

**Ordinance #2017-56**

**AN ORDINANCE BY THE MUNICIPALITY OF PRINCETON CONCERNING THE PRINCETON FIRE DEPARTMENT AND AMENDING CHAPTER 8 OF THE “CODE OF THE TOWNSHIP OF PRINCETON, NEW JERSEY, 1968” AND THE “CODE OF THE BOROUGH OF PRINCETON, NEW JERSEY, 1974.”**

WHEREAS, the Borough of Princeton and Township of Princeton pursuant to the provisions of the New Jersey Municipal Consolidation Act, N.J.S.A. 40:43-66.35 consolidated as Princeton on January 1, 2013; and

WHEREAS, pursuant to N.J.S.A. 40:43-66.64, the Princeton Council on January 1, 2013 adopted a Resolution continuing in effect Ordinances of the former Borough of Princeton and the former Township of Princeton as a new Code for Princeton is prepared; and

WHEREAS, with the assistance of the Director of Emergency and Safety Services, the Princeton Council has reviewed and revised Chapter 8 of the “Code of the Township of Princeton, New Jersey, 1974” currently entitled “Fire Prevention” and pertaining to the Princeton Fire Department; and

WHEREAS, the Princeton Council wishes to adopt said Code revisions which will become a part of the new Princeton Code at a future date.

NOW, THEREFORE, BE IT ORDAINED by the Princeton Council as follows:

Section 1. Chapter 8 of the "Code of the Township of Princeton, New Jersey, 1968" currently entitled “Fire Protection” is hereby amended in its entirety as set forth in Exhibit A attached hereto and made a part hereof to set forth the standards, rules and requirements for the operation of the Princeton Fire Department.

Section 2. Sections 14-14 through 14-57 and sections 14-59 through 14-63 of Chapter 14 of the Code of the Borough of Princeton, New Jersey, 1974, also concerning the Princeton fire department, are hereby repealed.

Section 3. All ordinances and resolutions or parts thereof inconsistent with this Ordinance are repealed.

Section 4. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any 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 portion thereof.

Section 5. The provisions of Section 1 shall be applicable within Princeton upon final adoption and shall become part of the new Princeton Code once completed and adopted.

Section 6. This Ordinance shall take effect upon its final adoption and publication as provided by law.

#### Statement of Purpose

The chapter amendments authorized in this ordinance are part of the ongoing process of merging and harmonizing the code provisions of former Princeton Borough and former Princeton Township into a new code for the consolidated municipality of Princeton. They amend and reorganize the provisions governing the operation, authority and duties of the Princeton fire department and its members and officers.

The foregoing ordinance was introduced at a meeting of the Mayor and Council of Princeton held on October 9, 2017 and will be further considered for final passage after a public hearing thereon at a meeting of said Mayor and Council to be held at the Princeton Municipal Complex, 400 Witherspoon Street on November 13, 2017 which begins at 7:00 p.m.



Kathleen K. Brzezynski  
Municipal Clerk

**EXHIBIT A**

**CHAPTER 8. PRINCETON FIRE DEPARTMENT.**

**ARTICLE I. ORGANIZATION.**

**Sec. 8-1. Definitions.**

As used in this chapter:

*Authorized emergency vehicle* means those vehicles that are defined and authorized as such under the laws of the State of New Jersey.

*Associate member* means a member of the Princeton fire department who is not a member of any of the three fire companies described in section 8-2 of this article.

*Chief of Police* means the chief of the police department of the Municipality of Princeton, or designee.

*Department* means the Princeton fire department.

*Director of Emergency and Safety Services* (also referred to herein as (*director*) means the Princeton department head responsible for all fire prevention and safety matters in the municipality.

*Member or regular member* means a member of the Princeton Fire Department who is a member of one of the three fire companies described in section 8-2 of this article.

*Person* means any individual, corporation, association, partnership, other legal entity, government, or governmental subdivision or agency.

*Princeton* means the Municipality of Princeton, County of Mercer, State of New Jersey.

*Princeton Fire Department* (also referred to herein as *department* or *PFD*) means the fire department of the Municipality of Princeton.

*SOGs* or *SOG* means the Standard Operating Guidelines of the department.

**Sec. 8-2. Division into companies.**

(a) The Princeton Fire Department consists of three companies, known as "Princeton Hook and Ladder Company," "Mercer Engine Co. No. 3" and "Princeton Engine Co. No. 1" which shall be responsible for providing fire protection to Princeton, subject to the general control and management of Princeton. This chapter and the Princeton fire department Standard Operating Guidelines (SOGs) take precedent over the individual company constitutions, bylaws and any other rules or guidelines the individual companies may have in place.

