

**CHAPTER 13**

**POLICE DEPARTMENT AND FORCE**

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**ARTICLE 1.**            **ADMINISTRATION**

**Sec. 13.1-1.**            **ENACTMENT.**

Pursuant to NJSA 40A:14-118 et seq., there is hereby created in and for the Township of Pennsville Police Department which shall consist of the following ranks: Chief of Police, Lieutenant, Sergeant, Patrolman and Recruit, and other such members and officers shall be deemed necessary by the Township Committee of the Township of Pennsville, which from time to time shall determine the number of persons, including temporary officers and members in an emergency to be appointed to those positions, together with their compensation. Recruits shall not be considered "permanent members" of the Department and their employment may be terminated, with or without cause, at any time. The period of probation for a probationary Patrolman shall be a period of one year, which period may be extended at the discretion of the Township Committee.

**Sec. 13.1-2.**            **DUTIES AND FUNCTIONS.**

The Police Department shall:

- A.    Protect life and property,
- B.    Preserve the public peace,
- C.    Detect, arrest and prosecute offenders of the laws of New Jersey and the ordinances of the Township of Pennsville,
- D.    Direct and control traffic,
- E.    Provide attendance and protection during emergencies,
- F.    Provide appearances in court,
- G.    Cooperate with all other law enforcement agencies, and
- H.    Provide training for the efficiency of its members and officers.

**Sec. 13.1-3. CIVILIAN SUPERVISORY AUTHORITY.**

The Mayor of the Township of Pennsville shall be designated as the "appropriate authority" as provided for in the statute as set forth in the preamble of this Chapter. The Mayor shall be responsible for the overall performance of the Police Department, and he/she shall, at all times, act with the advice and consent of the Township Committee. In addition, the Mayor shall have the authority to provide for the health, safety or welfare of the Township in an emergency situation through special emergency directives.

**Sec. 13.1-4. CHIEF OF POLICE.**

The Chief of Police shall be the head of the Police Department and shall be directly responsible to the Mayor for its efficiency and day-to-day operations. Pursuant to policies established by the Township Committee, the Chief of Police shall:

- A. Administer and enforce the Rules and Regulations of the Police Department and any special emergency directive for the disposition and discipline of the Department and its members and officers;
- B. Have, exercise and discharge the functions, powers and duties of the Police Department;
- C. Prescribe the duties and assignments of all members and officers;
- D. Delegate such authority as may be deemed necessary for the efficient operation of the Police Department to be exercised under the Chief's direction and control; and
- E. Report to the Mayor of the Township Committee in such form as he/she shall prescribe on the operation of the Police Department during the preceding month and make such other reports as may be requested by the Mayor from time to time.

**Sec. 13.1-5. RULES AND REGULATIONS.**

In addition to the other requirements of law and this Ordinance, the Police Department and the force shall be governed by the Rules and Regulations adopted by Resolution of the Township Committee. These Rules and Regulations may be amended, revised or repealed from time to time as the Township Committee shall determine by further Resolution.

**Sec. 13.1-6. DEPARTMENT ORGANIZATION.**

The Department shall consist of four sections as follows:

- A. Patrol Section,
- B. Detective Section,
- C. Dispatcher Section,
- D. Administrative Section.

The duties and authority of the members of each section shall be prescribed and set forth in the Rules and Regulations adopted by the Township Committee as set forth in Paragraph 13.1-5 above.

**Sec. 13.1-7. PROMOTIONS.**

Promotions shall be declared by resolution of the Township Committee from the member of the Department as constituted at the time of such promotion, and shall be made with due regard to length of service and merit.

A Patrolman must serve at least three (3) years from the date of his appointment including probationary time to be eligible for promotion to the rank of Sergeant.

A Sergeant must serve at least two (2) years from the date of his appointment and have ten (10) years of total service to be eligible for promotion to the rank of Lieutenant or Chief.

A Sergeant, or Lieutenant shall be eligible for promotion to the rank of Chief.

**Sec. 13.1-8. QUALIFICATIONS FOR APPOINTMENT.**

Applicants shall have an Associate's Degree in law enforcement or a related area of study from an accredited college or university, or 65 credit hours toward such a degree; and applicant must otherwise be qualified as provided for by New Jersey law. The Township Committee may require that applicants successfully complete a physical and psychological examination; and, in addition, they may establish, by resolution, hiring procedures as they shall, from time to time, deem necessary and appropriate. The Township Committee of the Township of Pennsville shall have the discretion to substitute military or prior law enforcement experience for the requirement of a college degree or college credits. In order for this exception to apply, the applicant must have been honorably discharged from the military (Am. 06-07-12)

**Sec. 13.1-9. DISMISSAL/DISCIPLINE.**

No member or officer of the Police Department shall be suspended, removed, fined, or reduced in rank without just cause which shall include, but shall not be limited to incapacity, misconduct, or disobedience as provided for in New Jersey Statutes and the Police Department's Rules & Regulations.

**Sec. 13.1-10. SPECIAL POLICE; APPOINTMENT AND REGULATION.**

The Mayor and members of the Township Committee may appoint, from time to time, special law enforcement officers in accordance with New Jersey Statutes for terms not exceeding one year. They shall possess and exercise all the powers and duties provided for in said statutes during their terms in office. The Chief of Police may authorize special law enforcement officers, when on duty, to exercise the same powers and authority as regular members of the Police Department, however, only Class 2 special officers shall be permitted to carry firearms.

