

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

File No. Ord. 23-056
Agenda No. 3.10 (1st Reading)
Agenda No. 4.10 (2nd Reading and Final Passage)



AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 3 (ADMINISTRATION OF GOVERNMENT), ARTICLE XI (DEPARTMENT OF PUBLIC SAFETY), SUB-ARTICLE I (DIVISION OF POLICE) OF THE JERSEY CITY MUNICIPAL CODE.

COUNCIL AS A WHOLE offered and moved adoption of the following ordinance:

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF JERSEY CITY AS FOLLOWS:

A. The following supplement to Chapter 3 (Administration of Government), Article XI (Department of Public Safety), Sub-Article I (Division of Police) of the Jersey City Code is adopted:

ARTICLE XI
Department of Public Safety
SUB-ARTICLE I
Division of Police

§3-85.1 Off-duty employment.

- A. Definitions. As used in this section, the following terms shall have the following meanings unless the context clearly indicates otherwise:
- (1) "Alcohol Beverage Control premise" means one which is licensed by the Alcohol Beverage Control Board.
 - (2) "Director of Public Safety" means the Director of Public Safety or his or her designee.
 - (3) "City Owned Facility" means any property owned by the City of Jersey City rented by individuals or entities for the purpose of a privately held function.
 - (4) "Large Commercial Establishment" means a commercial establishment such as a store, bank or financial institution of four thousand (4,000) square feet or more or one (1) which is part of a franchise, chain or multi-store complex.
 - (5) "Construction Sites":
 - (a) "City Projects" means any construction project performed by a vendor pursuant to a contract with the City of Jersey City for a public project in City-owned or leased buildings or on City-owned or leased properties.
 - (b) "Private Contractor Projects" means:
 - (i) Any construction project other than a City Project as defined above; and
 - (ii) Construction projects for an owner occupied class 2 residential property (one (1) to four (4) units).
 - (6) "Employer" or "prospective employer" means a prospective employer of off-duty officers.

APPROVED AS TO LEGAL FORM

Business Administrator

Corporation Counsel

An Ordinance amending and supplementing Chapter 3 (Administration of Government), Article XI (Department of Public Safety), Sub-Article I (Division of Police) of the Jersey City Municipal Code.

- (7) "Event requiring major or unusual crowd control" means:
 - (a) An event where five thousand (5,000) people or more expected to attend, such as an athletic event; and
 - (b) Any event where alcohol will be served; and
 - (c) Any event which in the opinion of the Director Public Safety will produce an unusual amount of vehicular or pedestrian traffic.
- (8) "Film Production Sites" include, but are not limited to, movie sets, television productions, and photography.
- (9) "Holidays" are defined only as New Years Eve, New Years Day, Good Friday, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, the day following Thanksgiving Day, Christmas Eve and Christmas Day, and only those dates officially observed.
- (10) "Person" means any individual, corporation, partnership or organization unless the context clearly indicates otherwise.
- (11) "Superior Officer" means Sergeant, Lieutenant, or Captain.
- (12) "Tax Exempt Organization" means a non-profit organization as defined by state or federal law.
- (13) "Traffic Enforcer" means City personnel who regulate and direct the movement of vehicles through traffic, and regulate on street parking.
- ~~(13)~~(14) "Crossing Guards" means City personnel who regulate and direct the movement of pedestrians through traffic.
- ~~(14)~~(15) "Off-Duty Personnel" shall mean Police Officers, Traffic Enforcers, and Guards if applicable, Crossing Guards.
- ~~(15)~~(16) "Office of Off-Duty Employment" means the office responsible for coordinating off-duty assignments and billing of off-duty police work.
- ~~(16)~~(17) "Off-Duty Employment Intake Manager" means the civilian employee of the Public Safety Department who manages off-duty personnel requests and coordinates the number of off-duty personnel assigned to each work site, the Off-Duty Employment Intake Management reports to the Director of Public Safety.
- ~~(17)~~(18) "Off-Duty Employment Intake Manager" means the civilian employee of the Public Safety Department who manages off-duty personnel requests and coordinates the number of off-duty personnel assigned to each work site, the Off-Duty Employment Intake Management reports to the Director of Public Safety.

B. Purpose. For the convenience of those persons who utilize the services of off-duty personnel of the Jersey City Police Department, and to authorize the outside employment of Police Officers, Traffic Enforcers, and Crossing Guards while off-duty, the City of Jersey City hereby establishes this policy. With regard to Police Officers only, this policy complies with Attorney General Formal Opinion 1977-No. 23. In limited situations involving pedestrian safety, Traffic Enforcers or Crossing Guards may be substituted for Police Officers at the discretion of the Off-Duty Employment Intake Manager.

- (1) Off-duty personnel, at their option, shall be permitted to accept employment from private employers, who are separate and independent from the City of Jersey City, only during off-duty hours and at such time as will not interfere with the efficient performance of regularly scheduled or emergency duty of the City; provided, however, that no off-duty personnel may work within a premises licensed by the Alcohol Beverage Board, including, but not limited to, bars, taverns, nightclubs that serve alcoholic beverages, liquor stores, or restaurants with liquor licenses. Off-duty personnel are not permitted on the "licensed premise" itself, which is the area licensed for alcohol consumption, retail sale or storage; provided further that no off-duty personnel may accept off-duty employment under this ordinance by any governmental agency of the City of Jersey City other than the Jersey City Housing Authority.
- (2) Prospective employers of off-duty personnel shall: 1) obtain the prior written approval of the Off-Duty Employment Intake Manager, which approval shall be granted if, in the opinion of the Off-Duty

An Ordinance amending and supplementing Chapter 3 (Administration of Government), Article XI (Department of Public Safety), Sub-Article I (Division of Police) of the Jersey City Municipal Code.

Employment Intake Manager, under the authority of the Director of Public Safety, such employment is necessary and would not be inconsistent with the efficient functioning and good reputation of the Police Department and would not unreasonably endanger or threaten the safety of the off-duty personnel who are to perform the work.

- (3) Upon approval by the Off-Duty Employment Intake Manager, the amount estimated to pay for the off-duty employment shall be deposited in the trust account established under subsection C.
- (4) No off-duty personnel shall be paid directly by any employer for requested services, nor provide services for more hours than specified in the request for services.
- (5) The Director of Public Safety is empowered to promulgate regulations and policies to effectuate this section.

