



BOROUGH OF OAKLAND BERGEN COUNTY, NEW JERSEY



ORDINANCE NO. 23-CODE-922

AN ORDINANCE SUPPLEMENTING CHAPTER 2 OF THE OAKLAND CODE RELATED THE RECENT CREATION OF CLASS III SLEO

WHEREAS, the Borough of Oakland has recently entered a shared services agreement with the Oakland Board of Education related to Class III SLEOs to be placed into Borough schools under the control of the Oakland Police Department; and

WHEREAS, the Borough requires additional changes to its Borough Code to account for the employment of these Class III SLEOs

NOW THEREFORE BE IT ORDAINED, by the Mayor and Borough Council of the Borough of Oakland as follows:

Section I. Chapter 2, Section 5.10 of the Borough of Oakland Code entitled "Special Law Enforcement Officers" is hereby amended as follows:

Authority and Purpose. The Borough of Oakland may establish Special Police Officers pursuant to and in compliance with the Special Law Enforcement Officers Act (N.J.S.A. 40A:14-146.8 et seq.).

a. Classifications: Powers and Duties. The classification of special law enforcement officers shall be based upon the duties to be performed by said officers and are established as follows:

1. Class 1.

(a) The officers of this class are authorized to perform routine traffic detail, spectator control and similar duties as may be assigned, by the Chief of Police or, in the absence of the Chief, another law enforcement officer in a supervisory capacity to act in his stead. Said Class 1 Officers are also authorized to issue summonses for disorderly persons and petty disorderly persons offenses, violations of municipal ordinances and violations of Title 39 of the Revised Statutes of New Jersey. The use of firearms by said Class 1 Officers is strictly prohibited and no Class 1 Officer shall be assigned any duties, which may require the carrying or use of a firearm.

(b) The number of Class 1 Special Officers shall be at the discretion of the Borough Council. Before any special law enforcement officer is appointed, the Chief of Police or his designee shall ascertain the eligibility and qualifications of the applicant and report these determinations in writing to the Borough Council.

2. Class III.

The officers of this class are authorized to exercise full powers and duties similar to those of a permanent, regularly appointed, full-time police officer only while providing security at a public or nonpublic school, on the school premises, during hours when the public or nonpublic school is normally in session, when it is occupied by public or nonpublic school students, teachers, or staff, or when in fresh pursuit of any person pursuant to Chapter 156 of Title 2A of the New Jersey Statutes or when authorized to perform duties in another unit pursuant to a mutual aid agreement enacted in accordance with § 1 of P.L. 1976, c. 45.

b. Appointments: Terms. Special Officers, Class 1 and Class III shall be appointed for a term not to exceed one year by the Borough Council and the appointment may be revoked by the Borough Council for cause after hearing, as required by N.J.S.A. 40A:14-147. The powers and duties of Special Officers shall cease upon expiration of the term for which they are appointed. Special Officers so appointed shall not be members of the Police Department of the Borough of Oakland or any other Police Department in the State of New Jersey or elsewhere.

c. Qualification: Investigation.

1. No person may be appointed as a Special Law Enforcement Officer Class 1 or Class III unless the person:

(a) Is a resident of this State during the term of employment.

(b) Is able to read, write and speak the English language well and intelligently and has a high school diploma or its equivalent.

(c) Is sound in body and of good health.

(d) Is of good moral character.

(e) Has not been convicted of any offense involving dishonesty or which would make him unfit to perform the duties of his office.

(f) Has successfully undergone the same psychological testing that is required of all full-time police officers in the Borough of Oakland.

2. The Chief of Police shall have the applicant fingerprinted as required by statute, conduct a background investigation of the applicant to determine the eligibility and qualifications of the applicant and shall report these determinations, in writing, to the Mayor and Council of the Borough of Oakland.

d. Training. No person shall commence serving as a Special Officer unless he has been certified by the Police Training Commission, as provided by N.J.S.A. 40A:14-146.10. Additionally, Class III officers must complete SRO training within 12 months of being appointed and conform to the Attorney General's mandatory in-service training requirements.

e. Hours. No Special Officer, Class 1 may work more than 20 hours per week, except during period of emergency.

f. Supplemental.

1. Special Police Officers shall not be utilized to supplant regular police officers.

2. Special Police Officers are subject to the personnel policies of the Borough of Oakland.

3. Special Police Officers are subject to the Oakland Police Department's Written Directive System, where applicable.

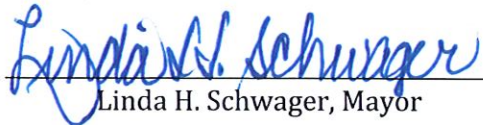
4. Compensation for Special Officers shall be established by the Borough Council annually. Compensation for Class III officers shall be paid by the Oakland Board of Education pursuant to the shared services agreement executed by the Board and the Borough.

Section II. All other parts, portions and provisions of Chapter 12 of the Borough of Oakland Code be and the same are hereby ratified and confirmed, except where inconsistent with the terms hereof. In the event of any such inconsistency, the terms of this Ordinance shall be deemed to govern.

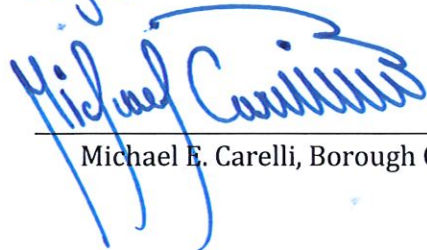
Section III. The terms of this Ordinance are hereby declared to be severable; should any part, portion or provision hereof be declared invalid or unconstitutional, said finding shall not affect any other part, portion or provision thereof.

Section IV. This Ordinance shall take effect immediately upon final passage and publication according to law.

Adopted this 16 day of
August, 2023.



Linda H. Schwager, Mayor



Michael E. Carelli, Borough Clerk