

**AN ORDINANCE AMENDING CHAPTER 2, ADMINISTRATION, SECTION
2-18.1(a), POLICE DEPARTMENT, OF THE
REVISED GENERAL ORDINANCES OF THE
TOWNSHIP OF SPARTA**

WHEREAS, the Township Council of the Township of Sparta wishes to amend the organizational structure of its Police Department to provide for a maximum of ONE (1) Captain, three (3) lieutenants and a maximum of six (6) sergeants;

WHEREAS, the Township Council of the Township of Sparta has determined that § 2-18.1 of the Code of the Township of Sparta requires amendment to provide for the maximum allowable number of officers and patrolmen in its Police Department, to be consistent with the underlying statute, N.J.S.A. § 40A:14-118, and Reuter v. The Borough Council of The Borough of Fort Lee, 167 N.J. 38 (2001),

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Township Council of the Township of Sparta, County of Sussex, State of New Jersey, as follows:

Section 1. Section 2-18.1(a) of the Code of the Township of Sparta is hereby deleted in its entirety.

Section 2. Section 2-18.1(a) of the Code of the Township of Sparta shall hereby read as follows:

There is hereby created a Department of Police also known as the Police Department. The Police Department shall consist of the following positions, in order of their rank within the department, and such other employees as the Manager shall from time to time deem necessary and proper:

1. One (1) Chief of Police,
2. One (1) Captain,
3. No more than three (3) lieutenants,
4. No more than six (6) Sergeants, and
5. No more than forty (40) patrolmen or patrolwomen.
6. The authorized number of officers in the above ranks may be increased and/or exceeded to permit the Appointing Authority in his discretion to permanently appoint an officer to replace any other officer no longer on active service on terminal leave pending resignation or retirement; provided, however that said resigning/retiring officer has provided written notice of the resignation/retirement and its effective date, and same has been accepted by the Appointing Authority.

Severability. If any provision of this Ordinance or the application of this Ordinance to any person or circumstances is held invalid, the remainder of this Ordinance shall not be affected and shall remain in full force and effect.

Repealer. All ordinances or parts of ordinances or resolutions inconsistent or in opposition to the provisions of this Ordinance are hereby repealed in their entirety.

Effective date. This Ordinance shall take effect after its final passage and publication as required by law.

NOTICE

TAKE NOTICE that the above entitled ordinance was introduced at a regular meeting of the Township Council of the Township of Sparta on June 22, 2021, and will be considered for final passage after public hearing at a regular meeting of the Township Council of the Township of Sparta to be held on July 13, 2021, at 7:30 p.m. in the Municipal Building, 65 Main Street, Sparta, New Jersey 07871.

BY ORDER OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF SPARTA.

KATHLEEN CHAMBERS, RMC
MUNICIPAL CLERK

NOTICE

NOTICE is hereby given that the above entitled ordinance was introduced and passed at a meeting of the Township Council of the Township of Sparta, held at the Municipal Building, 65 Main Street, Sparta, NJ on June 22, 2021. The same came up for final passage and adoption at a regularly scheduled meeting of the Township Council of the Township of Sparta, held on July 13, 2021 at 7:30 p.m., at the Municipal Building, 65 Main Street, Sparta, NJ and after all persons present were given an opportunity to be heard concerning the same, it was finally passed and adopted and will be in full force in the Township according to law.

KATHLEEN CHAMBERS, RMC
MUNICIPAL CLERK