(b) Each company of the Princeton Fire Department shall be entitled to receive a stipend to be funded through the department budget, upon the approval of a purchase order by the Princeton administrator.

**Sec. 8-3. Management of fire department.**

The general control and management of the Princeton Fire Department shall be the responsibility of the Princeton mayor and council and the director of emergency and safety services. The director may delegate this responsibility to the chief, deputy chief and assistant chief, who may also be referred to as DCs (department chiefs) in this chapter and other PFD documents. The chief shall meet regularly with the director, fire officials, and elected line officers of the department in accordance with the SOGs of the department.

**ARTICLE II.  
MEMBERSHIP REQUIREMENTS; MEMBERSHIP APPROVALS**

**Sec. 8-4. Qualifications.**

No person shall become a member or associate member of the Princeton Fire Department, unless said person shall have the following qualifications:

(a) Be of good moral character.

(b) Maintain a principal residence within a fifteen-mile radius of Nassau Hall. An individual who is available to respond to fires during their regular work hours by virtue of employment within said fifteen mile radius shall be exempt from meeting this residency requirement. Individuals who were members of the department as of June 10, 1982, shall be recognized as members of said department as defined herein and need not comply at any time with any residency requirements provided for herein. For good cause shown, the mayor and council may waive the residency requirement.

(c) Be at least eighteen years of age.

(d) Be in good health, to be evidenced by a certificate to that effect by a licensed physician of the State of New Jersey who has been chosen by Princeton.

(e) Be eligible for and accepted for coverage under that certain group accident insurance policy issued to the department through Princeton and any renewal or replacement thereof.

**Sec. 8-5. Oath.**

Before an applicant is accepted for regular or associate membership into the department and enters upon the duties connected with said department, said applicant shall take an oath to perform the duties of a member of the Princeton fire department, to obey the officers of the

Princeton Fire Department and to comply in all respects with provisions of this chapter, the Princeton Code and rules and regulations concerning the conduct of the Princeton fire department. Each member shall sign an affidavit provided by the Princeton clerk confirming receipt of a full copy of the fire department's then current Standard Operating Guidelines.

#### **Sec. 8-6. Training Requirements.**

(a) Upon entering the Princeton Fire Department each new regular and associate member shall, within an eighteen month period, complete and pass a Firefighter I course or equivalent as well as any other New Jersey State mandated courses. The director of emergency and safety services with the concurrence of the chief may grant an extension of this period only where completion of the course within this time period is not possible due to changes in the schedule of course offering or some other extenuating circumstance.

(b) All members must pass the Princeton Fire Department exam and Firefighter I or equivalent and any other mandated courses and training to remain a firefighting member of the department; any member who does not complete this training within the specified time shall become one of the non-firefighting types of member listed in section 8-7(e).

#### **Sec. 8-7. Approval of members of companies.**

(a) The various companies of the Princeton Fire Department shall process their own members and associate members, but no person shall become a member or associate member of the Princeton Fire Department until approval by the Princeton mayor and council.

(b) Associate members approved by the mayor and council shall not be members of a company of the Princeton Fire Department but shall be subject to all provisions of this chapter. Associate members may at any time apply to become a member of a company. If accepted into a company, associate member status will no longer apply.

(c) Should an associate member wish to join the New Jersey State Fireman's Association (NJSFA), the member will be required to join one of the three fire companies and will lose associate status. Due to time limits by the NJSFA on accepting medical doctors' physicals (twelve months from date of physical), associate members will be responsible for the cost of a new physical if required by the NJSFA.

(d) Except as otherwise provided in this chapter, associate members shall be entitled to the same benefits as regular members of the Princeton Fire Department.

(e) Each company may at its own discretion have various types of memberships. These memberships are not subject to the approval of the mayor and council. Such memberships include but are not limited to:

- (1) Honorary members

- (2) Life members;
- (3) Auxiliary members;
- (4) Social or administrative members.

Only members who are firefighters may be present in any role at an incident requiring fire department action as defined in SOGs.

**Sec. 8-8. Retirement.**

Any person who shall have served as a member of the department and who has met the quota requirements of the New Jersey State Fireman's Association may, upon application, be retired from active service upon the vote of the company of which that person is a member.

