

****ADOPTED SEPTEMBER 14, 2009****

DELANCO TOWNSHIP

ORDINANCE NO. 2009-10

**AMENDING CHAPTER 10 OF THE
TOWNSHIP CODE GOVERNING
OUTSIDE EMPLOYMENT OF
POLICE OFFICERS**

WHEREAS, the Township Committee of the Township of Delanco (“Township”) previously adopted Ordinance 2003-7 creating Chapter 10-6 of the Township Code governing outside employment of police officers and establishing an escrow fund for payment by private employers; and

WHEREAS, the Police Chief has requested that the fee for such services be updated to reflect current hourly rates for such services; and

WHEREAS, the Township desires to amend the Code to update such hourly rates and to further permit the establishment of such rates by Resolution to avoid the need for periodic Ordinance amendments.

NOW, THEREFORE, BE IT HEREBY ORDAINED by the Township Committee of the Township of Delanco as follows:

Section 1. Chapter 10-6 of the Township Code is hereby amended as follows:

C. Contracts with Private Employers or Public Entities.

Any Private Employer desiring to retain the services of police officers (“Employee(s)”) of the Township of Delanco for extra-duty, security-related and/or traffic control activities shall be required to enter into a contract with the Township of Delanco. Except in cases of bona fide emergency, no assignment to extra duty may be made unless, prior to such assignment, the private party or entity has executed a contract for such services and has made the required deposit pursuant to the Uniform Agreement to Provide Security-Related and/or Traffic Control Services by Off-Duty Personnel, which form of Agreement is on file with the Township Department of Finance. Said Agreement shall include, but not be limited to the nature of duties to be performed, the location of said duties, the date and hours of service, the rate of payment of services to the officers, which shall be established by Township Resolution and may be amended from time to time, administrative fees to the Township of Delanco and fees for the use of Township owned equipment.

Deleted: [hereby established at Forty Five Dollars (\$45.00) per hour]

The Agreement shall provide for the deposit of monies in advance by the Private Employer for the services to be performed. Should the contract be for a term exceeding one (1) month, the Private Employer shall be required to tender an estimated payment for the first month's services upon executing the contract, and will be billed on a periodic basis thereafter. Should the actual assignment of off-duty officers amount to less than the amount deposited, the Chief Financial Officer shall upon termination of the contract, receipt of the final certified time slips, and receipt of written demand from the Private Employer, return all unused funds to the Private Employer. Nothing in this section shall be construed as limiting the power of the Township of Delanco to accept or reject any and all assignments with any Private Employer.

Section 2. Repealer. Any Ordinances inconsistent with this ordinance is hereby repealed to the extent of its inconsistency.

Section 3. Severability. If any provision of this Ordinance is deemed unlawful by a Court is found to be contrary to law by a court of competent jurisdiction, such provision shall be of no force or effect; but the remainder of this Agreement shall continue in full force and effect.

Section 4. Effective date. This Ordinance shall take effect upon proper passage in accordance with the law.