

ORDINANCE NO. 2018-23

**AN ORDINANCE AMENDING ORDINANCE NO. 93, AS AMENDED, CHAPTER 123, ARTICLE I OF THE CODE OF THE CITY OF VINELAND ENTITLED POLICE DEPARTMENT; COMPOSITION; MEMBERSHIP; REGULATIONS**

**WHEREAS**, City Council of the City of Vineland adopted Ordinance 93, as amended, establishing the Police Department of the City of Vineland; and

**WHEREAS**, in accordance with Reuter vs the Borough of Fort Lee, 167 NJ 38, municipalities are required to adopt Ordinances specifying the authorized number of officers at each rank and line of authority and Council finds it necessary to amend Ordinance 93, as amended so as to comply with the aforementioned case law.

**NOW, THEREFORE, BE IT ORDAINED** by the Council of the City of Vineland that Ordinance 93, as amended, Chapter 123, Article I, Section 123-1 of the Code of the City of Vineland, shall be amended as follows:

1. Section 123 shall be deleted in its entirety and replaced as follows:

Section 123-1 Establishment.

A. There shall be and hereby is established a Police Department for the City of Vineland which shall consist of such number of superior officers and patrolmen as are hereinafter set forth and consistent with the annual budget of the City of Vineland. This subsection is intended to ratify the existence and operation of the Police Department which has historically operated within and served the City of Vineland and to satisfy statutory requirements of the enabling legislation as amended.

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

- B. The Police Force shall consist of the following police officers in the following descending ranks and order of authority:

- i. Chief of Police- one (1)
- ii. Captains-not more than four (4)
- iii. Lieutenant - not more than seven (7);
- iv. Sergeants – not more than twenty eight (28); and
- v. Police Officers – not more than 117.

The number of Police Captains, Lieutenants, Sergeants and Police Officers appointed in accordance with this Ordinance shall further be determined by the Mayor with the advice of the Director of Public Safety and provided the funds for the positions are certified by the Chief Finance Officer of the City of Vineland, but in no event shall there be more positions than as established in accordance herewith.

The powers, functions and duties of the members of the Police Force shall be as currently prescribed by the City of Vineland Police Department Rules and Regulations Manual and as are generally set forth herein.

**BE IT FURTHER ORDAINED** that any portion of Ordinance 93, as amended, not so amended hereby shall remain in full force and effect.

**BE IT FURTHER ORDAINED** that if an section, subsection, paragraph, sentence or other part of this Ordinance shall be adjudged by a Court of competent jurisdiction to be invalid, such adjudication shall apply only to the section, subsection, paragraph, sentence or other part so adjudged, and the remainder of this Ordinance shall be deemed valid and effective.

**BE IT FURTHER ORDAINED** that all Ordinance or parts of Ordinances or Resolutions inconsistent with the provisions of this Ordinance are hereby repealed to the extent of their inconsistencies.

This Ordinance shall take effect immediately after final passage and publication as required by law. Any Ordinances inconsistent with this Ordinance are hereby repealed.

Passed first reading:

Passed final reading:

---

President of Council

Approved by the Mayor:

---

Mayor

ATTEST:

---

City Clerk