

ORDINANCE #9-17

ORDINANCE OF THE BOROUGH OF KEYPORT, COUNTY OF MONMOUTH, NEW JERSEY, AMENDING AND SUPPLEMENTING VARIOUS SECTIONS OF CHAPTER III "POLICE AND FIRE DEPARTMENTS" ARTICLE I "POLICE DEPARTMENT" OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF KEYPORT

WHEREAS, Article I of Chapter III of the Revised General Ordinances of the Borough of Keyport establishes the Keyport Police Department and among other provisions, outlines its organizational structure; and

WHEREAS, the Governing Body, which is the "appropriate authority" desires to amend certain sections of Article I, in part, to create the position of Police Captain.

NOW THEREFORE BE IT ORDAINED by the Governing Body of the Borough of Keyport that the Code of the Borough of Keyport, Chapter III "Police and Fire Departments" Article I "Police Department" be and hereby is amended and supplemented as follows:

Section 1. The aforementioned recitals are incorporated herein as though fully set forth at length.

Section 2. Chapter III "Police and Fire Departments" Article I "Police Department" shall be amended and supplemented as follows:

3-3 ORGANIZATIONAL STRUCTURE OF POLICE DEPARTMENT AND RESPONSIBILITIES OF COMMAND WITHIN DEPARTMENT.

3-3.4 Responsibilities of Command. The responsibility of command within the Police Department shall be vested within the Police Chief. During the absence of that commanding officer, when no other special designation is made by the Mayor and Council, the command shall automatically devolve upon the senior member of the Department as determined, first by rank, and second by continuity of service in the Department. During such periods, the ranking official shall have the same powers as those of the official whose office he temporarily holds. The rank structure within the Police Department shall be as follows:

- a. Police Chief (no more than 1)
- b. Police Captain (no more than 1)
- ~~b. c.~~ Police Lieutenant (no more than 1)
- ~~c. d.~~ Police Sergeant (no more than 5 ~~until the current Sergeant assigned to the Detective Bureau retires or is re-assigned, thereafter no more than 4~~)
- d. e. Patrol Officer (permanent and probationary, no more than ~~10~~ 12); the

New language is underlined, and language to be deleted is struck.

position of detective is an assignment of duties within the rank

During such periods, the ranking official shall have the same powers as those of the official whose office he temporarily holds. This ordinance does not require that all rank positions be filled.

3-3.7 Detective Bureau.

- a. *Personnel; Authority.* The Detective Bureau shall be assigned ~~(as personnel one (1) patrol officer and such other police officers as shall be assigned)~~ adequate staff by the Police Chief with the approval of the Borough Council. Police officers in the Detective Bureau shall be subject to the command of the Police Chief or his designee and the rules and regulations of the Department. ~~The Officers assigned as a Detective shall perform the duties of Juvenile Aid Officer to the extent appropriate as directed by the Police Chief.~~
- b. *Assignments to the Bureau.* Assignments to the Detective Bureau to the position of detective are temporary and subject to the discretion and determination of the Police Chief within the limitations as established herein.

3-4 MEMBERS OR PERSONNEL OF THE POLICE DEPARTMENT; ELIGIBILITY AND QUALIFICATIONS; METHOD OF APPOINTMENT; OFFICIAL TITLES; AND COMPENSATIONS.

3-4.2. Official Titles. The members of the Police Department shall have the following official titles. Police Chief; Police Captain; Police Lieutenant; Police Sergeant; Police Patrol Officer; Police Detective is an assignment and during said assignment an officer may be designated and referred to as Detective.

3-5 AUTHORITY AND DUTIES OF MEMBERS OF THE POLICE DEPARTMENT.

3-5.2 ~~Reserved.~~ Authority and Duties of Police Captain.

- a. The position of Police Captain is an administrative position exempt from the provisions of the Fair Labor Standards Act.
- b. The Police Captain shall perform all duties required of them to be performed by the Police Chief, under the Chief's supervision.
- c. The Police Captain shall be responsible for the training and efficient of all members of the Department.

New language is underlined, and language to be deleted is struck.

- d. The Police Captain shall, whenever and to the extent ordered by the Police Chief, assist the Police Chief in any and all duties and act as ranking official in the absence of the Police Chief.

Section 3. All Ordinances or parts thereof inconsistent with the provisions of this Ordinance are hereby repealed.

Section 4. Each section, subsection, sentence, clause and phrase of this ordinance is declared to be an independent section, subsection, sentence, clause and phrase and the finding or holding of any such portion of this ordinance to be unconstitutional, void, or ineffective for any cause, or reason, shall not affect any other portion of this ordinance.

Section 5. Except as amended by this ordinance, all other provision of the Borough's Revised General Ordinances shall remain in full force and effect.

Section 6. The Borough Clerk is hereby directed, upon adoption of the ordinance after public hearing thereon, to publish notice of the passage thereof.

Section 7. This ordinance shall be in full force and effect from and after its adoption and publication according to law.

Introduced: May 16, 2017
Public Hearing: June 20, 2017
Adopted: June 20, 2017



Valerie T. Heilweil, RMC, CMR
Borough Clerk
Borough of Keyport



Harry M. Dumack, II, Mayor
Borough of Keyport

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