C. Trust account established.

- (1) To assure the timely payment of wages to off-duty personnel who perform off-duty work, and to meet the requirements of the Fair Labor Standards Act, the City of Jersey City has established a trust account known as the "Off-Duty Employment Trust Account." This trust account is dedicated for the receipt of fees collected for the payment for off-duty employment. The "Off-Duty Employment Trust Account" shall be administered by the Off-Duty Billing Coordinator who shall make a written report to the Director of Public Safety and the Fiscal Officer every ninety (90) days regarding said account. Payments to off-duty personnel shall be on a biweekly basis with all appropriate deductions. All payments must be remitted directly to the City of Jersey City for said account. Deposits shall be in the form of certified check, bank check, money order, business check, credit card or electronic payment at the discretion of the Fiscal Officer.
- (2) Hour estimate:
 - (a) Hours Known: A prospective employer of off-duty personnel shall estimate the number of hours and days required. The estimate shall be approved in writing by the Off-Duty Employment Intake Manager and an amount sufficient to cover the rates of compensation and administrative fees set forth in subsection D for the total estimated hours of service shall be deposited into the Trust Account.
 - (b) Hours Unknown or In Excess of Ten (10) Days: In any instance where the number of hours cannot be reasonably estimated or is anticipated to be in excess of ten (10) days, a prospective employer shall deposit an amount sufficient to cover the rate of compensation and administrative fees set forth in subsection D for the equivalent of ten (10) days prior to the commencement of any services. Any unused portion of the deposit shall be returned or credited against the final amount owed.
- (3) Before posting any request for services of off-duty personnel, the Off-Duty Employment Intake Manager shall verify that the balance in the trust account of the prospective employer is sufficient to cover the compensation and fees for the number of hours specified in the request. The Off-Duty Employment Intake Manager shall not post a request for services unless all fees and compensation required in the manner described above have been deposited in the trust account.
- (4) Depletion of Funds in a Trust Account for any Individual Person or Entity: In the event the funds in any individual or entity's trust account should become depleted, services of off-duty personnel shall cease, and requests for further or future services shall not be posted until additional funds have been deposited in the trust account in the manner prescribed above. In the event of an unforeseen emergency situation that would require off-duty personnel to remain beyond the time for which funds have been posted, the Off-Duty Employment Intake Manager may waive the requirement for posting additional funds after the first ten (10) hours for any employer exhibiting a previous satisfactory payment history. However, payment for the additional hours shall be made within forty-eight (48) hours.
- (5) A prospective employer shall be responsible for ensuring that sufficient funds remain in the trust account in order to avoid any interruption of services. In the event of a project which requires services over an extended period the Off-Duty Billing Coordinator may require advance payment equal to twenty-five (25) percent of the projected extended time period with additional twenty-five (25) percent advances as a project continues.
- (6) Exemption. Public utility companies under the jurisdiction of, and regulated by, the New Jersey Board of Public Utilities and the Jersey City Housing Authority are exempt from the provisions set forth in

D. Requests for services.

- E. Rates of compensation; administrative fees; payment for services.

- (1) Rates of compensation for the services of off-duty personnel are established as follows:

COMPENSATION FOR POLICE OFFICERS, TRAFFIC ENFORCERS OR CROSSING GUARDS

Page 4 of 28

An Ordinance amending and supplementing Chapter 3 (Administration of Government), Article XI (Department of Public Safety), Sub-Article I (Division of Police) of the Jersey City Municipal Code.

\$75.00 /hour per Officer \$50.00 /hour per Traffic Enforcer As Defined in A5(b)(i) SAT TIME & A HALF SUN-HOLIDAYS DOUBLE TIME AFTER 4 PM - Additional \$10.00 /hour \$50.00 \$85.00 /hour PRIVATE CONTRACTORS As Defined in A5(b)(ii) \$35.00 /hour	\$25.00 \$50.00	
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LARGE EVENTS UNDER 5,000 PEOPLE	LARGE EVENTS UNDER <u>OVER</u> 5,000 PEOPLE	FILM PRODUCTION SITES
(Except City-Owned Facility Events) \$50.00 \$75.00 /Hour With alcohol present \$55.00 \$80.00 /hour [i]		

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\$65.00 \$90.00	\$55.00/Hour
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OUTSIDE AN ALCOHOLIC BEVERAGE CONTROL LICENSED PREMISE	CITY OWNED FACILITY
\$55.00 \$70.00 /Hour	\$35.00/hour

**Commencing on January 1, 2024, and on or about each January 1st thereafter, the rates for off-duty police officers, traffic enforcers and crossing guards, shall be increased, but not decreased, by 50% of the percent change of the Consumer Price Index between January of the preceding year and January of the current year. For purposes of this section, Consumer Price Index means the Consumer Price Index for All Urban Consumers (CPI-U). U.S. City Average, All Items, 1982-1984=100, not seasonally adjusted: as promulgated by the Federal Bureau of Labor Statistics.*

Compensation for Crossing Guards: For pedestrian safety \$10.00/hour.

* Employers are not charged directly for Superior Officers assigned pursuant to this ordinance, or any regulations or directives promulgated in furtherance of this ordinance. Superior Officers will receive compensation directly from the City at a rate of \$10.00 per hour higher than the highest paid off-duty Police Officer under his or her immediate supervision in a given off-duty assignment.

UNLESS STATED IN THE ABOVE TABLE, NO NIGHT, WEEKEND OR HOLIDAY DIFFERENTIAL

(2) Any off-duty assignments over eight (8) hours shall be paid at a time and a half rate beginning with the ninth hour.

An Ordinance amending and supplementing Chapter 3 (Administration of Government), Article XI (Department of Public Safety), Sub-Article I (Division of Police) of the Jersey City Municipal Code.

