

ORDINANCE NO. 2026-9

**AN ORDINANCE OF THE TOWNSHIP OF
BARNEGAT, COUNTY OF OCEAN AND STATE OF
NEW JERSEY ESTABLISHING CHAPTER 14 OF
THE TOWNSHIP CODE ENTITLED “BARNEGAT
VOLUNTEER FIRE COMPANY NO. 1”**

WHEREAS, there has been established with the Township of Barnegat, a fire company known as the Barnegat Volunteer Fire Company No. 1 (hereinafter “BVFC”); and

NOW THEREFORE BE IT ORDAINED by the Mayor and Township Committee of the Township of Barnegat, County of Ocean, and State of New Jersey, as follows:

SECTION 1.

§14-1. Establishment. There is, and has been established, within the Township of Barnegat a fire company, known as the Barnegat Township Volunteer Fire Company No. 1 (hereinafter “BVFC”) which was created and established and is hereby continued to be recognized by the Township of Barnegat. No other firefighting organization is to be formed within the Township without consent of the Township Committee. BVFC must comply with all the requirements of this article and any rules or regulations promulgated hereunder.

§14-2. Line Officers. The line officers as elected by ~~of~~ the BVFC shall consist of a Chief, Deputy Chief, Captain, and Lieutenants that -shall-after such elections shall be appointed by the Township Committee as provided by law.

§14-3. Company Bylaws. Any amendments thereafter, of the BVFC shall be provided to the Township Clerk.

§14-4. Reports to Township Committee. It shall be the responsibility of the Chief of the BVFC to make all reports to the Township Committee on an annual basis as requested by the Township Committee.

§14-5. Ownership of Quarters. The Township shall retain ownership and control over the quarters entrusted to the BVFC.

§14-6. Expenses. In the Township's sole discretion, the Township may supply funding to the BVFC on an annual basis, based upon the needs of the BVFC.

§14-7. Purchasing and title of equipment. The Township shall retain title to all equipment purchased with funds supplied by the Township Committee for the purpose of purchasing such equipment. However, nothing shall preclude the BVFC from purchasing its own fire equipment or other personal property and retaining title thereof; provided, however, that if the Township shall have a financial responsibility toward the purchase, operation or maintenance of such items, prior formal approval of the Township Committee for such purchase shall be required.

§14-8. Duties of Fire Chief.

A. The Chief shall be in full command and complete control at all fires and during the period of all alarms and shall be held accountable for his/her actions to the Township Committee and shall make written and verbal reports as the Township Committee may require. All other line officers shall be accountable to the Chief except when any officers are acting as Chief in his/her absence.

B. The Chief shall formulate rules and regulations to govern the operation of the BVFC, such rules and regulations being subject to review and approval by the Township Committee and shall be responsible to the Township Committee for the morale and general efficiency of the BVFC.

C. The Chief or line officer designated by him/her shall, at least once a month, conduct suitable drills or instructions in the operation of firefighting apparatus and equipment, first aid and rescue work, salvage, a study of buildings presenting unusual fire problems, water supply and other matters generally considered essential to good firemanship and safety of life and property from fire, as required by law.

D. The Chief or any line officer designated by him/her is hereby required to report to the Township Committee any suspected crime of arson and shall render all possible assistance to the Township Committee and the Chief of Police in investigating the cause, origin, and circumstances of all fires of questionable origin, as required by law.

E. The Chief shall cause to be kept complete records of all fires, apparatus and minor equipment, personnel and other information about the work of the Fire Company.

F. The Chief shall report monthly to the Township Public Safety Liaison and/or the Fire Safety Director, the number and types of fires during the month, the number and purpose of all other runs made, the number of members and man-hours involved in responding to each fire or other run, and the estimated loss involved in all building fires.

G. The Chief shall make a complete annual report to the Township Committee, such report to include information as specified in Subsection F of this section, together with comparative data for previous years and recommendations for improving the effectiveness of the BVFC.

