

**ORDINANCE OF THE TOWNSHIP OF DEPTFORD
AMENDING AND SUPPLEMENTING CHAPTER 2, SECTION 19 ENTITLED "DEPARTMENT OF
PUBLIC SAFETY" AND CHAPTER 2, SECTION 20 ENTITLED "DIVISION OF POLICE (DEPTFORD
TOWNSHIP POLICE DEPARTMENT)" OF THE CODE OF THE TOWNSHIP OF DEPTFORD TO
PROVIDE FOR A PUBLIC SAFETY DIRECTOR**

BE IT ORDAINED by the Township Council of the Township of Deptford in the County of Gloucester and State of New Jersey that Chapter 2, Section 19, of the Code of Township of Deptford entitled "Department of Public Safety" and Chapter 2, Section 20, of the Code of Township of Deptford entitled "Division of Police (Deptford Township Police Department)" is amended and supplemented to read as follows;

§ 2-19. DEPARTMENT OF PUBLIC SAFETY.

§ 2-19.1. Creation of department; head. [Ord. No. 0-1-72, 1967 Code § 2-47; Amended]

There shall be a Department of Public Safety, the head of which shall be the Director of Public Safety.

The Director shall be appointed by the Township Manager of the Township of Deptford, with the advice and consent of the Township Council.

The Director shall be appointed for and shall serve for a term of office set by the Township Council.

The Director shall receive an annual salary to be paid in the same manner as other department heads and officers of the Township of Deptford. The compensation of the Director of Public Safety shall be fixed by the Salary Ordinance of the Township.

No person shall be qualified for appointment as Director of Public Safety unless such person shall be of high moral character and shall not have been convicted of a crime as defined in N.J.S.A. 2C:1-4 or shall not have been convicted of a disorderly or petty disorderly offense in the past 10 years. Furthermore, no person shall be qualified for appointment as Director of Public Safety unless such person shall have:

- A. Ten years' administrative business experience and have a high school diploma or its equivalent;
or
 - B. Five years' experience in business administration for a governmental agency and have attained a Master of Business Administration or Juris Doctorate; or
 - C. Five years in the rank of lieutenant or greater in law enforcement; or
 - D. Three years in the rank of lieutenant or greater in law enforcement; and/or
- (1) Has a post-secondary education in public administration, criminal/justice studies or similar degree from an accredited institution; and

(2) Advanced law enforcement administrator training from a recognized agency; or

E. Has attained the rank of E-9 or higher in the military service for a period of five years and remains in such rank or has been honorably discharged from the military service.

§ 2-19.2. Police Department. [New]

The Police Department shall be organized, constituted and administered in accordance with Section 2-20.

§ 2-19.3. School Traffic Guards. [Ord. No. 0-1-72, 1967 Code § 2-51; New]

Upon recommendation of the Director of Public Safety, the Township Manager shall appoint, in the manner designated by law, school traffic guards to control, manage and enforce pedestrian safety within the Township. School traffic guards shall be subject to the direction of the Director of Public Safety and paid in a manner designated by a general Salary Ordinance and resolutions for the payment of employees within the Township.

§ 2-19.4. Division of Emergency Management Services. [Ord. No. 0-1-72, 1967 Code § 2-52; New]

Within the Department of Public Safety there shall be a Division of Emergency Management Services, the head of which shall be the Emergency Management Coordinator who shall have the functions, powers and duties as described herein.

§ 2-19.5. Ambulance, rescue and first-aid squads. [Ord. No. 0-1-72, 1967 Code § 2-54]

All ambulance, rescue and first-aid squads operating within the Township shall be classified as services within the Department of Public Safety and, where required, shall come under the general supervision and control of the Director of Public Safety.

§ 2-20. DIVISION OF POLICE (DEPTFORD TOWNSHIP POLICE DEPARTMENT).

§ 2-20.1. Establishment; composition. [Ord. No. 3-25-68; Ord. No. 7-13-70; Ord. No. 0-12-73; 1967 Code § 51-1; Ord. No. 1-96, §§ 1, 2; New]

- a. A Police Department is hereby established in the Township of Deptford, under the name of "Deptford Township Police Department."
- b. The Police Department shall consist of the Chief of Police, Director of Public Safety, and such other Deputies, Captains, Lieutenants, Sergeants of Police and any such number of Police Officers and other employees as shall be deemed necessary by the Township Manager to preserve peace and good order within the Township.
- c. The Chief of Police or assigned designee shall be held responsible for the discipline and performance of duty by all members of the Department.

