

**ORDINANCE No. RO-04-22**

**AN ORDINANCE OF THE TOWNSHIP OF WASHINGTON, COUNTY OF MORRIS, STATE OF NEW JERSEY, AMENDING CHAPTER 13 “FIRE DEPARTMENT” AND CHAPTER 14 “FIRST AID SQUAD”**

**WHEREAS**, the Township of Washington Code sets forth the requirements, duties and responsibilities of the First Aid Squad and the Fire Departments within the township; and

**WHEREAS**, the Township Administrator has reviewed the Code and determined that clarification of the responsibilities of the First Aid Squad and Fire Departments should be made; and

**WHEREAS**, the Township Committee has reviewed the recommended changes and determined that they are appropriate.

**NOW, THEREFORE, BE IT ORDAINED** by the Township Committee of the Township of Washington, County of Morris, State of New Jersey, as follows:

**SECTION ONE.** Chapter 13 “Fire Department” shall be amended to read as follows:

Article I

**Establishment, Organization and Administration**

**§13-1 Establishment.**

The Fire Department of the Township of Washington shall be composed of the following:

- A. The Long Valley Fire Company No. 1.
- B. The Schooley's Mountain Fire Protection Association.
- C. The Fairmount Fire Company No. 1.

**§13-2 On Scene Authority**

On the scene of all emergencies to which the Township of Washington Fire Department is called, other than a technical search and rescue or medical emergency as defined at Section 14-2, the ranking officer of the Township of Washington Fire Department shall assume authority over the scene. The Long Valley First Aid Squad, Inc. shall assume authority over and be the lead agency at all technical search and rescue or medical emergency scenes as defined at Section 14-2. Interagency responses shall be handled under the Unified Command Structure, as defined by the national Incident Management System, with the lead agency's ranking officer assuming authority over the scene.

**§13-3 Membership.**

- A. All applicants for membership in the Fire Department of the Township of Washington, including the Long Valley Fire Company, the Schooley's Mountain Fire Protection Association, the Fairmount Fire Company and any additional fire companies which may hereafter be established, shall be required to submit to criminal history checks prior to commencing service in accordance with § 24-9 of the Code of the Township of Washington.
- B. All such members must be approved by the Township Committee, upon recommendation of the appropriate Fire Company prior to commencing service.
- C. Members of the Fire Department shall serve as volunteers and shall serve without compensation.
- D. Members of the Fire Department are required to comply with the Department's SOGs and Company bylaws. Failure to comply may result in disciplinary action by the membership of the Fire Department consistent with the Department's bylaws. Members of the Fire Department may be disciplined or discharged by the Township Committee after notice, a hearing and consultation with the Fire Department line officers, for violation of the rules and regulations promulgated and adopted by the Department or for a violation of the bylaws of the Fire Department.

**§13-4 Reports.**

A quarterly operations report shall be submitted to the Township Committee by each Company.

**§13-5 Budget.**

The Township Committee shall, in its annual budget, appropriate a sum of money to assist in the efficient and effective operation of the Fire Department.

Article II  
**Mutual Fire Aid**

**§13-6 Agreement established.**

Pursuant to N.J.S.A. 40A:14-156.1, there is hereby established a mutual fire aid agreement between the Township of Washington and the Township of Mansfield and a mutual aid agreement between the Township of Washington and the Township of Hackettstown. There is also hereby established a shared services agreement between the Township of Washington and the Township of Tewksbury for the provision of firefighting services and use of certain apparatus.

**§13-7 Authorization to request assistance.**

The Fire Chief of the Township of Washington, or his designee, is authorized to request assistance from the Fire Chief or other head of the Fire Departments of the Township of Mansfield or the Township of Hackettstown provided that the Township of Mansfield and Township of Hackettstown adopt reciprocal ordinances to provide fire aid during and after any emergency in order to protect life and property.

**§13-8 Assistance to be provided; powers, rights and immunities.**

The Fire Chief of the Township of Washington, or his designee, shall provide assistance to the Township of Mansfield provided that it accepts the terms of this agreement and makes a valid request to supply such personnel and equipment to the extent possible without endangering persons or property within the Township of Washington. The members of the Washington Township Fire Department supplying such aid shall have the same powers, authority, sights and immunities as the members of the fire department of the municipality to which assistance is rendered.