H. The Chief shall be responsible to transmit to the Township Committee, on or before November 15 of each year, a proposed annual budget.

§14-9. Recognized standards and practices. The recognized standards and practices for fire prevention shall be held to mean the standard practices and requirements as set forth in Chapter 46 of the Township Code entitled “Fire Prevention” and applicable state regulations.

§14-10. Membership.

A. Every person seeking to join the BVFC shall make application to the BVFC in accordance with the rules and regulations thereof, and the bylaws of the BVFC. After passing a physical examination by a practicing physician in the State of New Jersey, certifying that the applicant is fit for firefighting duties, said applicant shall be appointed by the Township Committee to become a member in good standing of the BVFC. Applicants must be at least 18 years of age. The Applicant shall be required to complete a physical examination every five (5) years by a practicing physician in the State of New Jersey certifying that the Applicant is fit for firefighting duties. The physical examinations for initial application and the required physical examination every 5 years thereafter, shall be done by the Township’s physician and paid for by the Township.

B. It shall be the duty of the active members to participate in drills and instructions and to aid the Chief and the other line officers to the best of their ability in the prevention and control of fire and the protection of life and property within the Township of Barnegat and wherever the BVFC may have cause to conduct operations.

C. All members of the BVFC shall serve without compensation. However, said members shall be subject to call-out fees and LOSAP payments as approved by the Township Committee.

D. An exempt firemen's certificate shall be issued by the Township Committee, in the form and manner provided by law, to all members of the BVFC lawfully entitled to receive the same.

§14-11. Equipment.

A. Recommendations for the purchase of apparatus and equipment needed to maintain the effectiveness of the BVFC and properly protect life and property from fire shall be made by the Chief to the Mayor and Township Committee.

B. All equipment of the BVFC shall be secured and safely housed by the BVFC at the BVFC firehouse.

C. Except as may be authorized by the Township Committee, no person shall use any fire apparatus or equipment of the Township for any private purpose. No person shall willfully and without authority to take away or conceal any article used in any way by the BVFC.

D. No person except authorized employees of the Township of Barnegat shall enter any place where fire apparatus is housed or handle any equipment belonging to the Township unless accompanied by or having the special permission of an officer or authorized member of the BVFC.

E. The Chief is hereby authorized to extend aid to neighboring communities upon request for fire protection or to establish a mutual aid system.

F. ~~No apparatus of the Township shall be hired out or permitted to leave the Township of Barnegat without consent of the Township, except in response to a call for aid in a neighboring community or on official business.~~ No apparatus of the Township is to leave the Township on official business without the consent of the Chief or if the Chief is unavailable the highest-ranking line officer ~~available~~. The ~~line officer in charge of the~~ BVFC shall provide a report on a quarterly basis to the Township regarding any apparatus that was approved to operate outside the Township on official business. ~~have power to assign equipment for response to calls for outside aid in accordance with Subsection F of~~

~~this section, and in other cases, only when the absence of such equipment in his judgment will not jeopardize fire protection in the Township of Barnegat.~~

§14-12. Removal of ~~Officers or~~ Members. For good cause, the Township Committee may reprimand, suspend, or remove members ~~from office the Fire Chief or any officer or members~~ of the BVFC.

§14-13. Fire Safety Director. In the discretion of the Township Committee, the Township Committee may appoint a Fire Safety Director, to oversee the operations of the BVFC and control the general affairs of the BVFC as permitted by law. The Fire Safety Director may be an employee of the Township and shall serve and be appointed on an annual basis.

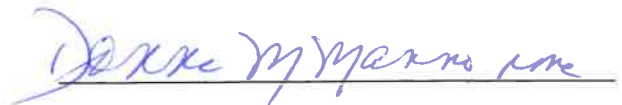
SECTION 2. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

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.

