

AN ORDINANCE OF THE MAYOR AND BOROUGH COUNCIL OF THE BOROUGH OF MOUNT ARLINGTON, IN THE COUNTY OF MORRIS, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING THE BOROUGH CODE TO INCLUDE A NEW ITEM TO CHAPTER 4 ADMINISTRATION OF GOVERNMENT, SECTION § 4-14 POLICE DEPARTMENT, O. CLASS II SPECIAL POLICE OFFICERS

WHEREAS, the Borough Chief of Police reviewed the Borough Code and determined a new section is required to set forth the policies and procedures for the special officers who will provide court security for the Borough shared municipal court; and requests that the Mayor and Borough Council review and amend same to include a new item to Chapter 4 Administration of Government, Section § 4-14 Police Department, O. Class II Special Police Officers; and

WHEREAS, the Mayor and Borough Council reviewed the suggested Chapter 4 Administration of Government, Section § 4-14 Police Department, O. Class II Special Police Officers and determined that the new section is in the best interest of the Borough and its public servants; and the Borough Code be updated as more specifically set forth below.

BE IT ORDAINED, by the Mayor and Borough Council of the Borough of Mount Arlington, County of Morris, and the State of New Jersey, as follows:

SECTION 1.

Chapter 4 Administration of Government, Section § 4-14 Police Department, O. Class II Special Police Officers is hereafter amended and supplemented to read in its entirety as follows:

O. Class II Special Police Officers

(1) **POLICY**: The Mount Arlington Police Department has established a Special Police Officer program in order to augment the resources of the full-time Police Officers of this department. The training, equipment and utilization of Special Officers will conform to all applicable state statutes, Mount Arlington municipal ordinances and Mount Arlington Police Department Policies and Procedures.

(2) **PROCEDURE**:

I. Special Police Officers

A. No person shall be appointed a special police officer unless the appointee:

1. Is a resident of the State of New Jersey during the term of appointment.
2. Is able to read, write and speak the English language intelligently.
3. Is of sound body and good health.
4. Is of good moral character.
5. Has not been convicted of any offense involving dishonesty or which would make him/her unfit to perform the duties of Special Officer.

6. Has successfully undergone the same psychological testing that is required of all full-time officers of this department.
- B. Every special officer applicant shall have their fingerprints taken for a background check and printed cards kept on file at the Police Department.
 - C. No person is eligible for appointment as a special officer if that person:
 1. Serves as a full-time, permanently employed officer in another jurisdiction.
 2. Serves as a public official with responsibility for setting law enforcement policy in the Borough of Mount Arlington.
 3. Serves as a public official exercising authority over the budget of Borough of Mount Arlington.
 4. Serves as a public official exercising authority over the supervision of police personnel in any jurisdiction.
 - D. All candidates will submit to a background investigation which will be consistent with the same investigation done for full-time officers. The investigation will be forwarded to the Chief of Police for approval.

II. Training Requirements

- A. Class II Special Police Officers are authorized to exercise full police powers and duties similar to those of a permanent full-time police officer.
- B. The officer must hold the appropriate Police Training Commission certificate of a Class II Special Police Officer or possess a PTC certificate of a full-time officer that has not expired within the time frame prescribed by law.
 1. Class II Officers may receive authorization from the Chief of Police to carry a firearm while engaged in the performance of their duties.
 2. The firearms course will be the same course approved by the Police Training Commission for full-time officers.
 3. Class II Officers are considered to be on duty when performing public safety functions on behalf of this department and receiving compensation for that service at a rate established by ordinance.
 4. Class II Officers are permitted to carry a personally owned weapon while off duty if they are a retired officer in good standing and in accordance with H.R. 218 which allows “a qualified retired officer to carry anywhere in the United States.”
- C. Class II Officers are required to attend and successfully complete all of the mandatory in-service training required for full-time officers.
 1. Class II Officers will report to the Unit Commander determined by the Chief of Police.

III. Terms of Appointment

A. Class II Officers are appointed for a term not to exceed one (1) year. At the conclusion of the term the Chief of Police shall make a recommendation to the Borough Administrator to extend the appointment for another year term if the Chief of Police feels that the officer served in good performance and there is a continued need for the officer. The appointment of the officer can be revoked for cause after an adequate hearing during the course of the one (1) year appointment.

SECTION 2. All ordinances or parts of ordinances inconsistent herewith are hereby repealed as to such inconsistencies.

SECTION 3. If any article, section, subsection, paragraph, phrase, or sentence is for any reason held to be unconstitutional or invalid, said article, section, subsection, paragraph, phrase or sentence shall be deemed separable.

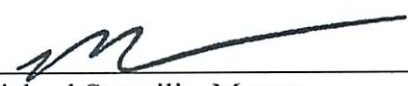
SECTION 4. This Ordinance shall take effect upon final publication as provided by law.

I HEREBY CERTIFY this to be a true and correct Ordinance of the Mayor and Borough Council of the Borough of Mount Arlington, adopted on November 1, 2017 and will be further considered after a Public Hearing held on December 5, 2017 at the Municipal Building at 7:00 P.M.

INTRODUCED:
PUBLISHED:
ATTEST:

BOROUGH OF MOUNT ALRINGTON
COUNTY OF MORRIS
STATE OF NEW JERSEY


Linda DeSantis, Borough Clerk


Michael Stanzilis, Mayor