# Chapter 4

# ADMINISTRATIVE CODE

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### § 4-114. Gloucester City Economic Development Corporation.

**[HISTORY: Adopted by the Mayor and Common Council of the City of Gloucester City 3-5-1970. Amendments noted where applicable.]**

GENERAL REFERENCES

**Defense and indemnification—See Ch. 4A.**
**Salaries—See Ch. 7.**

## ARTICLE I
## Title and Definitions

### § 4-1. Short title.

This ordinance shall be known and may be cited as the "Administrative Code of the City of Gloucester City."

### § 4-2. Definitions.

For the purposes of this ordinance and in the interpretation of all other ordinances heretofore or hereafter adopted, the following terms shall have the following meanings, except as the context may otherwise require:

CHARTER — The Charter of the City of Gloucester City.

DEPARTMENT — Any unit of the municipal government established or designated by this ordinance as a "department."

MUNICIPAL or MUNICIPALITY — Refers to the City of Gloucester City.

SUPERINTENDENT — The administrative head of a department.

## ARTICLE II
## The Mayor and Common Council

### § 4-3. Election, terms of office and salaries.

The election, terms of office and salaries of the Mayor and of the members of the Common Council of the City of Gloucester City shall be as provided in the Charter, as last amended by Chapter 246 of the Laws of New Jersey of 1968 or as it may hereafter be amended. (Editor's Note: Ordinance No. O03-2014, adopted February 27, 2014, designated ward and at-large seats of the Common Council. Charter amendments were approved by the State Legislature and signed into law by the Governor of the State of New Jersey as P.L.2013, c.179. See end of Charter for Charter amendments.)

### § 4-4. Meetings of Council; quorum; powers and duties.

The meetings of Common Council and the provisions for a quorum thereof shall be as provided in the Charter, and the Mayor and Common Council shall possess and exercise all such powers as are conferred upon them by the Charter and shall do and perform all such other acts as are required and permitted under the general laws of the State of New Jersey.

### § 4-5. Rules of Common Council.

A. The Common Council shall meet for organization as required by law. **[Added 2-23-2012 by Ord. No. O06-2012]**

B. In all questions of procedure and parliamentary law, the Common Council shall be governed by Robert's Rules of Order. **[Amended 2-6-2003 by Ord. No. 1-2003]**

C. Committees. **[Amended 12-27-1979 by Ord. No. 6-1979; 4-7-1983 by Ord. No. 7-1983]**

(1) **[Amended 12-29-1997 by Ord. No. 37-1997]** The following standing Committees shall be appointed by the Mayor, and the number of the Committees may be increased or decreased whenever the Common Council shall so determine:

(a) Finance and Administration.

(b) Fire.

(c) Housing.

(d) Licensing.

(e) Police.

(f) Public Works.

(2) In accordance with the City Charter, the Mayor shall appoint, with the advice and consent of the Council, the Chairman and members of all Committees; provided, however, that the Mayor shall be the Chairman of the Committees having jurisdiction of the Police and Fire Departments.

D. Attendance policy. In the case of a governing body member, member of a board, committee, commission, authority or other agency, whenever the member, without being excused by a majority of the authorized members of such body, fails to attend and participate at meetings of such body for a period of eight (8) consecutive weeks, or for four (4) consecutive regular meetings, whichever shall be of longer duration, at the conclusion of such period, provided that such body shall notify the appointing authority in writing of such determination; provided, further, that such board, committee, commission, authority or other agency may refuse to excuse only with respect to those failures to attend and participate which are not due to legitimate illness. **[Added 2-23-2012 by Ord. No. O06-2012]**

### § 4-5.1. Waiver of fees by Common Council. [Added 5-3-2010 by Ord. No. 11-2010]

Any fee or charge required to be paid by any Ordinance adopted by the City of Gloucester City may be waived by a resolution of the Common Council upon a showing of good cause.

