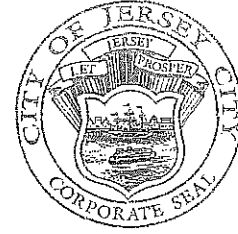


City Clerk File No. Ord. 19-068

Agenda No. 3.1 1st Reading

Agenda No. 4.1 2nd Reading & Final Passage



ORDINANCE OF JERSEY CITY, N.J.

COUNCIL AS A WHOLE

offered and moved adoption of the following ordinance:

CITY ORDINANCE 19-068

TITLE: **AN ORDINANCE AMENDING CHAPTER 3 (ADMINISTRATION OF GOVERNMENT), ARTICLE XI (DEPARTMENT OF PUBLIC SAFETY) OF THE JERSEY CITY MUNICIPAL CODE TO (1) CLARIFY THE QUALIFICATIONS FOR THE POSITIONS OF DIRECTOR & ASSISTANT DIRECTOR OF PUBLIC SAFETY, (2) CLARIFY THE RESPONSIBILITIES OF THE POSITIONS OF DIRECTOR & ASSISTANT DIRECTOR OF PUBLIC SAFETY AND (3) CREATE A TABLE OF ORGANIZATION FOR THE DIVISION OF POLICE PURSUANT TO N.J.S.A. 40A:14-118**

THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY DOES ORDAIN:

WHEREAS, N.J.S.A. 40A:14-118 states that the governing body of a municipality, may, by ordinance, create a police force, and that any such ordinance creating such a force shall provide for a line of authority relating to the police function; and

WHEREAS, the line of authority relating to the police function is commonly known as a Table of Organization; and

WHEREAS, Jersey City's current Table of Organization exists within a Directive of the Director of Public Safety and is not part of the Ordinance which created the Division of Police; and

WHEREAS, the State's Civil Service Commission recently notified the City that it must make the City's Table of Organization part of the Ordinance which created the Division of Police.

NOW, THEREFORE, BE IT ORDAINED by the Municipal Council of the City of Jersey City that Chapter 3, (Administration of Government) Article XI (Department of Public Safety) be amended as follows:

CHAPTER 3

ADMINISTRATION OF GOVERNMENT

ARTICLE I *through* ARTICLE X

NO CHANGE.

ARTICLE XI

Department of Public Safety

§ 3-83. - Department created; head; divisions.

There is hereby established the Department of Public Safety, the head of which shall be the Director of Public Safety. The Department of Public Safety shall consist of the Division of Police, the Division of Fire and Emergency Services, and the Division of Communication and Technology and the Division of Parking Enforcement.

§ 3-84. - Director of Public Safety.

A. ~~The Director of Public Safety shall be qualified by training and experience for the duties of the position and shall have the following qualifications, unless said qualifications are waived by affirmative vote of at least two thirds of the entire Council: a minimum of ten (10) years experience as a member of a police department, fire department or other law enforcement agency, five years of which shall have been in a supervisory and administrative capacity.~~

B. The Director of Public Safety shall be responsible for the administration, regulation and discipline of the Division of Police, ~~the~~ Division of Fire ~~and Emergency Services~~, ~~the~~ Division of Communications and Technology, and ~~the~~ Division of Parking Enforcement.

C. ~~The Director of the Department of Public Safety can appoint an Assistant Director and assign such person the Assistant Director duties as desired. The person appointed as Assistant Director of Public Safety shall be qualified by training and experience for the duties of the position. The person shall not be appointed unless he or she meets the following minimum qualifications, unless said qualifications are waived by affirmative vote of at least two thirds of the entire Council: a minimum of ten (10) years experience as a member of a police department, fire department or other law enforcement agency, five years of which shall have been in a supervisory and administrative capacity.~~

~~If the experience of the Director is as a member of a police department, then the experience of the Assistant Director shall be as a member of a fire department. If the experience of the Director is as a member of a fire department, then the experience of the Assistant Director shall be as a member of a police department.~~

D. The Director of Public Safety shall report to the Mayor regularly with recommendations related to conditions of the Department and its improvements and needs.