**ARTICLE III. LINE OFFICERS**

**Sec. 8-9. Election of captains of fire department; term; duties; vacancies.**

(a) In September of an election year each company shall nominate for the two positions of captain of the fire department members who meet all training requirements outlined for that position in the SOGs . The nominees-will be interviewed by the chiefs and the director of emergency and safety services, designated as the captains interview committee. The names of the nominees selected by the captains interview committee will be put on a department ballot and the department members will vote for the captain positions in October of the election year. The two candidates receiving the top two vote counts will be elected to the position of captain. The term of office of a captain is two years.

(b) In the event of a vacancy in the office of a captain for a reason other than expiration of a term, the captains interview committee may appoint a member meeting all qualifications to fill the vacancy until the next election cycle; the committee retains the option to leave the position vacant until the next election cycle.

(c) The captains shall be responsible for the proper care of the fire apparatus and all like property pertaining thereto and belonging to Princeton. The captains shall report any equipment defect or necessary repairs in a timely manner to the fire chief or director of emergency and safety services. The captains shall preserve order and discipline in the department at all times; and when on duty at fires, they shall obey all orders of the officer in command. In the absence of a captain, the next in command of the department, shall direct all or any portion of company drills or training sessions at least once in each month. In addition, the captains shall perform all duties as outlined within the fire department SOGs.

**Sec. 8-10. Election of lieutenants; term; duties; vacancies.**

(a) In November of an election year, each company shall nominate for the position of lieutenant for that company members who meet all training requirements outlined for that position in Standard Operating Guidelines. The nominees will be interviewed by the chiefs and captains, designated as the lieutenants interview committee. The names of the nominees selected by the committee as eligible for election shall be sent to their respective companies. Each company shall then vote for one of the candidates from that company. The candidates receiving the highest number of votes in each company will be elected to the position of lieutenant for that company. The election for lieutenant will be held in December of the election year. The term of office for a lieutenant is two years.

(b) In the event of a vacancy in the office of a lieutenant for a reason other than expiration of a term, the lieutenants interview committee may appoint a member meeting all qualifications to fill the vacancy until the next election cycle; the committee retains the option to leave the position vacant until the next election cycle.

(c) If a company does not have any eligible member to nominate for the position of lieutenant, the company shall nominate one or more candidates from the remaining pool of members, subject to interview and approval by the lieutenants interview committee and subsequent vote by the members for the remaining position at a special company meeting. The person receiving the highest vote count will hold the position of lieutenant.

(d) The lieutenants shall perform all duties as outlined within the fire department SOGs.

**Sec. 8-11. Further duties of captains and lieutenants.**

Line Officers, when on duty at fires, or on any occasion where the department is engaged, shall obey the directions of the fire chief, whose judgment and authority shall be deemed paramount and conclusive. They shall, under said direction, take proper measures to arrange the apparatus and to manage the personnel of the department in the most advantageous manner for the effective extinguishing of fires.

**ARTICLE IV. DISCIPLINE OF OFFICERS AND MEMBERS.**

**Sec. 8-12. Failure to follow orders.**

Any officer or member of the department, while on duty, who shall refuse or negligently fail to obey or execute any order from the officer(s) in charge of any fire, emergency or nonemergency activity in which the Princeton Fire Department has been called, shall, for such offense, be subject to discipline from a warning to a suspension or termination from the department in such manner and upon such hearing as may be prescribed by the SOGs of the Princeton fire department. A terminated or suspended officer or member shall be entitled to an appeal hearing in accordance with the procedures set forth in section 8-14.

**Sec. 8-13. Other offenses or causes.**

For other offenses or causes, an officer or member of the department may be subject to discipline from a warning to a suspension or termination from the department in such manner and upon such hearing as may be prescribed by the SOGs of the Princeton Fire Department. A terminated or suspended officer or member shall be entitled to an appeal hearing in accordance with the procedures set forth in section 8-14.

**Sec. 8-14. Appeals.**

An officer or member who is terminated or suspended may appeal the termination or suspension by requesting a hearing before an appeals committee. The appeals committee shall consist of the director, the company presidents and the chiefs. If a company president is not available, that company's vice president shall serve on the committee. If a chief is not available, a captain shall serve in lieu of that chief. Any appeal should be made in writing and submitted to the director or to the municipal clerk no more than 14 business days after the effective date of the suspension or termination. The hearing shall be informal and shall take place no more than 30 days after the filing of the appeal. All members of the appeals committee shall participate in the appeal hearing. The appeals committee may affirm, reverse or modify the decision appealed from; that decision shall be final.