- (3) Fee for police vehicle and fuel per hour or part thereof: ~~\$10.00~~\$20.00. The necessity for a police vehicle at a particular site will be at the determination of the Off-Duty Employment Intake Manager.
- F. **Administrative Costs.** An additional fee of ~~\$12.00~~\$22.00 per Police Officer/Traffic Enforcer/Crossing Guard per hour is hereby established to cover administrative costs, overhead and out-of-pocket expenses of the City. This additional fee shall not be charged to a nonprofit organization for an event in a City-owned building nor to the Jersey City Housing Authority. The aforesaid rates shall be reviewed every three (3) years commencing January 1, 2014. The Off-Duty Employment Intake Manager or the Director of Public Safety may adjust or waive the administrative fees in cases in which the fee here described would result in undue hardship, be prohibitive or would otherwise undermine the interest of public safety.
- G. **Cancellation.** If a prospective employer fails to notify the Off-Duty Employment Intake Manager at least twelve (12) hours before the commencement of services that those services are no longer needed, and the off-duty Police Officer(s), Traffic Enforcer(s), or Crossing Guard(s) arrive for the assignment, the prospective employer shall compensate the Police Officer(s), Traffic Enforcer(s), or Crossing Guard(s) for four (4) hours, and those off-duty Police Officer(s), Traffic Enforcer(s), or Crossing Guard(s) will be moved to another off-duty job, if available.
- H. **Public Emergency.** The Director of Public Safety, Chief of Police, or ranking Chief of Patrol shall have the authority to order any off-duty personnel engaged in off-duty assignments to respond to an emergency. The Director of Public Safety may terminate an assignment whenever said assignment creates an unacceptable risk to the off-duty Police Officer, Traffic Enforcer, or Crossing Guard or to the citizens of the City. If an off-duty assignment is cancelled or terminated by the Director of Public Safety, the employer shall not be responsible for any compensation or fees until the Police Officer, Traffic Enforcer, or Crossing Guard returns to the assignment.
- B. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.
- C. The City Clerk shall have this ordinance codified and incorporated in official copies of the Jersey City Code.
- D. This ordinance shall take effect at the time and in the manner as provided by law.
- E. The City Clerk and the Corporation Counsel may change any chapter numbers, article numbers and section numbers if codification of this ordinance reveals a conflict between those numbers and the existing code, in order to avoid confusion and possible accidental repealers of existing provisions.

Note: All new material is underlined; words in ~~[brackets]~~ are omitted.

For purposes of advertising only, new matter is boldface and repealed matter by *italics*.

*Amendments are underlined and in *Italics*

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

An Ordinance amending and supplementing Chapter 3 (Administration of Government), Article XI (Department of Public Safety), Sub-Article I (Division of Police) of the Jersey City Municipal Code.

RECORD OF COUNCIL VOTE ON INTRODUCTION – May 24 2023						
RIDLEY	AYE	SALEH	AYE	DEGISE	AYE	9-0
PRINZ-AREY	AYE	SOLOMON	AYE	RIVERA	AYE	
BOGGIANO	AYE	GILMORE	AYE	WATTERMAN, PRES	AYE	

RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING – Jun 14 2023						
RIDLEY	AYE	SALEH	AYE	DEGISE	AYE	9-0
PRINZ-AREY	AYE	SOLOMON	AYE	RIVERA	AYE	
BOGGIANO	AYE	GILMORE	AYE	WATTERMAN, PRES.	AYE	


SPEAKERS:
Jeanna Daly, Philip Carrington

RECORD OF COUNCIL VOTE ON AMENDMENTS, IF ANY – Jun 14 2023						
RIDLEY	AYE	SALEH	AYE	DEGISE	AYE	9-0
PRINZ-AREY	AYE	SOLOMON	AYE	RIVERA	AYE	
BOGGIANO	AYE	GILMORE	AYE	WATTERMAN, PRES.	AYE	


RECORD OF FINAL COUNCIL VOTE – Jun 14 2023						
RIDLEY	AYE	SALEH	AYE	DEGISE	AYE	9-0
PRINZ-AREY	AYE	SOLOMON	AYE	RIVERA	AYE	
BOGGIANO	AYE	GILMORE	AYE	WATTERMAN, PRES.	AYE	

Adopted on first reading of the Council of Jersey City, N.J. on **May 24 2023**
Adopted on second and final reading after hearing on **Jun 14 2023**

This is to certify that the foregoing Ordinance was adopted
by the Municipal Council at its meeting on Jun 14 2023




City Clerk



Joyce E. Watterman, President of Council
Approved: Jun 14 2023

Amendment(s):
All Amendments are Underlined and in *Italics*



Steven M. Fulop, Mayor
Date to Mayor: Jun 15 2023
Approved: Jun 15 2023

An Ordinance amending and supplementing Chapter 3 (Administration of Government), Article XI (Department of Public Safety), Sub-Article I (Division of Police) of the Jersey City Municipal Code.

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.

Project Manager

Tawana Moody, tba	2015475477	JShea@NJJCPS.ORG
Department	Department of Public Safety	
Division	Division of Police	

Note: Project Manager must be available by phone during agenda meeting (Wednesday prior to council meeting @ 1:00 p.m.)

Meeting	Regular Meeting of Municipal Council - May 24 2023
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Purpose

Ordinance Amending And Supplementing Chapter 3 (Administration Of Government), to include traffic enforcer position and employment regulations.

Cost (Identify all sources and amounts)	Contract term (include all)
0	

ATTACHMENTS:

C.O. 23-056 Off-Duty Pay Rates - 6.13.2023 Amendment to Ord 23-056

Approved by	Status:
William O'Donnell, tba	Approved - Apr 19 2023
Ray Reddington, Attorney	Approved - Apr 19 2023
John Metro, Business Administrator	Approved - May 03 2023

CITY ORD. 23-056 – DEPT. OF PUBLIC SAFETY DIVISION OF POLICE
OFF DUTY EMPLOYMENT
ITEM RATE LIST

Name	Description	Rate
ABC Premises A. (1)	<i>Police Officer Rates</i>	
PO- ABC Regular	Off-duty police rate for services performed by a police officer outside an ABC Premises as defined by city ordinance	70.00
PO- ABC OT	Off-duty police overtime rate for services performed by a police officer outside an ABC Premises as defined by city ordinance	105.00
ABC Premises A. (1)	<i>Supervisor Rates</i>	
Sup- ABC Regular A. (1)	Off-duty police rate for services performed by a police supervisor outside an ABC Premises as defined by city ordinance	80.00
Sup- ABC OT	Off-duty police overtime rate for services performed by a police supervisor outside an ABC Premises as defined by city ordinance	115.00

(1) Any off-duty assignments over eight (8) hours shall be paid at a time and a half rate beginning with the ninth hour. As such, these rates are reflected in the table for any row with "OT" listed.

