

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

ORDINANCE # 15/17

**AN ORDINANCE AMENDING CHAPTER 80 ENTITLED
“OFF-DUTY EMPLOYMENT”**

WHEREAS, the Town of West New York (“Town”) seeks to update its “off-duty employment” fees; and

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Board of Commissioners of the Town of West New York that:

SECTION ONE

Chapter 80-29 entitled “Roadwork/Construction Details” shall be deleted in its entirety and replaced as follows:

A. Hourly Rates:

1. A separate hourly rate of \$75.00 per hour will be charged per officer hired on weekdays from 7 am until 3 pm to all roadwork/construction details. There shall be a minimum of a 4 hour charge. A company or individual who hires an officer has 1 hour before the scheduled start time to cancel the off-duty request. Failure to cancel at least 1 hour in advance will cause the full 4 hour minimum charge at \$75.00 per hour.
2. A separate hourly rate of \$85.00 per hour will be charged per officer hired on weekdays after 3 pm to all roadwork/construction details. There shall be a minimum of a 4 hour charge. A company or individual who hires an officer has 1 hour before the scheduled start time to cancel the off-duty request. Failure to cancel at least 1 hour in advance will cause the full 4 hour minimum charge at \$85.00 per hour.
3. A separate hourly rate of \$85.00 per hour will be charged per officer hired on weekends and holidays to all roadwork/construction details. There shall be a minimum of a 4 hour charge. A company or individual who hires an officer has 1 hour before the scheduled start time to cancel the off-duty request. Failure to cancel at least 1 hour in advance will cause the full 4 hour minimum charge at \$85.00 per hour.
4. A separate hourly rate of \$85.00 per hour will be charged per officer hired for same day roadwork/construction details. There shall be a minimum of a 4 hour charge. A company or individual who hires an officer has 1 hour before the scheduled start time to cancel the off-duty request. Failure to cancel at least 1 hour in advance will cause the full 4 hour minimum charge at \$85.00 per hour.

B. Distribution:

1. Distribution:

The hourly distribution rate shall be distributed as follows:

- a. \$65.00 or \$75.00 dollars per hour to each police officer assigned (depending on whether charge is \$75.00 or \$85.00, respectively).
- b. Seven dollars per hour to the Town of West New York for each officer assigned.
- c. Two dollars per hour to the West New York Police Benevolence Association for each officer assigned.
- d. One dollar per hour to the West New York Police Supervisors Association for each officer assigned.

- C. A usage fee of \$100 per police vehicle will be charged by the Town for every vehicle assigned to a roadwork/construction detail work site. The money collected from this fee is to be placed into a separate fund established by the Town for the purpose of maintaining and servicing the West New York Police Department's vehicle fleet. In addition, the funds may be used to purchase vehicles to be used by the Police Department or any other department as approved by the Commissioner of Public Safety. The fund is to be designated the West New York Police Vehicle Service Fund and is to be administered by the Chief Executive Officer of the West New York Police Department with the approval of the Mayor and Board of Commissioners.

SECTION TWO

Severability. The provisions of this Ordinance are declared to be severable and if any section, subsection, sentence, clause or phrase thereof for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, subsections, sentences, clauses and phrases of this Ordinance, but shall remaining in effect; it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

SECTION THREE

Repealer. All Ordinances or parts thereof in conflict or inconsistent with this Ordinance are hereby repealed, but only however, to the extent of such conflict or inconsistency, it being the legislative intent that all Ordinances or part of ordinances now existing or in effect unless the same being conflict or inconsistent with any provision of this Ordinance shall remain in effect.

SECTION FOUR

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

SUMMARY OF ORDINANCE

This amended Ordinance changes the fees for off-duty hourly work related to roadwork and construction details to either \$75.00 or \$85.00, and establishes a minimum hourly charge of 4 hours and cancellation fee.

Introduced: 4/20/17

Notice

The foregoing Ordinance was adopted for first reading by the Mayor and Board of Commissioners of the Town of West New York, New Jersey, on **April 20, 2017** and ordered published, and will be further considered before final passage at a public hearing on **May 18, 2017** at **6:30 p.m.** at the Commission Chambers, Municipal Building, West New York, NJ. A copy of this Ordinance has been posted on the bulletin board upon which public notices are customarily posted on in the Town Hall of the Town of West New York, and a copy (at no charge) is available up to and including the time of such meeting to the members of the public of the Town who shall request such copies, at the Office of the Town Clerk in said Town Hall in West New York, N.J.

Carmela Riccio, RMC
Town Clerk