

ORDINANCE NO. 509

**AN ORDINANCE OF THE BOROUGH OF MANTOLOKING,
OCEAN COUNTY, NEW JERSEY, PROVIDING FOR PRIVATE TRAFFIC DUTY
BY MEMBERS OF THE POLICE DEPARTMENT OF THE BOROUGH OF
MANTOLOKING, AND ESTABLISHING COMPENSATION AND ADMINISTRATIVE
FEES FOR SUCH ACTIVITY**

WHEREAS, from time-to-time, private persons or entities have requested that members of the Police Department provide traffic control services; and

WHEREAS, it is desired, by the Mayor and Council, to make a reasonable accommodation and to protect the members of the Department in the event that such requests may be accommodated.

SECTION ONE

1. The Borough may, upon the consent of the Chief of Police, or his designee, provide the services of Members of the Police Department for private traffic control services, within the Borough;
2. The endorsement of the Chief shall be required in each instance and shall reflect due regard to considerations of scheduling, available personnel and the public interest.
3. Any officer so provided shall, during the performance of such services be deemed, in all respects, to be on official police duty and shall wear such identification, uniform and possess such equipment as shall, from time-to-time, be prescribed by the Chief. Absent such direction, the Officer shall wear the usual patrol uniform and shall possess all required equipment;
4. All of the Rules and Regulations of the Department shall be observed and enforced in conjunction with the private traffic control assignment;

5. In each instance the Chief or his designee shall determine whether or not the officer(s) shall utilize police vehicles in conjunction with the service;
6. Each private person or entity desiring such services shall make timely written application, specifying the date(s), time and nature of the activity for which private traffic control services are requested. In the event of approval, by the Chief or his designee, the applicant shall execute a Contract with the Borough and shall pay a sum sufficient to pay the estimated costs of the service, which shall include wages, administrative costs and vehicle charges, if any. Any excess funds shall be refunded to the applicant upon completion of the service.
7. The fees and charges for such service and vehicle, if any, shall be as follows:
 - a. Officer; per hour or part thereof \$52.00 per hour;
 - b. Administrative Fee; ten percent (10%) of hourly rate
8. The Officer(s) shall be compensated by inclusion, in the subsequent pay period, of the gross sum equal to the "officer" charges for the services, subject to usual payroll deductions, charges.

SECTION II

1. In the event that any portion or provision of this Ordinance shall be adjudicated to be illegal or unenforceable, all of the portions or provisions not so adjudicated shall remain in full force and effect.
2. This Ordinance shall be effective upon final adoption.

CERTIFICATION

I, Irene H. Ryan, Clerk of the Borough of Mantoloking, County of Ocean, New Jersey, hereby certify the following attachment to be a true copy of Ordinance No. 509 as adopted by the Borough Council of the Borough of Mantoloking, New Jersey, at a Regular Meeting held in the Borough Hall at 8:00 p.m. on the 21st day of February, 2006 at which time a quorum was present.

Irene H. Ryan, R.M.C.
Clerk, Borough of Mantoloking