**ARTICLE V. APPOINTMENT OF FIRE CHIEFS; DUTIES.**

**Sec. 8-15. Positions; terms.**

(a) Upon a vacancy occurring by reason of the expiration of a term, a fire department chief, deputy fire chief or assistant fire chief shall be appointed as set forth in this article. They shall hold their offices for a term of two years and until their successors are appointed. There is no limit to the number of consecutive terms a person may serve in the position of fire department chief, deputy chief or assistant chief.

(b) All members shall be notified by the director of emergency and safety services no less than 30 days prior to the commencement of the election and appointment procedures set forth in this article.

**Sec. 8-16. Princeton fire department chief appointment committee as appointing authority; committee members.**

(a) The Princeton fire department chief, deputy chief and assistant chief shall be appointed by the Princeton fire department chief appointment committee (hereinafter "chief appointment committee" or "committee") which shall consist of the director, the Princeton administrator and three past company chiefs of the Princeton fire department (one from each company), as elected by each company.

(b) Each company shall hold an annual election in October to elect one past company chief to serve on the Princeton fire department chief appointment committee. Any current member who is a past company chief who is interested in serving on the Committee shall notify the



company president of that interest prior to the October company meeting. If their qualifications for the committee are verified in accordance with current company rules and procedures their names shall be placed on the company ballot for the committee membership election in October. No later than three days after each company election, the names of the members elected to serve on the chief appointment committee shall be provided to the director.

(c) In the event no current member who is a past chief is available or willing to serve on the chief appointment committee, the president of a company may appoint another member to serve on the chief appointment committee. Any such appointee shall be qualified in accordance with current company rules and procedures. The name of such appointee shall be provided to the director along with the names of elected members in accordance with subsection (b) of this section.

(d) Company elections shall be conducted in accordance with current company rules and procedures.

**Sec.8-17. Eligibility for chief positions; applications; committee procedures; appointment.**

(a) Any eligible member who is not a member of the chief appointment committee may apply for a chief position. To be eligible for the position of fire chief, deputy fire chief or assistant fire chief, each candidate must provide proof of compliance with all training requirements mandated by the fire department's rules and regulations. No candidate may be an officer or member of another emergency services organization. All candidates shall clearly specify the position sought and shall provide copies of their training certificates to the director, or if designated by the director, to the Princeton clerk, no later than 5:00 PM on the first Monday in November.

(b) The director will deem qualified those candidates meeting the requirements in subsection (a) above and will provide a list of all qualified candidates to the chief appointment committee. The qualified candidates will be interviewed by the committee, and will be notified promptly by the director of the time, place and procedures of the interview process. If there is no qualified candidate for one or more of the chief positions, the committee will proceed with the qualified candidate(s).

(c) Each candidate will be interviewed by the committee to assess each candidate's firefighting experience, knowledge, and leadership qualities; and to assess each candidate's views on what direction the department should follow and what improvements and/or changes should be made. The following are selection guidelines for the committee to follow while evaluating the candidates:

(1) Technical skills as they relate to planning, organizing and implementing fire suppression, training and technical rescue.

(2) Supervisory skills, ability to motivate the volunteer personnel. Establish and maintain an effective working relationship with members, administration, mutual aid departments and the community.

(3) Ability to maintain departmental discipline and conduct and the general behavior of the assigned personnel.

(4) Ability to develop and implement department standard operating procedures.

(5) Ability to work with the director and the Princeton administration to develop budget plans as well as goals and long range planning regarding the direction of the department.

(6) Ability to operate as the incident commander at an emergency scene, including but not limited to fires, special details and rescue operations.

(7) Ability to communicate both orally and in writing, understand computer operations and the various computer programs used by Princeton.

(d) After the interviews are completed, the committee by majority vote and secret ballot will appoint a new chief, deputy chief, and assistant chief, as applicable. The appointment procedures shall be completed by December 15 and shall be announced and posted immediately after the votes are counted. The decision of the chief appointment committee shall be final. The director, on behalf of the committee, shall promptly provide to the Princeton clerk a list of the appointments, so that the names of the appointees may appear on the agenda for swearing in at the reorganization meeting of the Princeton council the following year.

**Sec. 8-18. Confidentiality.**

(a) All meetings and deliberations of the chief appointment committee shall be confidential and closed.

(b) The time frames and deadlines required in this article shall be strictly enforced.

