

BOROUGH OF HAMBURG
ORDINANCE 19-2024

AN ORDINANCE ESTABLISHING NEW CHAPTER 33 – EMERGENCY MANAGEMENT –
OF THE GENERAL CODE OF THE BOROUGH OF HAMBURG, COUNTY OF SUSSEX,
STATE OF NEW JERSEY

BE IT ORDAINED by the Mayor and Council of the Borough of Hamburg that there is hereby established Chapter 33 – Emergency Management – which shall provide as follows:

Chapter 33 EMERGENCY MANAGEMENT

33-1. Legal Authority.

The position of Municipal Emergency Coordinator is based on provisions of public laws and directives which carry the force of law as follows:

- a. New Jersey State Law: N.J.S.A. Appendix A:9-33; 9-40.1; 9-40.4; 9-42.2; 9-43.2; 9-43.3; 9-43.4; Various Executive Orders of the Governor: Directive of the New Jersey Office of Emergency Management; FEMA Comprehensive Planning Guide and as amended; New Jersey State Emergency Operations Plan and as amended; New Jersey Office of Emergency Management Directive – 7 (2022) and such other Directives, laws, Executive Orders of the Governor, rules, regulations, statutes and ordinances as may be amended. These laws set forth responsibilities, obligations and authorities.
- b. Such other laws, executive orders of the Governor, rules, regulations, directives and ordinances relevant to the subject matter and as may be amended.

33-2. Emergency Management Coordinator

- a. The Mayor shall appoint a Municipal Emergency Management Coordinator from among the residents of the Borough. The Municipal Emergency Management Coordinator shall have a minimum term of three years. The Municipal Emergency Management Coordinator shall have a minimum of two years' experience in the planning, development and administration of emergency response activities such as those provided by police, fire, rescue, medical or emergency units, either in the public or private sector or in the military service and possess the qualifications and continue to qualify in accordance with NJOEM-7-(2022).
- b. The failure of any Emergency Management Coordinator to fulfill such requirements within the period prescribed shall disqualify the Coordinator from continuing in the office of Coordinator, and thereupon a vacancy in the office shall be deemed to have been created. The Governor may remove a Municipal Emergency Management Coordinator at any time for cause.

33-3. Emergency Management Deputy Coordinator.

Each Municipal Emergency Management Coordinator shall appoint one and may appoint more than one Deputy Municipal Emergency Management Coordinator(s) with the approval of the

Mayor. Whenever possible, such Deputy(ies) shall be appointed from among the salaried officers or employees of the Borough.

33-4. Powers and Duties of Emergency Management Coordinator.

- a. The Municipal Emergency Management Coordinator shall be responsible for the planning, activating, coordinating and the conduct of emergency management operations within the Borough.
- b. Whenever, in the opinion of the Municipal Emergency Coordinator, a disaster has occurred or is imminent in the municipality, the Municipal Emergency Management Coordinator shall proclaim a state of local disaster emergency within the Borough.
- c. The Municipal Emergency Management Coordinator, in accordance with regulations promulgated by the State Director of Emergency Management, shall be empowered to issue and enforce such orders as may be necessary to implement and carry out emergency management operations and to protect the health, safety and resources of the residents of the Borough.
- d. The County Emergency Management Coordinator shall be immediately advised of the proclamation of a state of local disaster emergency by the Municipal Emergency Management Coordinator and the action taken.
- e. The Emergency Management Coordinator shall also perform any of the duties and functions which may from time to time hereafter be required by Statute.
- f. Perform such duties and exercise such authority as provided in NJOEM Directives and any relevant statutes, executive orders of the Governor, rules, regulations and ordinances.

33-5. Emergency Management Council.

There is hereby created an Emergency Management Council to be composed of not more than 15 members who shall be appointed by the Mayor and shall hold office at the will and pleasure of the Mayor. The Emergency Management Coordinator shall be a member and shall serve as Chairman of the Emergency Management Council.

33-6. Duties of Emergency Management Council.

The Emergency Management Council shall:

- a. Assist the Borough in establishing the various local volunteer and Borough agencies needed to meet the requirements of all local emergency management defense and disaster control activities in accordance with the rules and regulations established by the Governor of the State of New Jersey.
- b. Evaluate the need for resources to develop, implement and exercise the emergency plan.
- c. Make recommendations regarding what resources are required and how they can be provided.
- d. Prepare and submit an emergency plan and annexes in conformance with the guidance materials provided by the County Coordinator.


- e. Provide assistance to the Municipal Emergency Management Coordinator in the preparation of the emergency operations plans and annexes.
- f. Perform such duties and exercise such authority as provided in NJOEM Directives and any relevant statutes, executive orders of the Governor, rules, regulations and ordinances.

This Ordinance is deemed divisible and in the event any provision is deemed invalid by a Court of Competent jurisdiction or other relevant authority the rest and remainder shall remain in full force and effect.

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

CERTIFICATION

NOTICE is hereby given that the above ordinance was introduced and passed on first reading of a meeting of the Mayor and Council of the Borough of Hamburg, held on Wednesday September 4, 2024 at 7 p.m. and will be considered for a final passage at a regular meeting of the Mayor and Council to be held on Monday October 7, 2024 at 7 p.m. or as soon thereafter as same can be considered, in the Municipal Building, 16 Wallkill Avenue, Hamburg, New Jersey at which time and place all persons interested therein or affected thereby will be given an opportunity to be heard concerning the same. A copy of said Ordinance is on file in the Office of the Borough Clerk, Municipal Building, 16 Wallkill Avenue, Hamburg, New Jersey and is available for public inspection during regular business hours. During the week prior and up to the time of public hearing, copies of said Ordinance will be available to the member of the general public who request the same.



Beth Martin
Acting Municipal Clerk