

**TOWN OF WEST NEW YORK
COUNTY OF HUDSON, STATE OF NEW JERSEY**

ORDINANCE #7/23

**AN ORDINANCE TO AMEND CHAPTER 80 OF THE CODE OF THE TOWN OF
WEST NEW YORK ENTITLED “POLICE DEPARTMENT”**

WHEREAS, the Town of West New York (the “Town”) seeks to establish the positions of Class III Special Law Enforcement Officers within the Police Department pursuant to the Special Law Enforcement Officers’ Act, N.J.S.A. 40A:14-146.8 et seq. (the “Act”).

NOW THEREFORE, BE IT ORDAINED, the Mayor and Board of Commissioners of the Town of West New York, County of Hudson hereby authorize Chapter 80 entitled “Police Department” to be amended as follows:

SECTION ONE

Chapter 80 of the Code of the Town of West New York, entitled “Police Department” shall be amended to add a new Article X entitled “Class III Special Law Enforcement Officers” to provide as follows:

§80-31 Creation of Position. In addition to any positions that may exist in the Police Department, there shall also exist therein the position of no more than fourteen (14) Class III Special Law Enforcement Officers, as defined by the Special Law Enforcement Officers’ Act, N.J.S.A. 40A:14-146.8 et seq., as deemed necessary and proper by the Director of Public Safety for the Town of West New York Police Department.

§80-32 Eligibility. Only persons eligible to serve as Class III Special Law Enforcement Officers pursuant to law shall be appointed as such.

§ 80-33 Terms. Class III Special Law Enforcement Officer shall serve terms as provided for in the Act, during periods of good behavior, of up to one year in length. A Class III Special Law Enforcement Officer may be reappointed at the expiration of a term, as deemed necessary and proper.

§ 80-34 Duties. A Class III Special Law Enforcement Officer shall have those duties as provided for under the laws of the State of New Jersey, including the Act, applicable regulations, and the ordinances of the Town of West New York, as may be applicable, and those duties assigned through the appropriate chain of command, including, but not limited to, exercise the same powers and authority as permanent, regularly appointed police officers of the Town, including, but not limited to, the carrying of firearms and the power of arrest, subject to rules and regulations not inconsistent with the certification requirements of the Act, or any other statute, law, or regulation.

§ 80-35 Remuneration The salary amount for Class III Special Law Enforcement Officers shall be \$40.00 per hour.

SECTION TWO

Severability. If any term or provision of this Ordinance is held to be illegal, invalid, or unenforceable by a court of competent jurisdiction, in whole or in part, such determination shall not affect the validity of the remaining terms and provisions of this Ordinance.

SECTION THREE

Repealer. To the extent that any provision of the Code of the Town of West New York is found to conflict with this Ordinance, in whole or in part, this Ordinance shall control.

SECTION FOUR

In order to avoid accidental repeal of existing provisions, the Town Clerk and the Corporation Counsel are hereby authorized to change any chapter numbers, article numbers and/or section numbers in the event that the codification of this Ordinance reveals that there is a conflict between those numbers and the existing Code.

SECTION FIVE

Codification. The Town Clerk and/or Corporation Counsel shall have this Ordinance incorporated in the official copies of the Code of the Town of West New York. The Town Clerk and/or the Corporation Counsel be and are hereby authorized and directed to correct any typographical error in this Ordinance and change any heading, chapter numbers, article numbers and section numbers in the event that the codification of this Ordinance reveals that there is a conflict between those headings and numbers and existing provisions of the Code of the Town, or as they may otherwise deem appropriate, even if the headings, chapter numbers, article numbers and section numbers thus modified are otherwise provided for in this Ordinance.

SECTION SIX

This Ordinance shall take effect upon passage and publication as required by law.

SUMMARY OF ORDINANCE

This Ordinance establishes the position of Class III Special Law Enforcement Officer with the Town of West New York Police Department.

Introduced: July 19, 2023

Adopted: August 9, 2023

Statement

The foregoing ordinance having been previously adopted for first reading and published was further considered by the Mayor and Board of Commissioners of the Town of West New York on **August 9, 2023** and at said date was duly and finally adopted after public hearing thereon.

Adelanny Plaza, RMC
Town Clerk

Commissioner Marcos A. Arroyo

Commissioner Victor M. Barrera

Commissioner Marielka A. Diaz

Commissioner Adam W. Parkinson

Mayor Albio Sires
Board of Commissioners

Attest: _____
Adelanny Plaza, RMC
Town Clerk