

## CHAPTER XI DEPARTMENT OF FIRE

### 11-1 ADMINISTRATION.

**11-1.1 Name Designated; Objective.** There shall be a Volunteer Fire Department which shall promulgate its own rules and regulations and conduct its operations in accordance with the Fire Ordinance and the Fire Code and the amendments heretofore enumerated. The Volunteer Fire Department is hereby designated as the Rockaway Township Fire Department. The Fire Department shall annually elect a Chief from its members who shall be the head of the Rockaway Township Fire Department. There shall be a Fire Marshall who shall be appointed in accordance with applicable statutes, codes, rules and/or regulations, and whose salary shall be fixed by ordinance. The objective of the Rockaway Township Fire Department shall be the protection of life and property and the prevention of fires within the limits of the Township.

**11-1.2 Functions of the Fire Department Chief.** The Fire Department Chief shall:

- a. Be the Chief Officer of the Rockaway Township Fire Department.
- b. Administer and enforce rules and regulations for the control, disposition and discipline of the Rockaway Township Fire Department and its officers and employees as established herein.
- c. Be the liaison between the Director of the Department of Fire and the Rockaway Township Fire Department.

**11-1.3 Rules and Regulations.** The governing body of the Township shall adopt Rules and Regulations in conformity herewith and amendments as deemed necessary for the control, disposition and discipline of the Rockaway Township Fire Department and its officers. The Fire Department Chief shall administer and enforce the Rules and Regulations as the Chief Operating Officer of the Rockaway Township Fire Department. A copy of the Rules and Regulations shall be given to all firefighters listed on the Roll of Firefighters.

### 11-2 DEPARTMENT ORGANIZATION

**11-2.1 Fire Companies Designated.** The Township Fire Department shall consist of Hibernia Fire Company No. 1, also to be known as Rockaway Township Fire Company No. 1; Mt. Hope Fire Company No. 2, also to be known as Rockaway Township Fire Company No. 2; Marcella Fire Company No. 3, also to be known as Rockaway Township Fire Company No. 3; Birchwood Fire Company No. 4, also to be known as Rockaway Township Fire Company No. 4; White Meadow Lake Fire Company No. 5, also to be known as Rockaway Township Fire Company No. 5.

**11-2.1 (a) Indemnification:** *Each of the Fire Companies shall indemnify, bear all costs of a defense, and hold harmless the Township, and all of its employees, for any claim by any person for bodily or psychological injury, property damage, personal injury, advertising injury, defamation, discrimination unfit or improper employment practices, and/or for violation of any State or Federal law including claims for violations of civil rights and/or discrimination, which arise, at least in part, as a result of the actions or inactions of any officer or member of any or all of the Fire Companies in the context of Fire Company Association business/activities. (Ord. O-17-01)*

**11-2.1(b) Insurance:** Each of the Fire Companies shall purchase and continually maintain and keep in effect insurance as follows:

General Liability Insurance coverage and coverage commonly referred to as Employment Practice Liability Insurance coverage which policies shall provide for the defense and indemnification of the fire companies; and,

All policies of insurance obtained by each fire company shall specifically name, by written endorsement, the Township of Rockaway, its officers and/or employees as additional insured parties, which insurance shall provide primary and non-contributory insurance coverage over all other applicable insurance to the Township, and its officers and/or employees. The additional insurance shall include but not be limited to coverage for all circumstances in which each Fire Company and/or its members are covered as the named insured. The same policy limits applicable to the Fire Companies and/or their members shall be applicable to the Township: and

The policies shall contain an endorsement that the Policy cannot be canceled without the insurance carrier providing 30 days advanced written notice of Cancellation directly to the Township, except for a proposed cancellation based upon non-payment of premium, which shall require that 10 days advance written Notice of Cancellation be supplied directly to the Township.

The language of the Employment Practices Policy shall include the following coverage language or its equivalent:

1. Liability for Official Acts:

We shall pay on behalf of the Insured all claims for loss for which the Insured becomes legally obligated to pay as damages by reason of wrongful acts

rendered in the discharging of duties on behalf of the Insured named in the Declarations;

## 2. Liability for Employment Claims:

We shall pay on behalf of the Insured all claims for loss for which the Insured becomes obligated to pay as damages arising out of Employment Claims to which this insurance applies by reason of wrongful acts rendered in discharging duties on behalf of the Insured named in the Declarations.

Any and all insurance coverage shall have minimum single limit per claim coverage and an annual aggregate limit in the amount of two million dollars (\$2,000,000.00); and,

The insurance required by this Section shall not be obtained and/or maintained by any fire company without the approval of the Township Administrator and Township Attorney.

