

**BOROUGH OF PENNINGTON
ORDINANCE NO. 2021 - 17**

**ORDINANCE CONCERNING PAID DETAIL POLICE SERVICES
AND AMENDING CHAPTERS 46 (POLICE DEPARTMENT) AND
98 (FEES) OF THE CODE OF THE BOROUGH OF PENNINGTON**

WHEREAS, Borough Council seeks to supplement and further codify the policies of the Borough of Pennington with respect to the off-duty employment of Borough police officers in police-related services for private persons and entities, commonly known as paid detail services;

WHEREAS, Borough Council also intends by this Ordinance to revise and update fees to be charged by the Borough for these paid detail services;

WHEREAS, the further purpose of this Ordinance is to authorize the use of a third-party service provider to perform designated administrative functions in connection with paid detail services for a fee to be charged by the provider directly to the recipient of the services in addition to other Borough fees;

NOW, THEREFORE, BE IT ORDAINED, by the Borough Council of the Borough of Pennington that Chapter 46 of the Code of the Borough of Pennington is hereby amended by the addition of a new Article IV, Paid Detail Service, which shall read as follows:

1. Paid Detail Services shall be defined as services in the nature of special or private police duty provided by Borough Police officers in their off-duty hours to individuals, groups, clubs, institutions and other entities which make payments for such services because they are services the Borough is not obligated to provide as normal police services.
2. Borough police officers shall be permitted to perform paid detail services during each officer's respective off-duty hours and at such times as will not interfere with the efficient performance of regularly scheduled or emergency duty for the Borough.
All such work assignments shall be made by the Chief of Police or designee consistent with the collective negotiations agreement with the officers' majority representative and the standard operating procedures of the Department, as applicable.
3. All requests for paid detail service shall be submitted through the Chief of Police in writing.
4. Off-duty police officers performing paid detail services shall provide such services in a manner consistent with the standard operating procedures of the Police Department.
5. **All persons or entities receiving paid detail services shall make payments to the Borough, in the manner it directs, according to a schedule of fees provided in Chapter 98 of the Borough Code.**
6. The Borough may elect to utilize a third-party service provider to perform administrative functions related to paid detail service. These functions include but need not be limited to communicating with the person or entity to schedule paid detail service in coordination with the Department, invoicing the person or entity, and receiving escrow and payments from the person or entity in a manner consistent with the provider's agreement with the Borough. The third-party service provider may charge the person or entity an additional fee for its services that is above and in addition to the fees payable to the Borough as set forth in Chapter 98. Any such additional fee shall comply with the provider's contract with the Borough.
7. **A third party service provider collecting amounts due from a person or entity receiving paid detail services shall make payments to the Borough via ACH or other funds transfer methods in the amount of the fees due to the Borough, whether or not the provider has yet received payment from that person or entity. These payments shall be made in a timely manner coinciding with the payroll periods in which the paid detail services are provided.**

BE IT FURTHER ORDAINED by the Borough Council of the Borough of Pennington that Article IV of Chapter 98 of the Code of the Borough of Pennington, concerning Fees Required for Paid Detail Police Services, is hereby amended (with deleted language crossed out and new language underlined) as follows:

98-23. Procedures.

“All recipients of paid detail services shall pay a fee to the Borough for these services as required by Article IV of Chapter 46 of the Borough Code. ~~‘Paid detail services’ are services in the nature of special or private police duty provided by Borough police officers in their off duty hours which the Borough is not obligated to provide as normal police services. These services are provided to individuals, groups, clubs, institutions and others who make payments for such services. All requests for such services shall be made to the Director of Public Safety and all payments for such services shall be made to the Borough.~~”

98-24. Fees.

“The fee paid to the Borough for paid detail services shall be as follows **except as further provided in Sections 98-25 and 26.**

- A. In calendar year 2021~~07~~, beginning on the effective date of this ordinance, \$~~85~~ 55 for each hour of service by each Borough officer with a minimum payment of \$~~340~~ 220 per officer.
- B. In calendar year 2022~~08~~, \$~~100~~ 65 for each hour of service by each Borough officer with a minimum payment of \$~~400~~ 260 per officer.
- C. In calendar year 2023~~08~~, \$~~100~~ 65 for each hour of service by each Borough officer with a minimum payment of \$~~400~~ 260 per officer.
- D. In calendar year 2024, \$100 for each hour of service by each Borough officer with a minimum payment of \$400 per officer.
- E. ~~D-E.~~ In addition to ~~Of~~ the hourly rates specified, \$10 per hour shall be charged ~~retained~~ by the Borough as an administrative fee.
- F. In accordance with Article IV of Chapter 46, any third-party providing administrative services to the Borough related to paid detail services may charge an additional fee directly to the person or entity receiving services, in addition to the above fees due to the Borough, to compensate the provider for its services. Any such fee shall be consistent with the agreement between the Borough and the third-party provider.

98-25 (no change) – Administrative fee waived for certain events.

The Borough waives its administrative fee in connection with paid detail service for any event which promotes and supports community programs and civic pride in Pennington and is sponsored by a local school or local nonprofit organization. As used herein, “local school or local nonprofit organization” shall mean a local school or local nonprofit organization which confines its activities to the Hopewell Valley.

98-26 (new) – Fees for persons who are Borough residents.

Paid detail services within the Borough for persons who are Borough residents shall be billed at an hourly rate equal to time and a half of each of the affected officer’s rate of pay.

BE IT FURTHER ORDAINED that this Ordinance shall take effect upon passage and publication as provided by law.

Introduced: _____
Advertised: _____
Public Hearing: _____
Adopted: _____
Published: _____

ATTEST:

APPROVED:

Elizabeth Sterling, Borough Clerk

James Davy, Mayor

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RECORD OF COUNCIL VOTE ON INTRODUCTION

COUNCILMAN	AYE	NAY	N.V.	A.B.	COUNCILMAN	AYE	NAY	N.V.	A.B.
Chandler					Marciante				
Gnatt					Mills				
Gross					Semple				

RECORD OF COUNCIL VOTE ON ADOPTION

COUNCILMAN	AYE	NAY	N.V.	A.B.	COUNCILMAN	AYE	NAY	N.V.	A.B.
Chandler					Marciante				
Gnatt					Mills				
Gross					Semple				