

**TOWNSHIP OF FAIRFIELD
ORDINANCE #2014-16**

**AN ORDINANCE AMENDING THE TOWNSHIP CODE OF
THE TOWNSHIP OF FAIRFIELD SO AS TO AMEND
CHAPTER II, ARTICLE 8, SECTION 2-11.8, ENTITLED
“CHIEF OF POLICE”**

WHEREAS, in the interest of protecting the public’s safety, the Governing Body wants to ensure that an Officer in Charge is assigned to the Fairfield Township Police Department (“Department”) at all times; and

WHEREAS, the Governing Body has determined that it is necessary to outline the appointment process for the Officer in Charge so as to carry out their objective of ensuring proper leadership of the Department at all times.

NOW, THEREFORE BE IT ORDAINED by the Mayor and Township Council of the Township of Fairfield, County of Essex, State of New Jersey, as follows:

SECTION 1. Chapter II, Article 8, Section 2-11.8, entitled “Chief of Police,” of the Township Code of the Township of Fairfield is hereby amended as follows:

2-11.8 Chief of Police.

... In the absence or disability of the Chief of Police, the duties of the Chief shall devolve upon and be performed by the ~~next highest ranking officer of the Department~~ Deputy Chief of Police, who shall be designated as the Officer in Charge. The Officer in Charge may appoint the next highest ranking officer (“Temporary Officer in Charge”) to act on the Officer in Charge’s behalf in during an emergency, his absence, or disability. Such appointment may be made without regard to seniority of the next highest ranking officer even if there are multiple officers holding the same position. In the event the Temporary Officer in Charge cannot fulfill the position due to an emergency, or during his absence or disability, then the Temporary Officer in Charge may appoint another officer parallel in rank, or if no such officer is available, then the next highest ranking officer. Notwithstanding the above appointment authority, the Governing Body reserves the right to either appoint a new Officer in Charge or to replace any temporary Officer in Charge, whenever the governing body determines, that it is in the best interest of the Township to do so.

SECTION 2. This ordinance shall take effect after second reading and publication as required by law.

Intro: 11/24/14
Adopted: 12/15/14

SECTION 3. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

SECTION 4. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereof.



JAMES W. GASPARINI
Mayor

ATTEST:



DENISE D. CAFONE
Municipal Clerk

NOTICE

Notice is hereby given that the foregoing Ordinance was submitted in writing at a meeting of the Mayor and Council of the Township of Fairfield, County of Essex, State of New Jersey, held on November 24, 2014, introduced and read by title and passed first reading, and that said Governing Body will further consider the same for second reading and final passage thereof at a meeting to be held on December 15, 2014 at 7:30 p.m. at the Municipal Building, 230 Fairfield Road, Fairfield, New Jersey, at which time and place a public hearing will be held thereon by the Governing Body and all persons and citizens of interest shall have an opportunity to be heard concerning same.

DENISE D. CAFONE
Municipal Clerk

Intro: 11/24/14
Adopted: 12/15/14

INTRODUCTION OF ORDINANCE – November 24, 2014: ORDINANCE #2014-16, An ordinance amending the Township Code of the Township of Fairfield so as to amend Chapter II, Article 8, Section 2-11.8 entitled “Chief of Police”.

INTRODUCED BY: Councilman McGlynn
SECONDED BY: Council President LaForgia
PUBLISHED: December 4, 2014

ROLL CALL VOTE

GOVERNING BODY	AYES	NAYS	ABSTAIN	ABSENT	NO VOTE
COUNCIL PRESIDENT JOHN LAFORGIA	X				
COUNCILMAN MICHAEL B. MCGLYNN	X				
COUNCILMAN JOSEPH CIFELLI	X				
COUNCILMAN THOMAS J. MORGAN	X				
MAYOR JAMES GASPARINI	X				

2ND READING AND PUBLIC HEARING - December 15, 2014

INTRODUCED BY: Councilman Cifelli
SECONDED BY: Councilman McGlynn
PUBLISHED: December 18, 2014

ROLL CALL VOTE

GOVERNING BODY	AYES	NAYS	ABSTAIN	ABSENT	NO VOTE
COUNCIL PRESIDENT JOHN LAFORGIA	X				
COUNCILMAN MICHAEL B. MCGLYNN	X				
COUNCILMAN JOSEPH CIFELLI	X				
COUNCILMAN THOMAS J. MORGAN				X	
MAYOR JAMES GASPARINI	X				