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Princeton, New Jersey, 1974" and Section 15-4 of the "Code of the Township of Princeton, New Jersey, 1968" are hereby repealed.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. The Line of Authority for the Police Department.

The following establishes the line of authority for the administration and operation of the Princeton Police Department:

(a) Mayor and Council:

The Mayor and Council shall have the duty and responsibility to undertake the following:

(i) Review and adopt the rules and regulations for the governance and discipline of the Police Department as recommended by the Chief, Public Safety Committee and Administrator; and

(ii) Review the operations of the Police Department when necessary; and

(iii) Receive monthly reports with regard to the Police Department from the Chief; and

(iv) Establish from time-to-time the size and rank structure within the Department; and

(v) Fix the compensation of members of the Department consistent with the terms and conditions of any applicable Collective Bargaining Agreements; and

(vi) Approve the appointment of the Chief of Police, promotion of Police personnel and the hiring of any new Police Officers; and

(vii) Handle Police disciplinary matters within the governing body's jurisdiction with regard to complaints filed with the Chief of Police, Public Safety Committee and Administrator.

(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

(vi) Meet with the Administrator and Chief of Police with regard to matters related to the daily and routine operation of the Police Department.

(c) Administrator:

The Administrator shall constitute the "appropriate authority" as required by N.J.S.A. 40A:14-118 and shall thereby have the powers as provided by State law including:

(i) Coordinate with the Chief of Police with regard to the day-to-day operations of the Police Department; and

(ii) Handle Police disciplinary matters as more fully set forth in Section 26-11 of said Code; and

(iii) Receive, review and forward to the Mayor and Council monthly reports concerning the Department prepared by the Chief of Police.

(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 Public Safety Committee 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 September 9, 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 Complex, Witherspoon Hall, 400 Witherspoon Street on September 23, 2013 which begins at 7:00 p.m.

Kathleen K. Brzezynski

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Deputy Clerk