

**TOWNSHIP OF MAHWAH
ORDINANCE NO. 1995**

ORDINANCE OF THE TOWNSHIP OF MAHWAH, COUNTY OF BERGEN, STATE OF NEW JERSEY, AMENDING SECTION 2-17, FIRE DEPARTMENT, TO MODIFY THE RESIDENCY REQUIREMENT FOR FIRE FIGHTERS

WHEREAS, pursuant to Section 2-17.2, Company Organization, of the Township of Mahwah Code, a person not employed within the Township must be a Township resident for at least six months to be eligible for membership to the Fire Department; and

WHEREAS, the Township wishes to modify the residency requirement to encourage persons from adjacent municipalities to apply for membership.

NOW, THEREFORE, BE IT ORDAINED by the Township Council of the Township of Mahwah, County of Bergen, State of New Jersey, as follows:

SECTION 1. Chapter 2, Administration, § 2-17, Fire Department, § 2-17.2, Company Organization, is hereby amended to read as follows:

- a. Each company of the Fire Department shall have the following officers: one Battalion Chief, one Captain and two Lieutenants.
- b. The membership of each company shall be classified as follows: active, active associate, active exempt, probationary, daytime and junior firefighter.
- c. Each company of the department shall consist of not more than 100 active members.
- d. Active Membership.
 1. The active membership shall be within the quota of the New Jersey State Firemen's Association. This class shall be composed of those persons who joined the company between the ages of 18 and 57, have passed the physical examination according to the New Jersey State Firemen's Association standards and who are on quota or are awaiting selection to the quota by the company at the annual meeting. Failure to make 60% of one's duty for two consecutive years will constitute automatic removal from the quota. Any active member shall enjoy the privilege of holding any firematic office, provided that they qualify as set forth in the rules and regulations of the Fire Department. Active members shall have the right to vote on any matter brought before the company; provided that they qualify as set forth in the rules and regulations of the Fire Department.
 2. Those persons eligible for the quota who are awaiting openings in the quota shall be active members of the fire companies.
 3. Hereafter, no person shall be considered an active member of the Fire Department,

nor be entitled to any privileges as such, until certified by the company to which they have applied for membership and approved by the Township Council.

- e. Active Associate Member. Any person 41 to 57 years of age, who has passed a physical examination according to the New Jersey Firemen's Association standards, is eligible to join as this type of member. The procedure and qualifications for election to this type of membership shall be the same as that of an active member. An active associate member may hold any elective office as per qualifications set forth in the rules and regulations of the department.
- f. Active Exempt Membership. Any member having received his State and/or Township exemption may continue to enjoy all the privileges of an active fireman and shall be required to perform all the duties of an active fireman in this type of membership. Such members shall be eligible to vote for and hold any office, provided that they qualify as set forth in the rules and regulations of the department.
- g. Any person shall be eligible to apply for membership in a fire company in the Township, provided that the applicant:
 - 1. Is a citizen of the United States.
 - 2. Is sound in body and of good health sufficient to satisfy the Board of Trustees of the Police and Firemen's Retirement System of New Jersey as to his eligibility for membership in the retirement system.
 - 3. Is able to read, write and speak the English language.
 - 4. Is of good moral character.
 - 5. Has not been convicted of any criminal offense.
 - 6. Is between the ages of 18 and 57.
 - 7. Lives within a five-mile radius of the company they are joining.
- h. Daytime Member. Any person who is employed within the boundaries of the Township of Mahwah and who is an active member in good standing in another municipal fire department and who satisfies the requirements set forth in the Department Rules and Regulations for daytime firefighters. Daytime firefighters shall not be voting members in any Company and shall not hold any Department office.
- i. Junior Firefighter Member. Any person at least 16 years of age and not more than 18 years of age who is a resident of the Township of Mahwah and who meets the Junior Firefighter's membership requirements as set forth in the Fire Department Rules and Regulations approved by the Township Council.

SECTION 2. If any section, paragraph, subsection, clause or provision of this ordinance shall be declared invalid by a court of competent jurisdiction, such decision shall not affect the

validity of this ordinance as a whole or any part thereof.

SECTION 3. All ordinances or parts of ordinances of the Township heretofore adopted that are inconsistent with any terms and provisions of this ordinance are hereby repealed to the extent of such inconsistency.

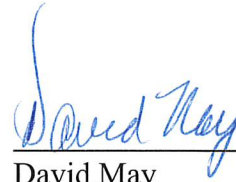
SECTION 4. This ordinance shall take effect twenty (20) days following final passage, approval, and publication as required by law.

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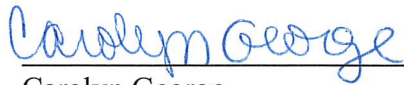
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Dated: January 6, 2023

Attest

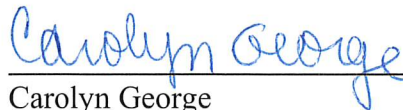


David May
Council President



Carolyn George
Municipal Deputy Clerk

I, Carolyn George, Municipal Deputy Clerk of the Township of Mahwah, hereby certify that the within Ordinance was passed and adopted at a meeting of the Township Council held on the 15th day of December, 2022.



Carolyn George
Municipal Deputy Clerk