## ARTICLE III
## City Clerk

### § 4-6. City Clerk; term of office; salary; bond.

A. The City Clerk, heretofore appointed by Common Council, shall hold his office until his full term of three years shall have been served and until the appointment and qualification of his successor, at which time, and every third year thereafter, the Common Council shall appoint a City Clerk who shall hold his office until the appointment and qualification of his successor. The annual salary of the City Clerk shall be as fixed in the Salary Ordinance of the City of Gloucester City.[1]

B. The City Clerk shall, before entering upon the duties of his office, enter into a bond in favor of Gloucester City in such amount as shall be prescribed by the Finance and Accounts Committee of Common Council, conditioned for the faithful performance of the duties of his office, which bond shall be approved as to form and surety by the City Solicitor.

[1] **Editor's Note: See Ch. 7, Salaries.**

**§ 4-7. Clerk of Council; recording of ordinances; publication; abstracts.**

A. The City Clerk, by virtue of his office shall be Clerk of the Common Council and the several committees thereof, except as hereinafter provided; and it shall be his duty to keep correct journals and minutes of the proceedings thereof and to record the same in separate books to be kept in his office.

B. He shall cause all ordinances passed by the Common Council to be carefully engrossed in books to be provided for that purpose, and when so engrossed the ordinance shall be signed by the Mayor and attested by the City Clerk.

C. He shall prepare a copy of all ordinances which require publication, and cause the same, properly attested, to be published in the proper newspapers, and shall file in the office the requisite proofs of such publication.

D. He shall furnish to the head of each department an abstract of any ordinance or resolution of Common Council requiring any work to be done under or in reference to any matters affecting such department.

**§ 4-8. Fees; permit procedure.**

Any and all fees due said City from any source whatever shall be paid by the City Clerk to the City Treasurer of Gloucester City. The City Clerk, upon an application being made to him for any permit for which a fee is due his office,

shall, if the applicant is so entitled, issue said permit and collect the fee.

### § 4-9. Order books.

A. He shall have the general custody and charge of the general order books and shall draw orders upon the City Treasurer for all bills and claims allowed by the Common Council, all specific appropriations of money made by it, and for the payment of the salaries of the city officers as fixed by ordinance or resolution of the Common Council and not otherwise provided for.

B. He shall keep an accurate account, on the margin of said order book, of all orders attested by him, showing the date, amount and number of each and in whose favor the same were drawn and the object thereof.

### § 4-10. Record of contracts.

He shall take charge of and keep all contracts that are made and approved by the Common Council.

### § 4-11. Applications for alcoholic beverage licenses.

It shall also be the duty of the City Clerk to provide blank applications for licenses to sell liquor and transfers of licenses theretofore granted, on forms as shall be provided by the Common Council, and furnish the same to applicants free of charge.

### § 4-12. Employees in City Clerk's office.

The number and types of employees in the City Clerk's office shall be as determined by the Mayor and Common Council, and they shall be employed in accordance with the provisions of the Civil Service Law of New Jersey.

**§ 4-13. Deputy Municipal Clerk. [Added 2-1-1993 by Ord. No. 1-1993]**

A. Appointment, length of term, removal and salary. The Deputy Municipal Clerk shall be appointed by Common Council, shall serve at the pleasure of Common Council and shall be removable upon a majority vote of Common Council. The annual salary of the Deputy Municipal Clerk shall be as fixed in the Salary Ordinance of the City of Gloucester City.[2] **[Amended 12-29-1997 by Ord. No. 37-1997]**

B. Qualifications. The Deputy Municipal Clerk shall be chosen by the Mayor and Common Council solely on the basis of his administrative qualifications with special reference to his actual experience in, and/or his knowledge of, accepted practice in the day-to-day conduct of the business of the Office of City Clerk.

C. Bond. The Deputy Municipal Clerk shall, upon appointment, enter into a bond in favor of Gloucester City in such an amount as shall be prescribed by the Finance and Accounts Committee of Common Council, conditioned on the faithful performance of the duties of his office, which bond shall be approved as to form and surety by the City Solicitor.

D. Duties and responsibilities.

(1) Under the direction and supervision of the City Clerk, the Deputy Municipal Clerk shall perform any and all of the duties prescribed for the Office of City Clerk.