CITY ORD. 23-056 – DEPT. OF PUBLIC SAFETY DIVISION OF POLICE
OFF DUTY EMPLOYMENT
ITEM RATE LIST

Name	Description	Rate
City Owned Facility A. (3)	<i>Police Officer Rates</i>	
PO- City Facility Regular	Off-duty police rate for services performed by a police officer at city owned facility as defined by city ordinance	35.00
PO- City Facility OT	Off-duty police overtime rate for services performed by a police officer at a city owned facility as defined by city ordinance	52.50
City Owned Facility A. (3)	<i>Supervisor Rates</i>	
Sup- City Facility Regular	Off-duty police rate for services performed by a police supervisor at city owned facility as defined by city ordinance	45.00
Sup- City Facility OT	Off-duty police overtime rate for services performed by a police supervisor at a city owned facility as defined by city ordinance	62.50

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CITY ORD. 23-056 – DEPT. OF PUBLIC SAFETY DIVISION OF POLICE
OFF DUTY EMPLOYMENT
ITEM RATE LIST

Name	Description	Rate
Commercial Bank or Financial Institutions A. (4)	<i>Police Officer Rates</i>	
PO- Bank/Financial Regular	Off-duty police rate for services performed by a police officer for a bank or financial institution as defined by city ordinance.	50.00
PO- Bank/Financial OT	Off-duty police overtime rate for services performed by a police officer for a bank or financial institution as defined by city ordinance.	75.00
Commercial Bank or Financial Institutions	<i>Supervisor Rates</i>	
Sup- Bank/Financial Regular	Off-duty police rate for services performed by a police supervisor for a bank or financial institution as defined by city ordinance.	60.00
Sup- Bank/Financial OT	Off-duty police overtime rate for services performed by a supervisor for a bank or financial institution as defined by city ordinance.	85.00
Commercial Establishment Over 4,000 Square Feet A. (4)	<i>Police Officer Rates</i>	
PO- Commercial Over 4,000 Regular	Off-duty police rate for services performed by a police officer for a commercial establishment over 4,000 square feet as defined by city ordinance.	50.00
PO- Commercial Over 4,000 OT	Off-duty police overtime rate for services performed by a police officer for a commercial establishment over 4,000 square feet as defined by city ordinance	75.00
Commercial Establishment Over 4,000 Square Feet	<i>Supervisor Rates</i>	
Sup- Commercial Over 4,000 Regular	Off-duty police rate for services performed by a police supervisor for a commercial establishment over 4,000 square feet as defined by city ordinance.	60.00
Sup- Commercial Over 4,000 OT	Off-duty police overtime rate for services performed by a police supervisor for a commercial establishment over 4,000 square feet as defined by city ordinance	85.00

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CITY ORD. 23-056 – DEPT. OF PUBLIC SAFETY DIVISION OF POLICE
OFF DUTY EMPLOYMENT
ITEM RATE LIST

Commercial Establishment Other Retail - Under 4,000 Square Feet A. (4)	<i>Police Officer Rates</i>	
PO- Retail Under 4,000 Regular	Off-duty police rate for services performed by a police officer for a commercial establishment under 4,000 square feet as defined by city ordinance.	50.00
PO- Retail Under 4,000 OT	Off-duty police overtime rate for services performed by a police officer for a commercial establishment under 4,000 square feet as defined by city ordinance	75.00
Commercial Establishment Other Retail - Under 4,000 Square Feet A. (4)	<i>Supervisor Rates</i>	
Sup- Retail Under 4,000 Regular	Off-duty police rate for services performed by a police supervisor for a commercial establishment under 4,000 square feet as defined by city ordinance.	60.00
Sup- Retail Under 4,000 OT	Off-duty police overtime rate for services performed by a police supervisor for a commercial establishment under 4,000 square feet as defined by city ordinance	85.00

(1) Any off-duty assignments over eight (8) hours shall be paid at a time and a half rate beginning with the ninth hour. As such, these rates are reflected in the table for any row with "OT" listed.

CITY ORD. 23-056 – DEPT. OF PUBLIC SAFETY DIVISION OF POLICE
OFF DUTY EMPLOYMENT
ITEM RATE LIST

Name	Description	Rate
Construction City Projects A.5 (a)	<i>Police Officer Rates</i>	
PO-City Project Regular	Construction/City Project rate for services performed by police officer as defined by city ordinance.	35.00
PO-City Project w/Night Diff	Construction/City Project rate with night differential after 4PM - 7AM for services performed by an off-duty police officer as defined by city ordinance.	45.00
PO-City Project OT/Saturday	Construction/City Project overtime/Saturday rate for services performed by an off-duty police officer as defined by city ordinance.	52.50
PO-City Project OT/Saturday w/N.D.	Construction/City Project overtime/Saturday rate with night differential after 4PM - 7AM for services performed by an off-duty police officer as defined by city ordinance.	62.50
PO-City Project Sunday/Holiday	Construction/City Project Sunday/Holiday rate for services performed by an off-duty police officer as defined by city ordinance.	70.00
PO-City Project Sunday/Holiday w/N.D.	Construction/City Project Sunday/Holiday rate with night differential after 4PM - 7AM for services performed by an off-duty police officer as defined by city ordinance.	80.00
Construction City Projects A.5 (a)	<i>Supervisor Rates</i>	
Sup - City Project Regular	Construction/City Project rate for services performed by police supervisor as defined by city ordinance.	45.00
Sup-City Project w/Night Diff	Construction/City Project rate with night differential after 4PM - 7AM for services performed by an off-duty police supervisor as defined by city ordinance.	55.00
Sup-City Project OT/Saturday	Construction/City Project overtime/Saturday rate for services performed by an off-duty police officer as defined by city ordinance.	62.50
Sup-City Project OT/Saturday w/N.D.	Construction/City Project overtime/Saturday rate with night differential after 4PM - 7AM for services performed by an off-duty police supervisor as defined by city ordinance.	72.50
Sup-City Project Sunday/Holiday	Construction/City Project Sunday/Holiday rate for services performed by an off-duty police supervisor as defined by city ordinance.	80.00
Sup-City Project Sunday/Holiday w/N.D.	Construction/City Project Sunday/Holiday rate with night differential after 4PM - 7AM for services performed by an off-duty police supervisor as defined by city ordinance.	90.00

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CITY ORD. 23-056 – DEPT. OF PUBLIC SAFETY DIVISION OF POLICE
OFF DUTY EMPLOYMENT
ITEM RATE LIST

