

**CITY OF SEA ISLE CITY  
NEW JERSEY**

**ORDINANCE NO. 1646 (2019)**

**AN ORDINANCE TO AMEND THE REVISED  
GENERAL ORDINANCES OF THE CITY OF SEA ISLE CITY,  
CHAPTER 2, SECTION 9A.10 ENTITLED “Off-Duty Police Officers” IS HEREBY AMENDED  
TO RESCIND THIS SECTION ESTABLISHING A POLICY REGARDING OUTSIDE  
EMPLOYMENT TO CITY POLICE WHILE OFF-DUTY**

**WHEREAS**, on August 9, 2011 the City passed Ordinance No.: 1509 (2011), Chapter 2, Section 10.10 establishing a policy regarding outside employment of City police while off-duty, and

**WHEREAS**, on April 11, 2017 the City passed Ordinance No.: 1608 (2017) which caused renumbering of Chapter 2, specifically Section 10 to become Section 9A to allow for additions to the Chapter (EMS Division); and

**WHEREAS**, the City desires to rescind said Section of said Ordinance(s); and

**NOW, THEREFORE, BE IT ORDAINED** by the Council of the City of Sea Isle City, County of Cape May and State of New Jersey as follows:

**SECTION I.** Chapter 2 Section 9A.10 of the Revised General Ordinances of the City of Sea Isle City, entitled “Off-Duty Police Officers” is hereby amended to delete the following section in its entirety and replace same as follows:

**DELETED SECTION:**

**2-9A.10 Off-Duty Police Officers.**

a. *Purpose.*

1. For the convenience of those persons and entities which utilize the services of off-duty Law Enforcement Officers of the Sea Isle City Police Department and to authorize the outside employment of City Police while off-duty, the City hereby establishes a policy regarding the use of said officers.
2. Members of the Police Department shall be permitted to accept Police related employment for private employers or school districts only during off-duty hours and at such time as will not interfere with the efficient performance of regularly scheduled or emergency duty for the City.
3. Any person or entity wishing to employ off-duty Police shall first obtain the approval of the Chief of Police, which approval shall be granted if in the opinion of the Chief such employment 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 officer or officers who are to perform the work.
4. The assignment of officers to the off-duty details, along with management of the officers in relation to these projects shall be performed by the Police Chief, or his designee of the Sea Isle City Police Department. The Police Department shall adopt any and all appropriate policies to administer this program.

b. *Escrow Accounts.*

1. Any person or entity requesting the services of an off-duty Law Enforcement Officer in the Sea Isle City Police Department shall estimate the number of hours such law enforcement services are required, which, estimate shall be approved in writing by the Chief of Police, and shall establish an escrow account with the Treasurer of the City by depositing an amount sufficient to cover the rates of compensation and administrative fees for the total estimated hours of service. This may be waived for nonprofit organizations, public utilities, or for companies that have a working relationship with the City.
2. Prior to posting any request for services of off-duty Law Enforcement Officers, the Chief of Police or his designee shall verify that; the balance in the escrow account of the person or entity requesting services is sufficient to cover the compensation and fees for the number of hours specified in the request for services. The Chief of Police shall not post a request for services from any person or entity unless all fees and compensation required in the manner described above

have been deposited with the City Treasurer. No officer shall provide any such services for more hours than are specified in the request for services.

3. In the event the funds in such an escrow account should become depleted, services of off-duty Law Enforcement Officers shall cease and requests for further services shall not be performed or posted until additional funds have been deposited in the escrow account in the trimmer prescribed above. This termination of services for insufficient funds may be waived if the matter is deemed emergent by the Chief of Police or his designee. It is the responsibility of the person or entity requesting such services to ensure that sufficient funds are available in the escrow account to avoid any interruption of services.

*c. Payment to City and Officers.*

1. Prior to work commencing, the person or entity requesting the services of an off-duty Law Enforcement Officer in the Sea Isle City Police Department must provide the City with the full amount necessary to cover the anticipated hours that the officer will be needed.
2. The person or entity requesting services will pay the City at a rate of sixty (\$60.00) dollars per hour, with fifty (\$50.00) dollars of that amount compensating the officer for his time, and the remaining ten (\$10.00) dollars covering the City's administrative costs.
3. The compensation to the off-duty officers performing the requested services will be included in their usual pay-day pay-check. In order to ensure compensation, the officer must submit an overtime slip approved by the Chief of Police or his designee, with the private person or entity clearly annotated. Additionally, in processing payroll, the Chief of Police or his designee will note the off-duty nature of the service provided, to ensure that the payment for that detail is withdrawn from the appropriate escrow account.

**REPLACEMENT SECTION:**

**2-9A.10 Off-Duty Police Officers.**

**RESERVED.**

**SECTION III.** Severability. If for any reason any section of this Ordinance shall be declared illegal by any Court of competent jurisdiction, the remaining section of the Ordinance shall remain in full force and effect, notwithstanding.

**SECTION IV.** Repealer. Any Ordinance or provision thereof inconsistent with this Ordinance is hereby repealed to the extent of such inconsistency.

**SECTION V.** Publication. This Ordinance shall take effect immediately upon the adoption and publication in accordance with the law.

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J.B. Feeley, Council President

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Mayor Leonard C. Desiderio

I HEREBY CERTIFY THAT the foregoing ordinance was duly passed by the City Council of the City of Sea Isle City, New Jersey on first reading at the regular meeting of said Council held on the 10th day of December, 2019 and will be taken up for second reading, public hearing and final passage at the regular meeting of said Council held on the 14th day of January, 2020, in City Hall, 3<sup>rd</sup> Floor Council Chambers, 233 JFK Blvd., Sea Isle City, New Jersey at 10:00 a.m.

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Shannon D. Romano, Municipal Clerk