

Introduction Date: August 21, 2023
Adoption Date: September 11, 2023

ORDINANCE 2023-10
TOWNSHIP OF EASTAMPTON
BURLINGTON COUNTY

**AN ORDINANCE OF THE TOWNSHIP OF EASTAMPTON AMENDING CHAPTER 5,
ARTICLE XVII, SECTION 43, OF THE TOWNSHIP CODE ENTITLED,
“EMERGENCY MANAGEMENT COUNCIL”**

BE IT ORDAINED, by the Township Council of the Township of Eastampton, in the County of Burlington and State of New Jersey, as follows:

SECTION I.

The Township Council hereby amends Chapter 5-43 of the Township Code regarding “Emergency Management Council” to now read as follows.

§ 5-43. Emergency Management Council.

A. Emergency Management Council.

(1) There is hereby established an Emergency Management Council pursuant to N.J.S.A. App.A:9-41 et seq., the head of which shall be the Emergency Management Coordinator, who shall be appointed by the Mayor. The Emergency Management Council shall be composed of up to fifteen (15) members, who shall be appointed by the Manager and shall serve at his/her will and pleasure. The Emergency Management Council and the Coordinator thereof shall have all the functions, powers, and duties prescribed by N.J.S.A. App.A:9-40.1, A:9-41, et seq.

(2) It is the intent and purpose of this chapter to establish an Emergency Management Council that will ensure the complete and efficient utilization of all of the Township’s facilities to combat disaster resulting from major emergencies; natural, man-made or nuclear disasters; or enemy attack.

(3) The Emergency Management Council will be the coordinating agency for all activity in connection with emergency management. It will be the instrument through which the Coordinator may exercise the authority and discharge the responsibilities vested in him/her in accordance with the New Jersey Civilian Defense and Disaster Control Act of 1942, P.L. 1942, c. 251, as amended and as supplemented by this chapter (the “Act.”)

(4) This chapter will not relieve any Township department of the responsibilities or authority given to it by ordinance, nor will it adversely affect the work of any volunteer agency authorized for relief in disaster emergencies.

(5) The purpose of this chapter is to provide for the health, safety, and welfare of the people of the Township of Eastampton and to aid in the prevention of damage to and the destruction of property during any emergency as herein defined by prescribing a course of conduct for the civilian population of this Township during such emergency and by centralizing control of all civilian activities having to do with such emergency.

B. Definitions.

The following definitions shall apply in the interpretation of this chapter:

COORDINATOR — The Emergency Management Coordinator of the Township of Eastampton Emergency Management Council, appointed by the Mayor as prescribed in this chapter.

DISASTER — An unusual incident resulting from natural or unnatural causes which endangers the health, safety, or resources of the residents of this Township, and which is or may become too large in scope or unusual in type to be handled in its entirety by regular Township operating services.

EMERGENCY — Includes “disaster” and “war emergency” as defined in this section.

EMERGENCY MANAGEMENT FORCES — The employees, equipment, and Township facilities of all departments, boards, institutions, and commissions; and, in addition, it shall include all volunteer personnel, equipment, and facilities contributed by or obtained from volunteer persons or agencies.

EMERGENCY MANAGEMENT VOLUNTEER — Any person duly registered, identified, and emergency management activity.

LOCAL DISASTER EMERGENCY — Includes any disaster or the immediate imminence thereof resulting from natural or unnatural causes other than enemy attack and limited to the extent that action by the Governor under the New Jersey Civilian Defense and Disaster Control Act is not required.

REGULATIONS — Includes plans, programs, and other emergency procedures deemed essential to civil defense.

VOLUNTEER — Contributing a service, equipment, or facilities to the emergency management organization without remuneration.

WAR EMERGENCY—Includes any disaster occurring anywhere within the Township as the result of enemy attack or the imminent danger thereof.

C . Coordinator.

(1) The Mayor shall appoint an Emergency Management Coordinator from among the residents of this municipality, who shall be a person well versed and trained in planning operations

involving the activities of many different agencies which will operate to protect the public health, safety, and welfare in the event of danger from emergencies as defined in this chapter.

(2) The Emergency Management Coordinator shall, subject to fulfilling the requirements of this section, serve for a term of three years. As a condition of his/her appointment and his/her right to continue for the full term of his appointment, said Coordinator of Emergency Management shall have successfully completed at the time of his/her appointment or within one year immediately following his/her appointment or the effective date of the Civilian Defense and Disaster Control Act (N.J.S.A. App.A:9-33 et seq.), whichever is later, the current approved home study course and the basic emergency management workshop. The failure of any Coordinator of Emergency Management to fulfill such requirements within the period prescribed shall disqualify the Coordinator from continuing in the office of Coordinator, and thereupon a vacancy in said office shall be deemed to have been created.

(3) Removal of Emergency Management Coordinator. The Governor may remove any Coordinator of Emergency Management at any time for cause. In such event, the Mayor of the municipality shall appoint a new Coordinator of Emergency Management with the approval of the Governor. If the Mayor shall not appoint a Coordinator of Emergency Management within 10 days after such office shall become vacant, the Governor may appoint a Temporary Coordinator of Emergency Management, who shall serve and perform all of the duties of that office until such time as a new Coordinator of Emergency Management shall be appointed by the Mayor with the approval of the Governor.

(4) The Coordinator shall designate and appoint, with the approval of the Mayor, a Deputy Coordinator, to assume the emergency duties of the Coordinator in the event of his/her absence or inability to act, the intent being that there shall always be at all times a Coordinator in charge of emergency management operations. Whenever possible, such deputy shall be appointed from among the salaried officers or employees of the municipality.

(5) The Emergency Management Coordinator shall be responsible for the planning, activating, coordinating, and the conduct of emergency management operations within the Township of Eastampton.

(6) Wherever, in his/her opinion, a disaster has occurred or is imminent in any municipality, the Coordinator of Emergency Management of that municipality shall proclaim a state of local disaster emergency within the municipality. The Coordinator of Emergency Management, in accordance with regulations promulgated by the State Civilian Defense Director, shall be empowered to issue and enforce such orders as may be necessary to implement and carry out disaster-control operations and to protect the health, safety, and resources of the residents of the municipality.

D. Emergency Operations Plan.

In accordance with N.J.S.A. App. A:9-43.2, et seq., the Township shall prepare a written Emergency Operations Plan with all appropriate annexes necessary to implement the plan. The development of all plans shall be coordinated with the Emergency Operations Plans of the State,

county, and neighboring municipalities to ensure a regional coordinated response and the efficient use of resources.

SECTION II. Repealer, Severability, and Effective Date.

1. **Repealer.** Any and all Ordinances inconsistent with the terms of this Ordinance are hereby repealed to the extent of any such inconsistencies.
2. **Severability.** In the event that any clause, section, paragraph, or sentence of this Ordinance is deemed to be invalid or unenforceable for any reason, then the Township Council hereby declares its intent that the balance of the Ordinance not affected by said invalidity shall remain in full force and effect to the extent that it allows the Township to meet the goals of the Ordinance.
3. **Effective Date.** This Ordinance shall take effect upon proper passage in accordance with the law.

Adopted: September 11, 2023

ATTEST:



KIM-MARIE WHITE
Municipal Clerk



ROBERT APGAR
Mayor

Introduction: August 21, 2023

Council	Motion	2 nd	Ayes	Nays	Abstain	Absent
Councilman Rodriguez		✓	✓			
Councilman Santillo	✓		✓			
Councilman Springer			✓			
Councilman Zeno			✓			
Mayor Apgar			✓			
		VOTE	5	0		

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