

ORDINANCE NO. 2017-41

ORDINANCE OF THE BOROUGH OF RED BANK,
COUNTY OF MONMOUTH, NEW JERSEY
AMENDING AND SUPPLEMENTING
CHAPTER 90 "OFFICERS AND EMPLOYEES," ARTICLE V "FIRE MARSHAL"

Councilman Whelan offered the following ordinance and moved its adoption:

BE IT ORDAINED by the Governing Body of the Borough of Red Bank that Chapter 90 of the Revised General Ordinances of the Borough of Red Bank, Monmouth County, "Officers and Employees" is hereby amended and supplemented as follows:

SECTION ONE: Article V "Fire Marshal" is amended and supplemented to the following extent (*strikeouts denote deletions, underlined text denotes additions*):

§ 90-15 through § 90-18 *[No Change.]*

§ 90-19 **Duties.**

- A. The position shall be a full-time position. ~~to do such work as may be prescribed by the Construction Official.~~ The Fire Marshal will attend, when required, meetings of municipal agencies, as requested, including the ~~Fire Prevention Bureau~~ Ex Chiefs Advisory Council, and will appear and testify in the Municipal Court or other appropriate boards and agencies to obtain compliance with codes.

- B. *[No Change.]*

§ 90-20 **Specific duties.**

~~Under direction of the Construction Official,~~ The Fire Marshal will enforce all laws and ordinances of the state, county and Borough covering the following:

- A. through F. *[No Change.]*

§ 90-21 **Examples of work.** *[No Change.]*

§ 90-22 **Qualifications.**

- A. *[No Change.]*

- B. A thorough knowledge of codes and laws. The ~~Inspector~~ Fire Marshal must have a detailed, thorough knowledge of the local code he enforces and general familiarity with the relevant provisions of the local zoning code. The ~~Inspector~~ Fire Marshal shall be licensed as a Fire Protection Subcode Official pursuant to the authority of the State Uniform Construction Code Act^[1] and regulations promulgated thereunder.

- C. through Q. *[No Change.]*

§ 90-23 **Supervision.**

The Fire Marshal shall ~~be under the direction, control and supervision of the Construction Official~~ report to the Borough Administrator.

§ 90-24 **Compensation and appointment.**

- A. ~~_____ The Fire Marshal may serve as the Fire Protection Subcode Official as provided by the State Uniform Construction Code, P.L. 1975, c. 217 (N.J.S.A. 52:27D-119 et seq.) and may serve as required by the New Jersey Fire Safety Act (P.L. 1983, c. 383).^[1]~~

- B. A. The salary of the Fire Marshal shall be fixed annually by the Mayor and Council in the Borough's Salary Ordinance. Adequate and competent secretarial help will be provided to the Fire Marshal by the Borough in order for him to properly carry out the duties set forth herein.

C. B. The Fire Marshal will be appointed in accordance with § 361-6B by the Mayor with the consent of the Council to serve at the pleasure of the Mayor and Council.

SECTION TWO: Any ordinances or portions thereof which are inconsistent with the provisions of this Ordinance are hereby repealed as of the effective date of this Ordinance. All other provisions of the Revised General Ordinances are ratified and remain in full force and effect.

SECTION THREE: If any provision of this Ordinance or the application of such provision to any person or circumstance is declared invalid, such invalidity shall not affect the other provisions or applications of this Ordinance which can be given effect, and to this end, the provisions of this Ordinance are declared to be severable.

SECTION FOUR: This Ordinance shall take effect immediately upon its passage and adoption according to law.

Seconded by Councilman Taylor and adopted on roll call by the following vote:

	Yes	No	Abstain	Absent
Councilman Yngstrom	(X)	()	()	()
Councilman Zipprich	(X)	()	()	()
Councilwoman Horgan	(X)	()	()	()
Councilwoman Schwabenbauer	(X)	()	()	()
Councilman Taylor	(X)	()	()	()
Councilman Whelan	(X)	()	()	()

Introduction: December 13, 2017
Public Hearing/Adoption: December 27, 2017