

ORDINANCE 1276

AN ORDINANCE AMENDING CHAPTER II OF "REVISED GENERAL ORDINANCES OF THE BOROUGH OF DEAL, 1982", ADMINISTRATIVE

THE BOARD OF COMMISSIONERS OF THE BOROUGH OF DEAL
HEREBY ORDAIN:

Section 1. That Chapter II, Administrative, of the "Revised General Ordinance of the Borough of Deal, 1982 be and it hereby is amended in the following particulars:

Section 2. Subsection 2-25.5 **Number of Officers** is amended as follows:

2-25.5 Number of Officers

a. The number of officers in each rank shall be determined by the Chief of Police and confirmed by the Board of Commissioners of the Borough of Deal. The number of uniformed officers shall be of sufficient number to preserve and maintain the peace and good order of the Borough at all times of the year.

b. The following number of Superior Officers have been established as follows:

- Maximum of one (1) Captain
- Maximum of two (2) Lieutenants
- Maximum of six (6) Sergeants

Section 3. Subsection 2-25.16 **Hours of Employment** is amended as follows:

2-25.16 Hours of Employment.

The hours of employment for members of the Police Department shall work a (12) hour daily schedule and shall be evaluated annually on December 1st of each year. The Borough shall have the right to change the standard workweek schedule, work shifts, starting and stopping times, etc., at its sole discretion, as the Borough determines is necessary for the efficient and effective operation of the Deal Police Department.

Section 4. Subsection 2-25.17.a **Salaries, Paid Holidays, and Longevity** is amended as follows:

2-25.17 Salaries, Paid Holidays and Longevity.

- a. *Salaries.* Effective November 13, 2023 and thereafter all Deal Police Department salaries shall be pursuant to appropriate collective bargaining agreements.

Section 5. Subsection 2-25.18 shall be rescinded in its entirety.

Section 6. Subsection 2-25.21 **Outside Employment** is amended as follows:

The following shall apply to outside employment of off-duty Borough of Deal Police personnel by a contractor or third party for services:

a. All requests for outside employment of Deal Police shall be through the Chief of Police, or his or her designee. Payment for these services from the contractor or third party shall be made to Jobs for Blue a third-party vendor who handles all off duty employment.

b. This subsection shall only apply to Borough of Deal Police personnel.

c. The rate of compensation of off-duty Deal Police personnel will be billed at eighty dollars (\$80.00) per hour per officer. The minimum charge payable for such services shall be equal to a minimum of four (4) hours for each officer contracted for with the Borough. A cancellation fee equal to such minimum charge per officer shall be due and payable to Jobs for Blue where the request for such service is cancelled on less than 12-hour notice. (Ord. No. 1103)

d. Jobs for Blue shall charge the contractor or third party an administrative fee, an amount above the rate set for the police personnel, in order to cover expenses incurred by the Borough resulting from off-duty employment. This rate shall be billed at ten dollars (\$10.00) per hour per officer. (Ord. No. 1103)

e. Scheduling of off-duty employment, which is police-related, will be arranged by Jobs for Blue. Police personnel will have the option to work these police-related jobs, and all employment of off-duty Police Officers will be voluntary except for an emergency.

f. All payments to police personnel shall be made through payroll in accordance with the schedule set. The Borough of Deal will not make payments to officers employed by another agency.

g. All off-duty police-related work is not to be considered regular police duty.

h. Whenever off-duty police personnel are assigned to any police-related job, such as traffic control, security, crowd control, etc., he or she shall, for the purpose of his or her pension, be entitled to all benefits that he or she would be normally entitled to while on-duty.

i. A Police Officer is required to be present at the site for the protection of the public except when on an approved break and when the job mandates. This should be with approval of the Chief of Police or his or her designee.

j. The Borough may choose to utilize a secondary service to administrate and perform the above actions related to the off-duty employment process. These actions include but are not limited to: Communicating with said person or company to schedule off-duty "jobs", Scheduling the Officers for the said jobs, Invoicing person or company and receiving escrow and or payments from person or company in a manner set forth by the secondary service provider. The secondary service provider may charge an additional fee for services that is above and in addition to the fee structure stated above and utilize business type collection rules as set forth in the

contract/agreement between the Borough and the secondary service provider. (Ord. No. 1154)

k. The secondary service provider will reimburse the Borough via ACH or other funds transfer methods, according to the fees set forth in this ordinance, due to the Borough and Officer, in a timely manner, usually coinciding with payroll periods for “jobs” that the officers have performed or were scheduled for in that period, in accordance with the above listed rules of employment between the Borough and person(s) or company seeking services.

Section 5. If any part of this Ordinance shall be deemed invalid such part shall be deemed severable and the invalidity thereof shall not affect the remaining part of this Ordinance.

Section 6. Any Ordinance or portions thereof which are inconsistent with the provisions of this Ordinance are hereby repealed and superseded.

Section 7. This Ordinance shall take effect upon final passage and publication in accordance with Law.

Introduced by Mayor Cohen on October 12, 2023

Seconded by Commissioner Ades

Roll Call: Ayes 3; Cohen, Ades & Simhon

Motion to Adopt Commissioner Ades on November 9, 2023

Seconded by Commissioner Simhon

Roll Call: Ayes 3; Cohen, Ades & Simhon