TOWNSHIP OF MAPLE SHADE
ORDINANCE NO. 2026-22

AN ORDINANCE AMENDING SECTION 16-3(c) OF CHAPTER 16 OF THE CODE OF THE TOWNSHIP OF MAPLE SHADE CONCERNING THE CHAIN OF COMMAND OF THE FIRE DEPARTMENT

WHEREAS, the Township Council adopted Ordinance No. 2026-18 on October 8, 2026, amending and reorganizing Chapter 16 of the Code of the Township of Maple Shade, entitled "Fire Department," to provide for a part-paid municipal fire department comprised of Career Personnel and a designated Volunteer Fire Company; and

WHEREAS, N.J.S.A. 40A:14-7 authorizes the governing body of a municipality, by ordinance, to create and establish a paid or part-paid fire department and force, to prescribe the powers, functions and duties of the members, officers and personnel thereof, and to adopt and promulgate rules and regulations for the government of the department and force; and

WHEREAS, N.J.S.A. 40A:14-54.1 provides the chief or other superior officer of a municipal paid or part-paid fire department or volunteer fire company, who is charged with the duty of supervising or directing operations at the scene of a fire, with authority within fire lines at the scene of such fire; and

WHEREAS, the Township Council desires to clarify the command structure of the Fire Department so that the general command authority of the Fire Chief is grounded in Chapter 16 of the Code, which is adopted pursuant to N.J.S.A. 40A:14-7 and confirmed as to fireground operations by N.J.S.A. 40A:14-54.1, and the operations of the Fire Department are conducted within a single chain of command consistent with the Incident Command System, including a unified command at incidents involving two or more agencies or jurisdictions; and

WHEREAS, the Township Council desires to confirm that nothing in Chapter 16 of the Code shall be construed to prohibit, limit or impair command, control, coordination or assistance exercised pursuant to law, including any mutual aid plan or agreement and any county or State emergency management or fire service deployment plan; and

WHEREAS, the Township Council finds that this ordinance clarifies and confirms the command provisions of Chapter 16 of the Code and is not intended to diminish or expand the authority of the Fire Chief, the Township Manager, or any member of the Fire Department;

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

Section 1. Section 16-3(c) of Chapter 16 of the Code of the Township of Maple Shade (the paragraph captioned “Unified Command”), is hereby amended and revised to now read as follows:

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Chapter 16 — FIRE DEPARTMENT

§ 16-3. Organization and Structure.

C. Chain of Command; Command at Incidents. The Fire Chief is the head of the Fire Department in terms of firematics and holds operational command authority over the Department and its operations as provided by this Chapter, which is adopted pursuant to N.J.S.A. 40A:14-7, and, at the scene of a fire, pursuant to N.J.S.A. 40A:14-54.1 and other applicable law, subject to the administrative supervision of the Township Manager and to Township policies. The Fire Chief, or the ranking fire officer in charge, shall have exclusive command and control of firefighting operations at the scene of a fire, as provided by N.J.S.A. 40A:14-54.1, and shall command Fire Department operations at other emergency incidents involving Fire Department operations, subject to the lawful authority of law enforcement at non-fire scenes. All members of the Fire Department, whether Career Personnel or members of the Volunteer Fire Company, shall operate within a single chain of command under the Fire Chief or the ranking fire officer in charge, consistent with the Incident Command System, including a unified command at incidents involving two or more agencies or jurisdictions, and as established by law and this Chapter. No private or nongovernmental entity shall exercise command or control over the Fire Department or its operations, except as authorized by law or by the Township. Nothing in this paragraph shall impair the internal governance of the Volunteer Fire Company, including the appointment or election of its chief, as provided in § 16-2 and N.J.S.A. 40A:14-68(a). Nothing in this Chapter shall be construed to prohibit, limit or impair command, control, coordination or assistance exercised pursuant to law, including any mutual aid plan or agreement entered into pursuant to N.J.S.A. 40A:14-156.1, any county or State emergency management or fire service deployment plan, or the lawful authority of the State Fire Warden, the State, county or regional fire coordinators, or emergency management officials.

Section 2. Conflicting Ordinances; Savings; Severability. All ordinances or parts of ordinances inconsistent with this ordinance are hereby repealed to the extent of such inconsistency. This repeal shall not affect any actions pending or any rights or obligations established under prior ordinances. If any section, paragraph, subdivision, clause or provision of this ordinance shall be adjudged invalid, such adjudication shall apply only to that section, paragraph, subdivision, clause or provision, and the remainder of this ordinance shall remain in full force and effect.

Section 3. Effective Date. This ordinance shall take effect immediately upon final passage and publication according to law.

COUNCIL	MOTION	SECOND	AYES	NAYS	RECUSE	ABSTAIN	ABSENT
Kauffman		X	X				
Nunes			X				
Simonsick			X				
Zahradnick	X		X				
Talarico			X				

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NOTICE OF INTRODUCTION

The foregoing ordinance was introduced at a meeting of the Maple Shade Township Council, held on Novemer 12, 2026, and was read for the first time.

This ordinance will be further considered for final passage at a Regular Meeting of the Township Council to be held on December 10, 2026 at 6:30 P.M. at 200 Stiles Avenue, Maple Shade, NJ 08052. Copies of this ordinance will be made available on the township website at: www.mapleshade.com and at the Municipal Clerk's office to members of the general public who request same during normal operating hours. All interested persons will be given the opportunity to be heard concerning the ordinance.

Andrea T. McVeigh, RMC

Maple Shade Township