

ORDINANCE 18-2022

BOROUGH OF EATONTOWN
COUNTY OF MONMOUTH, STATE OF NEW JERSEY

AN ORDINANCE AMENDING CHAPTER 35 OF THE BOROUGH CODE "FIRST AID AND FIRE COMPANY VOLUNTEERS", ARTICLE ONE "GENERAL PROVISIONS" CREATING A NEW SECTION 35-5.1 ENTITLED "FIRST AID SERVICE FOR PATIENT CARE FACILITIES" AND AMENDING SECTION 35-1 "DEFINITIONS"

WHEREAS the Borough's First Aid Squad's resources are strained, and it is always seeking new volunteers to provide service to the Borough's residents; and

WHEREAS, there have been an advent of new patient care facilities in the Borough and its surrounding communities which has and could further strain the First Aid Squad's resources; and

WHEREAS, the Borough Council believes it is in the best interest of the Borough to ensure that patient care facilities either hire or contract their own private ambulance services to service their residents and patients for non-emergency medical care.

NOW THEREFORE, BE IT ORDAINED by the Borough Council of the Borough of Eatontown, County of Monmouth, State of New Jersey that it hereby amends Chapter 35 of the Borough Code, "First Aid and Fire Company Volunteers", Article One, "General Provisions" by amending Section 35-1 "Definitions" and creating a new section 35-6 entitled "First Aid Service for Patient Care Facilities" as follows:

[Underline is added and strike-out is deleted]

Section 1

§35-1 is hereby amended as follows:

Patient Care Facilities

All state-licensed nursing homes, rest homes, health maintenance organizations, assisted living facilities, health-care facilities providing in-patient services, and other licensed or unlicensed medical care providers with the capacity to treat 10 or more outpatients simultaneously.

Section 2

§35-5.1 shall read as follows:

- a. All Patient Care Facilities located within the Borough are hereby required to own, lease, rent or have promptly available by contract sufficient appropriately staffed private ambulance services for the treatment and transport of residents and/or patients in need of non-emergency medical care. Such ambulance services shall be available 365 days per year and 24 hours per day.
- b. In order to satisfy the requirements of subsection (a), each Patient Care Facility subject to this chapter shall file proof of the availability of private ambulance services with the Borough Clerk within 60 days after final passage of this chapter, and on or before January 1 of each year thereafter. For purposes of this subchapter, proof of private ambulance availability shall consist of a contract with no less than two private ambulance service providers under which such providers are obliged to respond promptly to the Patient Care Facility.
- c. Alternatively, if a Patient Care Facility elects to own and operate its own ambulance(s), such proof shall consist of documentation of the make, model, year, color, serial number, license plate number, location, and staffing of such ambulance(s). As part of the proofs required under this section, the resident director, manager or authorized corporate officer of each Patient Care Facility shall make and file with the Borough

Clerk a signed certification that adequate private ambulance services are available, and that all agents and employees of such facility involved with patient care have been apprised of and trained in the use of such private ambulance services. The failure of a Patient Care Facility to comply with the requirements of this subsection shall constitute an ordinance violation by the Patient Care Facility and its resident director, manager, or authorized corporate officer punishable by a fine not to exceed \$2,000.

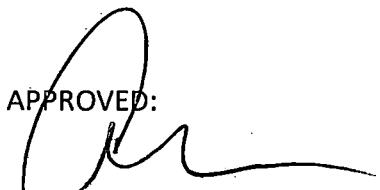
d. In the event that an employee or agent of a Patient Care Facility located in the Borough takes action resulting in the dispatch of a volunteer first aid squad regulated pursuant to the provisions of Section 35-6, and the responding volunteer first aid squad determines in its sole discretion that the basis for dispatch did not constitute circumstances requiring the use of basic life support or advanced life support, the volunteer first aid squad shall certify accordingly to the Borough Administrator and the Private Care Facility shall be subject to a volunteer first aid squad dispatch fee of \$750. This fee shall be payable to the Borough of Eatontown. The Borough of Eatontown may contribute fee revenue generated under this subsection to the volunteer first aid squad.

BE IT FURTHER ORDAINED, that

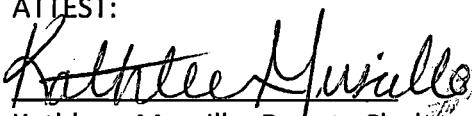
- A. All other Ordinances or provisions of the Code of the Borough of Eatontown or parts thereof, which are inconsistent with any provisions in this Ordinance, are hereby repealed to the extent of such conflict or inconsistency.
- B. If any provision or portion of this Chapter is held to be unconstitutional, preempted by Federal or State Law or otherwise invalid by any court of competent jurisdiction, the remaining provisions of this chapter shall not be invalidated.
- C. This Ordinance shall take effect upon its passage and publication as required by law.

DATE INTRODUCED: AUGUST 24, 2022
PUBLIC HEARING: SEPTEMBER 14, 2022

APPROVED:


Anthony Talerico, Jr. Mayor
Date: 9/15/2022

ATTEST:


Kathleen Muscillo, Deputy Clerk
Date: 9/15/2022