**Sec. 8-19. Compensation.**

The fire chief, deputy chief and assistant chief shall receive a stipend as provided in the annual fire department budget.

**Sec. 8-20. Fire chief authority; chain of command.**

(a) Fire chief authority at fire emergencies. The fire chief shall be the ranking officer in the fire department. The fire chief shall, in all cases where fire threatens life or damage or destruction of property within Princeton, take prompt and efficient measures and use the means of the department to extinguish the fire, and shall at such times and occasions have the sole and

absolute control and command over all the fire apparatus and all members of the department at such fire.

(b) Fire chief general operational authority. The fire chief shall consult and cooperate with the Princeton administrator and director of emergency and safety services and shall be responsible to the director of emergency and safety services and through the director to the administrator and mayor and council of the Princeton , for the conduct, efficiency and management of the department and for the enforcement of the rules and regulations governing the same, and for the carrying out of lawful orders and instructions of the director, mayor and council of Princeton and of the administrator.

(c) Chain of command. All orders and instructions to members of the fire department shall be made by or through the fire chief or by or through the officer in command in case of inability to communicate with the fire chief. In the absence of the fire chief at any emergency or non-emergency activity in which the fire department is operating, the chain of command shall move to the next ranking officer i.e., deputy chief, then assistant chief, then to the ranks of captain and lieutenant, then to drivers and firefighters. The SOGs contain further detail on chain of command and incident command procedures.

**Sec. 8-21. Inspections; annual report.**

(a) The chief in conjunction with the director of emergency and safety services shall conduct inspections as appropriate and shall provide an annual report on the general status of the department, fires attended, manpower, apparatus, other equipment, and buildings and submit it to the administrator and the Mayor and Council.

(b) Public inspections. The fire chief will set the date and time for public inspections of the department by the mayor and council. The chief shall make all necessary rules and regulations governing public inspections.

**Sec. 8-22. Officers' radio designations.**

Officers' radio designations shall be established within and in accordance with the Princeton fire department's SOGs.

**ARTICLE VI. FIRE CHIEF APPOINTMENTS TO FILL VACANCIES FOR REASONS OTHER THAN EXPIRATION OF A TERM.**

**Sec. 8-23. Fire Chief Vacancy.**

In case of a vacancy or announced departure of a person in the fire chief's position, other than by reason of the expiration of a term, the deputy chief shall assume the position of acting

chief until such time as a new fire chief is appointed and confirmed. If the duration of the vacancy will be more than 6 months, the director, as promptly as practicable, shall announce the date of the commencement of an application period to fill the vacancy and complete the unexpired term. Interested and qualified members of the department may apply for the position in accordance with the procedures set forth in section 8-17 above, except that the referenced dates and time frames may be adjusted by the director as appropriate for the filling of this vacancy. The most recent chief appointment committee shall interview the candidates and shall appoint a candidate to fill the vacancy, as set forth in section 8-17. If the duration of the vacancy will be fewer than 6 months, the acting chief shall remain in office until such time as a new fire chief is appointed in the next election and appointment cycle.

**Sec. 8-24. Deputy Fire Chief Vacancy.**

In case of a vacancy or announced departure of the deputy fire chief's position, other than by reason of the expiration of a term, the assistant chief shall assume the position of acting deputy chief until such time as a new deputy chief is appointed and confirmed. If the duration of the vacancy will be more than 6 months, the director, as promptly as practicable, shall announce the date of the commencement of an application period to fill the vacancy. Interested and qualified members of the department may apply for the position in accordance with the procedures set forth in section 8-17 above, except that the referenced dates and time frames may be adjusted by the Director as appropriate for the filling of this vacancy. The most recent chief appointment committee shall interview the candidates and shall appoint a candidate to fill the vacancy, as set forth in section 8-17. If the duration of the vacancy will be fewer than 6 months, the acting deputy chief shall remain in office until such time as a new fire chief is appointed in the next election and appointment cycle.

**Sec. 8-25. Assistant Fire Chief Vacancy.**

In case of a vacancy or announced departure of the assistant chief, the position will remain vacant until the director announces the date of the commencement of an application period to fill the vacancy. Interested and qualified members of the department may apply for the position in accordance with the procedures set forth in section 8-17 above, except that the referenced dates and time frames may be adjusted by the director as appropriate for the filling of this vacancy. The most recent chief appointment committee shall interview the candidates and shall appoint a candidate to fill the vacancy, as set forth in section 8-17.

