

ORDINANCE NO. 2013-2

ORDINANCE OF THE BOROUGH OF RED BANK,
COUNTY OF MONMOUTH, NEW JERSEY
AMENDING AND SUPPLEMENTING
CHAPTER II, "ADMINISTRATION"
SECTION 2-37 "FIRE DEPARTMENT,"
SECTION 2-37.1 "OFFICERS"

Mr. Zipprich offered the following ordinance on final reading and moved its adoption:

WHEREAS, the Executive Council of the Red Bank Fire Department has determined there is a need to revise the requirements of the Borough Ordinances that establish the qualifications to serve in the office of Fire Chief, 1st Deputy Fire Chief, and/or 2nd Deputy Fire Chief of the Red Bank Fire Department as they pertain to residency; and

WHEREAS, the Executive Council of the Fire Department placed the proposal to change the current requirement, specifically that the Fire Chief, 1st Deputy Chief, and 2nd Deputy Chief be residents of the Borough to allow candidates for said office to reside within three (3) air miles of the border of the Borough, on the ballot to be decided by the membership at the annual fire department election held on December 4, 2012; and

WHEREAS, the fire department membership present and voting voted to support said amendment to the Borough ordinance.

NOW, THEREFORE, BE IT ORDAINED by the Governing Body of the Borough of Red Bank that Chapter II of the Revised General Ordinances of the Borough of Red Bank, Monmouth County, "Administration," Section 2-37.1 be amended as follows:

SECTION ONE: Add new section 14 to Chapter 2-37.

2-37 FIRE DEPARTMENT.

2-37.1 Officers.

- a. No Change
- b. No Change

Modify Paragraph c. as follows:

- c. ~~**Restriction on Membership in the Same Department**~~ **Company**. In no case shall the Chief, the First Deputy Chief, and the Second Deputy Chief be members of the same company, ~~and they shall be residents of the Borough during their entire term of office.~~

Add New Section "d" as follows:.

- d. **Restriction on Residency. The Fire Chief, First Deputy Chief, and the Second Deputy Chief shall be residents of the Borough of Red Bank or shall live within three (3) air miles of the border of Red Bank Borough during their entire term of office.**

Change subsequent paragraph designations as follows:

Change existing d. to e.

Change existing e. to f

Change existing f. to g

Change existing g. to h

SECTION TWO: Any ordinances or portions thereof which are inconsistent with the provisions of this Ordinance are hereby repealed as of the effective date of this Ordinance.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 Section 2-37.1 et seq. of the Revised General Ordinances of the Borough shall 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: The within Ordinance shall take effect immediately upon its passage and adoption according to law.

Seconded by Ms. Lewis and adopted on roll call by the following vote:

	Yes	No	Abstain	Absent
Ms. Lewis	(x)	()	()	()
Mr. Zipprich	(x)	()	()	()
Mr. DuPont	()	()	()	(x)
Ms. Horgan	(x)	()	()	()
Ms. Lee	(x)	()	()	()
Mr. Murphy	()	()	()	(x)

Dated: March 27, 2013