(2) The Deputy Municipal Clerk shall, in the event of the death, resignation or disability of the City Clerk, discharged the powers and duties of said office, and shall continue to act as the City Clerk until the appointment of a City Clerk.

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2 Editor's Note: See Ch. 7, Salaries.

(3) The Deputy Municipal Clerk shall assist the City Clerk in keeping correct journals and minutes of the proceedings of the Common Council and the several committees thereof, shall assist the City Clerk in causing all ordinances passed by the Common Council to be carefully engrossed in books provided for that purpose; and shall assist the City Clerk in the issuance of permits and the collection of appropriate fees and in the transmittal of fees from any source whatsoever to the City Treasure of Gloucester City. Further, the Deputy Municipal Clerk shall assist the City Clerk with respect to the maintenance and control of the order books pursuant to § 4-9 of the Administrative Code of the City of Gloucester City, the recording of contracts pursuant to § 4-10 of the Administrative Code of the City of Gloucester and in the acceptance and processing of applications for purchase and transfer of alcoholic beverages licenses pursuant to § 4-11 of the Administrative Code of the City of Gloucester City.

**§ 4-14. (Reserved)**

## ARTICLE IV
## City Solicitor

**§ 4-15. Office of City Solicitor.**

A. The office of City Solicitor as established by law is hereby continued in force and effect and in all things ratified and confirmed, and the duties of said office shall continue to be those established by law.

B. The City Solicitor shall be an attorney at law of New Jersey and be admitted to the practice of law in the courts of New Jersey.

C. The incumbent City Solicitor shall hold office until his full term of one year shall have expired and until his successor shall have been duly appointed and qualified. Every year thereafter, there shall be appointed by Common Council a like person as City Solicitor, to serve for a term of one year and until his successor shall have been duly appointed and qualified. **[Amended 6-6-1991 by Ord. No. 6-1991]**

## § 4-16. Duties of City Solicitor.

A. It shall be the duty of the said City Solicitor to prosecute and defend all actions which may be brought by or against Gloucester City, the Mayor and Common Council thereof or by or against any city officer or officers for or by reason of any matter or duty connected with or growing out of their respective offices, or in which the city is interested, in any court or tribunal in this state.

B. He shall draw all the deeds, leases, conveyances, bonds, contracts, agreements and other legal instruments of whatever nature necessary in any matter relating to the business or interest of the city, and all such ordinances as may be required of him by the Common Council or any committee thereof.

C. Said City Solicitor shall from time to time, when required, advise the Mayor, the Common Council, any committee thereof or any city officer upon all matters relating to the business or interest of the city which may be submitted to him for his opinion, and when requested so to do shall give his opinion in writing; when given to the Common Council or any committee thereof, it shall be filed with the City Clerk or in the office of the Mayor or other city officer requesting the same, respectively.

**§ 4-17. Retainer of City Solicitor.**

The City Solicitor shall receive annually a retainer in an amount to be fixed in the Salary Ordinance of the City of Gloucester City.[3]

**§§ 4-18 through 4-20. (Reserved)**

**§ 4-21. (Reserved)[4]**

**§ 4-22. (Reserved)[5]**

**§ 4-23. (Reserved)[6]**

**§ 4-24. (Reserved)[7]**

**§ 4-25. (Reserved)[8]**

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[3] Editor's Note: See Ch. 7, Salaries.

[4] Editor's Note: Former § 4-21, Office of Assistant City Solicitor, as amended, was repealed 12-29-1997 by Ord. No. 37-1997.

[5] Editor's Note: Former § 4-22, Duties of Assistant City Solicitor, was repealed 12-29-1997 by Ord. No. 37-1997.

[6] Editor's Note: Former § 4-23, Death or inability of City Solicitor, was repealed 12-29-1997 by Ord. No. 37-1997.

[7] Editor's Note: Former § 4-24, Salary of Assistant City Solicitor, was repealed 12-29-1997 by Ord. No. 37-1997.

[8] Editor's Note: Former § 4-25, Office of Special Housing Prosecutor, added 6-17-1990 by Ord. No. 14-1990, was repealed 12-29-1997 by Ord. No. 37-1997.