Each policy of insurance obtained by a fire company shall be submitted to the Township Administrator and Township Attorney for review and approval of the choice of insurance carrier, policy limits, and terms and conditions of the policy and its endorsements. (Ord. O-16-10)

**11-2.2 Internal Organization.** The Fire Department and each of its member companies shall adopt a constitution, rules and by-laws not inconsistent with the Rules and Regulations provided in subsection 11-1.3. The Fire Department Association members shall approve the Department constitution, rules and by-laws and any amendments thereto. Each Fire Company Association shall approve their respective company constitution, rules and by-laws and any amendments thereto.

**11-2.3 Roll of Firefighters.** The Township Clerk shall maintain an accurate record on all firefighters, which shall be known as the "Roll of Firefighters." This record shall show each firefighter's full name, date of birth, date of death, date of naturalization if foreign born, address while a firefighter, date and type of any change in status – such as exemption, suspension, expulsion, retirement, resignation, leave of absence, etc. The record shall also show the date a firefighter takes office as a Department Officer and the office held. In addition, each firefighters annual percentage of duty attendance at alarms and drills shall be recorded annually by the Department Chief.

## 11-3 MEMBERSHIP IN DEPARTMENT.

**11-3.1 Qualification for Membership.** No person shall hereinafter become a member of the Fire Department or any company thereof unless meet the minimum qualifications set forth in the Rules and Regulations.

### **11-3.2 Procedure for Membership.**

- a. Every person seeking membership in the Fire Department shall make application to the Company which they desire to join. The application shall be processed in accordance with the Company's by-laws. Following receipt and review by the Company of the applicant's police background search evidencing no prior violations of law deemed necessarily relevant, the application shall be submitted to the Department Chief for approval.
- b. Upon approval of the application by the Department Chief, the applicant shall be granted temporary membership status. The Department Chief shall notify the Township Clerk of the acceptance and the Clerk shall cause the temporary member's name to be placed on the governing body's meeting agenda for confirmation. Following confirmation by the governing body, which shall not exceed sixty (60) days from submission by the Department Chief, full membership shall be granted and the Clerk shall enter the member's name on the Roll of Firefighters.
- c. Notwithstanding the foregoing, no person shall become, either temporarily or permanently, a member of the Fire Department until the Township Clerk confirms that this person is covered by the applicable insurance.

**11-3.3 Continuation of Membership.** A person whose name is entered on the Roll of Firefighters shall be considered a member until such time that the firefighter's name is removed from the Roll of Firefighters. Such removal shall be made by the Township Clerk after notification by the Fire Director. A request for removal may be initiated by that firefighter's Fire Company Association, the Assistant Chief of said Company, or the Department Chief for failure to comply with the Rules and Regulations provided in subsection 11-1. 3

**11-3.4 Performance of Duty Required.** Every active member of the Fire Department shall meet the requirements set forth in the Rules and Regulations.

Any member attempting to reach Exempt Membership Status within the New Jersey State Relief Association shall meet their requirements in order to obtain this status. Membership in the rockaway Township Fire Department shall not be determined if a member is or is not meeting the requirements of the New Jersey State Relief Association.

**11-3.5 Limitation of Active Membership.** The Fire Department shall not have more than two hundred fifty (250) active members.

## **11-4 OFFICERS**

**11-4.1 Department Officers.** The officers of the Fire Department shall consist of a Department Chief, a Deputy Department Chief, an Assistant Fire Chief from each member company, and an Assistant EMS Chief.

**11-4.2 Election of Department Officers.** The Department Chief, Deputy Department Chief, and the Assistant EMS Chief shall be elected from the active membership of the

Department in accordance with the Rules and Regulations, and the Department constitution, rules, and by-laws, and confirmed by the governing body. The Assistant Fire Chiefs shall be elected in accordance with the Rules and Regulations, and their respective Company constitution, rules and by-laws. The officers of the Fire Department shall take office at 12:00 noon on January 1 of each year and serve until duly replaced, and shall serve those positions in an acting capacity pending confirmation and acceptance by the governing body.

**11-4.3 Election of Company Officers.** The officers of each Fire Company shall be elected from the active membership of each Fire Company in accordance with the Rules and Regulations, and their respective Company constitution, rules and by-laws, and the Department SOP .

**11-4.4 Department and Company Officer Duties.** The duties of the Department and Company officers shall be as defined in the Rules and Regulations provided in subsection 11-1.3.