Name	Description	Rate
Construction Private Contractor A5 (b) (i)	<i>Police Officer Rates</i>	
PO-Private Contractor Regular	Construction/Private Contractor rate for services performed by police officer as defined by city ordinance.	75.00
PO- Private Contractor (w/Night Diff	Construction/Private Contractor rate with night differential after 4PM - 7AM for services performed by an off-duty police officer as defined by city ordinance.	85.00
PO- Private Contractor OT/Saturday	Construction/Private Contractor overtime/Saturday rate for services performed by an off-duty police officer as defined by city ordinance.	112.50
PO- Private Contractor (OT/Saturday w/N.D.	Construction/Private Contractor overtime/Saturday rate with night differential after 4PM - 7AM for services performed by an off-duty police officer as defined by city ordinance.	122.50
PO- Private Contractor Sun./Holiday	Construction/Private Contractor Sunday/Holiday rate for services performed by an off-duty police officer as defined by city ordinance.	150.00
PO- Private Contractor Sun./Holiday w/N.D.	Construction/Private Contractor Sunday/Holiday rate with night differential after 4PM - 7AM for services performed by an off-duty police officer as defined by city ordinance.	160.00
Construction Private Contractor A5 (b) (i)	<i>Supervisor Rates</i>	
Sup- Private Contractor Regular	Construction/Private Contractor rate for services performed by police supervisor as defined by city ordinance.	85.00
Sup- Private Contractor w/Night Diff	Construction/Private Contractor rate with night differential after 4PM - 7AM for services performed by an off-duty police supervisor as defined by city ordinance.	95.00
Sup- Private Contractor OT/Saturday	Construction/Private Contractor overtime/Saturday rate for services performed by an off-duty police officer as defined by city ordinance.	122.50
Sup- Private Contractor OT/Saturday w/N.D.	Construction/Private Contractor overtime/Saturday rate with night differential after 4PM - 7AM for services performed by an off-duty police supervisor as defined by city ordinance.	132.50
Sup- Private Contractor Sunday/Holiday	Construction/Private Contractor Sunday/Holiday rate for services performed by an off-duty police supervisor as defined by city ordinance.	160.00
Sup- Private Contractor Sunday/Holiday w/N.D.	Construction/Private Contractor Sunday/Holiday rate with night differential after 4PM - 7AM for services performed by an off-duty police supervisor as defined by city ordinance.	170.00

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CITY ORD. 23-056 – DEPT. OF PUBLIC SAFETY DIVISION OF POLICE
OFF DUTY EMPLOYMENT
ITEM RATE LIST

Construction Private Contractor A5 (b) (i)	<i>Traffic Enforcer Rates (TE)</i>	
TE-Private Contractor Regular	Construction/Private Contractor rate for services performed by police officer as defined by city ordinance.	50.00
TE- Private Contractor (w/Night Diff	Construction/Private Contractor rate with night differential after 4PM - 7AM for services performed by an off-duty police officer as defined by city ordinance.	60.00
TE- Private Contractor OT/Saturday	Construction/Private Contractor overtime/Saturday rate for services performed by an off-duty police officer as defined by city ordinance.	75.00
TE- Private Contractor (OT/Saturday w/N.D.	Construction/Private Contractor overtime/Saturday rate with night differential after 4PM - 7AM for services performed by an off-duty police officer as defined by city ordinance.	85.00
TE- Private Contractor Sun./Holiday	Construction/Private Contractor Sunday/Holiday rate for services performed by an off-duty police officer as defined by city ordinance.	100.00
TE- Private Contractor Sun./Holiday w/N.D.	Construction/Private Contractor Sunday/Holiday rate with night differential after 4PM - 7AM for services performed by an off-duty police officer as defined by city ordinance.	110.00
Construction Private Contractor Residential A5 (b) (ii)	<i>Police Officer Rates</i>	
PO- Private/Residential Regular	Construction/Private Contractor-Residential rate for services performed by police officer as defined by city ordinance.	35.00
PO- Private/Residential OT	Construction/Private Contractor-Residential overtime rate for services performed by an off-duty police officer as defined by city ordinance.	52.50
Construction Private Contractor Residential A5 (b) (ii)	<i>Supervisor Rates</i>	
Sup- Private/Residential Regular	Construction/Private Contractor-Residential rate for services performed by police supervisor as defined by city ordinance.	45.00
Sup- Private/Residential OT	Construction/Private Contractor-Residential overtime rate for services performed by an off-duty supervisor officer as per city ordinance.	62.50

(1) Any off-duty assignments over eight (8) hours shall be paid at a time and a half rate beginning with the ninth hour. As such, these rates are reflected in the table for any row with "OT" listed.

CITY ORD. 23-056 – DEPT. OF PUBLIC SAFETY DIVISION OF POLICE
OFF DUTY EMPLOYMENT
ITEM RATE LIST

Name	Description	Rate
Film Production Sites A. (8)	<i>Police Officer Rates</i>	
PO- Film Production Regular	Off-duty police rate for services performed by a police officer for a film production site as defined by city ordinance	55.00
PO- Film Production OT	Off-duty police overtime rate for services performed by a police officer for a film production site as defined by city ordinance	82.50
Film Production Sites A. (8)	<i>Supervisor Rates</i>	
Sup- Film Production Regular	Off-duty police rate for services performed by a police supervisor for a film production site as defined by city ordinance	65.00
Sup- Film Production OT	Off-duty police overtime rate for services performed by a police supervisor for a film production site as defined by city ordinance	92.50

(1) Any off-duty assignments over eight (8) hours shall be paid at a time and a half rate beginning with the ninth hour. As such, these rates are reflected in the table for any row with "OT" listed.

CITY ORD. 23-056 – DEPT. OF PUBLIC SAFETY DIVISION OF POLICE
OFF DUTY EMPLOYMENT
ITEM RATE LIST

Name	Description	Rate
Large Events Under 5,000 People A. (7) (c)	<i>Police Officer Rates</i>	
PO- Under 5,000 Regular	Off-duty police rate for services performed by a police officer for a large event with under 5,000 people as defined by city ordinance.	75.00
PO- Under 5,000 OT	Off-duty police overtime rate for services performed by a police officer for a large event with under 5,000 people as defined by city ordinance.	112.50
Large Events Under 5,000 People A. (7) (c)	<i>Supervisor Rates</i>	
Sup- Under 5,000 Regular	Off-duty police rate for services performed by a police supervisor for a large event with under 5,000 people as defined by city ordinance.	85.00
Sup- Under 5,000 OT	Off-duty police overtime rate for services performed by a police supervisor for a large event with under 5,000 people as defined by city ordinance.	122.50
Large Events Under 5,000 People w/Alcohol A. (7) (b)	<i>Police Officer Rates</i>	
PO- Under 5,000 w/ Alcohol Regular	Off-duty police rate for services performed by a police officer for a large event with under 5,000 people with alcohol present as defined by city ordinance.	80.00
PO- Under 5,000 w/ Alcohol OT	Off-duty police overtime rate for services performed by a police officer for a large event with under 5,000 people with alcohol present as defined by city ordinance.	120.00
Large Events Under 5,000 People w/Alcohol A. (7) (b)	<i>Supervisor Rates</i>	
Sup- Under 5,000 w/ Alcohol Regular	Off-duty police rate for services performed by a police supervisor for a large event with under 5,000 people with alcohol present as defined by city ordinance.	90.00
Sup- Under 5,000 w/ Alcohol OT	Off-duty police overtime rate for services performed by a police supervisor for a large event with under 5,000 people with alcohol present as defined by city ordinance.	130.00

(1) Any off-duty assignments over eight (8) hours shall be paid at a time and a half rate beginning with the ninth hour. As such, these rates are reflected in the table for any row with "OT" listed.

