

## **ORDINANCE #14-25**

### **BOROUGH OF SAYREVILLE, COUNTY OF MIDDLESEX ORDINANCE AMENDING RESIDENCY REQUIREMENTS FOR FIRE FIGHTERS**

**BE IT ORDAINED** by the Council of the Borough of Sayreville, County of Middlesex, State of New Jersey, that the Code of the Borough of Sayreville, is hereinafter supplemented and amended as follows:

**SECTION ONE.** Section 3-2 entitled "Membership" of Chapter III entitled "Fire Department" of the Sayreville Borough Code of Ordinances is hereby supplemented and amended to read as follows: [New language in **bold and underlined**; deleted language in ~~double strikethrough.~~]

#### **CHAPTER III – FIRE DEPARTMENT**

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#### **3-2 – MEMBERSHIP.**

**3-2.1 Qualification.** The Fire Department shall consist of as many active firemen as may be confirmed by the Council, and no person shall be considered an active member of the Fire Department or entitled to any privileges as such unless his name has been submitted to and approved by the Council.

**3-2.2 Training.** All new members of the Sayreville Fire Department shall be required within two (2) years of their approval for membership to enroll and satisfactorily complete the NFPA 1001 training course. Failure to satisfactorily complete said course within two (2) years by each new member shall result in automatic termination of their membership in the Sayreville Fire Department.

**3-2.3 Residence Requirements.** All new members of the Sayreville Fire Department applying for full time membership must be residents of the Borough of Sayreville, **or a resident of an adjacent municipality.** ~~If a member of the Sayreville Fire Department has completed one (1) year of active service he/she may move out of the Borough of Sayreville provided that he/she relocates within two (2) driving miles from the Borough's border. If that member's new residence is more than two (2) driving miles from his/her firehouse, that member must transfer to the Borough fire station closest to his/her new residence. In order to move out of the Borough of Sayreville, he/she must first receive approval from his/her respective firehouse by at least two-thirds (2/3) vote and then petition the Mayor and Council for approval. Failure to do this will result in automatic termination from the Sayreville Fire Department.~~ No person may serve as Chief of the Sayreville Fire Department unless he or she is a resident of the Borough of Sayreville.

**3-2.4 Associate Membership.** The Sayreville Fire Department may have associate members. An Associate member shall not be a resident of the Borough of Sayreville, but must be a resident of an adjacent municipality. To qualify for associate membership, a

person must be a certified Firefighter 1 by the New Jersey Division of Fire Safety, and must have held such certification for a minimum of two (2) years prior to application for associate membership. Applicants for associate membership must complete the Sayreville Fire Department Membership application and shall meet all standard requirements as set forth by the Borough of Sayreville, the Sayreville Fire Department, and the fire company to which the person is applying. The standard requirements shall include, but are not limited to, a criminal background check and physical fitness examination prior to acceptance. If said applicant is currently a member of another volunteer fire department, the Chief of that department must be notified in writing by the applicant of the applicant's intention to join the Sayreville Fire Department as an associate member. Failure to have provided written notification may be cause for removal of that associate member from the Sayreville Fire Department. Associate members must attend all mandatory training as set forth by the Sayreville Fire Department. Associate members shall not have the right to vote or hold office. They may be removed from the rolls by a Chief or Captain. Associate members of the Sayreville Fire Department may become full members of the Sayreville Fire Department with all of the rights, duties and privileges following therefrom after eighteen (18) months of service with the Sayreville Fire Department as associate members. Associate members who apply for full membership in the Borough's Fire Department shall fulfill any and all requirements of full membership as required by the Borough, other than residency, and shall be subject to all the duties and responsibilities of such full membership.

**3-2.5 Minimum Age Requirements.** No person shall be a member of the Fire Department unless such person has attained the age of eighteen (18) years.

**3-2.6 Reimbursement of Cost of Medical Examination.** Upon appointment to the Sayreville Fire Department, either as a full-time or associate member, such person shall serve for a period of at least one (1) full year, otherwise such individual shall reimburse the Borough for the full cost of the medical examination that is required.

**3-2.7 Leave of Absence.** A member may be granted a leave of absence from the Sayreville Fire Department by his or her respective fire company for a period not to exceed one (1) year. The member must either return to active status or resign from the Fire Department within one (1) year of the date the member was granted the leave of absence. A member must serve as an active member for at least six (6) months before being eligible for another leave of absence. This section shall not apply to members on military leave or members who have been injured in the line of duty as member of the Sayreville Fire Department. The Fire Chief shall promulgate guidelines and procedures for granting leaves of absence.

**3-2.8 Reinstatement of Members Who Have Resigned or Left in Good Standing.** A member of the Sayreville Fire Department who has resigned may seek reinstatement as follows: He or she may complete the Fire Department application and apply directly to the fire company of which he or she had been a member, provided the company accepts him or her within three hundred sixty-five (365) days of the date of resignation. If more than three hundred sixty-five (365) days have passed since the date of resignation, the individual must apply as a new member, and meet all requirements of new applicants, including, but not limited, to a doctor's physical, background check, and interview process.

**3-2.8A. Members Who Have Been Expelled.** Once a said member of the Sayreville Fire Department has been expelled from the department and said company, he or she may not seek reinstatement.

**3-2.9 Junior Firemen's Auxiliary.** The Sayreville Fire Department shall have a Junior Firemen's Auxiliary, also known as a Cadet program. This program shall permit persons between the ages of sixteen (16) and eighteen (18) to participate in a valuable community service. The Junior Fireman's Auxiliary will provide its members (cadets) with the necessary training and skills required in firefighting and eventual membership in the Sayreville Fire Department upon reaching the required age. The Junior Firemen's Auxiliary shall meet all of the requirements of N.J.S.A. 40A:14-95 et seq.

**SECTION TWO. Severability Clause.**

If any article, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance and they shall remain in full force and effect, and to this end the provisions of this Ordinance are hereby declared severable.

**SECTION THREE. Repealer.**

All ordinances and resolutions, and parts of ordinances and resolutions which are inconsistent with provisions of this Ordinance shall be, and are hereby, repealed to the extent of any such inconsistency.

**SECTION FOUR. Mayor Approval.**

Within five (5) days after its adoption by the Council, this Ordinance shall be presented to the Mayor for his approval and signature, which approval shall be granted or denied within ten (10) days of receipt of same, pursuant to N.J.S.A. 40A:60-5(d). If the Mayor fails to return this Ordinance with either his approval or objection to same within ten (10) days after it has been presented to him, then this Ordinance shall be deemed approved

**SECTION FIVE. Effective Date.**

This Ordinance shall take effect upon final adoption and publication in accordance with law; and approval by the Mayor pursuant to N.J.S.A. 40A:60-5(d).

**INTRODUCED/APPROVED ON FIRST READING**

DATED: April 28, 2025

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Jessica Morelos, R.M.C.  
Clerk of the Borough of Sayreville

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Michael Colaci, Councilman  
(Public Safety Committee)

**ADOPTED ON SECOND READING**

DATED: May 12, 2025

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Jessica Morelos, R.M.C.  
Clerk of the Borough of Sayreville

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Michael Colaci, Councilman  
(Public Safety Committee)

**APPROVAL BY THE MAYOR ON THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2025.**

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Kennedy O'Brien, Mayor  
Borough of Sayreville

APPROVED AS TO FORM:

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Borough Attorney