

ORDINANCE 2016-17

ORDINANCE OF THE BOROUGH OF BAY HEAD, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER 41 OF THE BOROUGH CODE ENTITLED “OFFICERS AND EMPLOYEES” SO AS TO CREATE ARTICLE IX ENTITLED “EMERGENCY MANAGEMENT SERVICES”

BE IT ORDAINED, by the Council of the Borough of Bay Head, County of Ocean, State of New Jersey, as follows:

SECTION 1. Chapter 41 of the Code of the Borough of Bay Head, entitled, “Officers and Employees”, is hereby amended and supplemented so as to add Article IX entitled “Emergency Management Service which shall read in its entirety as follows:

Article IX Emergency Management Services

§ 41-42. Director of Emergency Management

- A. The Mayor shall appoint a Director of Emergency Management from among the residents of the Borough. The Director of Emergency Management shall serve subject to fulfilling the requirements of this section, for a term of three years.
- B. As a condition of his or her appointment and his or her right to continue for the full term of his or her appointment, the Director of Emergency Management shall have successfully completed, at the time of his or her appointment or within one year immediately following his or her appointment, the current approved home study course and basic emergency management workshop. The failure of any Director of Emergency Management to fulfill such requirements within the period prescribed shall disqualify the Director from continuing in the office of Director, and thereupon a vacancy in said office shall be deemed to have been created.
- C. The Director shall serve without compensation; however, the Director may be provided a nominal stipend if set forth in the Borough Salary Ordinance.

§ 41-43. Deputy Director of Emergency Management.

- A. The Mayor shall appoint Deputy Director. Wherever possible, such Deputy shall be appointed from among the salaried officers or employees of the Borough.
- B. The Deputy Director shall serve without any additional compensation; however, the Deputy Director may be provided a nominal stipend if set forth in the Borough Salary Ordinance.

§ 41-44. Duties of the Director.

- A. The Director of Emergency Management shall be responsible for the planning, activating, coordinating and the conduct of emergency management operations within the Borough.
- B. Whenever, in his or her opinion, a disaster has occurred or is imminent in the Borough, the Director of Emergency Management of the Borough shall proclaim a state of local disaster emergency within the Borough. The Director of Emergency Management, in accordance with regulations promulgated by the State Director of Emergency Management, shall be empowered to issue and enforce such orders as may be necessary to

implement and carry out emergency management operations and to protect the health, safety and resources of the residents of the Borough.

§ 41-45. Emergency Management Service Council.

There is hereby created an Emergency Management Service Council to be composed of not more than 15 members who shall be appointed by the Mayor and shall hold office at the will and pleasure of the Mayor. The Director of Emergency Management shall be a member and shall serve as Chairman of the Emergency Management Service Council.

§ 41-46. Duties of Council.

- A. The Emergency Management Service Council shall assist the Borough in establishing the various local volunteer agencies needed to meet the requirements of all local emergency management activities in accordance with the rules and regulations established by the Governor of the State of New Jersey.
- B. The Emergency Management Service Council is authorized, within the limits of appropriations, to establish an adequate organization to assist in supervising and coordinating the civil defense and emergency management activities of the local Borough.

SECTION 2. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

SECTION 3. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

SECTION 4. This ordinance shall take effect after second reading and publication as required by law.

ATTEST:

APPROVED:

Patricia M. Applegate, Municipal Clerk

William W. Curtis, Mayor

Introduced on First Reading: July 5, 2016
Introduced on Second Reading: August 1, 2016
Approved on Second Reading: August 1, 2016

ATTEST:

APPROVED:

Patricia M. Applegate, Municipal Clerk

William W. Curtis, Mayor