

**ORDINANCE NO. 2022-**

**TOWNSHIP OF MIDDLETOWN  
COUNTY OF MONMOUTH**

**ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER  
94 OF THE CODE OF THE TOWNSHIP OF MIDDLETOWN  
REGARDING THE POLICE DIVISION TO AUTHORIZE THE  
HIRING OF ENTRY-LEVEL LAW ENFORCEMENT OFFICERS  
WITHOUT AN EXAMINATION REQUIREMENT**

**WHEREAS**, the hiring practices of the Township of Middletown (the "Township") are governed by the New Jersey Civil Service Commission; and

**WHEREAS**, on February 4, 2021, Governor Murphy signed into law P.L. 2021, c.7, now codified at N.J.S.A. 11A:4-1.3 (the "Law"), requiring the Civil Service Commission to exempt from the requirement to take an examination for an entry-level law enforcement position a person who successfully completes a full Basic Course for Police Officers training at a school approved by the New Jersey Police Training Commission within nine months from the date of hire as a temporary entry-level officer; and

**WHEREAS**, pursuant to N.J.S.A. 11A:4-1.3(c), a municipal police department may hire a person, exempt from the requirement to take an examination for an entry-level law enforcement position pursuant to N.J.S.A. 11A:4-1.3(a), upon adoption of an ordinance or resolution by the governing body authorizing such hiring by the police department and the adoption of a conflict of interest and nepotism policy; and

**WHEREAS**, the Township has previously established, in writing, policies governing nepotism conflicts of interest; and

**WHEREAS**, upon successful completion of the training course, any person temporarily hired in accordance with the Law, shall be appointed from a temporary to a permanent entry-level law enforcement police officer; and

**WHEREAS**, the Township desires to hire entry-level law enforcement officers in accordance with P.L. 2021, c.7, and a determination has been made that the municipal code concerning the police needs to be amended.

**NOW, THEREFORE, BE IT ORDAINED** by the Township Committee of the Township of Middletown in the County of Monmouth, State of New Jersey that Chapter 94 of the Code of the Township of Middletown be and is hereby amended and supplemented as follows:

**SECTION 1. Civil Service Exam Exception for Entry Level Police Officers.**

Except as otherwise set forth herein, appointments to the Police Department shall be made in accordance with applicable law from lists of eligible candidates provided to the Township by the New Jersey Department of Civil Service

**SECTION 2. Eligibility for Entry Level Police Officer Exam Exception.**

Individuals who have successfully completed a full Basic Course for Police Officers training course at a school approved and authorized by the New Jersey Police Training Commission within nine months from the date of hire as a temporary entry-level officer may be appointed to entry level police officer positions within the Township. Any individual hired pursuant to this section shall be exempt from the requirement to take a Civil Service examination for an entry-level law enforcement position, consistent with the provisions of the Law.

**SECTION 3. Non-Circumvention.**

The Township recognizes that P.L. 2021, c.7 may not be used to circumvent the Civil Service Commission's requirements for intergovernmental transfers. The Township further recognizes that it may not use P.L. 2021, c.7 to appoint entry-level officers or entry-level officers serving in a working test period with another department, agency or municipality to circumvent the Civil Service Commission's intergovernmental transfer process regulations.

**SECTION 4. Repealer.**

All ordinances or parts of ordinances which are inconsistent with the provisions of this ordinance are, to the extent of such inconsistency, hereby repealed. All portions of the ordinance not modified herein remain in full force and effect.

**SECTION 5. Severability.**

Should any section, clause, sentence, phrase or provision of this ordinance be declared unconstitutional or otherwise invalid by a court of competent jurisdiction, such decision shall not affect the remaining portions of this ordinance.

**SECTION 6. Effective Date.**

This ordinance shall take effect upon final passage, adoption and publication in the manner prescribed by law.