**§13-9 Costs and expenses.**

The Township of Washington shall, upon providing assistance to the Township of Mansfield, assume the cost and expense of providing its personnel and equipment to the requesting municipality, except in such instances where the requesting municipality receives state or federal aid by way of reimbursement. Under those circumstances, the costs incurred by the Township of Washington shall be submitted to the municipality requesting assistance for reimbursement out of the funds received by way of state or federal aid.

**§13-10 Benefits upon injury or death.**

Members of the Washington Township Fire Department suffering injury, or their legal representatives if death results, while rendering assistance in another municipality shall be entitled to all such benefits they would have realized if injury or death had occurred in the performance of normal duties within the Township of Washington.

**§13-11 Duration of agreement.**

This mutual fire aid agreement shall have an initial term of one year and shall be

automatically renewed for additional and successive one-year terms, unless and until one of the parties hereto elects to terminate the agreement by providing prior written notice to the other party to the agreement

**§13-12 Copies of article on file in each municipality.**

A copy of this ordinance shall be transmitted to the municipal clerk of each municipality named herein no later than five business days following final adoption.

Article III

**Junior Members**

**§13-13 Junior Firemen's Auxiliary created.**

There is hereby established a Junior Members program to the Washington Township Fire Department, to be known as Junior Members or Junior Firefighters, which shall operate under and pursuant to N.J.S.A. 40A:14-95 et seq.

**§13-14 Eligibility for membership.**

Any person who is a resident of the Township of Washington and is between 16 years and 18 years of age shall be eligible for membership as a Junior Member. No individual shall become a Junior Member unless written permission is obtained from such individual's parents or legal guardian. Said written permission shall be in a form approved by the Township Committee and shall be acknowledged or approved in the manner required by law for deeds to real estate to be recorded. Junior Members shall also be required to obtain working papers from the New Jersey Department of Labor if applicable. The original written permission and working papers, if applicable, shall be retained by the Township Clerk, who shall forward a copy to the Department Chief.

**§13-15 Insurance coverage for Junior Members.**

Junior Members shall be provided with the same insurance coverage as provided for the regular volunteer firemen of the Township of Washington.

**§13-16 Junior Members Program.**

**The Junior Members Program shall operate under the guidance of the Fire Company of which the Junior Firefighter is a member and shall follow that Company's bylaws. §13-17 Rules and regulations governing Junior Member activities.**

The Township Committee hereinafter establishes the following rules and regulations designed to govern the activities of the Junior Firefighters and to provide for the training of its members with a view toward their eventual membership in the Washington Township Fire Department:

- A. No Junior Firefighter shall be required to perform duties which would expose Junior Firefighter to the same degree of hazard as a regular member of the Fire Department.
- B. No Junior Firefighter shall be permitted to engage in firefighting or be in the immediate vicinity of a hazardous condition involving the handling of dangerous or poisonous acids or dyes or injurious quantities of toxic or noxious dust, gases, vapors or fumes.
- C. A Junior Firefighter shall be on probation until the age of 18 years and may be expelled from the Junior Members Program for just cause.
- D. A Junior Firefighter shall comply with the SOGs of the Washington Township Fire Department, as well as any bylaws of the Company where the Junior Firefighter is assigned.
- E. A Junior Firefighter shall obey the commands of the Fire Chief or any other officer of the Washington Township Fire Department.

