

ORDINANCE 2017- 52

ORDINANCE AMENDING ORDINANCE 130, AS AMENDED, CHAPTER 56, ARTICLE I ENTITLED FIRE DEPARTMENT, ESTABLISHMENT; COMPOSITION.

WHEREAS, the City Council of the City of Vineland adopted Ordinance 130, as amended, Chapter 56, Article I entitled Fire Department, Establishment; Composition which, as a among other things, sets forth the qualifications of the Director of the Fire Department of the City of Vineland; and

WHEREAS, as the Director shall be less involved with the day-to-day functions and operations of the Vineland Fire Department and more knowledgeable regarding management, budgets, and supervision in accordance with Civil Service Commission and the rules and regulations governing the members of the Fire Department; and

WHEREAS, the City Council of the City of Vineland recognizes that each District Department has qualified and competent District Chiefs, officers and members and that, while the Director should have knowledge regarding Public Safety, his/her responsibilities should be more focused on policy, rules, regulations, funding, management and budgeting and the present qualifications specified in Ordinance 130, as amended limits the number of applicants who may best serve as Director of the Fire Department.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Vineland as follows:

1. Chapter 56, Article I, Section 56 – 4C entitled Director shall be deleted in its entirety and replaced as follows:
 - C. The Director of the Fire Department shall be technically qualified by training and experience in management and familiar with budgeting, grant writing and supervision of employees. The Director shall have not less than 10 years' experience in Public Safety (e.g. firefighter, emergency management officer, emergency medical technician) Firefighter experience is preferred but not mandatory. In lieu of the 10 years' experience, the Director shall have 5 years' experience in Public Safety and shall have graduated with a degree from an accredited college or university related to the qualifications specified herein.
2. Chapter 56, Article I, Section 56-5A shall be amended by adding the following language:
 - A. The Director of the Fire Department shall be a full time position, but the Director shall not be entitled to overtime and/or compensatory time.
3. Chapter 56, Article I, Section 56-5I shall be deleted in its entirety and replaced as follows:
 - I. The Director of the Fire Department shall preside at and serve as the hearings officer with input from the Fire Chief on suspensions and dismissals from the Fire Department unless otherwise directed by the Business Administrator and/or City Solicitor with the consent of the Mayor.
4. Chapter 56, Article I, Section 56-5 shall be amended by the addition of Section 56-5L as follows:
 - L. When the Director also holds a certification as a Fire Official issued by the Commissioner of the Department of Community Affairs, he/she shall also assist in the performance of the necessary duties of the Fire Official as specified in N.J.S.A. 52:27D-192 et seq. and the Code of the City of Vineland Section 372-1 et seq.
5. Chapter 56, Article I, Section 56-5 shall be amended by the addition of Section 56M as follows:
 - M. The Director shall also assist the Local Enforcing Agency in the enforcement of the New Jersey Uniform Fire Safety Act, N.J.S.A. 52:270-19 et seq. and the New Jersey Uniform Fire Code, N.J.A.C. 5:70 et seq.

6. Chapter 56, Article I, Section 56-6A shall be deleted in its entirety and replaced as follows:

A. When the Fire Chief is not also the Director of the Fire Department, orders or instructions regarding management, budgets, supervision and/or department policies shall be issued to the Fire Chief by the Director with the approval of the Mayor. All such orders or instructions shall be recognized, carried out and obeyed by the Fire Chief and all other members of the Fire Department. Such orders or instructions shall not in any way conflict with the provisions of any ordinance or law.

BE IT FURTHER ORDAINED that any Ordinance or portions thereof that are inconsistent herewith shall be deleted and void to the extent of such inconsistencies and the terms of this Ordinance shall supersede the same.

BE IT FURTHER ORDAINED that should any portion of this Ordinance deemed void by a competent court of law, the balance of this ordinance not invalidated shall remain in full force and affect.

This Ordinance shall take effect upon adoption and publication according to Law.

Passed First Reading:

Passed Final Reading:

President of Council

ATTEST:

City Clerk