

## ORDINANCE NO. 2018-12

### ORDINANCE ESTABLISHING BOROUGH OF KENILWORTH CODE, ARTICLE 1, CHAPTER 39-14 – AUXILIARY POLICE AND SPECIAL LAW ENFORCEMENT OFFICERS

**BE IT ORDAINED**, by the Borough Council of the Borough of Kenilworth, that the title of Article I, Chapter 39-14 be re-established as “Special Law Enforcement Officers and Auxiliary Police”.

**BE IT ORDAINED**, by the Borough Council of the Borough of Kenilworth that the title of ‘Special Law Enforcement Officer’ is established in Article I, Chapter 39-14

**Article I, Chapter 39-14.1.1** Borough of Kenilworth authorizes the use of special law enforcement officers to assist the regular police department in the performance of its duties and responsibilities subject to the eligibility criteria and limitations set forth in the *Special Law Enforcement Officers Act, N.J.S.A. 40A: 14-146.10 et seq.* No special law enforcement officers shall be appointed to any term exceeding one year.

- a. No special law enforcement officer, by virtue of his/her appointment as such, shall be or become a regular member of the police department.
- b. Special law enforcement officers are considered at-will part-time employees and can be terminated for cause after adequate hearing, unless the appointment is for four months or less, in which event the appointment may be revoked without cause or hearing (N.J.S.A. 40A: 14-146.14).
- c. Every special law enforcement officer, while on duty, shall abide by all the rules and regulations of the police department and those policies, general order or standard operating procedures established by the Chief of Police.

#### **39-14.1.2 Qualifications:**

No person shall be appointed as a special law enforcement officer unless the person:

- a. Is legally permitted to work in the United States;
- b. Is a resident of the State of New Jersey during his/her term of appointment;
- c. Is able to read, write and speak the English language well and intelligently and has a high school diploma or its equivalent;
- d. Is of sound body and of good health;
- e. Is of good moral character;
- f. Has not been convicted of any offense involving dishonesty or that which would make him/her unfit to serve as a special law enforcement officer.

#### **39-14.1.3 Duties; classification of special law enforcement officers:**

There shall be the following class of special police officers pursuant to law:

- a. Class 3. Officers of this class must be a retired law enforcement officer under the age of 65, who had retired from his/her agency in good standing and possess a valid New Jersey Police Training Commission basic police officer certification. Such Class 3 officers must be physically capable of performing the functions of the position in accordance with New Jersey Police Training Commission guidelines. Such Class 3 officers are authorized to exercise powers and duties commensurate with those of a regular police officer. The use of a firearm by such officer may only be authorized upon successful completion of training and instruction as required by law. The Chief of Police may authorize the use of mechanical force weapons, but such special law enforcement officers must train and demonstrate proficiency with such mechanical force weapons with the same frequency as regular police officers

#### **39-14.1.4 Appointment**

- a. Special Law Enforcement Officers Class III shall be nominated by the Chief of Police and approved by the Borough Counsel for one year term commencing on September 1, of each year and running until August 31 of the year.

b. Pre- Certification standards shall be established by the Chief of Police and provided to each applicant.

1. (b)

Anthony DeLuca, Jr., Mayor

INTRODUCTION						COUNCILPERSON	FINAL ADOPTION				
Moved	Sec.	Aye	Nay	Abs.	NP		Moved	Sec.	Aye	Nay	Abs.
		X				KAY CECERI			X		
X		X				LAWRENCE CLEMENTI	X		X		
		X				MARK DAVID		X	X		
	X	X				LINDA KARLOVITCH			X		
				X		GERRY LAUDATI			X		
		X				ROBERT SCHIELKE			X		
Introduced: August 22, 2018			I hereby certify the above ordinance was adopted by the Borough Council of the Borough of Kenilworth, County of Union, State of New Jersey on the aforementioned date.								
Final Adoption: September 12, 2018											
Laura Reinertsen, Borough Clerk											