

**BOROUGH OF WOODLAND PARK  
COUNTY OF PASSAIC  
STATE OF NEW JERSEY  
ORDINANCE NO. 24-02**

**AN ORDINANCE TO AMEND AND UPDATE SECTION § 4-15. PRIVATE  
EMPLOYMENT OF OFF-DUTY POLICE OFFICERS  
[ORD. NO. 01-10 §4-19; ORD NO. 11-17; ORD NO. 14-17; ORD NO. 2017-26 § 2, 8]**

A. Policy.

Member of the Police Department shall be permitted to accept employment as safety or security personnel for private employers 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 Borough.

B. Requesting Assignment of Off-Duty Police Officers Procedure.

Any organization or contractor 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 of Police 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.'

Any organization or contractor that desires to employ off-duty members of the Department shall submit the request in writing to the Chief of Police on a form prescribed by the Chief of Police. The organization or contractor shall hold the Borough harmless from any and all claims that may arise as a result of the assignment of the member to the organization or contractor. In addition, the organization or contractor shall submit with its application a Certificate of Insurance that shows evidence of not less than \$1,000,000 in both personal liability and comprehensive general liability insurance and \$300,000 in property damage coverage as well as a Certificate of Workmen's Compensation Insurance. A non-profit religious or charitable organization may submit a Certificate of Insurance in coverage amounts less that set forth herein upon the organization's representation contained in its request that obtaining the required coverage would impose an undue hardship on the organization and approved by the Governing Body.

C. Payment.

1. Private employers may pay to the Chief Financial Officer of the Borough of Woodland Park, such hourly sum as is set forth herein or as may be fixed from time to time by an ordinance adopted by the Governing Body as compensation for such services. The Borough shall remit to the member of the Police Department performing such off-duty service, a portion of said hourly rate and the balance shall be retained by the Borough for administrative expenses all as established by this section or by future resolution of the governing body.

If the estimated aggregate value of the services to be rendered exceeds \$1,000, the Borough may require the contractor or organization to pay for the services in advance, whereby the fund shall be placed in escrow and disbursed through payroll. The amount collected will be based on an estimate of total number of hours required times the hourly rates identified herein. Additional amounts shall be deposited with the Borough if the actual expenses consume all of the deposited funds. Police services may be discontinued until sufficient funds are deposited. Any excess funds collected will be returned to the contractor or organization 30 days after the last payroll in which employees are paid for related services.

Upon completion of the off-duty work, the Police Department shall prepare and submit to the private contractor an invoice of the total cost for such off-duty work performed, which shall be paid (in full) to the Borough within 15 days of being invoiced. The Borough will pay the police officer(s) who provided off-duty services as soon as the contractor's payment has been declared valid; or

2. Use of a Secondary Service Provider.

The Borough, at its discretion and in consultation with the Chief of Police, may utilize a secondary service provide to handle the administrative tasks associated with “off-duty police services work” within the Borough. In the event that the Borough decides to utilize a secondary service provider, the following procedure will be followed:

- a. The Borough will utilize a secondary service to administrate and perform the actions related to the off-duty employment process. These actions will include, but are not limited to: Communicating with said person or company to schedule off-duty jobs, scheduling the officers for said jobs, invoicing the person or company and receiving escrow and/or payments from the person or company in a manner set forth by the secondary service provider. The secondary service provider may charge an additional fee for services that are above and in addition to the fee structure stated in this chapter and utilize business-type collection rules as set forth in the contract/agreement between the Borough and the secondary provider, which will be charged to the person or entity that has requested “off-duty police services”; and
- b. The secondary service provider will reimburse the Borough via ACH or other funds transfer methods, according to the fees set forth in this chapter, due to the Borough and officer, in a timely manner, usually coinciding with payroll periods for the jobs that the officers have performed or were scheduled for in that period in accordance with the above-listed rules of employment between the Borough and the person or company seeking off-duty services.

D. Off-duty police rate and fee schedule

1. The contractor will pay a permit fee to be paid to the Borough of Woodland Park in the amount of \$60 for each application.
2. The contractor(s) will be charged \$95 per hour for traffic control and security. This hourly charge will then be distributed in the following manner: The Borough will receive \$15 per hour for administrative costs and \$5 per hour for vehicle maintenance. The remaining \$75 per hour will be paid to the off-duty police officer. Please note that the contractor(s) will be charged the above-stated rates for each additional police officer. [Amended 12-18-2019 by Ord. No. 19-14]
3. Effective January 1, 2022, the contractor(s) will be charged \$100 per hour for traffic control and security. This hourly charge will then be distributed in the following manner: The Borough will receive \$15 per hour for administrative costs and \$5 per hour for vehicle maintenance. The remaining \$80 pe hour will be paid to the off-duty police officer. Please note that the contractor(s) will be charged the above-stated rates for each additional police officer. [Amended 12-18-2019 by Ord. No. 19-14]
4. Non-profit/charitable organizations: rates may vary, not to exceed \$60 per hour paid to the off-duty officer(s).

E. Lien for unpaid invoice.

If such invoice is not paid in full within 15 days, a lien is hereby created in favor of the Borough of Woodland Park upon the property and the owner of the property at which the work was performed as appears on the most recent tax roll prepared by the Tax Collector. The lien shall be in the amount of the total invoice plus costs, fees, expenses, including attorneys’ fees, and shall bear interest at the rate provided by law for unpaid taxes. Such lien shall be prior to all other liens on such lands or premises except the lien of municipal taxes and shall be on parity with the lien of municipal taxes. Such lien, when delinquent for more than 15 days, may be processed for foreclosure in the same manner as delinquent municipal taxes.

F. Traffic plan approval.

If the off-duty work involves a contract to be done in or on the roadways located within the Borough, a traffic plan must be submitted and approved by the Police Department before work an commence.

This Ordinance shall take effect immediately upon final passage and publication as required by law.

Attest:

Approve:

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Sandra Olivola, Municipal Clerk

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Tracy Kallert, Acting Mayor

**Introduced: January 3, 2024**

**Adopted: January 24, 2024**