

ORDINANCE NO. 2021-17

**AN ORDINANCE OF COLTS NECK TOWNSHIP AMENDING
EXISTING CHAPTER 28, ENTITLED, "FIRE DEPARTMENT"
OF THE CODE OF COLTS NECK TOWNSHIP**

WHEREAS, in recent years, there has arisen a need to allow non-resident membership in Colts Neck Volunteer Fire Company No. 1 and Colts Neck Volunteer Fire Company No. 2 (the "Fire Companies") of Colts Neck Township (the "Township"); and

WHEREAS, the existing Chapter 28-6(A)(5) of the Township's Code, regarding the composition of the Fire Companies that make up the Township's Fire Department, currently implies, but does not clearly state, that there is a residency requirement in order to be a Township volunteer fire fighter by including a provision regarding terms and conditions for waiver of the purported residency requirement; and

WHEREAS, the Township would like to amend Chapter 28 to remove any implied or express reference to a residency requirement in order to better achieve full capacity of firefighter volunteers in the individual Fire Companies constituting the Fire Department and to further protect the public health, safety and general welfare of individuals and the community at large by so doing.

NOW, THEREFORE, BE IT ORDAINED, by the Township Committee of Colts Neck Township in the County of Monmouth, State of New Jersey that Sections 28-4 and 28-6 of Chapter 28, entitled Fire Department, of the Township Code be amended as follows (additions to text indicated by underline; deletions to text indicated by ~~strikeout~~):

CHAPTER 28 – FIRE DEPARTMENT

§ 28-4. ~~(Reserved)~~ Volunteer residency status.

Other than requirements now or hereafter imposed by the laws of the State of New Jersey, there shall be no residency requirement imposed upon the individual firefighter volunteers composing each Fire Company within the Fire Department. This section supersedes any residency requirement imposed upon volunteer firefighters referenced in this Chapter 28 or elsewhere in the Colts Neck Township Code.

§ 28-6. Membership; duties.

A. Membership.

1. [No change.]
2. [No change.]
3. [No change.]
4. [No change.]
5. ~~The above-described residency requirements may be waived at the discretion of the of the individual companies for good cause. "Good cause" is defined as when an individual meeting all other qualifications is employed full-time within the Township of Colts Neck and expresses an interest in becoming an active member of the Fire Department of the Township of Colts Neck; or when a member in good standing of an individual company moves to another community and expresses an interest in remaining an active member of the Fire Department of the Township of Colts Neck, when he or she meets all other requirements. When a member in good standing of an individual company moves to another community and expresses an interest in remaining an active member of the Fire~~

Department of the Township of Colts Neck, he or she may remain an active member of the Fire Department provided he or she meets all other requirements imposed by this Chapter 28. Residency requirements do shall not apply to § 28-6, Membership; duties.

B. Duties.

- 1. [No change.]
- 2. [No change.]
- 3. [No change.]

I hereby certify the Ordinance foregoing to be a true copy of an Ordinance introduced by the Township Committee of Colts Neck Township on the 8th day of September 2021. A public hearing will be held on September 29, 2021, 7:30 p.m. Town Hall, 124 Cedar Drive.



Michael Viola, Mayor



Trina Lindsey, Township Clerk

RECORD OF VOTE										
	First Reading					Second Reading				
	September 8, 2021					September 29, 2021				
	M S	Yes	No	NV	Ab	M S	Yes	No	NV	Ab
Mayor Viola		X					X			
Deputy Mayor Bartolomeo	M	X				M	X			
Fitzpatrick		X					X			
Torchia Buss	S	X				S	X			
Rizzuto				X					X	
M - Moved	S - Seconded	X - indicates vote			NV - Not Voting			Ab - Absent		