

**BOROUGH OF WILDWOOD CREST
COUNTY OF CAPE MAY
STATE OF NEW JERSEY**

ORDINANCE NO. 1498

**ORDINANCE OF THE BOROUGH OF WILDWOOD CREST
ESTABLISHING CHAPTER 8A OF THE CODE OF THE BOROUGH OF
WILDWOOD CREST TO CREATE THE DIVISION OF BEACH PATROL
WITHIN THE DEPARTMENT OF PUBLIC SAFETY**

WHEREAS, the Board of Commissioners of the Borough of Wildwood Crest has determined that it is necessary and proper for good government, order and the protection of persons and property, and for the preservation of the public health, safety and welfare of the Borough and its inhabitants to supplement and amend the Code of the Borough of Wildwood Crest to create the Division of Beach Patrol, its composition, operation duties and responsibilities, for the protection of persons using the beaches within the Borough of Wildwood Crest.

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners of the Borough of Wildwood Crest, in the County of Cape May, New Jersey, as follows:

Section 1. A new Chapter 8A, entitled Beach Patrol, is hereby added to the Code of the Borough of Wildwood Crest which be as follows:

§ 8A-1. Establishment of Division of Beach Patrol.

There shall be and is hereby established a permanent Division of Beach Patrol in the Borough of Wildwood Crest which shall operate as a division within the Department of Public Safety and will be known as the Wildwood Crest Beach Patrol.

- A. Composition. The Beach Patrol shall consist of the following: Chief of Beach Patrol, Captain of Beach Patrol, Lieutenant(s), Sr. Lifeguards, Lifeguards, and such other and additional personnel as may be authorized.
- B. Chain of command:
 - (1) Chief;
 - (2) Captain;
 - (3) Lieutenants;
 - (4) Sr. Lifeguards;
 - (5) Lifeguards.
- C. Administration of Division of Beach Patrol. The Commissioner of the Department of Public Safety shall be the chief administrative officer of the Division of Beach Patrol.
- D. Duties and responsibilities. The Division of Beach Patrol shall have the following duties and responsibilities:
 - (1) Patrol the beach and oceanfront of the Borough.
 - (2) Advise and warn bathers and other persons of any danger.
 - (3) Staff the lifeguard stands with lifesaving equipment.
 - (4) Aid and assist any person in danger either on the beach or in the waters of the ocean.

- (5) Maintain order on the beaches and enforcement of such rules and regulations established by the Board of Commissioners.
- (6) Comply with all federal, state, county and local regulations governing public bathing beaches, including the New Jersey Bathing Code

§ 8A-2. Division of Beach Patrol head.

The Chief of Beach Patrol shall be the Division Head who shall be appointed by the Commissioner of Public Safety.

- A. Qualifications. The Chief of the Beach Patrol shall be qualified through skills, training, and experience, as may be determined by the Commissioner of Public Safety, to carry out the duties and responsibilities of this position. In addition, the Chief shall be certified in Advanced First Aid ("AFA") and in Cardiopulmonary Resuscitation ("CPR") and shall continue to possess a current valid certification throughout the term of employment.
- B. Term; Employment Status; Reappointment. The Chief of the Beach Patrol shall be appointed for a seasonal term from April 15th to October 15th of each year and may be removed for cause at any time during said term. This term will be approved annually. Any permanent vacancy in the office, if filled, shall be filled for the unexpired term. An annual evaluation by the Commissioner of Public Safety will take place within three weeks of Labor Day. This appointment does not grant tenure, vested rights, or continuing employment guarantees.
- C. The duties and responsibilities of the Chief of Beach Patrol shall be as follows:
 - (1) Responsibility for the day-to-day operations of the Beach Patrol and all subordinate officers, lifeguards and transportation personnel.
 - (2) To make recommendations to the Commissioner of Public Safety for suitable individuals who are qualified for appointments to the positions of Captain and Lieutenant.
 - (3) Responsibility for determining the qualifications of applicants for the position of lifeguard through appropriate pre-hire testing and certifying qualified applicants to the Commissioner of Public Safety, or his/her designee for appointment as lifeguards.
 - (4) Responsibility for training and ongoing training of lifeguards in lifesaving activities and techniques and such other qualifications as may be required.
 - (5) Performing those duties and responsibilities specified in the approved job description and as may be prescribed in any manual approved by resolution of the Board of Commissioners as the same may be amended from time to time.
 - (6) Performing such further and additional duties as may be prescribed by the Director of Public Safety.

§ 8A-3. Assistant Division Head.

The Captain of Beach Patrol shall be the Assistant Division Head and shall be appointed by the Commissioner of Public Safety.