**11-4.5 Department Board of Fire Officers.** There shall be a Board of Fire Officers of the Department consisting of the Department Chief, the Deputy Department Chief, Assistant EMS Chief, and an Assistant Fire Chief from each Company. The immediate ex-Department Chief shall also serve on this Board in an advisory capacity. Duties of the Board shall be as defined in the Rules and Regulations provided in subsection 11-1.3.

**11-4.6 Company Board of Fire Officers.** There shall be a Board of Fire Officers of each Company in the Department. Membership and duties of the Board shall be as defined in the Rules and Regulations provided in subsection 11-1.3.

**11-4.7 Board of Ex-Department Chiefs.** There shall be a Board of Ex-Department Chiefs of the Fire Department consisting of only those active members listed on the Roll of Firefighters who were duly elected and held office as Fire Department Chief Officers and duties of the Board shall be as further defined in the Rules and Regulations provided in subsection 11-1.3 of the Township of Rockaway Code.

**11-4.8 Board of Advisory.** There shall be a Board of Advisory of the Department consisting only of members who have served as a Department officer as defined in subsection 11-4.1. Election and duties of the Board shall be in accordance with the Rules and Regulations provided in subsection 11-1.3.

**11-4.9 Chief Application Board.** There shall be a Chief Application Board of the Department consisting of a representative of each company and an alternate from each company consisting only of members who have served in the position of Assistant Chief or higher. Election and duties of the Board shall be in accordance with the Rules and Regulations as provided in subsection 11-1.3.

## **11-5 COMPENSATION AND RESPONSIBILITIES.**

**11-5.1 Compensation for Expenses.** Members and officers of the Department, as listed on the Roll of Firefighters, shall receive compensation toward expenses incurred by them on Department duty as the governing body may determine.

**11-5.2 Compensation for Injury.** Members of the Fire Department listed on the Roll of Firefighters and temporary members as defined in subsection 11-3.2 shall be insured for injury or bodily harm while on Department duty. Each firefighter shall be provided with:

- a. Employer's Liability Insurance Coverage in accordance with the Workman's Compensation Act (N.J.S.A. 34:15-74).
- b. Any additional insurance coverage provided by the governing body.

Any additional insurance coverage in effect at the effective date of this chapter shall remain in effect. Any changes in coverage made by the governing body shall first have the concurrence of the Fire Department Association and the Department Chief.

**11-5.3 Control and Responsibilities at Fires or Emergencies.**

- a. The Fire Department firefighters on duty at the scene of a fire or emergency shall have the full, complete charge and control during all fire or emergency operations and until all firefighters have completed their activities.
- b. It shall be the responsibility of the Police Department to prevent the disturbance, interference with, or other annoyance of firefighters by any and all non-Fire Department members, municipal officials or bystanders during a fire or emergency operation. The Police Department, upon completion of firefighter activities shall assume charge of and guard safely any building left unprotected or any property removed from a building as a result of a fire or an emergency.

## **11-6 FIRE CONTROL MEASURES AND REGULATIONS.**

**11-6.1 Authority at Fires and Other Emergencies.** The Fire Chief or duly authorized representatives, as may be in charge at the scene of a fire or other emergency involving the protection or other emergency involving the protection of life and/or property, is empowered to direct such operations as may be necessary to extinguish or control any suspected or reported fires, gas leaks, or other hazardous conditions or situations or of taking any other action necessary in the reasonable performance of their duty. The Fire Officer in charge may prohibit any person, vehicle or object from approaching the scene and may remove or cause to be removed from the scene any person, vehicle or object which may impede or interfere with the operations of the Fire Department. The Fire Officer in charge may remove or cause to be removed any person, vehicle or object from a hazardous area. All persons ordered to leave a hazardous area shall do so immediately and shall not re-enter the area until authorized to do so by the Fire Officer in charge.

**11-6.2 Interference with Fire Department Operations.** It shall be unlawful to interfere with, attempt to interfere with, conspire to interfere with, obstruct or restrict the mobility of, or block the path of travel of any Fire Department emergency vehicle in any way, or

to interfere with, attempt to interfere, conspire to interfere with, obstruct or hamper any Fire Department operation.

