

ORDINANCE NO. 2024- 29

ORDINANCE AMENDING ORDINANCE NO. 2023-08, AS AMENDED, CHAPTER 8 OF THE CODE OF THE CITY OF VINELAND ENTITLED, AUTOMATED EXTERNAL DEFIBRILLATOR.

WHEREAS, many business entities in the City of Vineland have purchased and maintained automated external defibrillators on their premises; and

WHEREAS, N.J.S.A. 2A:62A:25, which establishes responsibilities of any person or entity that acquires an automated external defibrillator, provides that any person or entity that acquires an automated external defibrillator shall:

- a. Ensure that any person, who is anticipated by the person or entity that acquires the defibrillator to be in a position to render emergency care or treatment by the use of a defibrillator in the performance of that person's duties of employment or volunteer service, shall, prior to using that defibrillator, have successfully completed and hold a current certification from the American Red Cross, American Heart Association, or other training program recognized by the Department of Health and Senior Services in cardio-pulmonary resuscitation and use of a defibrillator; however, a person or entity that acquires a defibrillator shall not be liable for any act or omission of any lay person who uses the defibrillator in the rendering of emergency care;
- b. Ensure that the defibrillator is maintained and tested according to the manufacturer's operational guidelines;
- c. Notify the appropriate first aid, ambulance, or rescue squad, or other appropriate emergency medical services provider that the person or entity has acquired the defibrillator, the type acquired, and its location; and
- d. Prior to purchasing the automated external defibrillator, provide the prescribing licensed physician with documentation that the person or entity purchasing the defibrillator has a protocol in place to comply with the requirements of subsections a., b., and c. of this section.

and

WHEREAS, the City has determined it to be in the best interests of the City to adopt regulations to ensure that defibrillators located in covered business entities are properly maintained and to ensure that at least two employees of covered business entities are properly trained in the use of AEDs; and

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Vineland that Chapter 8 of the code of the City of Vineland be amended to include the following provisions:

Section 8-4 Provision of Notice to Vineland Fire Department

The City of Vineland Fire Department is designated as the department to which a person or Entity covered by the provisions of N.J.S.A. 2A:62A:25 is to provide notice as required by subparagraph c of that statute. Any person or entity that fails to notify the City as required by N.J.S.A. 2A:62A:25 shall be subject to the penalties as set forth herein.

Section 8-5 Definition

For purposes of this Section, "Entity" shall include any corporation (whether for-profit or non-profit), limited liability company, limited liability partnership, sole proprietor, general partnership, limited partnership, or any other type of entity located in the City of Vineland authorized to engage in business activities in the State of New Jersey that employs fewer than 50 employees.

Section 8-6 Location and Maintenance of AEDs

A) Any Entity with 50 or fewer employees may request that the City send a representative to its place of business in order to determine whether an AED is properly located and functioning at that Entity's facility. Entities with more than 50 employees shall be responsible for ensuring that their AEDs are properly located and functioning.

B) The City of Vineland Health Department is responsible for providing this service at licensed recreational bathing facilities.

C) The City of Vineland Fire Department will be responsible for enforcing this ordinance at all other applicable facilities.

D) Employees of the City's Fire Department designated by the Fire Official will, upon request by any entity with 50 employees or fewer, visit the Entity's place of business in order to determine whether an AED is properly located and functioning at that entity's facility.

E) Entities with more than 50 employees shall be responsible for ensuring that their AEDs are properly located and functioning. The City does not assume responsibility for ensuring that any Entity complies with any requirements of State law related to the ownership and maintenance of AEDs. Both the Entity and the Fire Department shall maintain records of visits made as provided in this Section.

Passed first reading:

Passed final reading:

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President of Council

Approved by the Mayor:

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Mayor

ATTEST:

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City Clerk