

**CITY OF SEA ISLE CITY
NEW JERSEY**

ORDINANCE NO. 1699 (2023)

**AN ORDINANCE TO AMEND THE REVISED
GENERAL ORDINANCES OF THE CITY OF SEA ISLE CITY,
CHAPTER 2, SECTION 9A.10 CURRENTLY RESERVED IS HEREBY AMENDED
TO ESTABLISH A NEW POLICY REGARDING OUTSIDE EMPLOYMENT TO CITY
POLICE WHILE OFF-DUTY**

WHEREAS, the Council of the City of Sea Isle City has previously authorized an extra duty policy allowing police officers to represent the City of Sea Isle City as police officers on a contract basis principally for traffic control on construction projects; and

WHEREAS, the Council of the City of Sea Isle City repealed the ordinance allowing for such duty and now seeks to replace the previous extra duty policy with the revised extra duty policy through this Ordinance; and

WHEREAS, the Council of the City of Sea Isle City has determined that it is in the best interests of the citizens of the City of Sea Isle City to provide for an extra duty policy for Sea Isle City police officers and finds this revised extra duty policy is in the best interests of the City.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Sea Isle City, County of Cape May and State of New Jersey as follows:

SECTION I. Chapter 2 Section 9A.10 of the Revised General Ordinances of the City of Sea Isle City, currently “RESERVED” is hereby amended to add the following section in its entirety as follows:

ADDED SECTION:

2-9A.10 Off-Duty Employment.

SECTION II. Chapter 2 Section 9A.10.1 of the Revised General Ordinances of the City of Sea Isle City, is hereby amended to add the following section in its entirety as follows:

ADDED SECTION:

2-9A.10.1 Off-Duty Employment Policy.

The use of police officers requesting permission to accept off-duty employment as security guards or as patrol officers to direct traffic will only be considered in the discretion of the Chief of Police.

SECTION III. Chapter 2 Section 9A.10.2 of the Revised General Ordinances of the City of Sea Isle City, is hereby amended to add the following section in its entirety as follows:

ADDED SECTION:

2-9A.10.2

The following shall constitute the terms for the utilization of off-duty employment for the City of Sea Isle City police officers:

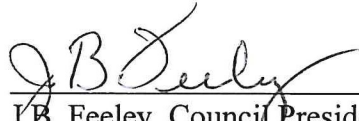
- a. For the convenience of those persons and entities which utilize the services of off-duty Law Enforcement Officers of the Sea Isle City Police Department and to authorize the outside employment of City Police while off-duty, the City hereby establishes a policy regarding the use of said officers.

- b. Before any police officer may engage in police-related activities for private persons or entities during off-duty hours, arrangements must be made with the governing body of the City of Sea Isle City regarding the remuneration for the officer's pay benefits and the cost of use of any vehicle and equipment.
- c. Members of the Police Department shall be permitted to accept Police related employment for private employers or school districts 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 City.
- d. 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 to perform the work.
- e. Any such off-duty employment may be terminated at any time if City Council feels it is in the best interest of the City of Sea Isle City.
- f. The assignment of officers to the off-duty details, along with management of the officers in relation to these projects shall be performed by the Police Chief, or his designee of the Sea Isle City Police Department. The Police Department shall adopt any and all appropriate policies to administer this program.
- g. Any person or entity seeking to employ any police officer during his/her off-duty time may only do so by entering into a contract with the City.
- h. No police officer may enter directly into a contract for off-duty employment with any prospective employer.
- i. Any contract for payment to a police officer for off-duty employment must specify that payment shall be made to the City. The City shall then pay the officer.
- j. All contracts for outside employment of any police officer shall be subject to the provisions of the Fair Labor Standards Act.
- k. Any contract for the employment of an off-duty police officer shall include a provision that the City shall be compensated for the employer's share of social security, administrative costs of maintaining timesheets, payroll processing and billing vendors and any additional liability insurance costs associated with the services provided. The rate shall be as set in "m" herein.
- l. The Administration is authorized to take all steps necessary to implement this policy, including retention of a third party vendor to perform such services necessary to carry out the intention of this policy.
- m. The rates for service of an off duty officer shall be \$70.00 to the police officer, \$29.50 to the City and such fees as may be charged by the third party vendor hired by the City.
- n. All monies received from outside employers under the provisions of this section shall be placed in City general fund.

SECTION IV. Severability. If for any reason any section of this Ordinance shall be declared illegal by any Court of competent jurisdiction, the remaining section of the Ordinance shall remain in full force and effect, notwithstanding.

SECTION IV. Repealer. Any Ordinance or provision thereof inconsistent with this Ordinance is hereby repealed to the extent of such inconsistency.

SECTION VI. Publication. This Ordinance shall take effect immediately upon the adoption and publication in accordance with the law.



J.B. Feeley, Council President



Mayor Leonard C. Desiderio

I HEREBY CERTIFY THAT the foregoing ordinance was duly passed by the City Council of the City of Sea Isle City, New Jersey on first reading at the regular meeting of said Council held on the 25th day of July, 2023 and was taken up for second reading, public hearing and final passage at the regular meeting of said Council held on the 22th day of August, 2023, in City Hall, 3rd Floor Council Chambers, 233 JFK Blvd., Sea Isle City, New Jersey at 10:00a.m.



Shannon D. Romano, Municipal Clerk