- A. Qualifications. The Captain of the Beach Patrol shall be qualified through skills, training, and experience, as may be determined by the appointing authority, to carry out the duties and responsibilities of this position. In addition, the Captain shall be certified in Advanced First Aid ("AFA") and Cardiopulmonary Resuscitation ("CPR") and shall continue to possess a current valid certification throughout the term of employment.

- B. Term; Employment Status; Reappointment. The Captain of the Beach Patrol shall be appointed for a seasonal term from April 15th to October 15th of each year and may be removed for cause at any time during-said term. Any vacancy in the office, if filled, shall be filled for the unexpired term. An annual evaluation by the Chief of the beach patrol will take place within three weeks of Labor Day. The Captain shall not acquire tenure in office.
- C. The duties and responsibilities of the Captain of Beach Patrol shall be as follows:
 - (1) The Captain of Beach Patrol shall be the Assistant Division Head and the Administrative Coordinator of the Beach Patrol and shall assist the Chief of the Beach Patrol as well as the Commissioner of the Department of Public Safety.
 - (2) The Captain of Beach Patrol shall perform such other duties as directed by the Commissioner, the Chief of Beach Patrol, as well as those duties and responsibilities specified in the approved job description as the same may be amended from time to time.
 - (3) The Captain shall also act as Division Head in the absence of the Chief of Beach Patrol.

§ 8A-4. Lieutenants; other members of Beach Patrol; appointment; qualifications.

- A. Appointments. The Commissioner of Public Safety shall have the power to appoint a suitable number of persons, to be designated as Lieutenants of Beach Patrol to perform such duties and responsibilities as assigned by the Chief of Beach Patrol.
- B. Lieutenants shall be appointed for a seasonal term from April 15th to October 15th of each year. Such individuals shall also have taken and satisfactorily completed/passed a lifesaving course approved by the American Red Cross or other comparable program. Lieutenants shall also have taken and passed a course in Advanced First Aid (“AFA”) and Cardiopulmonary Resuscitation (“CPR”) and shall maintain a current, valid certificate in “AFA” and “CPR” training.
- C. Appoint a suitable number of persons as lifeguards as recommended by the Chief of Beach Patrol. The persons so appointed shall have been certified by the Chief of Beach Patrol to possess the required training and experience to permit them to discharge their duties and responsibilities appropriately. At a minimum, such individuals shall demonstrate proficiency in swimming and the utilization of lifeguard equipment. Such individuals shall also have taken and satisfactorily completed/passed a lifesaving course approved by the American Red Cross or other comparable program. Lifeguards shall also have taken and passed a course in Advanced First Aid (“AFA”) and Cardiopulmonary Resuscitation (“CPR”) and shall maintain a current, valid certificate in “AFA” and “CPR” training. Individuals shall also be trained in Borough incident reporting procedures.

§ 8A-5. Status as Seasonal employees.

All personnel within the Division of Beach Patrol shall be appointed as at-will, seasonal employees, unless appointed otherwise. All lieutenants, lifeguards, and any other personnel shall be seasonal employees and shall be employed only for such periods, as the Borough shall determine. As seasonal employees, their employment shall terminate at the end of the season for which they were hired and they shall abide by the terms, conditions, and provisions thereof. As seasonal employees, they shall have no right to or expectation of reemployment in any subsequent year.

§ 8A-6. Uniforms and equipment.

All members of the Beach Patrol shall be issued appropriate uniforms and equipment sufficient to permit the performance of their duties.

§ 8A-7. Rules and regulations.

Subject to the approval of the Board of Commissioners, the Commissioner of Public Safety, in consultation with the Chief and Captain of Beach Patrol, and with the advice and assistance of the Borough's Labor Attorney, may prescribe policies, rules, and regulations for the operation of the Beach Patrol, including discipline policies.

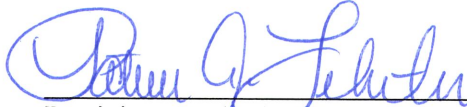
Section 2. The remainder of all other sections and subsections of the aforementioned ordinance not specifically amended by this Ordinance shall remain in full force and effect.

Section 3. All other ordinances in conflict with or inconsistent with this ordinance are hereby repealed to the extent of such inconsistency.

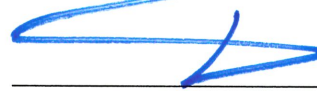
Section 4. If any portion of this ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, such judgment shall not affect or invalidate the remainder of this ordinance but shall be confined in its effect to the provision directly involved in the controversy in which such judgment shall have been rendered.

Section 5. This ordinance shall become effective twenty (20) days after final passage and advertisement thereof as required by law.

Dated: September 23, 2026


Patricia A. Feketics, Borough Clerk


Don Cabrera, Mayor


Joseph Franco, Jr. Commissioner


Toni Fuscellaro, Commissioner

Introduced: September 3, 2026
Adopted: September 23, 2026