

**TOWNSHIP OF ROCKAWAY  
COUNTY OF MORRIS, STATE OF NEW JERSEY**

**ORDINANCE # O-21-22**

**AN ORDINANCE AMENDING CHAPTER 10, ENTITLED POLICE  
DEPARTMENT, OF THE REVISED GENERAL ORDINANCES OF THE  
TOWNSHIP OF ROCKAWAY TO PROVIDE THE ADMINISTRATION WITH  
DISCRETION TO HIRE ENTRY LEVEL POLICE OFFICERS PURSUANT TO  
N.J.S.A. 11A:4-1.3**

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

**WHEREAS**, the Council wishes to amend Chapter 10, entitled Police Department, specifically §10-5 entitled Appointments to Departments; Qualifications to give the “appointing authority” the discretion to hire entry level police officers in accordance with N.J.S.A. 11A:4-1.3 which provides for an exemption from general civil services regulations in the presence of an Ordinance such as this one; and

**WHEREAS**, the Township is authorized to pass an ordinance granting such discretion to the “appointing authority” as a result of its having previously established by way of the passage of Chapter 26 of the Revised General Ordinances of the Township of Rockaway, a Personnel Policy and Procedure Manual, which contains both a Conflict of Interest and an anti-Nepotism Policy as is required by N.J.S.A. 11A:4-1.3 as a condition precedent to the passage of this Ordinance; and

**WHEREAS**, N.J.S.A 11A:4-1.3 authorizes the appointment of entry level police officers who have not passed a Civil Service Examination, but who have successfully completed a Basic Course for Police Officers at a school approved and authorized by the New Jersey Police Training Commission

**NOW THEREFORE BE IT ORDAINED** by the Township Council of the Township of Rockaway that §10-5 of Chapter 10 of the Revised General Ordinances of the Township of Rockaway is hereby amended as follows:

**SECTION 1:**

**Chapter 10 POLICE DEPARTMENT**

**§10-5 Appointments to Department; Qualifications**

Except as otherwise set for the herein, appointments to the Police Department shall be made in accordance with applicable law from lists of eligible candidates provided to the Township by the New Jersey Department of Civil Service.

Appointments of entry level police officers may, in the sole discretion of the appointing authority, be made in accordance with the provisions of N.J.S.A. 11A:4-1.3.

In appropriate circumstances, any and all applicants for appointment shall be required to complete a physical and psychological examination.

**SECTION 2.** All Ordinances of the Township of Rockaway which are inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

**SECTION 3.** If any section, subsection, clause, or phrase of this Ordinance is for any reason held to be unconstitutional or invalid by any Court of competent jurisdiction, such decision shall not affect the remaining portions of this Ordinance.

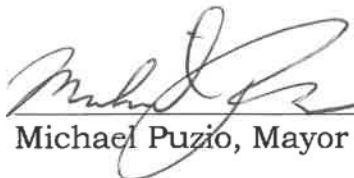
**SECTION 4.** This Ordinance shall take effect on August 5, 2021.

**CERTIFICATION**

I hereby certify the foregoing to be a true copy of an Ordinance introduced by the Township Council of the Township of Rockaway at a duly convened meeting held on April 27, 2021 and adopted at a duly convened meeting held on

May 11, 2021.

  
Christina Clipperton, Township Clerk

  
Michael Puzio, Mayor

  
Joe Jackson, Council President

### **Purpose**

The purpose of this Ordinance is to give the appointing authority the discretion to appoint entry level police officers to the Rockaway Township Police Department, when those candidates have not first passed a Civil Service Examination, but have otherwise complied with the requirements of N.J.S.A. 11A:4-1.3. This will afford the Administration the opportunity to appoint from a larger pool of eligible candidates and will also help to avoid the expenditure of tax dollars for the police academy training of entry level officers.