

**TOWNSHIP OF MOUNT HOLLY
COUNTY OF BURLINGTON, STATE OF NEW JERSEY**

ORDINANCE # 2021-13

**AN ORDINANCE AMENDING CHAPTER 10, ENTITLED POLICE
DEPARTMENT, OF THE REVISED GENERAL ORDINANCES OF THE
TOWNSHIP OF MOUNT HOLLY TO PROVIDE THE ADMINISTRATION WITH
DISCRETION TO HIRE ENTRY LEVEL POLICE OFFICERS PURSUANT TO
N. J.S. A. 11A:4- 1. 3**

WHEREAS, pursuant to N. J. S. A. 40:48- 2, the governing body of a municipality may make, amend, repeal, and enforce ordinances, regulations, Rules and by-laws not contrary to the laws of this state or of the United States, as it may deem necessary and proper for the good government, order and protection of person and property, and for the preservation of the public health, safety and welfare of the municipality and its inhabitants, and as may be necessary to carry into effect the powers and duties conferred and imposed by this subtitle, or by any law; and

WHEREAS, the Council wishes to amend Chapter 10, entitled Police Department, specifically 10- 5 entitled Appointments to Departments; Qualifications to give the " Appointing Authority" the discretion to hire entry level Police Officers in accordance with N. J. S. A. 11A: 4- 1. 3 which provides for an exemption from general civil services regulations in the presence of an Ordinance such as this one; and

WHEREAS, the Township is authorized to pass an ordinance granting such discretion to the " Appointing Authority" as a result of its having previously established by way of the passage of Chapter 26 of the Revised General Ordinances of the Township of Mount Holly a Personnel Policy and Procedure Manual, which contains both a Conflict of Interest and an anti -Nepotism Policy as is required by N. J. S. A. 11A: 4- 1. 3 as a condition precedent to the passage of this Ordinance; -and

WHEREAS, N. J. S. A 11A: 4- 1. 3 authorizes the appointment of entry level police officers who have not passed a Civil Service Examination, but who have successfully completed a Basic Course for Police Officers at a school approved and authorized by the New Jersey Police Training Commission

NOW THEREFORE BE IT ORDAINED by the Township Council of the Township of Mount Holly that 10- 5 of Chapter 10 of the Revised General Ordinances of the Township of Mount Holly is hereby amended as follows:

SECTION 1:

Chapter 10 POLICE DEPARTMENT

§ 10- 5 Appointments to Department; Qualifications

Except as otherwise set for the herein, appointments to the Police Department shall be made in accordance with applicable law from lists of eligible candidates provided to the Township by the New Jersey Department of Civil Service.

Appointments of entry level Police Officers may, in the sole discretion of the Appointing Authority, be made in accordance with the provisions of N. J. S. A. 11A: 4- 1. 3.

In appropriate circumstances, any and all applicants for appointment shall be required to complete a physical and psychological examination.

SECTION 2. All Ordinances of the Township of Mount Holly which are inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

SECTION 3. If any section, subsection, clause, or phrase of this Ordinance is for any reason held to be unconstitutional or invalid by any Court of competent jurisdiction, such decision shall not affect the remaining portions of this Ordinance.

First Reading: October 25, 2021

Councilmember	Motion	2nd	Yea	Nay	Recuse	Abstain	Absent
L. Brown	X		X				
J. Codianni			X				
N. Sodano			X				
C. Banks		X	X				
J. Jones			X				

Second Reading: November 8, 2021

Councilmember	Motion	2nd	Yea	Nay	Recuse	Abstain	Absent
L. Brown	X		X				
J. Codianni			X				
N. Sodano			X				
C. Banks		X	X				
J. Jones			X				

ATTEST:

Sherry L. Marnell
Acting Township Clerk

Jason W. Jones, Mayor

I HEREBY CERTIFY that the foregoing Ordinance was approved for final adoption by Mayor and Township Council of the Township of Mount Holly, County of Burlington, State of New Jersey, at a regular meeting on the 8th day of November, 2021

Sherry L. Marnell, Acting Township Clerk