplains. All applicants for the position of Chaplain shall be reviewed by the Fire Administrator and Township Administrator to determine his/her qualifications in accordance with this section and shall make recommendations to the Township Committee regarding the appointment as Chaplain. The Township Committee shall appoint Chaplains in accordance with this section.

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

ATTEST:



LEE ANN DEHART, Registered Municipal Clerk

INTRODUCED at a meeting of the Township Committee of the Township of West Deptford, held on August 18, 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 September 15, 2021.

ROLL CALL VOTE				
	AYES	NAYS	ABSTAIN	ABSENT
Denice DiCarlo	/			
Megan Kerr				/
James Mehaffey	/			
Adam Reid	/			
James Robinson	/			
TALLY:	4			1