- 11-6.3 Compliance with Orders.** A person shall not willfully fail or refuse to comply with any lawful order or direction of the Fire Chief, Incident Commander, or Fire Official; or to interfere with the compliance attempts of another individual.
- 11-6.4 Vehicles Crossing Fire Hose.** A non-fire department vehicle shall not be driven or propelled over any unprotected fire hose of the Fire Department when laid down on any street, alleyway, private drive or any other vehicular roadway without consent of the Incident Commander.
- 11-6.5 Definition of Authorized Emergency Vehicle.** Authorized emergency vehicles shall be restricted to those which are defined and authorized under the laws of the State.
- 11-6.6 Operation of Vehicles on Approach of Authorized Emergency Vehicles.** Upon the approach of any authorized emergency vehicle, giving audible and visual signal, the operator of every other vehicle shall immediately drive the same to a position as near as possible and parallel to the right-hand edge or curb of the street or roadway, clear of any intersection, and shall stop and remain in such position until the authorized emergency vehicle(s) shall have passed, unless otherwise directed by the Fire Officer in charge or a Police Officer.
- 11-6.7 Vehicles Following Fire Apparatus.** It shall be unlawful for the operator or any vehicle other than one on official business, to follow closer than three hundred (300) feet from any fire apparatus traveling in response to a fire alarm, or to drive any vehicle within the block or immediate area where fire apparatus has stopped in answer to a fire alarm.
- 11-6.8 Unlawful Boarding or Tampering with Fire Department Emergency Equipment.** A person shall not without proper authorization from the Fire Officer in charge of the Fire Department emergency equipment, cling to, attach himself to, climb upon or into, board or swing upon any Fire Department emergency vehicle whether the same is in motion or at rest, or sound the siren, horn, bell or other sound-producing device thereon, or manipulate or tamper with, or attempt to manipulate or tamper with any levers, valves, switches, starting devices, brakes, pumps, or any equipment or protective clothing on, or part of, any Fire Department emergency vehicle.
- 11-6.9 Damage or injury to Fire Department Equipment or Personnel.** It shall be unlawful for any person to damage or deface, or attempt, or conspire to damage or deface any Fire Department emergency vehicle at any time, or to injure, or attempt to injure or conspire to injure Fire Department personnel while performing departmental duties.
- 11-6.10 Emergency Vehicle Operation.** The rules governing the operation of any authorized emergency vehicle shall be restricted to those which are defined and authorized under the laws of the State.

**11-6.11 Blocking Fire Hydrants, Standpipes and all Fire Department Connections Prohibited.**

- a. It shall be unlawful to obscure from view, damage, deface, obstruct or restrict the access to any fire hydrant, standpipes, or any Fire Department connections for the pressurization of fire suppression systems, including fire hydrants and Fire Department connections that are located on public or private streets and access lanes, or on private property.
- b. Upon immediate need or upon the expiration of the time mentioned in a notice of violation, obstructions or encroachments are not removed; the Fire Chief, Incident Commander or Fire Official shall proceed to remove the same. Cost incurred in the performance of necessary work shall be paid from the municipal treasury on certification of the Fire Chief and with the approval of the Business Administrator; and the legal authority of the municipality shall institute appropriate action for the recovery of such costs.

**11-6.12 Hydrant Use Approval.** A person shall not use or operate any fire hydrant intended for use of the Fire Department for fire suppression purposes unless the person first secures a permit for such use from the Fire Chief or Fire Official and the water company having jurisdiction. This subsection shall not apply to the use of hydrants by a person employed by, and authorized to make use by, the water company having jurisdiction.

**11-6.13 Placement of Hydrants in New Developments.** The placement of hydrants in all new developments shall be subject to the approval of the Fire Department and in no event shall the hydrants be located more than five hundred (500') feet apart.

**11-6.14 Public Water Supply.** The Fire Chief shall recommend to the Chief Administrative Official of the municipality the location or relocation of new or existing fire hydrants and the placement or replacement of inadequate water mains located upon public property and deemed necessary to provide an adequate fire flow and distribution pattern. A fire hydrant shall not be placed into or removed from service until approved by the Fire Chief.

**11-6.15 Yard Systems.** All new and existing shipyards, oil storage plants, lumber yards, amusement or exhibition parks, and educational or institutional complexes and similar occupancies and uses involving high fire or life hazards, and which are located more than one hundred fifty (150) feet from a public street or which require quantities of water beyond the capabilities of the public water distribution system shall be provided with properly placed fire hydrants. Such fire hydrants shall be capable of supplying fire flows as required by the Fire Chief and shall be connected to a water system in accordance with accepted engineering practices. The Fire Chief shall designate and approve the number and location of fire hydrants. The Fire Chief may require the installation of sufficient fire hose and equipment housed in accordance with the approved rules and may require the establishment of a trained fire brigade when the hazard involved requires such measures.