CITY ORD. 23-056 – DEPT. OF PUBLIC SAFETY DIVISION OF POLICE
OFF DUTY EMPLOYMENT
ITEM RATE LIST

Name	Description	Rate
Large Events Over 5,000 People A.(7) (a)	<i>Police Officer Rates</i>	
PO- Over 5,000 Regular	Off-duty police rate for services performed by a police officer for a large event with over 5,000 people as defined by city ordinance.	90.00
PO- Over 5,000 OT	Off-duty police overtime rate for services performed by a police officer for a large event with over 5,000 people as defined by city ordinance.	135.00
Large Events Over 5,000 People A. (7) (a)	<i>Supervisor Rates</i>	
Sup- Over 5,000 Regular	Off-duty police rate for services performed by a police supervisor for a large event with over 5,000 people as defined by city ordinance.	100.00
Sup- Over 5,000 OT	Off-duty police overtime rate for services performed by a police supervisor for a large event with over 5,000 people as defined by city ordinance.	145.00

(1) Any off-duty assignments over eight (8) hours shall be paid at a time and a half rate beginning with the ninth hour. As such, these rates are reflected in the table for any row with "OT" listed.

**CITY ORD. 23-056 – DEPT. OF PUBLIC SAFETY DIVISION OF POLICE
OFF DUTY EMPLOYMENT
ITEM RATE LIST**

Name	Description	Rate
Tax Exempt Organization A. (12)	<i>Police Officer Rates</i>	
PO- Tax Exempt Regular	Off-duty police rate for services performed by a police officer for a tax exempt organization as defined by city ordinance	50.00
PO- Tax Exempt OT	Off-duty police overtime rate for services performed by a police officer at a tax exempt organization as defined by city ordinance	75.00
Tax Exempt Organization A. (12)	<i>Supervisor Rates</i>	
Sup- City Facility Regular	Off-duty police rate for services performed by a police supervisor for a tax exempt organization as defined by city ordinance	60.00
Sup- City Facility OT	Off-duty police overtime rate for services performed by a police supervisor for a tax exempt organization as defined by city ordinance	85.00

(1) Any off-duty assignments over eight (8) hours shall be paid at a time and a half rate beginning with the ninth hour. As such, these rates are reflected in the table for any row with "OT" listed.

Amendment to Ordinance 23-056

Ordinance Amending and Supplementing Chapter 3 (Administration of Government), Article XI (Department Of Public Safety), Sub-Article I (Division Of Police) Of The Jersey City Municipal Code

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

A. The following supplement to Chapter 3 (Administration of Government), Article XI (Department of Public Safety), Sub-Article I (Division of Police) of the Jersey City Code is adopted:

**ARTICLE XI
Department of Public Safety
SUB-ARTICLE I
Division of Police**

§3-85.1 Off-duty employment.

- A. Definitions. As used in this section, the following terms shall have the following meanings unless the context clearly indicates otherwise:
- (1) "Alcohol Beverage Control premise" means one which is licensed by the Alcohol Beverage Control Board.
 - (2) "Director of Public Safety" means the Director of Public Safety or his or her designee.
 - (3) "City Owned Facility" means any property owned by the City of Jersey City rented by individuals or entities for the purpose of a privately held function.
 - (4) "Large Commercial Establishment" means a commercial establishment such as a store, bank or financial institution of four thousand (4,000) square feet or more or one (1) which is part of a franchise, chain or multi-store complex.
 - (5) "Construction Sites":
 - (a) "City Projects" means any construction project performed by a vendor pursuant to a contract with the City of Jersey City for a public project in City-owned or leased buildings or on City-owned or leased properties.
 - (b) "Private Contractor Projects" means:
 - (i) Any construction project other than a City Project as defined above; and
 - (ii) Construction projects for an owner occupied class 2 residential property (one (1) to four (4) units).
 - (6) "Employer" or "prospective employer" means a prospective employer of off-duty officers.

- (7) "Event requiring major or unusual crowd control" means:
 - (a) An event where five thousand (5,000) people or more expected to attend, such as an athletic event; and
 - (b) Any event where alcohol will be served; and
 - (c) Any event which in the opinion of the Director Public Safety will produce an unusual amount of vehicular or pedestrian traffic.
- (8) "Film Production Sites" include, but are not limited to, movie sets, television productions, and photography.
- (9) "Holidays" are defined only as New Years Eve, New Years Day, Good Friday, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, the day following Thanksgiving Day, Christmas Eve and Christmas Day, and only those dates officially observed.
- (10) "Person" means any individual, corporation, partnership or organization unless the context clearly indicates otherwise.
- (11) "Superior Officer" means Sergeant, Lieutenant, or Captain.
- (12) "Tax Exempt Organization" means a non-profit organization as defined by state or federal law.
- (13) "Traffic Enforcer" means City personnel who regulate and direct the movement of vehicles through traffic, and regulate on street parking.
- ~~(13)~~ (14) "Crossing Guards" means City personnel who regulate and direct the movement of pedestrians through traffic.
- ~~(14)~~ (15) "Off-Duty Personnel" shall mean Police Officers, Traffic Enforcers, and Guards if applicable, Crossing Guards.
- ~~(15)~~ (16) "Office of Off-Duty Employment" means the office responsible for coordinating off-duty assignments and billing of off-duty police work.
- ~~(16)~~ (17) "Off-Duty Employment Intake Manager" means the civilian employee of the Public Safety Department who manages off-duty personnel requests and coordinates the number of off-duty personnel assigned to each work site, the Off-Duty Employment Intake Management reports to the Director of Public Safety.
- ~~(17)~~ (18) "Off-Duty Employment Intake Manager" means the civilian employee of the Public Safety Department who manages off-duty personnel requests and coordinates the number of off-duty personnel assigned to each work site, the Off-Duty Employment Intake Management reports to the Director of Public Safety.

B. Purpose. For the convenience of those persons who utilize the services of off-duty personnel of the Jersey City Police Department, and to authorize the outside employment of Police Officers, Traffic Enforcers, and Crossing Guards while off-duty, the City of Jersey City hereby establishes this policy. With regard to Police Officers only, this policy complies with Attorney General Formal Opinion 1977-No. 23. In limited situations involving pedestrian safety, Traffic Enforcers or Crossing Guards may be substituted for Police Officers at the discretion of the Off-Duty Employment Intake Manager.

