

TOWNSHIP OF LOWER, COUNTY OF CAPE MAY, STATE OF NEW JERSEY

ORDINANCE #2023-22

Title: AN ORDINANCE AMENDING CHAPTER 90, POLICE DEPARTMENT, OF THE CODE OF THE TOWNSHIP OF LOWER TO AMEND THE REQUIREMENTS ASSOCIATED WITH THE EMPLOYMENT OF POLICE OFFICERS TO ENSURE COMPLIANCE WITH THE NEW JERSEY POLICE LICENSURE ACT

WHEREAS, Chapter 90, Police Department, of the code of the Township of Lower, establishes the Lower Township Police Department and outlines the composition of the Department and the criteria that must be met for an individual to obtain employment with the Lower Township Police Department; and

WHEREAS, on July 21, 2022, Governor Philip Murphy enacted the New Jersey Police Licensure Act, N.J.S.A. 52:17B-66 et seq., which establishes a police licensing program for all New Jersey law enforcement officers, and which will require that all law enforcement officers hold a valid, active license issued by the Police Training Commission (PTC) in order to be employed as officers in the State of New Jersey; and

WHEREAS, the New Jersey Police Licensure Act and the regulations promulgated in connection with same go into effect on January 1, 2024; and

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the Township Council of the Township of Lower, County of Cape May, State of New Jersey that Chapter 90, Police Department, of the Code of the Township of Lower, be and hereby is amended as follows:

Section 1. Chapter 90, Article I, Establishment; Organization, Subsection 7, Temporary and permanent appointments, is hereby amended as follows:

90-7 Temporary and permanent appointments.

- A. Prior to any permanent appointment for an indefinite term in the Police Department, any appointee except a police officer must serve a four-month working test period (probationary term), at the expiration of which the appointment shall either be made permanent or terminated or the working test period extended consistent with the then current New Jersey Civil Service statute and implementing regulations. Temporary and probationary appointments shall be distinguished as such by a written communication to the person appointed, setting forth the classification of the appointment, and a copy of the communication shall be entered in the records of the Chief of Police and the Township Clerk.
- B. Prior to any police officer receiving a permanent appointment for an indefinite term in the Police Department, an appointee must serve a one-year working test period (probationary term), after graduation from an accredited basic police training academy, at the expiration of which the appointment shall either be made permanent or terminated or the working test period extended consistent with the then current New Jersey Civil Service statute and implementing regulations.
- C. Alternate Route Program.
 - 1) The Alternate Route Program is a discretionary program that allows the appointing authority to hire individuals who have successfully completed a full Basic Course for Police Officers training course at a school approved and authorized by the New Jersey Police Training (BCPO). Individuals who are enrolled in or who have successfully completed the academy portion of the Alternate Route Program will be eligible to apply for an entry-level position with the Lower Township Police Department.

2) Initial appointments of entry-level law enforcement officers may also, at the sole discretion of the appointing authority, be made in accordance with the provisions of N.J.S.A. 52:17B-69.1 and N.J.S.A. 11A:4-1.3, which allows for the appointment of entry-level law enforcement officers who have not taken an entry-level law enforcement officer position examination offered by the Civil Service Commission, but who successfully complete a full Basic Course for Police Officers training course at a school approved and authorized by the New Jersey Police Training.

D. Pursuant to the provisions of the New Jersey Police Licensure Act, N.J.S.A. 52:17B-66 et seq., effective January 1, 2024, all current and future law enforcement officers employed by the Lower Township Police Department must hold a valid, active license issued by the Police Training Commission (PTC) in order to be employed as a police officer in the State of New Jersey.

Section 2. Chapter 90, Article II, Special Law Enforcement Officers, Subsection 12, Requirements, is hereby amended as follows:

90-12 Requirements.

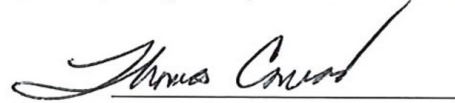
Each Class 1 and Class 2 special law enforcement officer shall meet, at a minimum, the following requirements:

- A. He or she must be a resident of the State of New Jersey during his or her term of appointment.
- B. He or she must be able to read, write and speak the English language with reasonable proficiency.
- C. He or she must have a high school diploma or its equivalent.
- D. He or she must be sound in body and of good health, which must be certified by a physician licensed to practice in the State of New Jersey.
- E. He or she must be of good moral character.
- F. He or she may not have been convicted of any offense involving dishonesty as would make him or her unfit to perform the duties of his or her office.
- G. He or she must successfully undergo the same psychological testing as required of all full-time police officers in the Township of Lower, except that officers hired for a seasonal period may alternately undertake a program of psychological testing approved by the Police Training Commission of the State of New Jersey.
- H. Pursuant to the provisions of the New Jersey Police Licensure Act, N.J.S.A. 52:17B-66 et seq., effective January 1, 2024, all current and future law enforcement officers employed by the Lower Township Police Department must hold a valid, active license issued by the Police Training Commission (PTC) in order to be employed as a police officer in the State of New Jersey.

Section 3. All other ordinances in conflict or inconsistent with this Ordinance are hereby repealed to the extent of such conflict or inconsistency.

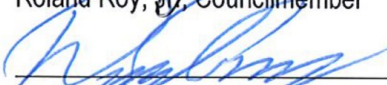
Section 4. Should any section, paragraph, sentence, clause or phrase of this Ordinance be declared unconstitutional or invalid for any reason, the remaining portions of this Ordinance shall not be affected thereby and shall remain in full force and effect, and to this end the provision of this Ordinance are hereby declared to be severable.

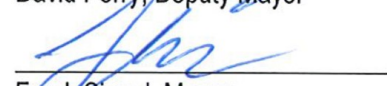
Section 5. This Ordinance shall become effective 20 days after final passage and publication according to law.


Thomas Conrad, Councilmember


Kevin Coombs, Councilmember

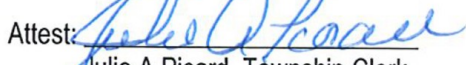

Roland Roy, Jr., Councilmember


David Perry, Deputy Mayor


Frank Sippel, Mayor

First Reading: November 6, 2023

Adopted: *December 15, 2023*

Attest: 
Julie A Picard, Township Clerk