

TOWNSHIP OF BARNEGAT

ORDINANCE 2018 - 11

AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF BARNEGAT, IN THE COUNTY OF OCEAN, STATE OF NEW JERSEY AMENDING CHAPTER 70 RANDOM DRUG TESTING POLICY FOR FIRST AID AND FIREFIGHTING VOLUNTEERS

WHEREAS, the Township Committee wishes to amend Chapter 70 to require that drug testing of for first aid and firefighting volunteers of the Township be conducted in accordance with policies and procedures to be developed by the Administrator's office;

NOW, BE IT ORDAINED by the Township Committee of the Township of Barnegat, in the County of Ocean, in the State of New Jersey, as follows:

EXPLANATION – Matter in bold-faced in this document is not enacted and is intended to be omitted in the Barnegat Township Code. Matter underlined thus is new matter.

Section 1. Chapter 70 shall be amended as follows:

70-1. Policy established.

It is the policy of the Township of Barnegat that drug tests shall be conducted on all first aid and firefighting volunteers while members of the Barnegat Township First Aid and/or Fire Companies. Drug tests, including random drug tests, shall be conducted in accordance with the policies and procedures to be developed by the Administrator's office **random drug program established by the Township of Barnegat for the Barnegat Township Police Department. In all cases drug testing shall be consistent with the provisions of the Attorney General's Law Enforcement Drug Testing Policy.**

70-2. Findings.

The Township finds that volunteers in the Barnegat Township First Aid and Fire Companies have particular and sensitive positions which mandate assurances by the citizens of Barnegat Township that these volunteers are drug free. These volunteers operate Township, First Aid and Fire Department emergency vehicles, and are entrusted with the care and safety of citizens of the Township.

70-3. Failed Drug Tests or Refusal to Test.

Any first aid or firefighting volunteer of the Township who fails a drug test taken pursuant to this policy or refuses to take a drug test pursuant to this policy may be subject to disciplinary action, up to and including termination.

70-3. Adoption of Township of Barnegat Law Enforcement Drug Testing Policy for first aid and firefighting volunteers.

The Township hereby adopts the Township of Barnegat Law Enforcement Drug Testing Policy, a copy of which is on file at the office of the Township Clerk and can be reviewed during normal business hours, for all first aid and firefighting volunteers of Barnegat Township.

70-4. Conducted by Barnegat Township Administrator. **Police Chief.**

The **random** drug testing policy for first aid and firefighting volunteers shall be conducted by the Barnegat Township Administrator **Police Chief**, in accordance with the aforementioned policies and procedures to be developed by the Administrator's office **Random Drug Testing Policy.**

70-5. Implementation.

Drug tests under this chapter, conducted in accordance with the policies and procedures to be developed by the Administrator's office, shall begin three (3) months after passage of the ordinance amending this chapter.

Section 2. All ordinances or parts of ordinances in conflict or inconsistent with any part of this Ordinance are hereby repealed to the extent that they are in such conflict or inconsistent.

Section 3. This Ordinance may be renumbered for codification purposes.

Section 4. In the event that any section, part or provision of this Ordinance shall be held to be unenforceable or invalid by any court, such holding shall not affect the validity of this Ordinance as a whole, or any part thereof, other than the part so held unenforceable or invalid.

Section 5. This Ordinance shall take effect upon final passage and publication as provided by law.

**SUMMARY AND NOTICE
TOWNSHIP OF BARNEGAT
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BARNEGAT, IN THE COUNTY OF OCEAN, STATE OF NEW JERSEY AMENDING
CHAPTER 70 RANDOM DRUG TESTING POLICY FOR FIRST AID AND
FIREFIGHTING VOLUNTEERS**

Adoption of this Ordinance will amend certain provisions in Chapter 70 of the Township of Barnegat Code, which provides for random drug testing of the first aid and firefighting volunteers of the Township.

Notice is hereby given that the foregoing Ordinance was introduced and passed on first reading by the Township Committee of the Township of Barnegat on March 6, 2018 and will further be considered for final passage and adoption at the Barnegat Township Municipal Building, 900 W. Bay Avenue Barnegat, New Jersey 08005 on April 3, 2018 at 6:30 P.M.. or as soon thereafter as the matter can be reached on the agenda, at which time and place all persons interested therein shall be given an opportunity to be heard, and during the week prior to and up to and including the date of such meeting, copies of said Ordinance will be made available at the Clerk's Office in the Township of Barnegat, Town Hall, to the members of the general public who shall request the same or may be viewed on our website at www.barnegat.net

**MICHELE RIVERS, R.M.C.
Township Clerk**

CERTIFICATION

I, Michele Rivers, Municipal Clerk of the Township of Barnegat, County of Ocean, State of New Jersey do hereby certify by my hand and seal that the foregoing Ordinance was finally adopted after Public Hearing at a regular meeting held on the 3rd day of April, 2018 in the Municipal Complex, 900 West Bay Avenue, Barnegat, NJ.

Michele Rivers, RMC
Municipal Clerk