

PLEASE TAKE NOTICE that the following Ordinance was adopted on first reading by the Township Committee of the Township of Union, County of Hunterdon, State of New Jersey, at a meeting held on the 21st day of February, 2024. The Ordinance was then ordered to be published according to law. Notice is hereby given that the said Ordinance will be considered for final passage at a public hearing to be held on 20th day of March, 2023, at 7:00 p.m., or as soon thereafter as the matter may be reached, at the Union Township Municipal Building, 140 Perryville Road, Hampton, New Jersey at which time all interested parties will be heard.

Ella M. Ruta, Municipal Clerk

ORDINANCE # 2024-5

AN ORDINANCE OF THE TOWNSHIP OF UNION IN HUNTERDON COUNTY, NEW JERSEY AMENDING AND SUPPLEMENTING THE CODE OF THE TOWNSHIP OF UNION TO AUTHORIZE THE APPOINTMENT OF FIRE POLICE OFFICERS

BE IT ORDAINED by the Township Committee of the Township of Union in Hunterdon County, New Jersey, as follows:

1. Section 2-14, “Fire Department” of the “Code of the Township of Union” (“Township Code”) amended to authorize the appointment of fire police officers. Section 2-14, “Fire Department” of the Township Code is hereby amended by replacing reserved subsection 2-14.8 with the following new subsection 2-14.8 authorizing the appointment of fire police officers and establishing the requirements therefor:

§ 2-14.8. Fire police.

- a. Pursuant to N.J.S.A. 15:8-4, the Fire Company may provide for the appointment of any Active Member–Firefighter in good standing or Active Member–Company in good standing to perform certain police duties at fires and fire drills, for a term of office not exceeding five years from the date of the appointment. The appointed members shall, before starting their duties, qualify by:
 1. Demonstrating compliance with all of the qualifications of Active Member–Firefighter or Active Member–Company set forth in section 2-14 of this Code and in the Fire Company bylaws.
 2. Successfully completing a basic fire police training course

formulated or approved by the Division of Fire Safety.

3. Taking and subscribing an oath that they will justly, impartially and faithfully discharge their duties according to the best of their ability and understanding. The oath shall be administered by the Union Township Municipal Clerk and subscribed to in duplicate. The original copy of the oath shall be filed with the Municipal Clerk and a copy thereof filed with the Secretary of the Fire Company.
- b. After appointment, a qualified member shall be eligible as a fire police officer and shall have full power and authority to act as a fire police officer in Hunterdon County or in any other county in which he or she is called upon to act.
- c. The Chief shall appoint a captain of the fire police. The captain shall meet all of the qualifications for Fire Captain set forth in the Fire Company bylaws. He or she shall hold the position for a term of one year and until a successor is appointed. Any duly appointed fire police officer shall be under the direct command of the captain of the fire police, subject to the supervision and control of the Chief, Deputy Chief/Assistant Chief, or the OIC, consistent with the Fire Company bylaws.
- d. It shall be the duty of any fire police officer to perform his or her duties under the supervision of the fire officer in charge of the fire or fire drill, until the arrival of a duly authorized police officer, who shall assume responsibility for the supervision of the performance of traffic duties, preservation of evidence and all other law enforcement duties. Nothing in this paragraph shall diminish the powers of the Chief or other superior officer of the Fire Company in the exercise of his or her duties pursuant to N.J.S.A. 40A:14-54.1.
- e. The duties of the fire police, subject to the supervision set forth above, shall be to:
 1. Protect property and contents.
 2. Establish and maintain appropriate fire lines.
 3. Perform such traffic duties as necessary, from the fire station to and at the vicinity of the fire, fire drill or other emergency call, until the arrival of a duly authorized police officer or at any public event where fire police services may be requested to protect the public, subject to the approval of and supervision by the Superintendent of State Police.
 4. In the absence of investigating authorities, investigate all

causes of fires and preserve all evidence pertaining to questionable fires and turn evidence over to proper investigating authorities.

5. Wear the authorized fire police badge on the left breast of the outermost garment while on duty.

Provided, however, that nothing herein shall give the fire police the right to supersede a duly authorized police officer.

- f. Fire police officers shall not ride on any fire suppression apparatus unless they are certified as a Firefighter-1 and possess a current SCBA fit test.
- g. If any person shall unreasonably refuse to obey the orders of the fire police, a fire police officer may arrest and keep said person under arrest until the fire is extinguished or the drill completed. If the offender is found guilty by a municipal court or Superior Court, the offender shall be sentenced to pay a fine not exceeding \$200, plus court costs.

2. Repealer. Any article, section, paragraph, subsection, clause, or other provision of the Code of the Township of Union inconsistent with the provisions of this ordinance is hereby repealed to the extent of such inconsistency.

3. Severability. If any section, paragraph, subsection, clause, or provision of this ordinance shall be adjudged by a court of competent jurisdiction to be invalid, such adjudication shall apply only to the section, paragraph, subsection, clause, or provision so adjudged, and the remainder of this ordinance shall be deemed valid and effective.

4. Effective date. This ordinance shall take effect upon its passage and publication, as provided for by law.

Ella M. Ruta, RMC, Municipal Clerk

Hon. David DeGiralamo, Mayor

First Reading: February 21, 2024
Publication: February 29, 2024
Public Hearing: March 20, 2024
Final Publication: March 28, 2024