ARTICLE V
**Department of Finance**
**[Amended 4-6-1989 by Ord. No. 2-1989; 9-7-1989 by Ord. No. 5-1989; 12-29-1997 by Ord. No. 37-1997]**

### § 4-26. Department of Finance created.

Within the administration of the City of Gloucester City, there shall be a Department of Finance, the head of which shall be the Chief Financial Officer, who shall be appointed by the Mayor and consented to by the Common Council and report to the Administrator, subject to the Finance and Administration Committee of the Common Council.

### § 4-26.1. Office of Chief Financial Officer established.

There is hereby established the position of Chief Financial Officer, who may also serve as Treasurer which appointee shall be qualified as and be designated the Chief Financial Officer as defined in N.J.S.A. 40A:9-140.10. The compensation for this position shall be as established in the Salary Ordinance of the City of Gloucester City.[9] The appointment and term shall be as defined in N.J.S.A. 40A:9-140.8.

### § 4-26.2. Treasurer; compensation.

There shall be a designee as the Treasurer of the City of Gloucester City. This appointee shall be qualified as defined in N.J.S.A. 40A:9-140.8. The compensation for this position shall be as established in the Salary Ordinance of the City of Gloucester City.[10] Should the designee be the same person as the Chief Financial Officer or other city official, the salary shall be only as the salary established for the other position or Treasurer, whichever is higher, or as may be established by

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9 Editor's Note: See Ch. 7, Salaries.

10 Editor's Note: See Ch. 7, Salaries.

ordinance as a stipend to be paid in addition to the current salary.

### § 4-26.3. Duties of Department of Finance.

Under the direction of the Chief Financial Officer, the Department shall:

A. Develop, maintain and enforce a uniform system of accounts, including forms, standards and procedures for all departments of the city government, which shall be in accord with sound accounting principals and within the requirements established by the Division of Local Government Services of the State of New Jersey Department of Community Affairs.

B. Install and provide such records as may be prescribed or approved by the Administrator for the determination of the cost of performance of each function, program and/or activity measured in such work units as may be necessary.

C. Supervise the administration of the city finances, safekeeping of securities and other valuable documents and investment funds of the city not required for current operations.

D. Prepare all financial records and statements required by law or upon the request of the Mayor, Common Council and/or other governmental agencies.

E. Supervise the city debt and the safekeeping of all bonds and notes for transfer, registration or exchange.

F. Account for and preaudit all city revenues and expenses.

(1) Maintain and operate the city's central accounting system, including an approved encumbrance system.

(2) Audit all receipts and disbursements for all departments of the city government; preaudit all bills, claims and demands against the city, including payroll.

(3) Require each department head to certify that all materials, supplies or equipment have been duly received or rendered prior to payment.

(4) Control all expenditures to assure the budget appropriations are not overspent and maintain proper books and records, including an encumbrance system to exercise budget control.

(5) Review each expenditure of the city to assure compliance to the laws of the State of New Jersey, this code and the Charter of the City of Gloucester City.

G. Prepare a monthly report of the expenditures, balances and status of departmental budgets as prescribed by the Administrator to furnish a true picture of the financial condition of the city to the Mayor and Council.

## § 4-27. Collector of Taxes established; appointment.

There shall be established an Office of the Tax Collector, the head of which shall be the Tax Collector. The person holding this position shall be qualified under the provisions N.J.S.A. 40A:9-141 et seq. The employee shall be a full time employee and work the hours as shall be set by the Council for the Tax Office to remain open. Compensation shall be as established in the Salary Ordinance of the city.[11]

## § 4-27.1. Duties of Tax Collector's Office.

The Office of the Tax Collector shall, under the direction of the Tax Collector:

A. Prepare and mail tax bills within the dates prescribed by law.

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11 Editor's Note: See Ch. 7, Salaries.

B. Prepare all bills for service and/or special charges promptly.

C. Maintain a central cashier's office and deposit all receipts of the city in depositories authorized by Council in a timely manner as set by the statutes of the State of New Jersey and the regulations of the Division of Local Government Services of the New Jersey Department of Community Affairs. This shall include all tax payments, water and sewer charges and rents and other charges as levied by the city.

