

**BOROUGH OF PENNINGTON
ORDINANCE NO. 2024-15**

**ORDINANCE AMENDING CHAPTER 46 OF THE BOROUGH
CODE CONCERNING THE POLICE DEPARTMENT**

WHEREAS, Borough Council seeks to amend relevant provisions of the Borough Code to relieve the Public Safety Committee of administrative responsibilities regarding operation of the Police Department and to vest these oversight responsibilities in the Borough Administrator on behalf of Borough Council;

NOW, THEREFORE, BE IT ORDAINED, by the Borough Council of the Borough of Pennington, that Chapter 46 of the Code of the Borough of Pennington is hereby amended (with new language underlined and deleted language crossed out) as follows:

1. Section 46-3 of Chapter 46, concerning Appointment of Appropriate Authority, is amended to substitute the Borough Administrator for the Public Safety Committee with respect to overseeing the operations of the Police Department on behalf of Borough Council:

§ 46-3. Appointment of appropriate authority.

- A. Pursuant to the authority contained in the N.J.S.A. 40A:14-118, the Borough Council of the Borough of Pennington is hereby designated as the "appropriate authority" for the adoption and promulgation of the rules and regulations for the government of the police force and for the discipline of its members. ~~The **Borough Administrator Public Safety Committee, which consists of three members of the Borough Council,** shall oversee the operations of the Police Department on behalf of Borough Council.~~ The Borough Council shall have the discretion and authority to designate a hearing officer to conduct such hearings and make findings and recommendations to the Borough Council. The Borough Council, as appropriate authority, shall render a final determination of all Police Department disciplinary matters. The Borough Council shall have the power and authority to affirm, reverse or modify the findings and recommendations of the hearing officer.
- B. The rules and regulations adopted and promulgated by the Borough Council shall become part of the Police Manual as so directed by the Borough Council. The Borough Council shall prescribe the policy and have general administrative control over the Department, which control shall be exercised through the Director of Public Safety, Chief of Police, if any, or **Officer in charge as permitted by law** ~~the **Public Safety Committee of Borough Council**.~~
- C. Rules and regulations.
 - (1) ~~The rules and regulations of the Police Department of the Borough of Pennington **are as** amended, **and** supplemented and revised, **and said amendments, supplements and revisions** are totally contained in a document entitled "2022 Rules and Regulations, **of the** Pennington **Borough** Police Department, **Pennington, New Jersey, 1995,**" which ~~**consists of an introduction, Code of Ethics, table of contents and — 75 pages of rules, regulations and procedures, which is to be entitled the "Rules and Regulations of the Police Department of the Borough of Pennington dated — 1995."**~~ **includes an Introduction with Code of Ethics and Mission Statement, a description of the General Duties and Responsibilities of the members of the Department, Rules of Conduct and Disciplinary Regulations.**~~
 - (2) One copy of the **2022** Rules and Regulations, **of the** Pennington ~~**Borough**~~ Police Department, ~~**Pennington, New Jersey, 1995,**~~ shall be and shall remain on file in the office of the Borough Clerk and made available to persons desiring to examine the same if this section shall be adopted, and while the same is still in effect.

2. Section 46-11 of Chapter 46, is amended to substitute the Borough Administrator for the Public Safety Committee with respect to orders and assignments:

§ 46-11. Orders and assignments.

All orders and assignments for the members of the Police Department from the Borough Council shall be made to and through the ~~**Public Safety Committee of Borough Council**~~, the Chief of Police, ~~or~~ Director of Public Safety, **or Officer-in-charge**, as the case may be.

3. This Ordinance shall take effect upon passage and publication as provided by law.

Introduced: October 7, 2024

Advertised: October 11, 2024

Public Hearing: _____

Adopted: _____

Published: _____

ATTEST:

APPROVED:

Elizabeth Sterling, Borough Clerk

James Davy, Mayor

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RECORD OF COUNCIL VOTE ON INTRODUCTION

COUNCILMAN	AYE	NAY	N.V.	A.B.	COUNCILMAN	AYE	NAY	N.V.	A.B.
Angarone	S				Marciante	X			
Chandler	M				Stern	X			
Gnatt	X				Valenza	X			

RECORD OF COUNCIL VOTE ON ADOPTION

COUNCILMAN	AYE	NAY	N.V.	A.B.	COUNCILMAN	AYE	NAY	N.V.	A.B.
Angarone					Marciante				
Chandler					Stern				
Gnatt					Valenza				