~~E.B.~~ The Director may employ special law-enforcement officers in accordance with N.J.S.A. 40A: 14-146.8 et. seq., "Special Law Enforcement Act;"

~~F.C.~~ The Director of Public Safety shall also:

- (1) Keep abreast of the public safety requirements of the City and formulate policies, plans and procedures to determine needs;
- (2) Develop organization, manpower and resource recommendations and, upon approval of same, effect their implementation;
- (3) Establish performance criteria for the Department as a whole as well as its individual members and conduct periodic evaluations to assure compliance with those criteria;
- (4) Establish and maintain relations with school, civil and private organizations to assure a full understanding of the public safety effort;
- (5) Conduct public relations and public information programs on behalf of the Department in order to maintain the required relationship between the department and the citizens of the City of Jersey City;
- (6) Promote a close liaison with the various agencies of the City of Jersey City, and to attend meetings of the City Council to better coordinate the functioning of the ~~Division of Police, Division of Fire, and Division of Communications and Technology~~ Department of Public Safety with the work of all municipal agencies.
- (7) Regularly review the ordinances of the City of Jersey City dealing with public safety.

**SUB-ARTICLE I
Division of Police**

§ 3-85. - Creation of the Division of Police; Police Chief in charge; Table of Organization.

There shall be a Division of Police, the head of which shall be the Chief of Police.

- A. Pursuant to N.J.S.A. 40:69A-60.7 the Mayor may appoint a Chief of Police who shall have served as a superior police officer and possess at least five years' administrative and supervisory police experience.
- B. Under the direction of the Director of Public Safety, the Chief of Police shall:
 - (1) Administer and enforce rules and regulations and special emergency directives for the disposition and discipline of the force and its officers and personnel.
 - (2) Have, exercise and discharge the functions, powers and duties of the division.
 - (3) Prescribe the duties and assignments of all subordinates and other personnel.
 - (4) Delegate such authority as necessary for the efficient operation of the division.
 - (5) Report at least monthly to the Director of Public Safety in such form as shall be prescribed by the Director on the operation of the division during the preceding month, and make such other reports as may be requested.
- C. Within the Division of Police and subordinate to the Chief of Police, there shall be the following ranks in descending order of command: Deputy Chief of Police, Captain, Lieutenant, Sergeant and Police Officer. The maximum number within each rank shall be as follows:

Rank	Maximum Number of Each Rank
Chief of Police	1
Deputy Chief of Police	24
Captain	35
Lieutenant	80
Sergeant	145
Police Officer	915
Total number of sworn officers	1,200

- C. The Division of Police may also include such civilian employees as may, from time to time, be appointed and approved by the Director of Public Safety.

§ 3-85.1 - Off-duty employment.

NO CHANGE.

§ 3-87. - Special law enforcement officers.

NO CHANGE.

§ 3-87.1. - Registry of private outdoor video surveillance cameras.

NO CHANGE.

SUB-ARTICLE II

Division of Fire and Emergency Services

§ 3-88. through § 3-90.

NO CHANGE.

SUB-ARTICLE III

Division of Parking Enforcement

§ 3-91. - Division of Parking Enforcement.

NO CHANGE.

SUB-ARTICLE IV

Division of Municipal Emergency Management and Homeland Security

§ 3-92. - Division of Municipal Emergency Management and Homeland Security.

NO CHANGE.

§§ 3-93—3-98. - Reserved.

NO CHANGE.

ARTICLE XII through ARTICLE XVIII

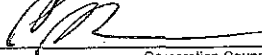
NO CHANGE.

- I. All Ordinances and parts of Ordinances inconsistent herewith are hereby repealed.
- II. This Ordinance shall be part of the Jersey City Code as though codified and fully set forth therein. The City shall have this Ordinance codified and incorporated in the official copies of the Jersey City Code.
- III. This Ordinance shall take effect twenty (20) days after enactment.
- IV. The City Clerk and the Corporation Counsel be and hereby are authorized and directed to change any chapter numbers, article numbers and section numbers in the event the codification of this Ordinance reveals that there is conflict between those numbers and the existing code.

NOTE: All new material is underlined; words ~~struck through~~ are omitted. For purposes of advertising only, new matter is **boldface** and repealed by *italics*.


JJH/mma
6/4/19

APPROVED AS TO LEGAL FORM



Corporation Counsel

APPROVED: _____

APPROVED: 

Business Administrator

Certification Required
Not Required

ORDINANCE FACT SHEET

This summary sheet is to be attached to the front of any Ordinance that is submitted for Council consideration. Incomplete or vague fact sheets will be returned with the Ordinance.