**ARTICLE VII. JUNIOR FIREFIGHTERS**

**Sec. 8-26. Applications; membership.**

(a) All applicants for junior firefighter membership shall be subject to the same residency rules as regular members and be sixteen or seventeen years of age. All applications for membership shall be in writing on a form provided by the department. Applicants will be

physically and mentally fit to perform the duties of a junior firefighter, evidenced by completing a physical provided by a physician selected by Princeton. All applicants must include a letter of written permission from the applicant's parents or legal guardians and high school principal or guidance counselor. Junior firefighters will be limited to fifteen per company. Fine and dues structure of regular members do not apply to junior firefighters.

(b) Applicants for junior firefighter shall be approved by the recruiting committee and by the fire company in which they wish to serve, after which they shall be sworn in at a meeting of the council.

(c) The term of a junior firefighter shall expire when such junior firefighter is appointed to membership by the mayor and council pursuant to section 14-7 or when the junior firefighter reaches the age of eighteen and one-half years of age, whichever occurs first.

### **Sec. 8-27. Rules and regulations; discipline.**

(a) All junior firefighters shall be subject to all fire department rules, regulations and procedures, this chapter and applicable Princeton ordinances, all as may be amended from time to time. In addition, the following rules and regulations apply.

(b) Violation of any of the requirements described or listed in this section may result in discipline as set forth in subsection (c) or (d) of this section as applicable.

(1) All junior firefighters must maintain a passing academic average to continue membership. If it is determined that a member is not keeping a passing average, said member will not be allowed to participate until the average is brought up to a passing level.

(2) Junior firefighters must wear full protective clothing, helmet, hat, gloves and boots when taking part in a working drill.

(3) Junior firefighters shall vacate the firehouse by 10:00 P.M. on nights preceding a scheduled school day, and by 11:00 P.M. on all other nights. On special occasions, a company may grant permission for the juniors to remain later.

(4) Junior firefighters shall at all times be in the direct charge of the line officers and advisors of the particular fire company shall obey their orders.

(5) At no time shall any junior firefighter obtain or consume any alcoholic beverage on Princeton Fire Department property. No junior member shall at any time consume any drug or controlled dangerous substance on Princeton fire department property.

(6) Junior firefighters shall not display any light, such as an emergency blue light, on their vehicles.

(7) Junior firefighters shall be permitted to ride under the following criteria:

- a. They must already be at the fire station;
- b. They must wear full protective clothing;
- c. They must ride inside the cab or enclosed seating area; and
- d. They must remain with the apparatus unless ordered to do otherwise by an officer or the driver.

(8) Junior firefighters may be allowed to assist the driver with hooking and unhooking hose lines, getting equipment, relaying messages and other duties as assigned by the driver or any fire department officer. Junior firefighters may also train on equipment as authorized by an officer at training drills.

(9) Junior firefighters may not hold or direct a charged hose line during a priority incident, nor may they hold or operate any power equipment. In addition, junior firefighters may not participate in the mitigation of hazardous materials incident or in any area of immediate danger. Junior firefighters may not don an SCBA at the scene of an incident.

(10) Junior firefighters may not leave school for any Princeton fire department activity at call, nor may they wear a Princeton fire department pager while at school.

(c) Failure to abide by the requirements for junior membership as established by this chapter shall subject a junior member to summary dismissal by the chief. Any junior member aggrieved by such an action may request an appeal hearing by the fire chief, deputy chief and assistant fire chief who by majority vote may affirm or reject the summary dismissal and whose decision shall be final.

(d) Junior firefighters not following the rules and regulations of the fire company in which they serve may be disciplined, up to and including summary dismissal by vote of the fire company members, with no right of appeal.

#### **Sec. 8-28. Miscellaneous.**

(a) Junior firefighters may elect two officers, a president and a secretary. The juniors may conduct their own meetings provided at least one advisor is present. Any suggestions or requests from a meeting of the juniors will be presented to the department by the advisors or in a letter from the juniors' secretary. Requests for information on fires shall be referred to the chief; requests for information on company matters shall be referred to the president.

(b) Junior firefighters shall be reasonably expected to participate in all of the department's activities.

(c) Two or more advisors shall be appointed by the chief of the department. It shall be the duty of the advisors to oversee the juniors and enforce the rules and regulations governing them. At least one of the advisors will be a line officer.