§ 2-20.2. Appointments; qualifications. [Ord. No. 3-25-68; Ord. No. 0-12-73; 1967 Code § 51-2; New]

- a. All members of the Police Department shall be appointed by the Township Manager upon recommendation submitted by the Director of Public Safety.
- b. Police Officer.
 1. All applicants for appointment as an officer or member of the Police Department shall meet all requirements prescribed by the statutes of the State of New Jersey in such case made and provided, as amended by Municipal ordinance and/or ordinances.
 2. Applicants shall submit to and pass such physical and psychological examination as may be prescribed.
 3. Applicants shall submit to and successfully pass such written or oral examinations as may be prescribed.
 4. All appointments of Police Officers shall be made by the Township Manager upon recommendation submitted by the Director of Public Safety in accordance with the rules prescribed by the New Jersey Department of Personnel.

§ 2-20.3. Oaths of allegiance. [Ord. No. 3-25-68; 1967 § 51-4]

Every member of the Police Department, before entering upon the performance of their duties, shall take and subscribe an oath or affirmation to bear true faith and allegiance to the government established in this State under the authority of the people, to support the Constitution of the United States and the Constitution of the State of New Jersey, and to faithfully, impartially and justly discharge and perform all the duties of their respective office, which oath or affirmation shall be filed with the Municipal Clerk.

§ 2-20.4. Compensation. [Ord. No. 3-25-68; 1967 Code § 51-5]

The compensation of members of the Police Department shall be fixed by the Salary Ordinance of the Township.

§ 2-20.5. Rules and regulations. [Ord. No. 3-25-68; 1967 Code § 51-6; New]

- a. All Rules and Regulations of the Township Police Department, which was previously adopted, amended or supplemented, are adopted herein.
- b. The Township Manager, as the Appropriate Authority, is hereby empowered to make and establish, amend or repeal, by resolution or ordinance, such rules and regulations, not inconsistent with the laws of this State or ordinances of the Township, for the government and control of the members of the Police Department, as may be deemed expedient and proper to carry out the objects of this section and with the view to making the Police Department and all the officers and members thereof efficient, vigilant, prompt and useful to the Township. Such rules and regulations may prescribe the duties of the Director of Public Safety and all other Police Officers more specifically

than is herein contained, and may provide such penalties not inconsistent with law as may be deemed necessary and expedient for the proper regulation of the Police Department.

- c. All rules and regulations made pursuant hereto shall be in writing, and the original copy shall be filed in the office of the Township Clerk and a copy in the office of the Chief of Police and Director of Public Safety, and shall be binding on all persons subject to the jurisdiction of the Department after notice thereof. A typewritten or printed copy of such rules shall be delivered to each member of the Department and a copy or copies shall be posted conspicuously in the headquarters of the Department, and such delivery or posting shall be deemed notice of the adoption and effectiveness thereof to those subject thereto.

§ 2-20.6. Director of Public Safety; powers and duties. [New Section.]

- A. Powers and duties. The Director shall possess all of the general appointment and supervisory powers granted to department heads pursuant to N.J.S.A. 40:69A-43. The Director shall have complete responsibility for the fiscal and administrative affairs of the Police Department, including the authority to:
 - (1) Adopt and promulgate rules and regulations for the government of the Police Department and for the discipline of members.
 - (2) Provide for the health, safety or welfare of the Township in an emergency situation through special emergency directives.
 - (3) Prepare budget requests and administer the departmental budget.
 - (4) Appoint police officers and employees of the Department.
 - (5) Approve or disapprove payrolls, bills and claims chargeable to the Department appropriations.
 - (6) Provide such information reports on the work of the Department as may from time to time be required by the Township Manager.
 - (7) Preside at all departmental hearings and remove or suspend police officers and employees of the Department as provided by law.
 - (8) Perform such other duties as directed by the Township Manager, not inconsistent with applicable ordinances and statutes.
 - (9) Examine at any time the operations of the Department or the performance of any officer and members.
- B. The Director shall exercise all powers and duties conferred by ordinances of the Township of Deptford with respect to license application and approval, except where expressly reserved to the Chief of Police by law.

