

**AN ORDINANCE  
CONCERNING THE  
PRINCETON POLICE  
DEPARTMENT AND  
AMENDING THE "CODE OF  
THE TOWNSHIP OF  
PRINCETON, NEW JERSEY,  
1968" AND THE "CODE OF  
THE BOROUGH OF  
PRINCETON, NEW JERSEY,  
1974".**

WHEREAS, the Borough of Princeton and the Township of Princeton pursuant to the New Jersey Municipal Consolidation Act, *N.J.S.A. 40:43-65.35 et seq.*, consolidated as of January 1, 2013 as a new municipal corporation known as "Princeton"; and

WHEREAS, the Borough and Township Ordinances were readopted by Resolution of the consolidated Princeton as authorized by *N.J.S.A. 40:43-66.64*; and

WHEREAS, Princeton wishes to adopt a new Police Department Ordinance designating the "appropriate authority" as required by *N.J.S.A. 40A:14-118* for said Department and to clarify the function and role of the Mayor and Council, Public Safety Committee, Administrator and Chief of Police for said Department.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of Princeton as follows:

Section 1. Article II, Sections 26-3 and 26-4 of the "Code of the Borough of Princeton, New Jersey, 1974" and Section 15-4 of the "Code of the Township of Princeton, New Jersey, 1968" are hereby repealed.

Section 2. NEW Section 26-3 of the "Code of the Borough of Princeton, New Jersey, 1974" shall read as follows:

**Sec. 26-3. Establishment of Appropriate Authority**

Pursuant to *N.J.S.A.* 40A:14-118, the Mayor and Council as the governing body of Princeton is hereby designated as the "appropriate authority" and shall have the powers as provided by State law, including the ability to:

- a. Adopt and promulgate rules and regulations for the government of the Police force and for the discipline of its members. It shall have the discretion and authority to designate a Hearing Officer or the Administrator to conduct such hearings and make findings and recommendations to it. The Mayor and Council, as appropriate authority, shall render a final determination of all Police Department disciplinary matters. The Mayor and Council shall have the power and authority to affirm, reverse or modify the findings and recommendations of the Hearing Officer or Administrator. The rules and regulations adopted and promulgated by the Mayor and Council shall become part of the Police Manual as so directed by it.
- b. Review the operations of the Police Department when necessary; and
- c. Receive monthly reports with regard to the Police Department from the Police Chief.

(a) Responsibilities of Mayor and Council

(i) The Mayor and Council from time-to-time shall establish the size and rank structure within the Department; and

(ii) The Mayor and Council shall fix the compensation of members of the Department consistent with the terms and conditions of any applicable Collective Bargaining Agreements; and

(iii) The Mayor and Council shall approve the appointment of the Chief of Police, promotion of Police personnel and the hiring of any new Police Officers; and

(iv) The Mayor and Council shall handle Police disciplinary matters within the governing bodies jurisdiction with regard to complaints filed with the Chief of Police, Public Safety Committee and Administrator as provided for in Section 26-3(a)(i)a hereinabove and Section 26-3(c)(ii) hereinbelow.

(b) The Public Safety Committee:

The Public Safety Committee shall consist of the Mayor, Administrator, both ex officio, and two (2) members of the Council appointed by the Mayor with the consent of the Council. The terms of the appointed members shall expire on the first day of January next following their appointments but they shall serve after the expiration of their terms until their successors shall have been appointed and qualified. Any vacancy in any of the appointed offices shall be filled in a like manner, but for the unexpired term. The Mayor shall designate one (1) of the appointed members as the Police Commissioner and in that capacity such member shall be

the Chair of the Public Safety Committee. The Public Safety Committee shall have the powers and duties prescribed hereinbelow.

- (i) Review proposed rules and regulations for the governance and discipline of the Police Department as recommended to it by the Administrator and Chief of Police for recommendation to the Mayor and Council; and
- (ii) Review the operations of the Police Department when necessary; and
  - (iii) Act as liaison between the Mayor and Council and the Administrator and Chief of Police with regard to any matters related to the Police Department; and
  - (iv) Make recommendations to the Mayor and Council with regard to authorized number of officers in various ranks and promotion of same; and
  - (v) Make recommendation to the Mayor and Council with regard to the hiring of new Police Officers; and
- (c) Administrator:

The Administrator shall:

- (i) Act as liaison between the Police Department and the Mayor and Council with regard to the day-to-day operations of the Department; and
- (ii) Handle Police disciplinary matters as more fully set forth in Section 26-11 of this Code; and

(d) Chief of Police:

Shall be the head of the Police force and responsible for the efficient and routine day-to-day operations of the Department including:

- (i) Administer and enforce rules and regulations of the Department and special emergency directives for the disposition and discipline of the force and its Officers and personnel; and
- (ii) Have, exercise and discharge the functions, powers and duties of the force; and
- (iii) Prescribe the duties and assignments of all subordinates and other personnel within the Department; and
- (iv) Delegate authority as the Chief may deem necessary for the efficient operation of the force to be exercised under the Chief's direction and supervision; and
- (v) Report at least monthly to the Mayor and Council on the operations of the Police Department during the preceding month and make such other reports as may be requested by the Mayor and Council.

Section 3. All remaining sections of Chapter 26 of the "Code of the Borough of Princeton, New Jersey, 1974" and Chapter 15 of the "Code of the Township of Princeton, New Jersey, 1968" shall remain in full force and effect to the extent that they are not inconsistent with the provisions of this Ordinance. The provisions of this Ordinance shall govern the

administration and operation of the Princeton Police Department and designation of the "appropriate authority" for said Department as required by law.

Section 4. This Ordinance shall take effect upon its passage and publication as required by law.

The foregoing ordinance was introduced at a meeting of the Mayor and Council of Princeton held on August 26, 2013 and will be further considered for final passage after a public hearing thereon at a meeting of said Mayor and Council to be held at the Princeton Municipal Building, Witherspoon Hall, 400 Witherspoon Street on September 9, 2013 which begins at 7:00 p.m.

Kathleen K. Brzezynski, Deputy Clerk