- (1) Off-duty personnel, at their option, shall be permitted to accept employment from private employers, who are separate and independent from the City of Jersey City, only during off-duty hours and at such time as will not interfere with the efficient performance of regularly scheduled or emergency duty of the City; provided, however, that no off-duty personnel may work within a premises licensed by the Alcohol Beverage Board, including, but not limited to, bars, taverns, nightclubs that serve alcoholic beverages, liquor stores, or restaurants with liquor licenses. Off-duty personnel are not permitted on the "licensed premise" itself, which is the area licensed for alcohol consumption, retail sale or storage; provided further that no off-duty personnel may accept off-duty employment under this ordinance by any governmental agency of the City of Jersey City other than the Jersey City Housing Authority.
- (2) Prospective employers of off-duty personnel shall: 1) obtain the prior written approval of the Off-Duty Employment Intake Manager, which approval shall be granted if, in the opinion of the Off-Duty Employment Intake Manager, under the authority of the Director of Public Safety, such employment is necessary and would not be inconsistent with the efficient functioning and good reputation of the Police Department and would not unreasonably endanger or threaten the safety of the off-duty personnel who are to perform the work.
- (3) Upon approval by the Off-Duty Employment Intake Manager, the amount estimated to pay for the off-duty employment shall be deposited in the trust account established under subsection C.
- (4) No off-duty personnel shall be paid directly by any employer for requested services, nor provide services for more hours than specified in the request for services.
- (5) The Director of Public Safety is empowered to promulgate regulations and policies to effectuate this section.

C. Trust account established.

- (1) To assure the timely payment of wages to off-duty personnel who perform off-duty work, and to meet the requirements of the Fair Labor Standards Act, the City of Jersey City has established a trust account known as the "Off-Duty Employment Trust Account." This trust account is dedicated for the receipt of

fees collected for the payment for off-duty employment. The "Off-Duty Employment Trust Account" shall be administered by the Off-Duty Billing Coordinator who shall make a written report to the Director of Public Safety and the Fiscal Officer every ninety (90) days regarding said account. Payments to off-duty personnel shall be on a biweekly basis with all appropriate deductions. All payments must be remitted directly to the City of Jersey City for said account. Deposits shall be in the form of certified check, bank check, money order, business check, credit card or electronic payment at the discretion of the Fiscal Officer.

- (2) Hour estimate:
 - (a) Hours Known: A prospective employer of off-duty personnel shall estimate the number of hours and days required. The estimate shall be approved in writing by the Off-Duty Employment Intake Manager and an amount sufficient to cover the rates of compensation and administrative fees set forth in subsection D for the total estimated hours of service shall be deposited into the Trust Account.
 - (b) Hours Unknown or In Excess of Ten (10) Days: In any instance where the number of hours cannot be reasonably estimated or is anticipated to be in excess of ten (10) days, a prospective employer shall deposit an amount sufficient to cover the rate of compensation and administrative fees set forth in subsection D for the equivalent of ten (10) days prior to the commencement of any services. Any unused portion of the deposit shall be returned or credited against the final amount owed.
- (3) Before posting any request for services of off-duty personnel, the Off-Duty Employment Intake Manager shall verify that the balance in the trust account of the prospective employer is sufficient to cover the compensation and fees for the number of hours specified in the request. The Off-Duty Employment Intake Manager shall not post a request for services unless all fees and compensation required in the manner described above have been deposited in the trust account.
- (4) Depletion of Funds in a Trust Account for any Individual Person or Entity: In the event the funds in any individual or entity's trust account should become depleted, services of off-duty personnel shall cease, and requests for further or future services shall not be posted until additional funds have been deposited in the trust account in the manner prescribed above. In the event of an unforeseen emergency situation that would require off-duty personnel to remain beyond the time for which funds have been posted, the Off-Duty Employment Intake Manager may waive the requirement for posting additional funds after the first ten (10) hours for any employer exhibiting a previous satisfactory payment history. However, payment for the additional hours shall be made within forty-eight (48) hours.
- (5) A prospective employer shall be responsible for ensuring that sufficient funds remain in the trust account in order to avoid any interruption of services. In the event of a project which requires services over an extended period the Off-Duty

Billing Coordinator may require advance payment equal to twenty-five (25) percent of the projected extended time period with additional twenty-five (25) percent advances as a project continues.

- (6) Exemption. Public utility companies under the jurisdiction of, and regulated by, the New Jersey Board of Public Utilities and the Jersey City Housing Authority are exempt from the provisions set forth in this section requiring advance payment to the trust account; providing, however, that there are no amounts previously due that are outstanding for a period in excess of fifteen (15) days. Any such delinquent balances shall require advance payment of the amount outstanding prior to any off-duty personnel engaging in any further off-duty assignments.

D. Requests for services.

- (1) Requests for the services of off-duty personnel for a period of one week or longer shall be forwarded to the Off-Duty Employment Intake Manager at least ten (10) days before such services are required. The Off-Duty Employment Intake Manager will compile a list of available Police Officers, Traffic Enforcers, and/or Crossing Guards to perform the requested services.
- (2) Requests for the services of off-duty personnel for a period of less than one (1) week shall be forwarded to the Off-Duty Employment Intake Manager as soon as practicable, but in no event less than twenty-four (24) hours before such services are required, except in emergency situations.
- (3) In emergency situations, requests for services shall be made, as necessary, to the Off-Duty Employment Intake Manager who shall make every effort to accommodate such request in a reasonable manner in his or her discretion. If the emergency is imminent, the Director of Public Safety shall also have the ability to deploy off-duty personnel on an emergent basis. Any off-duty personnel, when so employed by private employers shall be compensated at the rates set forth in subsection D, hereafter. All payments in emergency situations shall be made within forty-eight (48) hours. Completed claim forms are to be provided to the Police Officer, Traffic Enforcers, or Crossing Guard at the time the services are rendered and the Police Officer, Traffic Enforcers, or Crossing Guard shall deliver same to the Off-Duty Employment Intake Manager.
- (4) In the event an Off-Duty Police Officer, Traffic Enforcers, or Crossing Guard is unavailable to perform an assignment, the Off-Duty Employment Intake Manager will notify the next available Police Officer(s), Traffic Enforcer(s), or Crossing Guard(s) on the off-duty assignment list of the availability of the assignment until the assignment is filled. A Police Officer Traffic Enforcers, or Crossing Guard need not accept an off-duty assignment that does not guarantee a minimum of four (4) hours of off-duty employment. However, a Police Officer at his or her discretion, may accept an off-duty assignment that provides less than four (4) hours of off-duty employment.