§ 2-20.7 Chief of Police; powers and duties. [Ord. No. 3-25-68; 1967 Code § 51-7; Ord. No. 0-2-85, § 2; Ord. No. 1-96 § 2]

The Chief of Police, or assigned designee, shall, pursuant to policies adopted by the Director of Public Safety:

- A. Administer and enforce rules and regulations and special emergency directives for the disposition and discipline of the Department and its officers and personnel.
- B. Have, exercise and discharge the functions, powers and duties of the Department.
- C. Prescribe the duties and assignments of all subordinates and personnel.
- D. Delegate such of his authority as he may deem necessary for the efficient operation of the Department to be exercised under his direction and supervision.
- E. Report at least monthly to the Director of Public Safety, in such form as shall be prescribed by the Director, on the operation of the Department during the preceding month and make such other reports as may be requested by the Director.
- F. In the absence of, or vacancy, of the Chief of Police, the Director of Public Safety shall appoint an assigned designee to perform such duties.

§ 2-20.8. Deputy Chief of Police: powers, duties. [Ord. No. 3-25-68; 1967 Code § 51-7.1; Ord. No. 0-2-85, § 2; Ord. No. 1-96, §§ 1, 2; New]

- a. The Deputy Chief of Police, if appointed, shall fulfill all duties and responsibilities designated by Statute and other designated duties by the Director of Public Safety.
- b. The Deputy Chief of Police shall be direct assistant to the Chief of Police.
- c. In the absence of or incapacity of the Chief of Police, the Deputy Chief of Police shall perform the duties of the Chief of Police.

§ 2-20.9. Captain of Police. [New]

The Captain of Police, if one is appointed, shall fulfill all duties and responsibilities designated by Statutes and other duties designated by the Director of Public Safety.

§ 2-20.10. Lieutenant: powers, duties. [Ord. No. 3-25-68; 1967 Code § 51-7.1; Ord. No. 0-2-85, § 2; Ord. No. 1-96, §§ 1, 2; New]

The Lieutenant of Police shall fulfill all duties and responsibilities designated by Statutes and other duties designated by the Director of Public Safety.

§ 2-20.11. Sergeants. [Ord. No. 3-25-68; 1967 Code § 51-8; Ord. No. 1-96, §§ 1, 2]

The Sergeants shall have such duties and responsibilities designated by Statutes and other duties designated by the Director of Public Safety.

§ 2-20.12. Communications operators of the Police Department. [Ord. No. 3-25-68; 1967 Code § 51-9; Ord. No. 0-2-85, § 2; Ord. No. 1-96, §§ 1, 2; New]

- a. Under the direction of the Director of Public Safety or his designee, Communications Operators shall perform all duties relative to keeping the records of their tour of duty, answering telephone calls, directing calls to the appropriate persons, dispatching police personnel, or such other duties directed by the Director of Public Safety.
- b. They shall be on active duty at all such hours as prescribed by the Director of Public Safety.
- c. Members of the Police Department, in the absence of the regular Communications Officer, may perform the duties of such dispatcher during such term of duty.

§ 2-20.13. General duties of members. [Ord. No. 3-25-68; 1967 Code § 51-10]

- a. All members of the Police Department shall perform all duties provided by law and any further duties as set forth by the Director of Public Safety.
- b. Each member of the Police Department shall devote his full time and attention to the services of the Department. Although certain hours may be allotted for the performance of regular tours of duty, officers are considered at all times available for duty and must act promptly at any time their services are required except when on authorized leave or in the event of disability. No permanent officer of the Police Department shall hold either full or part-time employment other than that of Police Officer of the Township without the written permission of the Director of Public Safety.

§ 2-20.14. Disciplinary action. [Ord. No. 3-25-68; 1967 Code § 51-11; New]

Each permanently employed member of the Police Department shall hold his office during good behavior and efficiency and shall not be suspended, removed, fined or reduced in rank or salary for political reasons or for any other cause than incapacity, misconduct, or disobedience of rules and regulations established for the government of the Police Department or for such other reasons provided in N.J.S.A. 11A-1 et seq. and the New Jersey Administrative Code promulgated thereto. The right to a hearing shall be governed by N.J.S.A. 11A-1 et seq. and the New Jersey Administrative Code promulgated thereto.