**Sec. 13-1.11. SCHOOL CROSSING GUARDS.**

The Mayor and members of the Township Committee, with the advise of the Township Chief of Police, may appoint, from time to time, school crossing guards, in accordance with NJSA 40A:9-154.1 and the provisions of this Chapter, for terms not exceeding one year. The duties of school crossing guards shall be established by directive of the Chief of Police, as he/she sees fit, which directive shall become a part, along with other current directives of the Police Department Rules & Regulations. School Crossing Guards shall be paid in accordance with the Township of Pennsville Salary Ordinance.

**ARTICLE 2**                    **CONTRACTED OFF-DUTY EMPLOYMENT**

**Sec. 13.2-1**                    **PURPOSE**

For the convenience of those persons and entities which utilize the services of off-duty law enforcement officers of the Pennsville Township Police Department, and to authorize the outside employment of Pennsville police while off duty, the Township hereby adopts this Ordinance to govern the use of said officers and Township Police vehicles.

- A. Members of the Police Department shall be permitted to accept police related employment for private employers (for instance, contractors who require police officers to render traffic services) only during off-duty hours and at such time as will not interfere with the efficient performance of regularly scheduled or emergency duty for the Township.
- B. Any person or entity wishing to employ off-duty police shall first obtain the approval of the Chief of Police, which approval shall be granted if, in the opinion of the Chief, such employment would not be inconsistent with the efficient functioning and good reputation of the Police Department, and would not unreasonably endanger or threaten the safety of the officer or officers who are permitted to perform the work.

**Sec. 13.2-2**                    **ESCROW ACCOUNTS**

- A. Any person or entity requesting the services of an off-duty law enforcement officer in the Pennsville Police Department and/or the use of a Township Police vehicle shall estimate the number of hours such law enforcement services are required, which estimate shall be approved in writing by the Chief of Police, and shall establish an escrow account with the Chief Financial Officer of the Township by depositing an amount sufficient to cover the rates of compensation and administrative fees for the total estimated hours service.
- B. Prior to posting any request for services of off-duty law enforcement officers, the Chief of Police or his designee, shall verify that the balance in the escrow account of the person or entity requesting services is sufficient to cover the compensation and fees for the number of hours specified in the request for services. The Chief of Police shall not post a request for services from any person or entity unless all fees and compensation required in the manner described above have been deposited with the Chief Financial Officer of the Township. No officer shall provide any such services for more hours than are specified in the request for services.
- C. In the event the funds in such escrow account should become depleted, services of off-duty law enforcement officers shall cease and requests for further or future

services shall not be performed or posted until additional funds have been deposited in the escrow account in the manner prescribed above.

- D. The person or entity requesting such services shall be responsible for ensuring that sufficient funds remain in the escrow account in order to avoid any interruption of services.

**Sec. 13.2-3                    REQUESTS FOR SERVICES**

All requests to the Township for the services of off-duty law enforcement officers in the Pennsville Police Department and/or for the use of a police vehicle for a period of one week or longer shall be forwarded to the Chief of Police for posting at least ten days before such services are required. Any law enforcement officers, when so employed by the Township, shall be treated as an employee of the Township provided, however, that wages earned for outside employment shall not be applied toward the pension benefits of law enforcement officers so employed, nor shall hours worked for outside employment be considered in any way compensable as overtime.

**Sec. 13.2-4                    RATES OF COMPENSATION; ADMINISTRATIVE FEE; PAYMENT FOR SERVICES**

The rate of compensation for contracting the services of off-duty law enforcement officers shall be based on a rate of time and one-half of the highest paid Sergeant, plus an administrative fee of 9% per hour.

Local or State Government, schools and/or non-profit entities are exempt from the rates of compensation section of this Ordinance.

**ARTICLE 3**            **MOTOR VEHICLE IMPOUND FACILITY**

**Sec. 13.3-1**            **ESTABLISHMENT**

A motor vehicle impound facility is hereby established, which facility shall be located at the intersection of Union Street and Dolbow Avenue, on property owned by the Township of Pennsville, and more specifically the fenced area currently located behind and adjacent to the Detective Bureau/Highway Department garage.

**Sec. 13.3-2**            **PROCEDURES**

Impound procedures shall be established by the Pennsville Police Department Chief of Police by directive, to be amended from time to time at his sole discretion.

**Sec. 13.3-3**            **IMPOUND STORAGE FEE**

A storage fee is hereby authorized in the amount of \$50.00 per day per vehicle to be collected in accordance with the procedures set forth in Section 2 above.

**ARTICLE 4**            **POLICE CHAPLAIN PROGRAM**

**Sec. 13.4-1**            **PURPOSE**

To create a partnership with qualified religious leaders, regardless of denomination, who shall be available to respond during a crisis or time of need, and providing a more personalized quality of service to the community through the Pennsville Police Department.

**Sec. 13.4-2**            **IMPLEMENTATION**

The Police Chaplain Program shall be administered by the Township of Pennsville Chief of Police by way of a directive setting forth the purpose of the program and how it is to be administered.