Private hydrants shall not be placed into or removed from service until approved by the Fire Chief.

**11-6.16 Maintenance of Fire Suppression Equipment.** A person shall not obstruct, remove, tamper with or otherwise disturb any fire hydrant or fire appliance required to be installed or maintained under the provisions of the Fire Prevention Code except for the purpose of extinguishing fire, training or testing purposes, recharging, or making necessary repairs, or when permitted by the Fire Chief, Fire Official or Fire Sub code Official. Whenever a fire appliance is removed as herein permitted, it shall be replaced or reinstalled as soon as the purpose for which it was removed has been accomplished. Defective and non-approved fire appliances or equipment shall be replaced or repaired as directed by the Fire Chief, Fire Official or Fire Sub code Official.

**11-6.17 Sale of Defective Fire Extinguishers.** Per N.J.A.C. 5:70 et seq.; a person shall not sell, trade, loan or give away any form, type or kind of fire extinguisher which is not approved by the Fire Official, or which is not in proper working order, or the contents of which do not meet the requirements of the Fire Official. The requirements of this subsection shall not apply to the sale, trade or exchange of obsolete or damaged equipment for junk when the units are permanently disfigured or marked with a permanent sign identifying the unit as junk.

**11-6.18 Street Obstructions.** A person or persons shall not erect, construct, place, or maintain any bumps, fences, gates, chains, bars, pipes, wood or metal horses or any other type of obstruction in or on any street, within the boundaries of the Township. The word *street* as used in this chapter, mean any roadway accessible to the public for vehicular traffic, including, but not limited to , private streets or access lanes, as well as all public streets and highways within the boundaries of the municipality.

**11-6.19 Key Boxes and Material Safety Data Sheet Storage Cabinets.**  
In compliance with the International Fire Code, New Jersey currently adopted edition 5:70 – 3.2(a) 506 KEY BOXES:

- a. All buildings within the Township of Rockaway having automatic fire alarms or a fire suppression system, excluding one-family and two-family residential dwellings shall be equipped with a key box or boxes to be purchases and installed by and at the sole expense of the owner or occupant of said building in accordance with this subsection. This subsection applies to both existing and future construction.
- b. The key box shall be of a type approved by the Bureau of Fire Prevention and the Fire Marshal and shall be uniform within the Township of Rockaway. The key box shall be mounted on the building in an accessible location approved by the Fire Marshal. Applications for a key box may be obtained from the Rockaway Township Fire Prevention Bureau.
- c. Access to key boxes shall be available only to Township-authorized personnel and only by the master key. The master key shall be inaccessible until the

dispatcher receives and verifies a request from authorized personnel and responds with a coded signal to a decoder permitting access to the master key.

- d. The key box shall be maintained by the owner or occupant of the building or structure and shall contain, at a minimum, updated keys necessary for access to all portions of the premises, as required by the Fire Marshal, and/or electronic entry cards, if needed, as well as keys to any separate Material Safety Data Sheets ("MSDS") storage cabinet, if required under paragraph e, below.
- e. Where activity is being conducted on certain premises within the Township that under New Jersey law required the owner or occupant of said premises to maintain on the premises a book containing MSDS information for first-responding emergency personnel, said owner or occupant will be required to install a lockable MSDS storage cabinet. This cabinet will be installed in an accessible area approved by the Fire Marshal. It shall contain all updated information for first responders on any fire or hazardous material incident.
- f. Whenever the contents of key box must be updated, it shall be the responsibility of the owner or occupant of the building to notify the Bureau of Fire Prevention. The Fire Marshal or his designate within twenty-four (24) hours of such notice will meet with said owner or occupant in order to open the key box so it may be updated. If the Bureau of Fire Prevention is not notified of a change requiring an update of keys, the Fire Marshal will assess a fine of one hundred (\$100.00) dollars for each occurrence. Such changes include, but are not limited to, change of occupant, sale of building or structure, change of security locks and system, added storage and new material being stored or processed on the premises.
- g. All existing buildings within the Township of Rockaway containing automatic fire alarms or a fire suppression system, excluding one-family and two family residential dwellings, shall comply with the provisions of this section no later than six (6) months from the effective date of this subsection. Compliance with this subsection shall be required prior to receipt of a Certificate of Occupancy for all new buildings containing automatic fire alarms or a fire suppression system, excluding one-family and two –family residential dwellings.
- h. Violators of the provision of this subsection shall be assessed a fine by the Fire Marshal of five hundred (\$500.00) dollars for each day or part thereof that the violation continues.
- i. The Township of Rockaway, its agents and employees, shall not be liable for damages resulting from any break, failure or defect of any key box or MSDS storage cabinet installed in accordance with this subsection, or any accident or injury resulting therefrom

## **11-7 FIRE DEPARTMENT REGULATIONS CONCERNING FALSE ALARMS**

**11-7.1 Applicability.** The provisions of this section shall apply to any person who operated, maintains, or owns any alarm device or local alarm designed to summon Fire

Departments to any location in response to any type of alarm signal. This section shall not apply to volunteer fire companies in the Township.

