



# BOROUGH OF RIVERDALE NEW JERSEY



## ORDINANCE NO. 2-2017

### ORDINANCE AMENDING THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF RIVERDALE AND REGULATING OUTSIDE DETAIL POLICE SERVICES

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**WHEREAS,** the Borough of Riverdale has in the past permitted private contractors to retain the services of outside detail police officers to provide police officer services including services for traffic control; and

**WHEREAS,** in order to ensure that the Borough and its police officers are paid for these services, and that assignments to outside contractors do not conflict with the needs of the Borough, it is appropriate to establish procedures to be followed by private contractors and the Borough of Riverdale Police Department.

**NOW THEREFORE BE IT ORDAINED** by the Borough Council of the Borough of Riverdale in the County of Morris, State of New Jersey as follows:

**Section 1.** Chapter 47, entitled "Police Department", of the Borough of Riverdale General Ordinances is hereby amended to add Section 47-17, entitled "Outside Detail Police Services" which shall read, in its entirety, as follows:

#### **Section 47-17 Outside Detail Police Services**

The following regulations shall apply to the use of outside detail police officers for outside detail police services

- A. Police officers may work for outside private contractors (either a person or an entity) on their outside detail hours with the approval of, and provided that, the Chief of Police determines, in the Chief's discretion, that there are sufficient police personnel available for such work, that the outside employment assignment will not interfere with the needs of the Borough, and that sufficient funds have been deposited in an escrow account with the Borough Chief Financial Officer to cover the anticipated costs of such outside detail work.
- B. The Borough hereby establishes an escrow account dedicated to the payment of outside detail police officers for outside employment by private contractors.
- C. Any contractor desiring to retain the services of police officers of the Borough of Riverdale for outside detail police related activities shall be required to enter into a contract with the Borough of Riverdale. The contract 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 for services of the officers, administrative fees to the Borough of Riverdale, and fees for the use of Borough-owned equipment. The Chief of Police or his designee hereby is empowered to execute a contract for outside detail police related activities on behalf of the Borough in accordance with this section.
- D. The Chief of Police or his designee shall be responsible for the assignment of all outside detail police related activities.
- E. Application for outside detail officers.
  1. Prior to execution of any such contract between a contractor and the Borough, all prospective contractors must make application to hire outside detail police officers through the Chief of Police. The written application for hire shall include the following information:



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- a) The dates that police services and police vehicle(s) will be needed.
  - b) The time of day that the outside detail police services will be required.
  - c) An estimate of the number of hours the contractor anticipates using the outside detail police officer(s) and, if appropriate, the number of police vehicles required for the officer or officers while performing such work.
2. The contractor, with submission of the application, shall submit a check in an amount not less than the full anticipated amount of money needed to cover the cost of outside detail police services and the cost of the Borough's administrative fees.
- F. If, at any time during the course of the contractor's work, the sum in the escrow account is less than the amount of funds that are anticipated to be needed to pay for the cost of such outside detail services and for the cost of the associated administrative fees, the Chief of Police, or his designee, shall immediately notify the contractor that the funds in the escrow account are insufficient to pay for continued outside detail police services. The contractor shall then either replenish the escrow account with a check sufficient to pay for continued services, or the Chief of Police immediately shall terminate provision of the outside detail police services to the contractor.
- G. All sums remaining in the escrow account after completion of the contractor's services shall, upon proper notice to the Borough Chief Financial Officer by the Chief of Police, be refunded to the contractor.
- H. Rates for outside detail police services are as set forth in Chapter 47 of the Borough's general ordinances.
- I. Each person or entity that shall use outside detail police officers pursuant to this section shall be responsible for maintaining his/her or its own insurance coverage. Said insurance coverage shall include but not be limited to general liability and automobile liability and shall name the Borough of Riverdale as an additional insured. In addition, such policy shall provide for a minimum coverage of \$1,000,000 for any one claim or \$2,000,000 for any aggregate claims. Proof of said insurance coverage shall be provided to the Chief of Police prior to the assignment of any outside detail police officers to said contractor.
- J. The Chief of Police or his designee shall have the authority to order any police officer engaged in outside detail assignments within the Borough of Riverdale to respond to an emergency within the Borough. The Chief of Police or his designee shall also have the right to order any outside detail assignment to be terminated whenever said assignment creates an unacceptable risk to the health, safety and welfare of the outside detail officer and/or citizens of the Borough.
- K. In the event that a police officer is assigned to an emergency while working an outside detail assignment, the Chief of Police shall note said emergency and the time that the officer was removed from the outside detail assignment. The contractor shall not be responsible for the payment of the officer's hourly rate, administrative fee or any other fees to the Borough of Riverdale for the time that the officer and/or equipment attended to the emergency.
- L. Any contractor utilizing the services of outside detail police officers shall indemnify and hold harmless the Borough of Riverdale for any and all claims and damages which may arise from the outside detail police officer's services for said person or entity.
- M. In order to be eligible for outside detail employment, a police officer must be in good standing with the Department. Officers who are on medical or other leave due to sickness, temporary disability or an on-duty injury shall not be able to engage in outside detail employment.



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N. In the event the outside detail is needed in an emergency the requirements to file an application, post an escrow, and provide proof of insurance contained in this Section may be waived by the Chief of Police or the Emergency Management Coordinator.

**Section 2.** If any section or provision of this Ordinance shall be held invalid in any Court of competent jurisdiction, the same shall not affect the other sections or provisions of this Ordinance, except so far as the section or provision so declared invalid shall be inseparable from the remainder or any portion thereof.

**Section 3.** All Ordinances or parts of Ordinances which are inconsistent herewith are hereby repealed to the extent of such inconsistency.

**Section 4.** This Ordinance shall take effect immediately after final passage and publication in the manner provided by law.

Adopted this \_\_\_ day of  
\_\_\_\_\_, 2017.

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Abubakar Jalloh, Borough Clerk

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Paul M. Carelli, Mayor

## NOTICE OF PENDING ORDINANCE

The ordinance published herewith was introduced and passed upon first reading at a meeting of the governing body of the Borough of Riverdale, a municipal corporation of the State of New Jersey, held on January 25, 2017. It will be further considered for final passage, after public hearing thereon, at a meeting of the governing body to be held at Borough Hall, in the Borough on February 22, 2017 at 7:30 o'clock p.m., and during the week prior to and up to and including the date of such meeting, copies of said ordinance will be made available at the Clerk's office to the members of the general public who shall request the same.

Abubakar Jalloh, Borough Clerk