- (5) *Off duty supervisors will be assigned to supervise the deployed off duty officers in accordance with the policy established by the Public Safety Director after ensuring sufficient funds are available. An off-duty Superior Officer's command is not limited to any one (1) specific project. The supervisor will be responsible for all off-duty Police Officers designated to his or her command irrespective of where those off-duty personnel are assigned. The cost of the off-duty supervisor shall come from the administrative fees paid by the employers.*
- (6) In special circumstances the Off-Duty Employment Intake Manager, may, in consultation with the Director of Public Safety, assign a supervisor to oversee a specific off-duty assignment if the Off-Duty Employment Intake Manager believes it is necessary to ensure the health, safety and welfare of the public.

E. Rates of compensation; administrative fees; payment for services.

- (1) Rates of compensation for the services of off-duty personnel are established as follows:

COMPENSATION FOR POLICE OFFICERS, TRAFFIC ENFORCERS OR CROSSING GUARDS

CONSTRUCTION SITES	COMMERCIAL ESTABLISHMENTS	TAX EXEMPT ORG.
<p>CITY PROJECTS \$35.00/hour SAT TIME & A HALF SUN-HOLIDAYS DOUBLE TIME AFTER 4 PM - Additional \$10.00/hour</p> <p>PRIVATE CONTRACTORS \$75.00/hour per Officer \$50.00/hour per Traffic Enforcer As Defined in A5(b)(i) SAT TIME & A HALF SUN-HOLIDAYS DOUBLE TIME AFTER 4 PM - Additional \$10.00/hour \$50.00\$85.00/hour</p> <p>PRIVATE CONTRACTORS As Defined in A5(b)(ii) \$35.00/hour</p>	<p>Banks or Financial Institutions \$40.00 \$50.00/hour</p> <p>Other Commercial Establishments: OVER 4,000 SQ FT. \$40.00 \$50.00/hour</p> <p>Other Commercial Establishments UNDER 4,000 SQ Ft. \$25.00\$50.00</p>	<p>\$35.00-\$50.00/hour</p>

LARGE EVENTS UNDER 5,000 PEOPLE	LARGE EVENTS UNDER <u>OVER</u> 5,000 PEOPLE	FILM PRODUCTION SITES
<p>(Except City-Owned Facility Events) \$50.00 \$75.00/Hour <i>With alcohol present</i> \$55.00 \$80.00/hour</p>	<p>\$65.00 \$90.00</p>	<p>\$55.00/Hour</p>

OUTSIDE AN ALCOHOLIC BEVERAGE CONTROL LICENSED PREMISE		CITY OWNED FACILITY
<p>\$55.00 \$70.00/Hour</p>		<p>\$35.00/hour</p>

Commencing on January 1, 2024, and on or about each January 1st thereafter, the rates for off-duty police officers, traffic enforcers, and crossing guards, shall be increased, but not decreased,

by 50% of the percent change of the Consumer Price Index between January of the preceding year and January of the current year.

Such annual increase will not affect the additional \$10 per hour after 4pm.

For purposes of this section, Consumer Price Index means the Consumer Price Index for All Urban Consumers (CPI-U), U.S. City Average, All Items, 1982-1984=100, not seasonally adjusted; as promulgated by the Federal Bureau of Labor Statistics.

Compensation for Crossing Guards: For pedestrian safety \$10.00/hour.

- * Employers are not charged directly for Superior Officers assigned pursuant to this ordinance, or any regulations or directives promulgated in furtherance of this ordinance. Superior Officers will receive compensation directly from the City at a rate of \$10.00 per hour higher than the highest paid off-duty Police Officer under his or her immediate supervision in a given off-duty assignment.

UNLESS STATED IN THE ABOVE TABLE, NO NIGHT, WEEKEND OR HOLIDAY DIFFERENTIAL

- (2) Any off-duty assignments over eight (8) hours shall be paid at a time and a half rate beginning with the ninth hour.
 - (3) Fee for police vehicle and fuel per hour or part thereof: ~~\$10.00~~ \$20.00. The necessity for a police vehicle at a particular site will be at the determination of the Off-Duty Employment Intake Manager.
- F. Administrative Costs. An additional fee of ~~\$12.00~~ \$22.00 per Police Officer/Traffic Enforcer/Crossing Guard per hour is hereby established to cover administrative costs, overhead and out-of-pocket expenses of the City. This additional fee shall not be charged to a nonprofit organization for an event in a City-owned building nor to the Jersey City Housing Authority. The aforesaid rates shall be reviewed every three (3) years commencing January 1, 2014.
- The Off-Duty Employment Intake Manager or the Director of Public Safety may adjust or waive the administrative fees in cases in which the fee here described would result in undue hardship, be prohibitive or would otherwise undermine the interest of public safety.
- G. Cancellation. If a prospective employer fails to notify the Off-Duty Employment Intake Manager at least twelve (12) hours before the commencement of services that those services are no longer needed, and the off-duty Police Officer(s), Traffic Enforcer(s), or Crossing Guard(s) arrive for the assignment, the prospective employer shall compensate the Police Officer(s), Traffic Enforcer(s), or Crossing Guard(s) for four (4) hours, and those off-duty Police Officer(s), Traffic Enforcer(s), or Crossing Guard(s) will be moved to another off-duty job, if available.

- H. Public Emergency. The Director of Public Safety, Chief of Police, or ranking Chief of Patrol shall have the authority to order any off-duty personnel engaged in off-duty assignments to respond to an emergency. The Director of Public Safety may terminate an assignment whenever said assignment creates an unacceptable risk to the off-duty Police Officer, Traffic Enforcer, or Crossing Guard or to the citizens of the City. If an off-duty assignment is cancelled or terminated by the Director of Public Safety, the employer shall not be responsible for any compensation or fees until the Police Officer, Traffic Enforcer, or Crossing Guard returns to the assignment.
- B. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.
- C. The City Clerk shall have this ordinance codified and incorporated in official copies of the Jersey City Code.
- D. This ordinance shall take effect at the time and in the manner as provided by law.
- E. The City Clerk and the Corporation Counsel may change any chapter numbers, article numbers and section numbers if codification of this ordinance reveals a conflict between those numbers and the existing code, in order to avoid confusion and possible accidental repealers of existing provisions.

Note: All new material is underlined; words in [~~brackets~~] are omitted.
For purposes of advertising only, new matter is **boldface** and repealed matter by *italics*.

~~[i] The fee shall be increased every twelve months based on any increase in the federal Consumer Price Index during the prior twelve months.~~