- F. It is important for the Junior Firefighter to understand that they are not privileged in any way while responding to an emergency or nonemergency call for the Fire Department.
- G. The Junior Firefighter will obey all New Jersey Department of Motor Vehicle laws while responding, including, but not limited to, those prohibiting exceeding the posted speed limit, passing in a nonpassing zone, tailgating, not stopping at red traffic signals, not stopping completely at stop signs, not yielding to right-of-way as necessary, making a right turn on red when a "No Turn on Red" sign is posted, etc.
- H. The Junior Firefighter should realize that when responding to an emergency call, a fire truck may be granted privileges by other drivers under certain circumstances (involving the use of lights and sirens) but that these privileges are not rights and that they do not apply to junior firemen.
- I. The following rules should be observed at all times:
  - (1) No external identification lights i.e., "blue" lights, are to be used.
  - (2) Junior Firefighters should not use their headlights to alert other motorists that they are seeking to pass.
  - (3) Junior Firefighters should not use the horn to signal their desire to pass or to be yielded a right-of-way.
  - (4) Junior Firefighters should not use their hazard lights while responding to signal other drivers their desire to pass or to be yielded a right-of-way.
  - (5) Junior Firefighters should not point, glare, or in any other way signal a driver who did not yield right-of-way to them. Other drivers are not obligated in any way to do so.
- J. Training shall include, but not be limited to, instruction concerning industrial fire systems; breathing apparatus; municipal water systems; hydrants and alternate water sources; care, testing and handling of fire hoses; types and uses of hand-held fire extinguishers; procedures for handling alarms; radio procedures; care, cleaning and basic maintenance of apparatus; preparation of knots for hoisting equipment; safety measures for riding on apparatus; use of personal safety equipment and hand tools; theory of pumps and hydraulic fire systems and the use of ladders, including their care and testing. Actual use of the equipment shall be encouraged whenever it shall be deemed advisable by the Washington Township Fire Department, provided that a junior fireman shall not be exposed to any danger. Adequate supervision shall be provided, and all possible safety precautions shall be taken.
- K. Junior Firefighters may apply for an adult class of membership in the Washington Township Fire Department upon achieving the age of 18 years by completing the appropriate application forms in accordance with the Fire Department's procedures.
- L. Subject to the approval of the Township Committee, these rules and regulations may be supplemented by the Washington Township Fire Department.

**SECTION TWO.** Chapter 14 "First Aid Squad" shall be amended to read as follows:

**§§ 14-1 Recognition of Long Valley First Aid Squad, Inc.**

The Long Valley First Aid Squad, Inc. (LVFAS) is hereby recognized as the organization providing technical search and rescue and medical services to the citizens of, and visitors to, the Township of Washington, County of Morris, which organization is eligible to receive funding and other support as permitted by law from the Township of Washington.

**§14-2 Rescue, emergency medical, and other service.**

The Long Valley First Aid Squad, Inc. shall provide twenty-four (24) hour technical search and rescue and emergency medical services to the residents of, and visitors to, the Township of Washington, and such service to other individuals pursuant to mutual aid agreements as may be in effect from time to time between the LVFAS and other emergency medical services and rescue squads or as directed by the Chief Officer of the LVFAS at his/her direction.

LVFAS, in its role as the officially designated agency and primary provider of technical search and rescue and medical services, will be lead agency of any incident that is a technical search and rescue or medical emergency. LVFAS, as the lead agency, shall establish operational procedures consistent with their level of operational capability. The current technical search and rescue operational capabilities of LVFAS include but are not limited to:

- Vehicle Search and Rescue
- Rope Rescue
- Machinery Search and Rescue
- Ice Search and Rescue

This does not include structural fire rescues.

The technical search and rescue capabilities of LVFAS may evolve over time and technical search and rescue capabilities may be added or removed at the direction of the Chief Officer of LVFAS. If a capability is added or removed the Chief Officer will notify the Township, and the Office of Emergency Management. This Section of the Township Code shall be subject to amendment if and as necessary.

All remaining provisions of this Chapter shall remain unchanged.

**SECTION THREE. RENUMBERING.** This Ordinance may be renumbered for codification purposes.

**SECTION FOUR. SEVERABILITY.** The various parts, sections and clauses of this Ordinance are hereby declared to be severable. If any part, sentence, paragraph, section or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby.

**SECTION FIVE. REPEALER.** Any ordinances or parts thereof in conflict with the provisions of this Ordinance are hereby repealed as to their inconsistencies only.

**NOTICE** is hereby given that the foregoing Ordinance was introduced to pass on first reading at a regular meeting of the Township Committee of Washington Township held on March 21, 2022, and ordered published in accordance with the law. Said Ordinance will be considered for final reading and adoption at a regular meeting of the Washington Township Committee to be held on April 18, 2022 at 7:00 p.m. or as soon thereafter as the Township Committee may hear this Ordinance at the Washington Township Municipal Building, 43 Schooley's Mountain Road, Long Valley, NJ 07853, at which time all persons interested may appear for or against the passage of said Ordinance.

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Nina DiGregorio, RMC, Township Clerk

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Matthew T. Murello, Mayor

Adopted:

Attest: I herein certify that the foregoing Ordinance was duly adopted by the Washington Township Committee at a regular meeting held by the Township Committee on April 18, 2022.

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Nina DiGregorio, RMC, Township Clerk

