

**BOROUGH OF FRANKLIN LAKES  
ORDINANCE NO. 1946**

**AN ORDINANCE AMENDING CHAPTER 89 “POLICE DEPARTMENT” OF  
THE CODE OF THE BOROUGH OF FRANKLIN LAKES TO ESTABLISH  
PROVISIONS PERTAINING TO SPECIAL LAW ENFORCEMENT OFFICERS**

**BE IT ORDAINED** by the Mayor and Council of the Borough of Franklin Lakes, in the County of Bergen and State of New Jersey, as follows:

Section 1. Section 89-16 “Special law enforcement officers” of Chapter 89 “Police Department of the Code of the Borough of Franklin Lakes is hereby amended to read as follows:

**§ 89-16 Special law enforcement officers.**

A. Authority and purpose. The Borough of Franklin Lakes may establish Special Police Officers pursuant to and in compliance with the Special Law Enforcement Officers Act (N.J.S.A.40A:14-146.8 et seq.).

B. Classifications, powers and duties. The classification of special law enforcement officers shall be based upon the duties to be performed by said officers and are established as follows:

(1) Class I.

(a) The officers of this class are authorized to perform routine traffic detail, spectator control and similar duties as may be assigned, by the Chief of Police or, in the absence of the Chief, another law enforcement officer in a supervisory capacity to act in his stead. Said Class I Officers are also authorized to issue summonses for disorderly persons and petty disorderly persons offenses, violations of municipal ordinances and violations of Title 39 of the Revised Statutes of New Jersey. The use of firearms by said Class I Officers is strictly prohibited and no Class I Officer shall be assigned any duties, which may require the carrying or use of a firearm.

(b) The number of Class I Special Officers shall be at the discretion of the Borough Council. Before any special law enforcement officer is appointed, the Chief of Police or his designee shall ascertain the eligibility and qualifications of the applicant and report these determinations in writing to the Borough Council.

(2) Class III. The officers of this class are authorized to exercise full powers and duties similar to those of a permanent, regularly appointed, full-time police officer only while providing security at a public or nonpublic school, on the school premises, during hours when the public or nonpublic school is normally in session, when it is occupied by public or nonpublic school students, teachers, or staff, or when in fresh pursuit of any person pursuant to Chapter 156 of Title 2A of the New Jersey Statutes or when

authorized to perform duties in another unit pursuant to a mutual aid agreement enacted in accordance with § 1 of P.L. 1976, c. 45.

C. Appointments and terms. Class I and Class III Special Officers shall be appointed for a term not to exceed one year by the Borough Council and the appointment may be revoked by the Borough Council for cause, after hearing, as required by N.J.S.A. 40A:14-147. The powers and duties of Special Officers shall cease upon expiration of the term for which they are appointed. Special Officers so appointed shall not be members of the Police Department of the Borough of Franklin Lakes or any other Police Department in the State of New Jersey or elsewhere.

D. Qualification and investigation.

(1) No person may be appointed as a Class I or Class III Special Law Enforcement Officer unless the person:

- (a) Is a resident of this State during the term of employment.
- (b) Is able to read, write and speak the English language well and intelligently and has a high school diploma or its equivalent.
- (c) Is sound in body and of good health.
- (d) Is of good moral character.
- (e) Has not been convicted of any offense involving dishonesty or which would make him unfit to perform the duties of his office.
- (f) Has successfully undergone the same psychological testing that is required of all full-time police officers in the Borough.

(2) The Chief of Police shall have the applicant fingerprinted as required by statute, conduct a background investigation of the applicant to determine the eligibility and qualifications of the applicant and shall report these determinations, in writing, to the Mayor and Council of the Borough.

E. Training. No person shall commence serving as a Special Officer unless he has been certified by the Police Training Commission, as provided by N.J.S.A. 40A:14-146.10. Additionally, Class III officers must complete SRO training within 12 months of being appointed and conform to the Attorney General's mandatory in-service training requirements.

F. Hours. No Special Officer, Class 1 may work more than 20 hours per week, except during period of emergency.

G. Supplemental.

(1) Special Police Officers shall not be utilized to supplant regular police officers.

(2) Special Police Officers are subject to the personnel policies of the Borough.

(3) Special Police Officers are subject to the Borough Police Department's Written Directive System, where applicable.

(4) Compensation for Special Officers shall be established by the Borough Council annually.

Section 2. All Ordinances contrary to the provisions of this Ordinance are hereby repealed to the extent that they are inconsistent herewith.

Section 3. If the provisions of any section, subsection, paragraph, subdivision, or clause of this Ordinance shall be judged invalid by a court of competent jurisdiction, such order of judgment shall not affect or invalidate the remainder of any section, subsection, paragraph, subdivision, or clause of this Ordinance.

Section 4. This Ordinance shall take effect upon passage and publication according to law.

APPROVED: \_\_\_\_\_  
Charles J. X. Kahwaty, Mayor

ATTEST: \_\_\_\_\_  
Gail M. Rulli, Borough Clerk

Introduced: 03-19-2024  
Adopted: 04-16-2024