D. Enforce the collection of taxes and utilities charges by holding tax sales within the time frame prescribed by law.

E. Keep account of all cash receipts.

F. Provide for the reading of meters and billing of consumer accounts for water and sewer according to the rates established by the ordinances of the city.[1]

G. Issue official receipts for all moneys collected by the city.

H. Make or cause to be made and certify searches for tax and other liens on real property as may be authorized by law and collect for the use of the city the fee required for any such search.

## § 4-28. Bonds to be maintained.

The city shall maintain a bond for the Collector of Taxes and the Collector of Water and Sewer Rents in the amount as prescribed in the regulations of the New Jersey Department of Community Affairs. Such evidence of bonding as is required shall be reviewed by the auditor of the city as required.

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1 **Editor's Note: See Ch. 71, Sewers, and Ch. 90, Water.**

## § 4-29. Deputy Collector of Taxes.

The city may establish the position of Deputy Collector under the terms of the New Jersey Department of Personnel. Such position, if filled, shall fill in for the Collector in his or her absence and shall be responsible for the operations of the Tax Office as assigned by the Collector.

## § 4-29.1. Purchasing procedures and policies.

It shall be the responsibility of each of the directors and/or their designees to assure that all purchases are made in compliance with the rules and regulations of the New Jersey Department of Community Affairs, Division of Local Government Services, as prescribed in the Local Public Contracts Law.[2]

A. All purchases must be preceded by a requisition submitted to the Chief Financial Officer.

B. When the cost or price of any contract awarded by the contracting agent (municipality) in the aggregate does not exceed in a contract year the total sum of $17,500, the contract may be awarded by a purchasing agent. The Chief Financial Officer shall be considered the purchasing agent for the purposes of this section. Upon determination that a purchase may exceed the bid limit set by the Director of Local Government Services, a specification and advertisement for bids will be prepared by the Municipal Clerk. **[Amended 5-4-2000 by Ord. No. 8-2000]**

C. Upon receipt of bids, the Clerk, department head and, if necessary, the City Engineer shall report their recommendation to the Administrator and the Chief Financial Officer for recommendation to the Council.

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2 **Editor's Note: See N.J.S.A. 40A:11-1 et seq.**

D. A contract shall be prepared and an authorization to proceed issued to the contractor prior to any work or delivery of materials or services.

E. Any services or goods which do not exceed the bid threshold shall be encumbered by the Chief Financial Officer prior to award of the purchase and must be in the form of an approved purchase order.

F. For all contracts that in the aggregate are less than the bid threshold ($17,500) but 15% or more of the amount ($2,625 or more), the purchasing agent, on behalf of the contracting agent, shall award the contract after being presented at least two competitive quotations, if practicable, solicited by the respective department director. All contracts that are in the aggregate less than 15% of the bid threshold (less than $2,625) may be awarded by the purchasing agent on behalf of the contracting agent without soliciting competitive quotations. **[Amended 5-4-2000 by Ord. No. 8-2000]**

G. The Finance Department shall maintain records of all purchases entered into by the city and verify that all purchases have been posted to the proper accounts.

**§§ 4-29.2 through 4-29.5. (Reserved)**

**§ 4-29.6. Unauthorized purchases.**

It shall be a violation of city policy for any employee, elected or appointed, to order any materials or services without following the established purchasing procedures. Such procedures shall be those established herein and any regulations of the State of New Jersey. Any action deemed to be outside of the scope of these regulations shall be grounds for disciplinary action.

**§ 4-30. Employees.**

The number and classifications of employees to be assigned to the Department and offices set forth in this article shall be determined by the Mayor and Council within the budgetary constraints and in accordance with the rules and regulations of the New Jersey Department of Personnel. The hours of work of the employees and the offices therein shall be as set by the Council or as the contract with the employees covered under a collective bargaining agreement may direct.

