

ORDINANCE NO. 11, 2018

AN ORDINANCE SUPPLEMENTING AND AMENDING CHAPTER 56 OF THE CODE OF THE CITY OF LINWOOD, POLICE DEPARTMENT, ADDING ARTICLE VI "DIVISION OF CODE ENFORCEMENT"; AND REPEALING ALL ORDINANCES HERETOFORE ADOPTED THE PROVISIONS OF WHICH ARE INCONSISTENT HEREWITH.

**SECTION 1.** Amendment to Chapter 56 of the Code of the City of Linwood

Chapter 56 of the Code of the City of Linwood "Police Department" is hereby amended and supplemented to add an Article VI "Division of Code Enforcement" which shall read as follows:

**Article VI. Division of Code Enforcement.**

**56-23 Division established.**

There is hereby established a Division of Code Enforcement within the Police Department. The division's primary function shall be enforcement of the ordinances of the City of Linwood, including but not limited to animal control, property maintenance and zoning and planning. In executing that function the Division of Code Enforcement may call upon the sworn Police Department or other law enforcement officers for such assistance as is necessary.

**56-24 Code officers and staff.**

All civilian code enforcement officers shall be appointed by the Chief of Police, with the advice and consent of City Council. The Division of Code Enforcement shall be staffed with such further civilian code enforcement officers and civilian clerical staff as, from time to time, are appointed by the Chief of Police with the advice and consent of City Council. Each code enforcement officer appointed hereunder shall be considered a "code enforcement officer" as that term is used in Rule 7:2-2(a)(3) of the New Jersey Court Rules.

**56-25 Line of authority.**

All code enforcement officers and clerical staff of the Division of Code Enforcement shall report to the Chief of Police. The Chief shall develop a standard operating procedure outlining the respective duties and responsibilities of the code enforcement officers and setting operational priorities.

**56-26 Applicability of Police Department ordinances.**

The Chief of Police will exempt the Division of Code Enforcement from coverage of any or all portions of the Linwood Police Department rules and regulations (also known as the "Police Manual"). The Code Enforcement Official and the subordinate code enforcement officers and clerical staff of the Division of Code Enforcement shall not be deemed to be sworn members of the Police Department within the meaning of any provision of Title 40A, Chapter 14, of the Revised Statutes of New Jersey.

**SECTION 3. Repealer Clause**

All Ordinances or parts of Ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistencies. All other provisions of Chapter 56 which are not affected by this Article are ratified and confirmed and shall remain in full force and effect.

**SECTION 4. Severability**

If any portion of this Article is adjudged unconstitutional or invalid by a court of competent jurisdiction, such judgment shall not affect or invalidate the remainder of this article, but shall be confined in its effect to the provision directly involved in the controversy in which such judgment shall have been rendered.

**SECTION 5. Effective Date**

This Ordinance shall be effective immediately upon final reading and publication in accordance with New Jersey Law.

<i>FIRST READING:</i>	<i>June 12, 2018</i>
<i>PUBLICATION:</i>	<i>June 18, 2018</i>
<i>PASSAGE:</i>	<i>July 11, 2018</i>

The within Ordinance was introduced at a meeting of the Common Council of the City of Linwood, County of Atlantic and State of New Jersey held on, June 12, 2018 and will be further considered for final passage after a public hearing thereon at a meeting of said Common Council on July 11, 2018.

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LEIGH ANN NAPOLI, RMC, MUNICIPAL CLERK

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RICHARD L. DEPAMPHILIS, III, MAYOR