

**ORDINANCE NO. 2011-22**

**ORDINANCE OF THE BOROUGH OF RED BANK,  
COUNTY OF MONMOUTH, NEW JERSEY  
AMENDING AND SUPPLEMENTING  
CHAPTER II, "ADMINISTRATION"**

**SECTION 2-37.1 "FIRE DEPARTMENT, OFFICERS", Paragraphs d., e and f**

**WHEREAS** the Executive Council of the Red Bank Fire Department has conducted a review of the eligibility requirements for the office of Fire Chief, First Deputy Chief and Second Deputy Chief within the Borough of Red Bank (the "Borough") and has determined that it is in the best interests of the Fire Department and the Borough to make certain changes to the existing eligibility requirements; and

**WHEREAS** the Governing Body of the Borough of Red Bank has determined that the changes recommended and approved by the Executive Council of the Red Bank Fire Department are warranted and in the best interests of the Fire Department and the Borough;

**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 "Fire Department Officers", paragraphs d., e. and f. thereof, is hereby amended as follows (stricken text denote deletions, underlined text denote additions):

**SECTION ONE:**

**2-37 FIRE DEPARTMENT.**

**2-37.1 Officers.**

d. **Eligibility for Office of Chief.** No member shall be eligible to hold the office of Chief who has not served previously as First Deputy Chief, and who shall:

1. as of September 1, 2012, possess an Incident Management Level 3 Certification issued by the New Jersey Division of Fire Safety in accordance with the provisions of N.J.A.C. 5:73-1.6.
2. as of September 1, 2012, possess a Hazardous Materials: On Scene Incident Commander certification issued by the New Jersey Division of Fire Safety in compliance with 29 CFR 1910.120.

e. **Eligibility for Office of First Deputy Chief.** No member shall be eligible to hold the office of First Deputy Chief who has not previously served as Second Deputy Chief, and who shall:

1. as of September 1, 2012, possess an Incident Management Level 3 Certification issued by the New Jersey Division of Fire Safety in accordance with the provisions of N.J.A.C. 5:73-1.6.
2. As of September 1, 2012, possess a Hazardous Materials: On Scene Incident Commander certification issued by the New Jersey Division of Fire Safety in compliance with 29 CFR 1910.120.

f. **Eligibility for Office or Second Deputy Chief.** No member shall be eligible to hold the office of Second Deputy Fire Chief who ~~has not served a full term as an active firefighter of the Borough for a minimum of seven (7) years and who has not served as Captain of a Fire Company of the Red Bank Fire Department at the time of nomination does not meet the following minimum requirements:~~

1. Must have served a full term as an active firefighter of the Borough for a minimum of seven (7) years;
2. Must have served a full term as Captain of a Fire Company of the Red Bank Fire Department or shall complete said term as Captain prior to commencement of service as Second Deputy Chief.
3. Shall meet the minimum requirements to serve as a Fire Officer established by the New Jersey Division of Fire Safety pursuant to N.J.A.C. 5:73-1.6.
4. As of September 1, 2012, shall possess an Incident Management Level 3 Certification issued by the New Jersey Division of Fire Safety in accordance with the provisions of N.J.A.C. 5:73-1.6.
5. As of September 1, 2012, shall possess a Hazardous Materials: On Scene Incident Commander certification issued by the New Jersey Division of Fire Safety in compliance with 29 CFR 1910.120.

**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 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:** This Ordinance shall take effect upon its adoption.

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Pasquale Menna, Mayor

Pamela Borghi, Municipal Clerk

First Reading: December 7, 2011

Final Reading: December 21, 2011