

TOWNSHIP OF FLORENCE

ORDINANCE NO. 2012-03

AN ORDINANCE OF THE TOWNSHIP OF FLORENCE AMENDING AND SUPPLEMENTING ARTICLE XI ENTITLED “POLICE DEPARTMENT” OF CHAPTER 4 OF THE CODE OF THE TOWNSHIP OF FLORENCE ENTITLED “ADMINISTRATION OF GOVERNMENT” TO PROVIDE FOR A PUBLIC SAFETY DIRECTOR, TO ABOLISH THE POSITION OF CHIEF OF POLICE, TO DESIGNATE THE PUBLIC SAFETY DIRECTOR AS THE “APPROPRIATE AUTHORITY” TO HAVE CHARGE OF THE POLICE DEPARTMENT AND BE RESPONSIBLE TO THE MAYOR AND COUNCIL FOR THE FUNCTION OF THE DEPARTMENT

BE IT ORDAINED by the Township Council of the Township of Florence in the County of Burlington and State of New Jersey that Chapter 4 of the Code of Township of Florence entitled “Administration of Government” at Article XI entitled “Department of Police” is amended and supplemented to read as follows;

Section 1.

Chapter 4-46 of the Code of the Township of Florence is amended and supplemented to read as follows:

Establishment.

There shall be a police department in and for the Township of Florence, the head of which will be the Public Safety Director and which shall be composed of such officers, full-time police officers and special law enforcement officers as may be appointed by the Mayor. The Public Safety Director shall be the “appropriate authority” as provided in N.J.S.A. 40A:14-118 et seq. The appropriate authority shall be directly responsible to the Mayor.

Chapter 4-46.1 of the Code of the Township of Florence is amended and supplemented to read as follows:

Public Safety Director.

The Public Safety Director shall:

- A. Make, administer and enforce rules and regulations for the disposition, conduct and discipline of the police force.
- B. Establish and enforce appropriate rules and regulations for maintenance, use and security of property and records of the Department.
- C. Organize, develop, direct, supervise and perform work involved in the management of the Department of Police.
- D. Develop and prepare the department budget.

- E. Develop operational policy, work programs, and budgetary policies.
- F. Evaluate the effectiveness of work programs and procedures of all units within the department.
- G. Promote close coordination and planning efforts.
- H. Undertake special studies pertaining to public safety functions.
- I. Establish and maintain helpful and cooperative relations with civic and business organizations, schools, and court offices and other groups, police and fire authorities in other jurisdictions, and others interested in the maintenance of law and order and fire prevention.
- J. Give assignments to staff.
- K. Prepare reports.
- L. Direct the establishment and maintenance of records and files.

Chapter 4-46.2 of the Code of the Township of Florence is amended and supplemented to read as follows:

Authorized composition of Police Department.

The Police Department of the Township of Florence shall be composed of the Public Safety Director; up to three Captains; up to six Sergeants; and up to 30 police officers as may be appointed by the Mayor. It is the purpose of this section to establish limits on the size of the Police Department, and nothing herein shall require appointments or promotions to bring the staffing up to the maximum authorized strength.

Chapter 4-46.7 of the Code of the Township of Florence is amended and supplemented to read as follows:

Removal

The Public Safety Director shall have the power to relieve from duty any member of the Police Department for the violation of any provision of this article or any rule governing the Police Department until such time as complaint and charge against such member shall have been disposed of by formal hearing.

Chapter 4-47 of the Code of the Township of Florence is amended and supplemented to read as follows:

A. The Mayor may, as provided in N.J.S.A. 40A:14-146.8 et seq., appoint special law enforcement officers for a term not exceeding one year and revoke those appointments without cause or hearing.

B. Creation of position. In accordance with the provisions of N.J.S.A. 40A:14-146.8 et seq., there is hereby created the position of special law enforcement officers for the Township of Florence. Each special law enforcement officer appointed shall be subject to the

requirements of this article and the additional requirements set forth in N.J.S.A. 40A:14-146.8 *et seq.*

C. Classification and powers. The classification of the special law enforcement officers shall be based upon the duties to be performed by those officers and are established as follows:

(1) Class One. Officers of this class are authorized to perform routine traffic detail spectator control and similar duties as may be assigned by the Public Safety Director, or in the absence of the Director, the Director's designee. The Class One officers are also authorized to issue summonses for disorderly persons and petty disorderly persons offenses, violations of municipal ordinances and violations of Title 39 of the Revised Statutes. The use of firearms by said Class One officers is strictly prohibited, and no Class One officer shall be assigned any duties which may require the carrying or use of a firearm.

