

CHAPTER X

POLICE DEPARTMENT

10-1 POLICE DEPARTMENT ESTABLISHED

There is hereby established in the Township of Rockaway a Police Department. The Police Department shall be governed by the Appropriate Authority, and shall consist of no more than the following enumerated police officers in the ranks and positions indicated:

Chief of Police – 1
Captains – 2
Lieutenants – 4
Sergeants – 9
Patrol Officers – 39

The Chief of Police shall be the head of the Police Department and shall be directly responsible to the Appropriate Authority for the efficiency and routine day to day operations thereof. The term “Appropriate Authority” as used herein shall be the Mayor of the Township of Rockaway.

The Appropriate Authority may, from time to time, leave one or more of the above positions vacant as he sees fit. The express purpose for naming the departmental ranks/positions is to establish departmental rank and the required line of authority. For purposes of the line of authority within the Police Department, in the event a rank is left vacant, it will be deemed not to exist, and will be bypassed in terms of the chain of command. Assignments within each rank shall be the responsibility of the Chief of Police.

Nothing contained herein shall be read or interpreted as requiring the appointment of police officers to the rank/position specified, or in the numbers designated for each rank/position.

In the event that, at the time of this amendment, the number of personnel in any specified rank exceeds the number of personnel prescribed for that rank as set forth herein, the Appropriate Authority shall not be obligated to reduce the number of employees in said rank. Provided, however, that in the event of reduction of the personnel in any rank by reason of retirement,

resignation, or disciplinary action, the number of personnel in that rank as set forth herein shall control.

(Ord. O-13-25)

10-2 RESPONSIBILITIES OF MAYOR.

The Mayor is hereby designated as the “Appropriate Authority” as provided by applicable law. The Mayor shall adopt and promulgate rules and regulations for the governance of the Police Department and for the Discipline of its members. The Mayor, in consultation with the Chief of Police, shall have sole authority for the hiring and promotion of Department members where applicable.

(Ord. O-13-25)

10-3 DUTIES OF DEPARTMENT.

The Police Department shall: preserve the public peace; protect life and property; detect, arrest and prosecute offenders of the laws of New Jersey and the ordinances of the Township; direct and control traffic; provide attendance and protection during emergencies; provide appearances in Court; cooperate with other law enforcement agencies; and provide training for the efficiency of its members and officers.

(Ord. #91-10 § 21-3)

10-4 DUTIES OF CHIEF OF POLICE.

The Chief of Police shall be the head of the Police Department and shall be directly responsible to the Appropriate Authority for the efficiency and operations of the Department.

(Ord. O-13-25)

10-5 APPOINTMENTS TO DEPARTMENT; QUALIFICATIONS.

All appointments to the Police Department shall be in accordance with the requirements of applicable law. In appropriate circumstances an applicant shall be required to successfully complete a physical and psychological examination.

(O-13-25)

10-6 SPECIAL POLICEMEN.

The Council may appoint special law enforcement officers in accordance with New Jersey Statutes for terms not exceeding one (1) year. They shall possess and exercise all the powers and duties provided by the Statutes during their term in office, but shall not be continued as regular members of the Police Department and shall not be entitled to tenure. 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 including the carrying of firearms and the power of arrest.

(Ord. #91-10 § 21-6)

10-7 RESIDENCY REQUIREMENTS WAIVER.

It has been found and determined that adherence to the residence requirements of the general Statutes which require members of the Department of Police to reside within the municipality will seriously impede the Township's ability to establish and maintain competent personnel for the Department of Police.

(Code 1971, § 21-6.1)

10-8 REMOVAL OR SUSPENSION FROM DEPARTMENT.

No member of the Department shall be removed from office, suspended or disciplined except in accordance with applicable law, including, but not limited to the Rules and Regulations applicable to all Department members.

(Ord. O-13-25)

10-9 THIRD PARTY ASSIGNMENTS FOR TOWNSHIP POLICE OFFICERS.

10-9.1 Definition.

As used in this section:

Third Party Assignments of Police Officers shall mean and refer to those situations in which a Police Officer provides Police services such as either traffic control or security for a party other than the Township.
(Ord. #92-9 § 1)

10-9.2 Qualification for Assignment.

All Police Officers in good standing within the Police Department shall be permitted to engage in third party assignments provided that the third party assignment is approved by the Chief of Police and that the Police Officer assigned has had at least an eight (8) hour time lapse, both prior to and after any eight (8) or twelve (12) hour shift of normal Police work, a third party assignment or any combination thereof.
(Ord. #92-9 § 2)

10-9.3 Rotation List to be Maintained.

The Chief of Police shall maintain a rotation list of those Police Officers who seek to perform third party assignments, from which rotational list Police Officers shall be assigned as such work becomes available. The Chief of Police may also establish other reasonable regulations which are not inconsistent with the Township's Collective Bargaining Agreements.
(Ord. #92-9 § 3)

10-9.4 Rate of Pay; Time of Payment.

The rate for Police Officers performing third party assignments shall be the Senior Patrol Officer overtime rate in accordance with the Collective Bargaining Agreement in effect at the time. In addition, an administrative fee of five (\$5.00) dollars per hour shall be charged by the Township. The rate for third party assignments provided to the Township is fifty-five (\$55.00) dollars which includes the five (\$5.00) dollar administrative fee.
(Ord. #92-9 § 4; Ord. #06-43 § 1; Ord. #11-21)

10-9.5 Administrative Fee; Escrow Account.

The Township shall, in addition to the hourly rate for the Police Officer set forth in subsection 10-9.4 above, charge an administrative fee of five (\$5.00) dollars per hour. Five (5) business days prior to the event for which third party police services are requested, the third party must establish with

the Township an escrow account to guarantee payment for said services. The third party shall provide an estimate of the time the Police Officer will be needed multiplied by the hourly rate. Upon approval of said estimate by the Police Chief, one hundred ten (110%) percent of the estimate shall be deposited into the escrow account. The funds held in the escrow account shall be used for the payment of the Police Officer in accordance with subsection 10-9.4, above. Upon completion of the third party police officer assignment, the balance in the escrow account shall be refunded in full to the third party. The Police Chief, with authorization from the Business Administrator, may provide exceptions to the requirement to establish an escrow account with the Township for emergent jobs.
(Ord. #92-9 § 5; Ord. #06-43 §2)

10-9.6 Unauthorized Assignments.

The Township shall assume no responsibility for the payment of Police Officers, Workmen's Compensation Insurance or liability insurance for those Police Officers who accept third party assignments which are not specifically approved by the Chief of Police and to which the Officer has been assigned.
(Ord. #92-9 § 6)

10-10 FEES FOR COPIES OF POLICE REPORTS.

10-10.1 Schedule of Fees.

See subsection 2-48.1i of the Revised General Ordinances for copy fees.
(Ord. 7-5-72 § 43-1; Ord. #92-7 § 1; Ord. #96-22 § 2; Ord. #02-17 § 1; Ord. #11-2 § 7)