

CITY OF PASSAIC  
ORDINANCE NO. 2421-23

**ORDINANCE AMENDING CHAPTER 39 "POLICE DEPARTMENT" ARTICLE VI  
"OFF DUTY POLICE SERVICES" SECTION 16 "PAYMENT FOR OFF-DUTY  
POLICE SERVICES" AND SECTION 17 "ADMINISTRATIVE SERVICES AND  
FEES" OF THE CITY OF PASSAIC CODE**

**WHEREAS**, pursuant to N.J.S.A.40:48-2, the governing body of a municipality may make, amend, repeal, and enforce such other 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;

**WHEREAS**, in order to ensure that the City is paid for off-duty police services, and that assignments to outside contractors do not conflict with the needs of the City, it is appropriate to establish hourly rates and procedures to be followed by private contractors and the City Police Department.

**NOW THEREFORE, IT IS ORDAINED** by the City Council of the City of Passaic that the City Code of the City of Passaic is hereby amended to delete and replace Chapter 39 Section 16, entitled "Payment for off-duty police services", and Chapter 39 Section 17, entitled "Administrative services and fees", in their entirety as follows:

**SECTION I**

**ALL ADDITIONS ARE UNDERLINED**

**ARTICLE VI OFF DUTY POLICE SERVICES**

**§ 39-16 Payment for off-duty police services.**

- CITY CLERK'S OFFICE  
PASSAIC, N.J.  
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RECEIVED
- (a) An outside employer wishing to hire police officers for off-duty police work shall pay for these services directly to the City or any secondary service provider contracted by the City pursuant to Section 39-17(A), and the City or its designated secondary service provider shall issue the police officer a check for these services for the net amount equal to the gross pay less any applicable deductions. Payment for off-duty employment shall not be part of the pension.
  - (b) Police officers obtaining police-related off-duty employment shall be subject to all of the rules, regulations, orders and directives of the City of Passaic Police Department. The City may require that police officers wear their uniforms during off-duty employment assignments.
  - (c) The hourly rate to be paid to police officers for off-duty police work by the City or its designated secondary service provider shall be as follows:
    - (1) Per hour for protective services, traffic enforcement and safety for festivals, parades, carnivals, bazaars, fairs or similar events, with an initial four-hour minimum:
      - a. For police officers assigned \$75 per hour. Thereafter, any fraction of the hour goes to the next hour.
      - b. For personnel with the rank of Sergeant or higher who are assigned as a Supervisor: \$85 per hour. Thereafter, any fraction of the hour goes to the next hour.
      - c. For personnel with the rank of Lieutenant or higher, who are assigned as an Incident/ Event Commander: \$95 per hour. Thereafter, any fraction of the hour goes to the next hour.
    - (2) Per hour for protective services, traffic enforcement and work zone safety, and work done on weekends and holidays, with an initial four-hour minimum: \$100. Thereafter, any fraction of the hour goes to the next hour.
    - (3) Per hour for work performed for the City of Passaic Board of Education and any and all City funded projects, with an initial two-hour minimum: \$55.
  - (d) An outside employer wishing to cancel its request for off-duty police service must do so at least one hour prior to the time such off-duty work is scheduled to commence, or such outside employer shall be responsible for the full cost of the initial four-hour minimum as set forth in Subsection C herein.

**SECTION II**

If any section or provision of this ordinance shall be invalid in any court the same shall not affect the other sections or provisions of this ordinance except so far as the section or provision so declared invalid shall be inseparable from the remainder or any portion thereof.

**SECTION III**

All ordinances or parts of ordinances to inconsistent herewith are hereby repealed to the extent of such inconsistency.

**SECTION IV**

This Ordinance shall be subject to review by the Council after passage of six months from its effective date.

**SECTION V**

This ordinance shall take effect upon publication as provided by law.

INTRODUCED BY COUNCILPERSON: Terrence Love

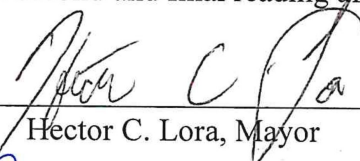
SECONDED BY COUNCILPERSON: Thania Melo

Record of Council Vote on Final Passage	Aye	Nay	Abstain	Absent
COLON-MONTANEZ, M.	x			
GARCIA, J.	x			
MELO, T.	x			
LOVE, T.	x			
MUNK, C.	x			
SCHAER, G.	x			
SCHWARTZ, D	x			

Adoption of first reading at a meeting of the Council of the City of Passaic, NJ on

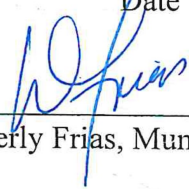
~~October 24, 2023~~

Adopted on the second and final reading after the hearing on **November 9, 2023**

APPROVED:   
Hector C. Lora, Mayor

11-20-2023  
Date

  
Gary S. Schaer, Council President

  
Weatherly Frias, Municipal Clerk