

CITY OF VINELAND

ORDINANCE NO. 2018- 80

ORDINANCE AMENDING ORDINANCE 2007-38, AS AMENDED, AN ORDINANCE AUTHORIZING AND ESTABLISHING THE POLICY AND PROCEDURE FOR THE UTILIZATION OF THE CITY OF VINELAND POLICE DEPARTMENT ON QUASI PUBLIC AND PRIVATE PROPERTY IN THE PROPER EXERCISE OF POLICE POWERS.

WHEREAS, ON May 8, 2007, City Council adopted Ordinance 2007-38, Chapter 123, Article VII, as amended, setting forth the policy for the employment of off-duty police officers; and

WHEREAS, the Chief of Police and Director of Public Safety have recommended the Governing Body consider entering into an agreement with an outside firm to administer the process of employing off-duty police officers and collection of funds to be paid in accordance with Ordinance 2007-38; and

WHEREAS, the Chief Financial Officer finds that the suggested changes would alleviate the Finance Department from this service at a cost which is reasonable as it would be passed on to the entity requesting the use of off-duty police officers; and

WHEREAS, the Chief of Police and Director of Public Safety have further recommended changes in the fee structure based upon the increases in costs and salaries of our police officers due to collective bargaining agreements; and

WHEREAS, City Council finds it to be in the best interest of the City to amend Ordinance 2007-38 to allow for an outside firm to administer the policy established for employment of off-duty police officers and further to amend the fee schedule based upon the recommendations of the chief, Director and CFO.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Vineland that Ordinance 2007-38, Chapter 123, Article VII be amended as follows:

Section 123-37 D. shall be deleted in its entirety and replaced as follows:

Section 123-37 D.

All requests for services of off-duty officers in the Vineland Police Department for a period of 10 hours of service per officer and event shall be forwarded to the Chief for posting not less than 10 days before such services are required, however should the need for services be as a result of an unforeseen and emergent circumstance in the sole discretion of the Chief of Police and Mayor based upon the circumstances and the impact upon the manpower of the Vineland Police Department, such services may be provided.

Section 123-37 G shall be added as follows:

Section 123-37 G.

In the event the Mayor and Governing Body determine it to be in the best interest of the City, the Administration of the off-duty police officers may be assigned to a duly experienced administrative services company to be administered in accordance with this Article VII, excepting therefrom any function assigned to the Chief of Police in accordance with this Chapter, any other Ordinance or applicable policy of the Vineland Police Department. Nothing herein shall prohibit the City from entering into contracts for off-duty police services to private individuals or entities separate from an administrative services company and set rates different than as is set forth herein. Said assignment or separate contract shall be by a written contract recommended by the Chief of Police and approved by the Governing Body.

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Section 123-39 A shall be deleted in its entirety and replaced as follows:

Section 123-39 A.

Rate of compensation for private persons or entities, including school districts or other governmental entities, shall be equal to the overtime rate of the highest paid Sergeant in the Department at the time the services are to be performed and shall remain the same rate throughout the term of the services being performed for that private person or entity.

Section 123-39 B shall be deleted in its entirety.

Section 123-39 C shall be renamed Section 123-39 B.

BE IT FURTHER ORDAINED that should any portion of this Ordinance be deemed unenforceable by a Court of Competent jurisdiction, the balance of this Ordinance shall remain in full force and effect.

BE IT FURTHER ORDAINED that any Ordinance or portion thereof inconsistent with the terms of this Ordinance shall be repealed to the extent of such inconsistencies.

Passed first reading:

Passed final reading:

President of Council

Approved by the Mayor:

Mayor

ATTEST:

City Clerk