**11-7.2 Definitions.**

*Alarm console* shall mean the console or control panel of devices giving visual, audio or electronic response.

*Alarm installation* shall mean any alarm device or combination of devices installed for one or more buildings in a location other than the alarm console.

*Dial alarm device* shall mean that type of device using telephone lines transmitting an alarm through a central station alarm company and not directly through the police switchboard.

*False alarm* shall mean the actuation of a fire alarm device of any type to which the Fire Department must respond, and for which an investigation fails to reveal a cause of the nature or type to which the alarm device was designed or intended to react.

*Local alarm device* shall mean any alarm or device which when activated produces a signal not connected to the alarm console including, but not limited to, store fire alarm bell activating devices, and residential store or other type of alarm signal devices connected to private monitoring systems which alarms may be relayed to Township Police Headquarters.

*Police alarm device* shall mean any type of alarm system actuating equipment in the alarm console providing warning of fire or smoke.

**11-7.3 False Alarm Penalties.**

- a. In case of a false fire alarm, the Incident Commander involved shall notify the Fire Official and complete a fire report. The fire report shall be filed with the Fire Official who shall investigate the matter and issue the appropriate penalty in accordance with N.J.A.C. 5:70-2.12
- b. The owner of any alarm device shall not pay a penalty for the first false fire alarm within any one (1) calendar year, January 1 through December 31. Thereafter, a penalty shall be imposed for any subsequent false fire alarms within the same calendar year the charge to be determined by the total number of false alarms within the same calendar year in accordance with the following schedule:

Residential	Commercial Under 2,500 sq. ft.	Commercial Over 2,500 sq. ft. (Including
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			multi-family dwelling common areas)
Second false alarm	\$25.00	\$25.00	\$250.00
Third false alarm	\$50.00	\$75.00	\$350.00
Fourth false alarm	\$75.00	\$125.00	\$450.00
Fifth false alarm	\$100.00	\$175.00	\$550.00
Sixth false alarm	\$125.00	\$225.00	\$650.00
Seventh false alarm	\$150.00	\$275.00	\$750.00
Eighth false alarm	\$175.00	\$325.00	\$850.00
Ninth false alarm	\$200.00	\$375.00	\$950.00
Tenth false alarm and any subsequent false alarms within the same calendar year	\$225.00	\$425.00	\$1,050.00

A failure to pay the aforesaid penalty within sixty (60) days of billing shall constitute a violation.

Any penalties collected by the Fire Official from this section shall be placed in the LEA Trust Account.

**11-7.4 Responsibilities of Owner.** The owner shall take all necessary steps to ascertain immediately the cause of any false alarm and shall alleviate the problem. A disregard by the owner to take reasonable precautions to avoid false alarms shall be deemed to be a violation of the Uniform Fire Code, and the International Fire Code, New Jersey currently adopted edition.

**11-7.5 Testing.** Testing of alarms required by the Uniform Fire Code, the International Fire Code, New Jersey currently adopted edition, or practice, without prior notice shall be considered false alarms.

**11-8 JUNIOR FIREMEN’S AUXILIARY.**

**11-8.1 Establishment of Junior Firemen’s Auxiliary.** There is hereby established an Auxiliary to the Rockaway Township Fire Department to be known as the Junior Firemen’s Auxiliary, which shall be sponsored by the Rockaway Township Fire Department and operate under and pursuant to N.J.S.A. 40A:14-95 et seq. and the Code of the Township of Rockaway.

**11-8.2 Purpose of the Junior Firemen’s Auxiliary.** The purpose of the Junior Firemen’s Auxiliary is to assist the members of the Fire Department in all duties of fire and rescue and to train as future members of the Rockaway Township Fire Department.