## **ARTICLE VIII. DRIVERS.**

### **Sec. 8-29. Head driver.**

(a) Term; removal. A head driver shall be appointed by the chief and the director of emergency and safety services for a period not exceeding one year and may be removed by the chief or the director at their discretion, with or without cause.

(b) Duties. It shall be the duty of the head driver to keep all apparatus in proper working condition to the satisfaction of the fire chief and the director of emergency and safety services. The head driver shall provide to the director and the chief a written monthly vehicle report and report in a prompt manner all needed repairs and maintenance of such apparatus.

(c) Expenses. A head driver shall receive a stipend to cover departmental costs as provided for in the fire department budget.

### **Sec. 8-30. Drivers.**

(a) Appointment. The captain and lieutenant of each company shall appoint, for the apparatus under their care, drivers who shall be authorized, upon the sounding of an alarm of fire or upon an order from the fire chief, deputy chief, or company officer to drive said piece of apparatus. All drivers will first pass the training requirements in the department SOGs prior to being appointed.

(b) Authority. Any firefighter duly authorized as a driver may drive said piece of apparatus irrespective of whether they are a member of the company to whom the piece is entrusted.

(c) Term; removal. Drivers shall be appointed for such time as the officers may see fit and may be removed by them at their direction, with or without cause. Drivers may also be suspended and/or removed by the director of emergency and safety services per the department SOGs.

## **ARTICLE IX. FIRE DEPARTMENT APPARATUS, VEHICLES AND PROPERTY.**

### **Sec. 8-31. Taking apparatus out of Princeton limits.**

(a) No fire apparatus of any kind belonging to Princeton shall be taken beyond the municipal limits without the express authority of the director of emergency and safety services, or in his absence the chief, the deputy chief or assistant chief unless in response to a request for aid from another municipality. In case any fire apparatus is sent beyond the limits of Princeton,

enough apparatus must be left within Princeton to protect adequately the property of the municipality through the use of Princeton fire department apparatus or the use of mutual aid box plans.

(b) In case any fire apparatus is sent outside of the limits of Princeton, the apparatus shall be in direct command of the chief or next in command, who shall immediately report to the person having authority at the fire. In case no one appears to be in authority, the chief or the next in command shall take command, turning over control as soon as a duly authorized representative of the municipality arrives. In all cases, however, the chief or next in command shall be and remain in direct control of the apparatus belonging to Princeton.

(c) No vehicle specifically assigned for the use of the chief or next available in command shall be taken out of Princeton unless for official fire department business. Official business is defined as:

(1) Fire, mutual aid request, accident, rescue call, flood, civil defense or other emergency situation;

(2) Governmental or required meetings;

(3) Inspections and investigations;

(4) Drills, local and mutual aid;

(5) Parades; and

(6) While on immediate call. While on immediate call, the vehicle may be taken home or to work by the designated officer. Immediate call means the officer shall be responding to all calls while in possession of the vehicle. If the officer is not available, the vehicle shall be assigned to the next available in command or to one of the fire stations.

(d) The officer in possession of any vehicle or apparatus hereunder shall obey all rules for use of Princeton fire department vehicles as set forth in the SOGs of the department.

### **Sec. 8-32. Emergency vehicle operation.**

The driver of any emergency vehicle, as defined in this chapter, shall not sound the siren thereon or have the front red lights on or disobey any existing traffic regulation, except when said vehicle is responding to an emergency call or when responding to, but not upon returning from a fire. Tactical strategies such as, but not restricted to, “move-ups” do not constitute an emergency call. The driver of an emergency vehicle responding to an emergency may:

(a) Park or stand irrespective of the provisions of existing traffic regulations;

(b) Proceed past a red or stop signal or other sign, but only after stopping and receiving the right-of-way;



- (c) Exceed the speed limit so long as it does not endanger life or property; and
- (d) Disregard regulations governing direction of movement or turning in specified directions.

The exemptions in this section granted to an emergency vehicle shall apply only when the driver of any such vehicle while in motion sounds an audible signal by bell, siren, or horn.

## **ARTICLE X. FIRE POLICE.**

### **Sec. 8-33. Establishment; composition; qualifications; appointment**

(a) As authorized by N.J.S.A. 15:8-4, each company of the department may provide for the appointment of certain of its members to perform certain police duties at fires and fire drills, for a term of office not exceeding five years from the date of the appointment. The appointed members shall, before entering upon their duties, qualify by:

(i) Successfully completing a basic fire police training course formulated or approved by the New Jersey Division of Fire Safety.

