

ORDINANCE NO. 2022-20

**AN ORDINANCE AMENDING AND SUPPLEMENTING
CHAPTER 5, DEPARTMENT OF PUBLIC SAFETY OF THE
REVISED GENERAL ORDINANCES OF THE BOROUGH OF
BELMAR SECTION 2.1, APPOINTMENT AND
QUALIFICATIONS AUTHORIZING THE PARTICIPATION
IN THE CIVIL SERVICE EXAMINATION EXEMPTION
PROGRAM FOR ENTRY LEVEL LAW ENFORCEMENT
POSITIONS AND THE PROVISIONAL APPOINTMENT OF
OFFICER(S).**

WHEREAS, the Borough of Belmar has found the need and has found it to be necessary and proper to amend Chapter 5 entitled Department of Public Safety; and

WHEREAS, the Borough of Belmar (“Borough”) is governed by N.J.S.A. 11A:1-1 et seq., the Civil Service Act, and the rules and regulations established pursuant the this act; and

WHEREAS, P.L.2021, c7 amended by P.L.2021, c406 provides for the Civil Service Commission to exempt a person from the requirement to take an examination for an entry level enforcement position provided the individual completes within the time frame provided for P.L. 2021, c. 406 a full Basic Course for Police Officers training course at a school approved and authorized by the New Jersey Police training Commission; and

WHEREAS, P.L.2021c.7 also provided that a municipal police department may hire a person exempt from the Civil Service requirement to take an examination for an entry-level law enforcement position upon adoption of a resolution by the governing body authorizing such hiring and the adoption of a conflict of interest and nepotism policies; and

WHEREAS, the Borough has previously established a nepotism policy posted and distributed to employees and to be contained in the Borough’s Employee Handbook and has a conflict of interest policy as provided in the Borough’s existing Employee Handbook; and

WHEREAS, the Chief of Police has recommended the Borough affirmatively “opt in” and authorize such hiring to provide for the selection of a qualified individual or qualified individuals who have or will have completed the necessary training required by the New Jersey Police Training Commission; and

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Belmar, in the County of Monmouth, State of New Jersey, as follows:

1. The Borough of Belmar is hereby authorized to participate in the program to hire persons exempt from the Civil Service examination process for entry-level law enforcement positions provided the individual has successfully completed a full Basic Course for Police Officers training course at a school approved and authorized by the New Jersey Police Training Commission.
2. The Borough Administrator and Chief of Police are authorized to execute all documents necessary to effectuate participation in the Civil Service exemption program.
3. The Borough Clerk is directed to transmit a certified copy of this resolution to the Borough Administrator, Chief of Police, and the New Jersey Civil Service Commission.

BE IT FURTHER ORDAINED by the Borough of Belmar, County of Monmouth, New Jersey that Chapter 5 entitled the Department of Public Safety, §5-2.2 entitled Appointment and Qualification is amended and supplemented as follows:

Section I. Chapter 5, Section 2.2 Appointment and Qualification shall be deleted in its entirety and replaced as follows:

- 1) No Person shall be appointed to the Police Department who is not qualified as provided by the laws of the State of New Jersey including the Civil Service rules and regulations. Applicants seeking appointment to the Police Department shall successfully complete a physical, mental and psychological examination which examination shall be conducted in accordance with all applicable laws and administrative regulations of the State of New Jersey.
- 2) In accordance with P.L. 2021, c. 7 (N.J.S.A. 11A:4-1.3) individuals may be appointed to entry-level law enforcement positions in the Police Department without taking a competitive examination if they have successfully completed a full basic course for police officers training at a School approved and authorized by the New Jersey Police Training Commission.
- 3) All duly qualified applicants for the position of Borough of Belmar Police Officer shall be classified in the following classes:
 - a) Residents of the Borough of Belmar.
 - b) Other residents of Monmouth County.
 - c) Other Residents of the State of New Jersey.
 - d) All other qualified applicants.
- 4) All appointments to the position of Borough of Belmar Police Officer shall be made in accordance with N.J.S.A. 40A:14-123.1(a), with all those in Class A – Residents of the Borough of Belmar – to be appointed first, and then those in each succeeding class in the order above listed.
- 5) All applicants classified in Class A must be residents of the Borough of Belmar as of the announced closing date of the Civil Service Examination for the Position.

SECTION II. If any section, paragraph, subdivision, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision so adjudicated and the remainder of the Ordinance shall be deemed valid and effective.

SECTION III. All Ordinances or parts of ordinances inconsistent with or in conflict with the ordinance are hereby repealed to the extent of such inconsistency.

SECTION IV. This Ordinance shall take effect 20 days after final passage, adoptions and publication according to law.