

TOWNSHIP OF MOORESTOWN

ORDINANCE NO. 5-2023

**AMENDING CHAPTER 6-28 OF THE CODE OF THE TOWNSHIP OF
MOORESTOWN ENTITLED DEPARTMENT OF POLICE**

WHEREAS, for many years, the Police Department in the Township of Moorestown had a Director of Police, which position was abolished with the adoption of Ordinance 25-2015 that also created the position of Chief of Police; and

WHEREAS, the current Chief of Police is retiring in the near future, which creates a vacancy in the position of Chief of Police; and

WHEREAS, the Township Council of the Township of Moorestown hereby determines it is in the best interest of the Township and its residents to amend Chapter 6 to authorize the position of Director of Police which may exist in place of or in addition to the position of Chief of Police.

NOW, THEREFORE, BE IT ORDAINED by the Township Council, of the Township of Moorestown, in the County of Burlington, State of New Jersey, that:

Section 1: Chapter 6, Article IV, Section 28 “Department of Police” is hereby amended as follows:

§ 6-28. Department of Police.

A. Department established; composition.

(1) The Police Department of the Township of Moorestown is hereby established and shall consist of: ~~a Chief of Police, a maximum of two police Lieutenants, a maximum of seven police Sergeants, a maximum of four Corporals, a maximum of 21 patrol officers, and such other special law enforcement officers, school crossing guards, and employees that the Township Manager shall from time to time appoint.~~

~~(2) Within the Department, there shall be:~~

(a) ~~The Office of Chief of Police~~ and/or Director of Police.

(b) Field Operations Division.

(c) Support Services Division.

(d) ~~An Office of Emergency Management, the head of which shall be the Emergency Management Coordinator, who shall be appointed by the Township Council Manager after considering any recommendation of the Chief of Police, shall be a member of and shall serve as Chairman of the Emergency Management Council and shall have such functions, powers and duties as prescribed by general law, executive order, ordinance or resolution (New Jersey Laws of 1953, Chapter 438, N.J.S.A. App. A:9-40.1).~~

Language with a ~~strikethrough~~ shall be deleted.

Language with an underline shall be added.

(2) The Department shall be staffed by a maximum of two police Lieutenants, a maximum of seven police Sergeants, a maximum of four Corporals, and a sufficient number of patrol officers, special law enforcement officers, school crossing guards, and employees that the Township Manager shall from time to time appoint.

(3) The following line of authority shall be observed: Patrol officers shall report and be accountable to their Corporal and/or Sergeant; Corporals shall report and be accountable to their Sergeant; Sergeants shall report and be accountable to their division Lieutenant; Lieutenants shall report and be accountable to the Chief or Officer in Charge; Chief or Officer in Charge shall report and be accountable to the Director of Police. Other personnel shall report and be accountable to their division Lieutenant or the Chief or Officer in Charge, as determined by the Chief deems appropriate authority.

~~(4)B-~~ Township Manager designated as appropriate authority. The Township Manager is hereby designated as the "appropriate authority" as defined by N.J.S.A. 40A:14-118, with all powers enumerated therein, including the power to fix policies for the regulation and control of the Police Department. The Township Manager shall be responsible for the overall performance of the Police Department and shall adopt and promulgate rules and regulations for the government of the police force and for the discipline of its members.

B. Director of Police. Duties and Responsibilities.

A Director of Police may be appointed by the Township Manager and shall carry out such duties as the Township Manager shall assign. The Director of Police shall have such control over the Police Department in such manner as may be consistent with all applicable statutes, ordinances and regulations, and shall be responsible for the administration and regulation of the Police Department.

~~C. Chief of Police. Duties and responsibilities of Chief, Office of Emergency Management and other positions.~~

(1) ~~The head of the Police Department shall be the~~ A Chief of Police, who shall may be appointed by the Township Manager and ~~who~~ shall carry out such duties as the Township Manager shall assign ~~to the Chief.~~ The Chief of Police shall be directly responsible to the Township Manager for the efficiency and routine day-to-day duties to members and other personnel of the Department. ~~The Chief shall;~~ have full charge and control of the apparatus and equipment of the Department and its assignment and use; and shall be held responsible for its care, cleanliness, and safekeeping, and render a strict account thereof when called for by the Township Manager. The Chief of Police shall, pursuant to the policies established by the Township Manager:

Section 2. All other sections of Chapter 6 shall remain as written.

Section 3. Repealer. Any and all other ordinances inconsistent with any of the terms and provisions of this ordinance are hereby repealed to the extent of such inconsistencies.

Section 4. Severability. In the event that any section paragraph, clause phrase, term, provision or part of this ordinance shall be adjudged by a court of competent jurisdiction to be invalid or unenforceable for any reason, such judgment shall not effect, impair or invalidate the remainder thereof, but shall be confined in its operation to the section, paragraph, clause, term, provision or part thereof directly involved in the controversy in such judgment shall be rendered.

Section 5. Effective Date. This ordinance shall take effect 20 days after adoption.

Section 6. Short Title. This Ordinance shall be known as Ordinance 5-2023.

CERTIFICATION

I, Patricia L. Hunt, Township Clerk, hereby certify that the attached is a true and correct copy of Ordinance No. 5-2023 which was introduced and adopted on first reading on February 27, 2023 and heard on second reading and was duly adopted by the Township Council of the Township of Moorestown, County of Burlington, State of New Jersey at a meeting of the Township Council held on March 13, 2023.

<u>VOTE:</u>	
GILLESPIE	ABSENT
LAW	YES
MAMMARELLA	YES
VAN DYKEN	ABSENT
ZIPIN	YES

Patricia L. Hunt, RMC
Township Clerk