§ 2-20.15. Residency preference. [New]

In all matters of appointment, residents of the Township of Deptford shall be given preference pursuant to the New Jersey Department of Personnel.

§ 2-20.16. Division of emergency services established. [Ord. No. 0.2.97 § 1; Ord. No. 0.6.97 § 2-54]

- a. Division established. The Division of Emergency Services in the Police Department is hereby created.
- b. Head of division; appointment. The Division shall be headed by the Emergency Management Coordinator who shall be appointed by the Township Manager.
- c. Supervision by Director of Public Safety. The Division and the Emergency Management Coordinator shall be under the supervision of the Director of Public Safety or his designee.
- d. Duties. The Division shall be responsible for:
 - 1. Emergency management;
 - 2. Paid and volunteer ambulance service;
 - 3. 911 compliance;
 - 4. Right-to-know compliance.
- e. All volunteers shall be subject to recognition by the Emergency Management Coordinator, Director of Public Safety, and Township Manager, and shall maintain training standards equal to or greater than the standards for medical personnel set forth by the New Jersey State Department of Health, Emergency Medical Services.
- f. Ambulance, rescue and first aid squads. All ambulance and emergency medical services to be provided within the corporate boundary lines of the Township of Deptford shall be provided by the Division of Emergency Services.

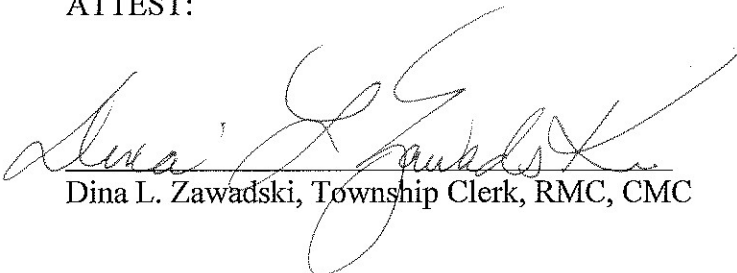
Repealer. All ordinances or parts of ordinances inconsistent or in conflict with this Ordinance are hereby repealed as to said inconsistencies and conflict.

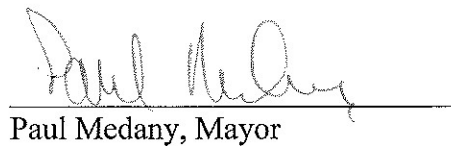
Severability. If any section, part of any section, or clause or phrase of this ordinance is for any reason held to be invalid or unconstitutional, such decision shall not effect the remaining provisions of this ordinance. The governing body of the Township of Deptford declares that it would have passed the ordinance and each section and subsection thereof, irrespective of the fact that any one or more of the subsections, sentences, clauses or phrases may be declared unconstitutional or invalid.

Effective Date. The ordinance shall take effect immediately upon passage and publication according to law.

ATTEST:

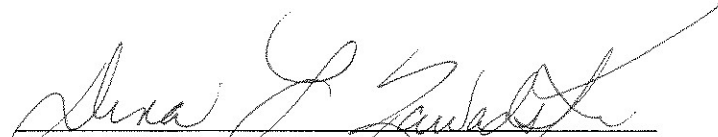
Township of Deptford


Dina L. Zawadski, Township Clerk, RMC, CMC


Paul Medany, Mayor

CERTIFICATION

The foregoing Ordinance was introduced at a Council Meeting of Township Council of the Township of Deptford held on the 8th day of June, 2020 and will be considered for final passage and adoption at a Work Session Meeting at which time any person interested therein will be given an opportunity to be heard. Said meeting to be held on the 22nd day of June, 2020 at the Municipal Building, 1011 Cooper Street, Deptford, New Jersey.



 Dina L. Zawadski, Township Clerk, RMC, CMC

RECORD OF VOTE – Introduction O.9.20					RECORD OF VOTE – Adoption O.9.20				
Council Member	Yes	No	Abstain	Absent	Council Member	Yes	No	Abstain	Absent
Medany	✓				Medany	✓			
Hufnell	✓				Hufnell	✓			
Barnshaw	✓				Barnshaw	✓			
Belling	✓				Belling	✓			
Lamb	✓				Lamb	✓			
Love	✓				Love	✓			
Schocklin	✓				Schocklin	✓			