**11-8.3 Qualifications for Membership.** No person shall hereinafter become a member of the Junior Firemen’s Auxiliary unless the member shall be a citizen of the United States between ages of sixteen (16) and eighteen (18), a resident of Rockaway Township and physically fit to perform the duties of a firefighter, which fitness shall be evidence by a certificate to that effect signed by the Township approved/appointed physician of the State after a physical examination is performed for that purpose. No individual may remain a member of the Junior Firemen’s Auxiliary after attaining the age of eighteen (18) unless they are currently enrolled in an accredited high school. Any member enrolled in an accredited high school may retain membership in the Junior Firemen’s Auxiliary provided they maintain continuous enrollment in said high school and upon graduation, they will have thirty (30) days to apply for full membership. Any individual not enrolled in an accredited high school will have thirty (30) days after their eighteenth (18<sup>th</sup>) birthday to apply for full membership. Each individual shall obtain permission from said individual’s parent(s) or legal guardian. Such permission shall be in writing and acknowledged by a Notary Public. The original written permission shall be retained by the Township Clerk, and a copy shall be forwarded to the Fire Department Chief.

**11-8.4 Procedure for Membership**

- a. Every person seeking membership in the Junior Firemen’s Auxiliary shall be assigned by the Fire Chief to the Fire Company closest to his residence. The application shall be processed in accordance with the Company’s by-laws and Department Standard Operating Procedures. Following review by the Fire Company Association and the Junior Fireman’s Auxiliary Committee, the application shall be submitted to the Department Chief for approval.
- b. Upon approval of the application by the Department Chief, he shall notify the Township Clerk of the acceptance and the Clerk shall cause the applicant’s name to be placed on the governing body’s meeting agenda for confirmation. Following confirmation by the governing body, which shall not exceed sixty (60) days from submission by the Department Chief, full membership shall be granted and the Clerk shall enter the member’s name on the Roll of Junior Firemen’s Auxiliary.
- c. All approved Junior Firemen’s Auxiliary members shall be admitted as members to the Fire Company Association to which application was made, and to the Fire Department Association. They shall be non-voting members of both Associations.
- d. Notwithstanding the foregoing, no person shall become a member of the Junior Firemen’s Auxiliary until the Township Clerk confirms that this person is covered by the applicable insurance.

**11-8.5 Roll of Junior Firemen’s Auxiliary** - The Township Clerk shall maintain an accurate record on all Junior Firemen’s Auxiliary members, which shall be known as the “Roll of Junior Firemen’s Auxiliary.” This record shall show each member’s full name, date of birth, date of death, date of naturalization if foreign born, address while a member, date and type of any change in status – such as suspension, expulsion,

resignation, etc. In addition, each member's annual percentage of duty attendance at alarms and drills shall be recorded annually by the Department Chief.

**11-8.6 Junior Firemen's Auxiliary Advisory Committee.** The Junior Firemen's Auxiliary shall be under the guidance of the Board of Fire Officers within the Fire Department.

**11-8.7 Insurance Coverage for Junior Members.** Members of the Junior Firemen's Auxiliary shall be provided with the same insurance coverage as provided for regular volunteer firemen in the Fire Department under N.J.S.A. 40A:14-37, N.J.S.A. 40A:14-38 and 40A:14-97.

**11-8.8 Rules and Regulations of the Junior Firemen's Auxiliary.** The Township Council hereinafter establishes the following rules and regulations designed to provide for the training of the Junior Firemen's Auxiliary for eventual membership in the volunteer fire department and to govern the activities of the Auxiliary.

- a. A Junior Fireman shall observe the rules and by-laws of the Fire Department and of the Fire Companies, and must demonstrate an active interest in the Fire Department and its functions.
- b. A Junior Fireman shall observe the discipline of the Fire Chief and other officers and members of the Fire Department during a drill and/or other Department activities.
- c. A Junior Fireman shall not perform any duty or operation of the Fire Department that exposes the Junior Fireman to a hazardous situation.
- d. A Junior Fireman shall not be allowed to enter a burning building.
- e. All Junior Firemen responding to calls shall assemble as a group and wait for instructions from the Officer in charge.
- f. No Junior Firemen shall enter any structure, unless ordered to do so by a Fire Officer, and under the direct supervision of a senior member. This shall happen only if a situation is under control.
- g. A Junior Fireman shall not drive any Fire Department apparatus.
- h. A Junior Fireman shall only be allowed to ride in the enclosed cab of a fire truck, or the enclosed box of a Fire Department ambulance.
- i. A Junior Fireman shall not operate any Fire Department power tools.
- j. A Junior Fireman shall not be present in any firehouse at any time unless two (2) active members of the Fire Department are present, unless the junior member is the child of an active member of the department and is being supervised by that parent/member.