(2) Class Two. Officers of this class are herewith authorized to exercise full powers and duties similar to those of a permanent, regularly appointed full-time police officer. They shall be assigned such powers and duties by the Public Safety Director, or the Director's designee. The use of a firearm by an officer of this class may be authorized only after the officer has been fully certified as successfully completing training as prescribed by the Police Training Commission established within the Department of Law and Public Safety of the State of New Jersey.

D. Rules and regulations. All duly appointed special law enforcement officers shall be subject to the Ordinance of the Township of Florence and to the rules and regulations governing the Police Department of the Township of Florence, including, but not limited to, the Standard Operating Procedures Police Manual of the Township of Florence.

E. Term of appointment. Special law enforcement officers shall be appointed by the Mayor for a term not to exceed one year. In no event shall any appointment carry a term beyond the end of the calendar year of the year in which said appointment is made.

F. Limitations on number of special law enforcement officers. The number of special law enforcement officers employed by the Township of Florence shall be limited as follows:

(1) Class One. Not more than the number of regular officers employed by the Township of Florence.

(2) Class Two. Not more than 25% of the number of regular officers employed by the Township of Florence.

(3) The establishment of the limitations herein shall serve to provide maximum numbers only and shall not be interpreted to require the appointment of any specific number of special law enforcement officers. The number of special law enforcement officers actually appointed shall be a management decision made by the Mayor in accordance with the approved budget.

G. Residency requirement. No special law enforcement officer shall be appointed to a position with the Township of Florence who is not a bona fide resident of the Township of

Florence, except that the Mayor may, but is not required to, waive the residency requirement on a year-to-year basis in specific cases where the Mayor determines that it is in the best interest of the Township to grant such a waiver. Whenever a waiver has been granted by the Mayor, the waiver may be subject to such conditions as the Mayor may determine.

Chapter 4-48 of the Code of the Township of Florence is amended and supplemented to read as follows:

Adult school crossing guards.

The Mayor may, as provided in N.J.S.A. 40A:9-154.1, appoint adult school crossing guards for a term not exceeding one year and revoke those appointments for cause and after a hearing before the Public Safety Director. An adult school crossing guard shall not be a member of the Police Department and shall not have the power to arrest or the right to bear firearms. Every adult school crossing guard shall be under the supervision and direction of the Police Department and shall comply with the rules and regulations applicable to the conduct and decorum of the regular police officers of the Township.

Jerry Sandusky
Council President

Joy M. Weiler, RMC/MMC
Township Clerk

NOTICE OF PENDING ORDINANCE
Ordinance No. 2012-03

AN ORDINANCE OF THE TOWNSHIP OF FLORENCE AMENDING AND SUPPLEMENTING ARTICLE XI ENTITLED "POLICE DEPARTMENT" OF CHAPTER 4 OF THE CODE OF THE TOWNSHIP OF FLORENCE ENTITLED "ADMINISTRATION OF GOVERNMENT" TO PROVIDE FOR A PUBLIC SAFETY DIRECTOR, TO ABOLISH THE POSITION OF CHIEF OF POLICE, TO DESIGNATE THE PUBLIC SAFETY DIRECTOR AS THE "APPROPRIATE AUTHORITY" TO HAVE CHARGE OF THE POLICE DEPARTMENT AND BE RESPONSIBLE TO THE MAYOR AND COUNCIL FOR THE FUNCTION OF THE DEPARTMENT.

Take Notice that the Ordinance identified above which amends the Florence Township Code, Chapter 4, Sections 46, 46.1, 46.2, 46.7, 47 and 48, to abolish the position of Chief of Police, establish the position of Public Safety Director and designate the Public Safety Director as the "appropriate authority" as provided for in N.J.S.A. 40A:14-118 et seq., has been adopted on first reading by the Township Council of the Township of Florence, County of Burlington, State of New Jersey, held on January 18, 2012. It will be considered for final passage after public hearing to be held on February 1, 2012, at 8:00 P.M. in the Municipal Complex, Council Chambers, 711 Broad Street, Florence, New Jersey.

The Ordinance will take effect immediately upon adoption and publication as required by law.

Copies of the full ordinance are on file with the Township Clerk of the Township of Florence in the Municipal Complex. Copies may be obtained on request and a copy is posted on the municipal bulletin board in the Municipal Complex at 711 Broad Street, Florence, New Jersey.

Joy M. Weiler, RMC/MMC
Township Clerk