NOTICE

NOTICE IS HEREBY GIVEN that the foregoing ordinance was introduced and passed by the Township Committee on first reading at a meeting of the Township Committee of the Township of Barnegat on the 5 day of MAY, 2026, and will be considered for second and final passage at a meeting of the Township Committee to be held on the 4 day of June, 2026, at 10:00 AM/PM. at the Municipal Building located at 900 West Bay Avenue, Barnegat, New Jersey, at which time and place any persons desiring to be heard upon the same will be given the opportunity to be so heard.



CERTIFICATION

I, Donna Manno, Municipal Clerk of the Township of Barnegat, County of Ocean, State of New Jersey do hereby certify by my hand and seal that the foregoing ordinance, namely **Ordinance 2026-9** Entitled "Establishing Chapter 14 of the Township Code Entitled "Barnegat Volunteer Fire Company No. 1, Inc." was introduced and passed on first reading at a meeting held on the **5th day of May 2026**, and finally adopted by the Township Committee of said Township after public hearing at their regular meeting held on the **4th day of June 2026 at 10:00 AM** at the Municipal Complex, 900 West Bay Avenue, Barnegat, New Jersey.



Donna Manno, RMC
Municipal Clerk

DASTI & STAIGER

Christopher J. Dasti
Lauren R. Staiger

ATTORNEYS AT LAW

310 Lacey Road | P.O. Box 779
Forked River, NJ 08731

☎ 609-549-8990
✉ 609-549-5043

DastiLaw.com

Brigit P. Zahler*
William J. Oxley
Damian B. Majewski
Brandon E. DeJesus
Kenneth E. Bozarth
Brandon S. Straight

*Also admitted in NY

File No.: GL-3773

April 20, 2026

Via Email

Donna M. Manno, Township Clerk
Township of Barnegat
900 West Bay Ave.
Barnegat, NJ 08005

RE: Ordinance Establishing Chapter 14 of the Township Code Entitled "Barnegat Volunteer Fire Company No. 1"

Dear Donna:

Attached is proposed ordinance establishing Chapter 14 of the Township code. It can be placed on the agenda for the next Township Committee meeting.

Thank you for your attention to this matter.

Very truly yours,

s/Christopher J. Dasti

CHRISTOPHER J. DASTI

CJD:ll

Enclosure

cc: Martin Lisella, Township Administrator-via email
Fred Rubenstein, Deputy Mayor-via email
Alfonso Cirulli, Committeeman-via email
Chris Velders, Deputy Chief Barnegat Fire Co. #1-via email

DASTI & STAIGER

Christopher J. Dasti
Lauren R. Staiger

ATTORNEYS AT LAW

310 Lacey Road | P.O. Box 779
Forked River, NJ 08731

☎ 609-549-8990
✉ 609-549-5043

DastiLaw.com

Brigit P. Zahler*
William J. Oxley
Damian B. Majewski
Brandon E. DeJesus
Kenneth E. Bozarth

*Also admitted in NY

File No.: GL-3773

May 21, 2026

Via Email

Donna M. Manno, Township Clerk
Township of Barnegat
900 West Bay Ave.
Barnegat, NJ 08005

RE: Ordinance Amending and Supplementing Chapter 14 of the Township Code
Entitled "Barnegat Volunteer Fire Company No. 1"

Dear Donna:

Enclosed please find slight revisions to Ordinance 2026-9 which establishes Chapter 14 of the Township Code.

The revisions set forth herein are redlined so they are easy to see. All of the revisions are minor revisions that will not require reintroduction; therefore, the matter can be scheduled for second reading at the next Township Committee meeting.

By copy of this correspondence, I am providing a copy of same to President Dan Rooney, Chief Lilley and Deputy Chief Velders of the Barnegat Township Fire Company.

Thank you for your attention to this matter.

Very truly yours,

s/Christopher J. Dasti

CHRISTOPHER J. DASTI

CJD:ll

Enclosure

cc: Pasquale "Pat" Pipi, Mayor-via email
Martin Lisella, Township Administrator-via email
Joe Marte, Committeeman-via email
Bob Lilley, Fire Chief-via email
Chris Velders, Deputy Fire Chief-via email
Dan Rooney, President Fire Company-via email