- k. A strict curfew of 10:00 pm will be observed Sunday through Thursday and 11:00 pm on Friday and Saturday, with the exception of approved firehouse functions.
- l. Any Junior Fireman responding to a call, drill or meeting under the influence of alcohol or drugs will be immediately dismissed from the Department.
- m. All Junior Firemen shall be enrolled in a credited high school or have obtained a certificate of high school graduation.
- n. All school grades of Junior Firemen shall be monitored. All Junior Firemen shall maintain at least a “C” average or a grade point average of seventy (70%) percent. If, at any time, the grade average should fall below this level, the Junior Fireman shall be suspended or restricted from the activities of firefighting and the firehouse until the Junior Fireman can provide the evidence that the grades have reached at least the minimum required level. Junior Firemen shall submit grade reports to their Assistant Chief after each school quarter to show evidence of their current academic status.

**11-8.9 Training of the Junior Firemen’s Auxiliary.** Junior Firemen shall required to be trained in basic fire/rescue operations which shall include, but not be limited to, blood borne pathogens, certified pulmonary resuscitation, first responder (optional EMT), pump operations, ladder operations, rescue operations, use of self-contained breathing apparatus, fire suppression, fire ground tactics, use of fire and rescue equipment, and basic firefighting theories. Actual use of equipment, with the exception of power tools, shall be encouraged, whenever deemed advisable by the Fire Department, provided that adequate supervision is provided, all possible safety precautions are taken and the Junior Fireman is not exposed to any danger.

**11-8.10 Equipment of the Junior Firemen’s Auxiliary.** All Junior Members are responsible for all equipment issued to them by the Fire Department. Junior Firemen will be issued turnout gear. This equipment shall be used at all fire calls and drills, as necessary. A Junior Fireman who fails to wear turnout gear will be disciplined by the Fire Department Chief and/or Junior Squad Advisory Committee. Pagers that are provided shall not be brought to school under any circumstances.

**11-8.11 Transfer of a Junior Fireman to Regular Active Membership in the Fire Department.** Upon reaching eighteen (18) years of age, a Junior Member shall be eligible to transfer to regular active membership upon completion of the regular application process as per subsection 11-3.2. Regular active membership probationary credit shall be awarded to transferring Juniors at the rate of one-month credit for every two months service in the Junior Firemen’s Auxiliary. Regular active member requirements must be completed prior to release from probation.

Upon reaching eighteen (18) years of age, a Junior Member shall apply for full membership in the department as specified in Subsection 11-8.3.

**11-8.12 Removal from Membership from the Junior Firemen’s Auxiliary.** Any Junior Fireman may be removed from membership for just cause. If a Junior Member is accused

of violating any rule or by-law of the Fire Department, the accused member shall be entitled to:

- a. A hearing before the Fire Company's line officers for the violation of firematic functions or rules. The Assistant Chief shall review the findings and take whatever action he deems necessary, including dismissal from the Fire Department.
- b. A hearing before the Administrative Officers (President, Vice President and Trustees) for any non-firematic function. The findings of the hearing and the Administrative Officers' recommendations shall be reviewed by the Fire Company floor and the Fire Company membership shall take whatever action it deems necessary.
- c. A hearing within forty eight (48) hours if the Fire Chief, Deputy Fire Chief, Assistant Chief, President or Vice-President feels it is in the best interest of the Fire Department to suspend a Junior Fireman. The parents or legal guardian of the Junior Fireman shall be notified of any such suspension and hearing. Reasons for suspension may include, but are not limited to, removal of firematic or fire company property without permission, disregard of safety rules, disregard of line officers' orders at a fire or rescue scene, disobedience of any bylaw of the Fire Department, violation of any local, State or Federal law, use of any illegal drugs or alcoholic beverage.

If a Junior Member is found to have consumed and/or possessed any illegal drug or alcoholic beverage, the Junior Member shall face disciplinary actions by the Fire Department and the Junior Member and his parents or legal guardian shall be notified by the Junior Squad Advisory Committee.

**11-8.13 Alcoholic Beverage Control.** The Fire Department shall take all necessary actions to ensure that alcoholic beverages are not offered to, possessed, or consumed by Junior Firemen in or around the Fire Department facilities or at any other location at which the Fire Department is conducting any operations, drills, wet-downs or social functions. The Fire Department shall take all such further necessary actions to comply with all laws governing the underage possession and consumption of alcoholic beverages, including, without limitation, N.J.S.A. 2C:33-15 and N.J.S.A. 2C:33-17. The failure to act appropriately may be charged as a violation.

(O-14-26)