

# Borough of Fair Lawn



## ORDINANCE NO. 2683-2024

### **AN ORDINANCE TO AMEND CHAPTER 33, POLICE DEPARTMENT, ARTICLE III, ENTRANCE REQUIREMENTS, MORE SPECIFICALLY SECTION 33-5, "REQUIREMENTS FOR APPOINTMENTS" OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF FAIR LAWN**

**WHEREAS**, pursuant to , P.L. 2021, c. 406, N.J.S.A. 11A:4-1.3, was amended on January 18, 2022 providing that the Civil Service Commission shall exempt the requirement to take an examination for an entry-level law enforcement position for a person who has successfully completed a full Basic Course for Police Officers training course at a school approved and authorized by the New Jersey Police Training Commission within nine (9) months from the date of hire as a temporary entry level officer; and

**WHEREAS**, N.J.S.A. 11A:4-1.3 permits a municipal police department to hire such person without the requirement to take an examination for an entry-level law enforcement position upon the adoption of an ordinance by the Mayor and Council authorizing such hiring and the adoption of a conflict of interest and nepotism policy; and

**WHEREAS**, the Borough has adopted a nepotism ordinance and has a conflict of interest policy in its Employee Policies and Procedures Manual; and

**WHEREAS**, the Borough of Fair Lawn wishes to amend the Code to permit the hiring of entry-level law enforcement officers without an examination requirement in accordance with N.J.S.A. 11A:4-1.3.

**NOW THEREFORE, BE IT ORDAINED** by the Mayor and Council of the Borough of Fair Lawn as follows:

**SECTION 1.** Chapter 33, Police Department, Article III, Entrance Requirements, Section 33-5, Requirements for Appointments is hereby amended and supplemented by inserting the text **underlined and marked in bold** and deleting the text in **[bold brackets]**, to read as follows:

#### **§33-5 Requirements for appointments**

Except as specifically provided otherwise in this chapter, no person shall be appointed to the Police Department unless he/she shall have:

- A. Filed a written application on the form prescribed by the New Jersey Department of Personnel.
- B. Submitted such completed Police Department forms and supporting documents as requested by the Chief of Police
- C. Qualified by passing the required New Jersey Department of Personnel entrance tests, including written, oral, medical and physical examinations.
- D. Submitted to and passed a medical and physical examination conducted by a police surgeon of the Borough within seven days of the appointment date, and also have submitted to a psychiatric examination prior to receiving appointment of the Police Department.
- E. Been certified for appointment in accordance with the New Jersey Department of Personnel rules.
- F. **[In accordance with P.L. 2021, c. 7 (N.J.S.A. 11A:4-1.3), i] Individuals may be appointed to entry-level law enforcement positions in the Police Department without taking a competitive examination if they have successfully completed a full Basic Course for Police Officers training course at a school approved and authorized by the New Jersey Police Training Commission within nine months from the date of hire as a temporary entry-level officer, in accordance with P.L. 2021, c. 406 (N.J.S.A. 11A:4-1.3).**
- G. Meet all other minimum requirements enumerated in this chapter.

**SECTION 2.** All other Ordinances, codes or parts thereof that are in conflict or inconsistent with this Ordinance are hereby repealed, to the extent of such conflict or inconsistency. In the event of any inconsistencies between the provisions of this Ordinance and any other prior Borough Ordinances, the provisions hereof shall be determined to govern. All other parts, portions and provisions of the Borough's Ordinances are hereby ratified and confirmed, except where inconsistent with the terms hereof.

**SECTION 3.** Each section of this Ordinance and every subsection hereof shall be deemed independent, separate and distinct from all other sections, and the holding of any section or a part hereof to be unconstitutional, void, or in effective for any cause shall not be deemed to affect the validity or unconstitutionality of any other section or part hereof, and to this end, the provisions of this Ordinance are hereby declared severable.

**SECTION 4.** This Ordinance shall take effect upon passage and publication as required by law.

**Introduced:** January 23, 2024

	<b>Motion</b>	<b>Second</b>	<b>Aye</b>	<b>Nay</b>	<b>Abstain</b>	<b>Absent</b>
Krause	X		X			
Rottenstrich			X			
Reinitz		X	X			
Cutrone						late
Peluso			X			

**Adopted:** February 27, 2024

	<b>Motion</b>	<b>Second</b>	<b>Aye</b>	<b>Nay</b>	<b>Abstain</b>	<b>Absent</b>
Krause	X		X			
Rottenstrich			X			
Reinitz		X	X			
Cutrone			X			
Peluso						RESIGNED

**Attest:**

Nicholas J. Magarelli, RMC  
Municipal Clerk

**Approved:**

Cristina Cutrone  
Deputy Mayor