(ii) Taking and subscribing an oath that they will justly, impartially and faithfully discharge their duties according to the best of their ability and understanding. The oath shall be administered by the municipal clerk and subscribed to in duplicate. The original copy of the oath shall be filed with the municipal clerk and a copy thereof filed with the secretary of the fire company making the appointment and with the director of emergency and safety services.

(b) After appointment, a qualified member shall be eligible as a fire police officer and shall have full power and authority to act as a fire police officer in Mercer County or other county in which the fire police officer may be called upon to act.

### **Sec. 8-34. Officers.**

The chief shall appoint a captain of the fire police. The captain shall hold the position for the term of one year and until a successor is appointed.

### **Sec. 8-35. Duties generally; command and supervision.**

(a) The fire police shall be under the direct command of the captain of the fire police, subject to the supervision and control of the fire chief, deputy chief, assistant chief or other superior officer.

(b) It shall be the duty of a member of the fire police to perform police duties under the supervision of the fire department officer in charge of the fire or fire drill, until the arrival of a duly authorized police officer, who shall assume responsibility for the supervision of the performance of traffic duties, preservation of evidence and all other law enforcement duties.

(c) The duties of said fire police subject to the supervision aforesaid shall be to:

(1) Protect property and contents.

(2) Establish and maintain fire lines.

(3) Perform such traffic duties as necessary, from the fire station to and at the vicinity of the fire, fire drill or other emergency call, until the arrival of a duly authorized police officer, or in place of police officers at the request of the police department or direction of the fire officer in charge; or at any public event where fire police services may be requested to protect the public, subject to the approval of and supervision by the Princeton chief of police or the chief law enforcement officer of the municipality in which the public event takes place. Provided, however, nothing herein contained shall give the fire police or any of them the right to supersede a duly authorized police officer.

(d) Nothing in this section shall diminish the powers of the chief or other superior officer of any volunteer fire company in the exercise of their duties pursuant N.J.S.A.40A:8-54.1.

**Sec. 8-36. Violations; penalties.**

If any person shall unreasonably refuse to obey the orders of the fire police, a fire police officer may arrest the person and keep the person under arrest until the fire is extinguished or the drill completed. If the offender is found guilty by a municipal court or superior court, the offender shall be sentenced to pay a fine not exceeding \$200.00 and costs.

**ARTICLE XI.**

**INTERFERENCE WITH FIRE DEPARTMENT ACTIVITIES.**

**Sec. 8-37. Authority at fires and other emergencies.**

The director of emergency & safety services, fire chief or duly authorized representatives as may be in charge at the scene of a fire, and/or other emergency 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 chief or any other duly authorized person as may be in charge at the scene of a fire, and/or other emergency 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 chief may remove or cause to be removed any person, vehicle or object from hazardous areas. 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 chief.

**Sec. 8-38. Interference with fire department orders.**

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.

**Sec. 8-39. Compliance with orders.**

A person shall not willfully fail or refuse to comply with any lawful order or direction of the fire chief or designee or to interfere with the compliance attempts of another person.

**Sec. 8-40. Vehicles crossing fire hose.**

A vehicle shall not be driven or propelled over any unprotected fire hose of the fire department when laid down on any street, alley-way, private drive or any other vehicular roadway without the consent of the fire chief in command of said operation.

**Sec. 8-41. 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 or vehicles shall have passed, unless otherwise directed by the fire chief or a police officer.

**Sec. 8-42. Vehicles following fire apparatus.**

It shall be unlawful for the operator of any vehicle, other than one on official fire department business, to follow closer than three hundred 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.

**Sec. 8-43. Unlawful boarding or tampering with fire department emergency equipment.**

A person shall not, without proper authorization from the fire department chief or other authorized officer, cling to, attach themselves to, climb upon or into, board, or swing upon any Princeton 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 any levers, valves, switches, starting devices, brakes, pumps, or any equipment or protective clothing on, or a part of any fire department emergency vehicle.

**Sec. 8-44. Damage to fire department property or injury to fire department personnel prohibited.**

It shall be unlawful for any person to damage or deface, or attempt or conspire to damage or deface any Princeton Fire Department emergency vehicle at any time, or to injure, or attempt to injure or conspire to injure Princeton fire department personnel while performing departmental duties.

**Sec. 8-45. Violations; penalties.**

Any person who violates any section of this article for which no other penalty is provided herein shall be subject to the penalties set forth in section 1-6 of the Princeton Code.

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