BOROUGH OF OAKLAND
BERGEN COUNTY, NEW JERSEY
ORDINANCE 22-CODE-884

AN ORDINANCE AMENDING CHAPTER 17, SECTION 1.5
OF THE CODE OF THE BOROUGH OF OAKLAND,
ENTITLED “CIVIL SERVICE ELIGIBILITY; RESIDENCE
PREFERENCE”

WHEREAS, the Borough of Oakland (the “Borough”) has previously adopted
Chapter 17, Section 1.5 of the Code of the Borough of Oakland establishing civil service
eligibility and residence preference in hiring decisions; and

WHEREAS, New Jersey State Statute, N.J.S.A. 40A:14-123.1a, permits local
governments to appoint qualified police applicants for positions based upon residency
classes; and

WHEREAS, the Borough desires to amend Chapter 17, Section 1.5 of the Borough
Code to adopt such residency classifications and allow the Borough to classify applicants
and hire them in a specific order in accordance with N.J.S.A. 40A:14-123.1a; and

WHEREAS, the Borough Council has determined it appropriate to amend said
ordinance; and

NOW, THEREFORE, BE IT ORDAINED by the governing body of the Borough of
Oakland that the current language of Chapter 17, Section 1.5 of the Borough Code,
entitled “Civil Service Eligibility; Residence Preference” is deleted in its entirety and
replaced with the following language:

1.5 Residency.

a. All applicants for appointment to the Police Department shall be qualified for
appointment as required by law, ordinance and Civil Service rules and regulations.
Pursuant to N.J.S.A. 40A:14-123.1a, before any person shall be appointed as a
member of the police department and force, the Borough of Oakland shall classify
all duly qualified applicants for the position or positions to be filled in the following
classes:

1. Class I: Residents of the Borough of Oakland
2. Class II: Other residents of Bergen County;
3. Class III: Other residents of the State of New Jersey; and
4. Class IV: All other qualified applicants.

b. Within each such classification duly qualified applicants who are veterans shall
be accorded all such veterans’ preferences as are provided by law. Persons
discharged from the service within 6 months prior to making application to such
municipality who fulfill the requirements of N.J.S.A. 40A:14-123.1 and who,
thereby, are entitled to appointment not withstanding their failure to meet the New Jersey Residency Requirement at the time of their initial application shall be placed in Class III.

c. All appointments shall be made in the order of preference established hereinabove.

d. These classifications shall only apply to initial appointments and not to promotional appointments of a person(s) who are already employed by the Borough of Oakland.

e. This preference shall in no way diminish, reduce or affect the preferences and/or requirements pursuant to any other provisions of the law.

BE IT FURTHER ORDAINED, that any ordinances or parts thereof in conflict with the provisions of this Ordinance are repealed to the extent of such conflict; and

BE IT FURTHER ORDAINED, that this Ordinance shall take effect upon passage and publication in accordance with applicable law.

ADOPTED AND APPROVED

[Signature]
Mayor Linda H. Schwager

ATTEST:

[Signature]
Lisa M. Duncan, Municipal Clerk

This is to certify that this is a true copy as adopted by the Mayor and Council of the Borough of Oakland at a meeting held on [April 27, 2022]

[Signature]
Borough Clerk