

BOROUGH OF KINNELON  
ORDINANCE 07-2025

**AN ORDINANCE AMENDING CHAPTER 123 OF THE CODE OF THE BOROUGH  
OF KINNELON TITLED “FIRE PREVENTION BUREAU”**

**Section I**

Chapter 123 of the Code of the Borough of Kinnelon is hereby amended by adding sections 123-40 through 123-43 to read as follows:

§ 123-40. Purpose and intent.

- A. This article provides for the reimbursement and the replacement of expended resources and non-reusable equipment, as hereinafter defined, which are maintained or procured by the Borough or its Fire Department and utilized in connection with an emergency response.
- A. This article entitles the Borough and/or the Borough's emergency departments to reimbursement for the costs of replacing non-reusable equipment and expended resources utilized by the Borough of the Borough's emergency departments during an emergency response action.

§ 123-41. Definitions.

As used in this article the following terms have the following meanings:

**EMERGENCY RESPONSE ACTION** — All of the activities conducted by the Borough and/or the Borough's emergency management departments in connection with the suppressing, control or cleanup of a fire or any other type of emergency situation

**EXPENDED RESOURCES** — In general, those resources expended that are reasonable, necessary and allocable to the emergency response. Expended resources shall include, but are not limited to, the following:

- A. Materials and supplies required, consumed or expended specifically for the purpose of the emergency response action.
- B. Replacement costs for equipment owned by the Borough, the Borough's emergency departments or a mutual aid company or department that is damaged or contaminated beyond reuse or repair, if the loss occurred during an emergency response action (such as self-contained breathing apparatus irreparably contaminated during the response).

**PERSON/RESPONSIBLE PARTY** — Any natural person or individual, or any firm, partnership, association, limited partnership, trust, association, limited partnership,

proprietorship, corporation or any other business entity or any governmental agency or entity.

§ 123-42. Period for payment.

Any insured person or responsible party shall reimburse the Borough of Kinnelon for the full price of replacing any non-usable equipment or expended resources and for all cleanup and removal costs used in an emergency response within a period of 45 days after receipt of a bill for such costs or items from the Borough of Kinnelon.

§ 123-43. Enforcement.

The provisions of this chapter shall be enforced by the Bureau of Fire Prevention within the Fire Official for Fire Company related items, and the Borough Administrator for DPW related items.

All money shall be deposited in the Fire Prevention Bureau's dedicated penalty account, for all Fire Company related items. Any items or equipment requiring replacement shall be paid for from that dedicated account

## **Section II**

All ordinances or parts of Ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

## **Section III**

If any section, paragraph, subdivision, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to this section, paragraph, subdivision, clause or provision and the remainder of this Ordinance shall be deemed valid and effective.