

**CITY OF BRIGANTINE
ORDINANCE NO. 12 OF 2025**

**AN ORDINANCE TO AMEND VARIOUS SECTIONS OF THE
MUNICIPAL CODE TO UPDATE THE RANK STRUCTURE OF THE FIRE
DEPARTMENT TO FURTHER REMOVE THE TERM
“DIRECTOR OF PUBLIC SAFETY”**

WHEREAS, Chapter 3 “Administration,” Article X “Public Safety and Enforcement Departments” of the Code of the City of Brigantine (the “Code”) governs the Departments of Police, Fire, and Emergency Medical Services, the Beach Patrol, the Ordinance Enforcement Department and the Uniform Construction Code Enforcement Office of the City of Brigantine; and

WHEREAS, at the recommendation of the Fire Chief, the City wishes to update the rank structure of the Fire Department for consistency with federal standards and uniformity with adjacent departments; and

WHEREAS, by referendum in 2014, the position of “Director of Public Safety” is not authorized in the City but remnants of that term and position remain in the municipal code; and

WHEREAS, the Brigantine City Council is desirous of amending the Code to eliminate references to the “Director of Public Safety” position to consistency with the 2014 referendum; and

WHEREAS, the changes are budget neutral;

NOW, THEREFORE, BE IT ORDAINED AND ENACTED, by the Brigantine City Council, County of Atlantic, State of New Jersey, that various sections of the municipal code are amended as follows:

ARTICLE I: Article X of Chapter 3 of the City Code entitled “Public Safety and Enforcement Departments” is amended to read as follows:

§ 3-43 repealed in its entirety and reserved for future use.

§ 3-44 Department of Police, at paragraph (c) is amended to strike the words “the Director of Public Safety”.

§ 3-45 Department of Fire and Emergency Medical Services is amended at Paragraph (A) to strike the words “The Director of Public Safety, under the direction of the City Manager,” and replaced with “The City Manager”.

§3-45 is further amended to repeal and replace Paragraph (B) in its entirety to read as follows:

B. The Fire Department shall consist of the Chief and such subordinate and intermediate supervisory officers as are authorized by the City Council, which are:

- 1) Fire Chief
- 2) Deputy Chief
- 3) Battalion Chief
- 4) Captain
- 5) Firefighter/EMT
- 6) Fire Official/EMT

§ 3-45 is further amended to repeal Paragraph (C) in its entirety.

§ 3-45 Department of Fire and Emergency Medical Services is amended at Paragraph (D) to strike the words “the Director of Public Safety”.

§3-46 Beach Patrol is amended at Paragraph A to remove the phrase “Director of Public Safety, under the direction of the”.

§3-46 Beach Patrol is amended at Paragraph B to remove the rank “Senior Lieutenant” and renumber paragraphs 4 through 6.

§3-46 Beach Patrol is amended at Paragraph C to remove the phrase “the Director of Public Safety”.

§3-47 Ordinance administration and enforcement is amended at Paragraph A(1), B(1), C(1), D(1), E(1) and F(1) to remove the “Director of Public Safety, under the direction of the” from each paragraph.

§3-48 Uniform Construction Code Office is amended at Paragraph A to remove the phrase “Director of Public Safety, under the Direction of the” and the phrase “Public safety Director and the” from Paragraph B.

§3-48 Emergency Management Services Office is amended at Paragraph A to remove the phrase “Director of Public Safety, under the Direction of the”.

§3-74 Benefits and conditions of employment is amended at Paragraph A to remove the phrase “Director of Public Safety” from the list of full-time employees consistent with this ordinance.

ARTICLE II: Chapter 230 of the City Code entitled “Parades and Assemblies” is amended as follows:

References to the “Director of Public Safety” in Chapter 230-1, -2, -3, -4 and -5 are amended to remove that term and replace with “City Manager”.

ARTICLE III: Chapter 234 of the City Code entitled “Parking Lots” is amended as follows:

References to the “Director of Public Safety” in Chapter 234-3, -4 and -5 is amended to remove that term and replace with “City Manager”.

ARTICLE IV: Chapter 250 of the City Code entitled “Second Hand Dealers” is amended as follows:

References to the “Director of the Department of Police” in Chapter 250-6(A)(4) and 250-10(A) are amended to remove that term and replace with “Police Chief”.

ARTICLE V: Chapter 278 of the City Code entitled “Towing” is amended as follows:

Chapter 278-33(A) is amended to remove the phrase “and the Director of Public Safety” for consistency with this ordinance.

ARTICLE VI: Chapter 284 of the City Code entitled “Vehicles and Traffic” is amended as follows:

Section 284-3 of the City Code entitled “Authorization for closing of any street” is amended to repeal and replace Paragraph A to read as follows:

“A. The City Manager or in the event of the Manager’s absence, disability or inability to act, then the Chief of Police of the municipality is hereby authorized to provide by regulation for the closing of any street or portion thereof to motor vehicle traffic during specified hours on any day or days whenever the City Manager finds that such closing is necessary for the preservation of the public safety, health or welfare.”

Section 284-35 of the City Code entitled “Posting of signs.” is amended to repeal and replace Paragraph A to read as follows:

“A. Upon the declaration of an emergency, there shall be no parking upon streets or parts of streets where temporary emergency no parking signs are displayed. The Emergency Management Coordinator, or the Coordinator’s designee, is authorized to declare an emergency and to direct the posting of said emergency no parking signs when weather conditions, accidents, fires or public celebrations dictate or require the avoidance of hazards or other conditions which interfere with the free flow of traffic,

or to take appropriate steps to eliminate parking or travel over public streets or portions thereof.”

ARTICLE VII: General Provision.

Any further reference to the Position of the “Director of Public Safety” not specifically mentioned herein is amended to state “City Manager, or the Manager’s designee.”

REPEALER, SEVERABILITY AND EFFECTIVE DATE.

- A. Repealer. Any and all ordinances inconsistent with the terms of this ordinance are hereby repealed to the extent of any such inconsistencies.
- B. Severability. In the event that any clause, section, paragraph or sentence of this ordinance is deemed to be invalid or unenforceable for any reason, then the City Council hereby declares its intent that the balance of the Ordinance not affected by said invalidity shall remain in full force and effect to the extent that it allows the City to meet the goals of the ordinance.
- C. This ordinance shall take effect upon passage and publication according to law.

ACTION ON INTRODUCTION:

Motion made by: Councilman Kane

Motion seconded by: Councilman Haney

VOTE ON INTRODUCTION:

Deputy Mayor Bew:	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Not Present
Councilman Lettieri:	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Not Present
Councilman Haney:	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Not Present
Councilman Virgilio	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Not Present
Councilman Kane:	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Not Present
Councilman Riordan:	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Not Present
Mayor Sera:	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Not Present

ACTION ON ADOPTION (after public hearing)

Motion made by: Councilman Kane

Motion seconded by: Councilman Riordan

VOTE ON ADOPTION:

Deputy Mayor Bew:	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Not Present
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Councilman Lettieri:	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Not Present
Councilman Haney:	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Not Present
Councilman Virgilio	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Not Present
Councilman Kane:	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Not Present
Councilman Riordan:	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Not Present
Mayor Sera:	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Not Present



Vince Sera, Mayor

I certify that this ordinance was introduced at a properly advertised public meeting on May 7, 2025, published pursuant to law and the subject of a second reading and public hearing on May 21, 2025 prior to final adoption.



Christine Murray, Acting City Clerk