Full Title of Ordinance

AN ORDINANCE AMENDING CHAPTER 3 (ADMINISTRATION OF GOVERNMENT), ARTICLE XI (DEPARTMENT OF PUBLIC SAFETY) OF THE JERSEY CITY MUNICIPAL CODE TO (1) CLARIFY THE QUALIFICATIONS FOR THE POSITIONS OF DIRECTOR & ASSISTANT DIRECTOR OF PUBLIC SAFETY, (2) CLARIFY THE RESPONSIBILITIES OF THE POSITIONS OF DIRECTOR & ASSISTANT DIRECTOR OF PUBLIC SAFETY AND (3) CREATE A TABLE OF ORGANIZATION FOR THE DIVISION OF POLICE PURSUANT TO N.J.S.A. 40A:14-118

Initiator

Department/Division	Public Safety	Office of the Director
Name/Title	James Shea	Director of Public Safety
Phone/email	201-547-5298	jshea@njcps.org

Note: Initiator must be available by phone during agenda meeting (Wednesday prior to council meeting @ 4:00 p.m.)

Ordinance Purpose

This Ordinance clarifies the qualifications for the positions of Director and Assistant Director of Public Safety, the responsibilities of the positions of Director and Assistant Director of Public Safety and would create a Table of Organization for the Division of Police pursuant to N.J.S.A. 40A:14-118.

I certify that all the facts presented herein are accurate.



James Shea
Director of Public Safety

June 4, 2019

Date

Ordinance of the City of Jersey City, N.J.



ORDINANCE NO. Ord. 19-068
 TITLE: 3.1 JUN 26 2019 4.1

JUL 17 2019

An ordinance amending Chapter 3 (Administration of Government), Article XI (Department of Public Safety) of the Jersey City Municipal Code to (1) Clarify the qualifications for the positions of Director & Assistant Director of Public Safety, (2) Clarify the responsibilities of the positions of Director & Assistant Director of Public Safety and (3) Create a Table of Organization for the Division of Police pursuant to N.J.S.A. 40A:14-118.

RECORD OF COUNCIL VOTE ON INTRODUCTION JUN 26 2019 8-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
RIDLEY	✓			YUN	✓			RIVERA	✓		
PRINZ-AREY	✓			SOLOMON	✓			WATTERMAN	✓		
BOGGIANO	✓			ROBINSON	✓			LAVARRO, PRES.	✓		

RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING JUL 17 2019 8-0											
Councilperson <u>RIVERA</u> moved, seconded by Councilperson <u>SOLOMON</u> to close P.H.											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
RIDLEY	✓			YUN	✓			RIVERA	✓		
PRINZ-AREY	✓			SOLOMON	✓			WATTERMAN	✓		
BOGGIANO	✓			ROBINSON	✓			LAVARRO, PRES.	ABSENT		

✓ Indicates Vote

N.V.--Not Voting (Abstain)

SPEAKERS:

RECORD OF COUNCIL VOTE ON AMENDMENTS, IF ANY											
Councilperson _____ moved to amend* Ordinance, seconded by Councilperson _____ & adopted											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
RIDLEY				YUN				RIVERA			
PRINZ-AREY				SOLOMON				WATTERMAN			
BOGGIANO				ROBINSON				LAVARRO, PRES.			

RECORD OF FINAL COUNCIL VOTE JUL 17 2019 9-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
RIDLEY	✓			YUN	✓			RIVERA	✓		
PRINZ-AREY	✓			SOLOMON	✓			WATTERMAN	✓		
BOGGIANO	✓			ROBINSON	✓			LAVARRO, PRES.	✓		

✓ Indicates Vote

N.V.--Not Voting (Abstain)

Adopted on first reading of the Council of Jersey City, N.J. on JUN 26 2019
 Adopted on second and final reading after hearing on JUL 17 2019

This is to certify that the foregoing Ordinance was adopted by the Municipal Council at its meeting on JUL 17 2019

Robert Byrne, City Clerk

*Amendment(s):

APPROVED:
 Rolando R. Lavarro, Jr., Council President

Date: JUL 17 2019

APPROVED:
 Steven M. Fulop, Mayor

Date: JUL 22 2019

Date to Mayor: JUL 18 2019