

**MAPLE SHADE TOWNSHIP  
ORDINANCE NO. 2023-04**

**AN ORDINANCE OF THE TOWNSHIP OF MAPLE SHADE CREATING NEW  
TOWNSHIP CODE CHAPTER 135 ENTITLED NURSING HOMES AND NEW  
ARTICLE I “TRANSPORTATION SERVICES”**

WHEREAS, the Township first responders have reported a substantial increase in the calls for assistance from nursing homes within the Township, many of which are unwarranted or are not for emergency services. The diversion of resources to these calls reduces the first responders’ ability to address to the needs of Township residents.

NOW THEREFORE, BE IT ORDAINED by the Township Council of the Township of Maple Shade, County of Burlington as follows:

Section 1. The Township Code is hereby amended to include new Chapter 135 entitled Nursing Homes to include the following

**Article I  
Transportation Services**

**§ 135-1 Purpose.**

The purpose of this article is to establish requirements for transportation services for nursing homes.

**§ 135-2 Definitions.**

As used in this article, the following terms shall have the meanings indicated:

**NURSING HOME**

Any private hospital, institution, care center, convalescent home, ~~old-age home~~, nursing home, and any other establishment or institution for the care, treatment, lodging or nursing of persons mentally ill, mentally deficient or mentally or developmentally delayed or disabled, acutely or chronically ill, or who are ~~crippled~~, convalescent, infirm or in any way afflicted, or who reside therein for any purpose whatsoever. The definition of "nursing home" as set forth in Chapter 135 shall also be incorporated herein.

**§ 135-3 Ambulance or equivalent-type service required.**

All nursing homes within the Township of Maple Shade, County of Burlington, State of New Jersey shall be and are hereby required to own, lease, rent, possess, or have immediately available an ambulance or van-type vehicle suitable to be used as an ambulance for the conveyance of non-ambulatory as well as emergency patients as the need so arises.

**§ 135-4 Proof of availability of ambulance or equivalent-type vehicle; failure to provide proof; multiple use of municipal services.**

- A. All nursing homes, as defined in this article, shall file proof of the availability of such emergency vehicles with the Township Manager's Office of the Township of Maple Shade within 60 days from the final passage of this article and on or before January 1 of each and every year thereafter. The emergency vehicle shall be maintained in proper working order so as to be able to serve the transportation needs of the population and patients receiving services from the facility, at all times.
- B. Any nursing home, as defined in this article, that fails to file proof of availability of such vehicles, or calls upon the Township of Maple Shade's emergency services for assistance and/or transportation of patients for emergent or nonemergent reasons, shall be in violation of this article.

- C. If, after 60 days from the final passage of this article and on or before January 1 of each and every year thereafter, the nursing home fails to file proof of such emergency vehicles with the Township Manager's Office of the Township of Maple Shade, the Township Manager's Office shall notify the Manager's Designee of the nursing home's violation of this article.
- D. Should a nursing home contact the Maple Shade Police Department or Maple Shade First Aid Squad for assistance, the Police or First Aid shall make the determination if the call for assistance was warranted. If it is determined that the call for assistance was not warranted, that particular entity of the Township of Maple Shade shall notify the Maple Shade Manager's Designee that the nursing home is in violation of this article.

**§ 135-5 Violations and penalties.**

Any person or organization that shall violate any provision of this article shall be subject to a penalty as set forth in Chapter 1, § 1-15, General penalty.

**§ 135-6 Violations and penalties.**

Any person or entity violating any of the provisions of this chapter, including the provision of filing the details and proof of the availability of such emergency vehicles to the nursing home and the requirement to post the information to ensure that nursing home personnel are cognizant of the procedure to contact the transportation service shall be liable to pay a fine of \$500 per day for each offense.

**135-7 Failure of nursing home to make transportation arrangements; use of municipal first aid.**

In the event the nursing home does not substantially follow the methodology set forth in this chapter with regard to a primary and secondary contact for transportation arrangements but rather knowingly contacts the Maple Shade First Aid for such transportation, First Aid may file a complaint in the Municipal Court against such person or entity and the penalty in such event will be a fine of \$500 for the first violation and a minimum fine of \$1,250 for each and every violation thereafter.

**Section 2.** All ordinances or parts of ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

**Section 3.** If any section, subsection, paragraph, subsection or provision of this Ordinance shall be held to be invalid or unconstitutional, such decision shall not affect the remaining portions of this Ordinance.

**Section 4.** This Ordinance shall take effect immediately upon final adoption and publication according to law.

Introduction: January 19, 2023

COUNCIL	MOTION	SECOND	AYES	NAYS	ABSTAIN	ABSENT
Nunes			x			
Schmidt			x			
Volpe		x	x			
Wiest	x		x			
Kauffman			x			

**CERTIFICATION**

I hereby certify the foregoing to be a true copy of an Ordinance adopted by the Maple Shade Township Council at a meeting held on February 9, 2023.

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Andrea T. McVeigh, Township Clerk

Adopted: February 9, 2023

COUNCIL	MOTION	SECOND	AYES	NAYS	ABSTAIN	ABSENT
Nunes			x			
Schmidt			x			
Volpe		x	x			
Wiest	x		x			
Kauffman			x			