

**TOWNSHIP OF HAMILTON
COUNTY OF MERCER, NEW JERSEY**

ORDINANCE

No. **22-026**

1ST READING JUNE 21, 2022
2ND READING & PUBLIC HEARING July 19, 2022
WITHDRAWN _____ LOST _____

DATE TO MAYOR _____
DATE RESUBMITTED TO COUNCIL _____
DATE EFFECTIVE _____

APPROVED AS TO FORM AND LEGALITY

FACTUAL CONTENTS CERTIFIED TO BY

TOWNSHIP ATTORNEY

TITLE

ORDINANCE AMENDING AND SUPPLEMENTING THE CODE OF THE TOWNSHIP OF HAMILTON, NEW JERSEY, CHAPTER 5, ADMINISTRATION OF GOVERNMENT, PART 4, DEPARTMENTS, ARTICLE XI, DEPARTMENT OF PUBLIC SAFETY, § 5-60; FIRE DIVISION

Be It Ordained by the Council of the Township of Hamilton, in the County of Mercer and State of New Jersey, that the *Code of Ordinances of Hamilton Township, New Jersey, Chapter 5, Administration of Government, Part 4, Departments, Article XI, Department of Public Safety*, be amended and supplemented as follows:

Chapter 5

ADMINISTRATION OF GOVERNMENT

PART 4. DEPARTMENTS

ARTICLE XI. DEPARTMENT OF PUBLIC SAFETY

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§ 5-60. Fire Division.

- A. Establishment. There is hereby created in and for the Township of Hamilton the Hamilton Township Fire Division which shall consist of such officers and firefighters pursuant to authority vested in the municipality pursuant to N.J.S.A. 40A:14-7 and as hereinafter prescribed.
- B. Qualifications. Qualifications for paid members of the Fire Division shall be as set forth in N.J.S.A. 40A:14-9, 40A:14-9.8, and 40A:14-10.1.
- C. Officers. The Fire Division officers shall consist of the Fire Chief, and other officers and civilian staff deemed necessary by the governing body and shall be appointed to positions to meet the needs of the Fire Division and subject to the New Jersey Civil Service Commission rules and regulations. The command structure shall be as follows: One Fire Chief; a minimum of two (2) Deputy Chiefs with a maximum of four (4) Deputy Chiefs[/Division Chiefs]; and a minimum of four (4) Battalion Chiefs with a maximum of eight (8) Battalion Chiefs [assigned to Operations; one Battalion Chief of Administration; one Captain of Training; and one Captain of Logistics]. The terms of office shall be set forth in N.J.S.A. 40A:14-9. The Fire Chief shall be the head of the Fire Division.
- D. The Fire Chief shall be the head of the Fire Division, have full operational command control and shall be directly responsible to the Director of Public Safety, or in the absence of the Director of Public Safety, the Mayor, for its efficiency and day-to-day operations. Pursuant to policies established by the Director of Public Safety or the Mayor, the Fire Chief shall:
- (1) Administer and enforce the rules and regulations of the Fire Division and any special emergency directive for the disposition and discipline of the Division, its

EXPLANATION

Matter UNDERLINED thus in this legislation is new matter.
Matter contained in BRACKETS [thus] is to be omitted from the law.

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officers, members and volunteers;

- (2) Serve as the hearing officer for all disciplinary matters within the Fire Division. In those disciplinary matters where the Fire Chief cannot serve as hearing officer, the appropriate authority or the Fire Chief's designee shall act as the hearing officer;
- (3) Have, exercise and discharge the functions, powers and duties of the Fire Division;
- (4) Prescribe the duties and assignments of all officers, members and volunteers;
- (5) Delegate such authority as may be deemed necessary for the efficient operation of the Fire Division to be exercised under the Fire Chief's discretion and control; and
- (6) Report at least monthly to the Director of Public Safety or the Mayor in such form as shall be prescribed on the operations of the Fire Division during the preceding month and makes such other reports as may be requested.

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Any Ordinance or Ordinances in conflict with the provisions of this Ordinance are repealed to the extent of such conflict.

PRESIDENT

MUNICIPAL CLERK

RECORD OF VOTE													
First Reading							Second Reading						
COUNCIL	AYE	NAY	NV	AB	ORD	SEC	COUNCIL	AYE	NAY	NV	AB	ORD	SEC
ANTHONY P. CARABELLI, JR.	✓						ANTHONY P. CARABELLI, JR.						
PASQUALE "PAT" PAPERIO, JR.	✓				✓		PASQUALE "PAT" PAPERIO, JR.						
RICHARD L. TIGHE, JR.	✓					✓	RICHARD L. TIGHE, JR.						
CHARLES F. WHALEN	✓						CHARLES F. WHALEN						
NANCY PHILLIPS	✓						NANCY PHILLIPS						

X - Indicates Vote A.B. - Absent N.V. - Not Voting ORD. - Moved SEC. - Seconded

REJECTED _____

JEFFREY S. MARTIN, MAYOR

DATE

APPROVED _____

RECONSIDERED BY COUNCIL _____

OVERRIDE VOTE

AYE _____ NAY _____