**§ 4-31. (Reserved)**

## ARTICLE VI
## City Engineer
**[Amended 6-6-1991 by Ord. No. 6-1991; 12-29-1997 by Ord. No. 37-1997]**

**§ 4-32. Office of City Engineer created; term; compensation.**

The Council shall appoint an engineer to the position of Municipal Engineer for a term of not more than three years in accordance with N.J.S.A. 40A:9-140. The compensation for such position shall be on fixed fee or at an hourly rate and based upon actual time and expenses agreed upon prior to the rendering of the services.

**§ 4-33. Duties.**

The duties of the Engineer shall be:

A. To prepare, maintain, update and assure custody of the Tax Map of the city, wherein shall be indicated the streets and highways and the lots, plots and tracts of land situated in the city distinguished by block and lot number.

B. To make investigations, furnish reports and estimate cost of various improvements which may be undertaken.

C. To act as Engineer on all construction or reconstruction of any of the facilities of the city.

D. To perform any duty required of the Engineer under the laws of the State of New Jersey or ordinance of the city.

E. To recommend the repair, replacement, renewal or reconstruction of the operational facilities of the city.

(Cont'd on page 425)

F. To make reports to the Council on a monthly basis and be available to consult and or report to the committees of Council, the Mayor and Administrator as requested.

G. To prepare an annual report on the status of the projects in the city and activities of the prior year as may be prescribed by the city.

### § 4-34. Salary.

The annual retainer of the City Engineers shall be as fixed in the Salary Ordinance of the City of Gloucester City.[14]

### § 4-35. (Reserved)

## ARTICLE VIA
## City Administrator
**[Added 11-5-1987 by Ord. No. 17-1987]**

### § 4-36. Qualifications.

The City Administrator shall be appointed by the Mayor with the advice and consent of the Council solely on the basis of his administrative qualifications with special reference to his actual experience in or his knowledge of accepted practice in respect of his duties of his office as hereinafter set forth. At the time of his appointment, he need not be a resident of the city; however, he must be a resident of the State of New Jersey; but during his tenure of office he may reside outside the city only with the approval of the Mayor and Council.

### § 4-37. Term; removal.

A. The term of the office shall be at the pleasure of the Council.

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14 Editor's Note: See Ch. 7, Salaries.

B. The City Administrator may be removed by a two-thirds vote of the Council in the following manner:

(1) At least 30 days before such removal shall become effective, the Council shall, by a two-thirds vote of its members, adopt a preliminary resolution stating the reasons for removal.

(2) Within 30 days after the adoption of the preliminary resolution, the City Administrator may reply in writing and may request a public hearing, which shall be held not earlier than 20 days nor later than 30 days after the filing of such request.

(3) After such public hearing, if one be requested, and after full consideration, the Mayor and Council by a two-thirds vote of its members may adopt a final resolution, the Mayor and Council may suspend the City Administrator from duty, but shall in any case cause to be paid him forthwith any unpaid balance of his salary to the date of the resolution and his salary for the three calendar months next following adoption of the preliminary resolution.

## § 4-37.1. Powers and duties

The City Administrator shall:

A. Be the chief administrative and operating official of the city.

B. Act as liaison between the Mayor and Council and various departments and offices of the city.

C. Negotiate contracts for provisions of city services subject to the approval of Mayor and Council and make recommendations concerning the nature and location of city improvements.

D. Supervise, negotiate and administer federal and state grants.

E. Be responsible to make day-to-day business and administrative decisions for the efficient operations of the city and, subject to rights of tenure, Department of Personnel regulations and due process of law, the City Administrator shall have specific authority to initiate, prosecute and render final disciplinary action (including suspension and removal) as to any of the following persons: department heads, employees within the Department of Administration, employees in the Finance and Treasury Departments and any other employees believed to have violated Gloucester City Code § 4-29.6. Any employee affected by a decision of the Administrator to remove, suspend or demote him or her shall be entitled to a hearing before the Mayor and Common Council or a committee of its members. Such right to hearing shall be granted only if the aggrieved employee delivers a written request for hearing to the City Clerk within five days following notice of the proposed removal, suspension or demotion. **[Amended 9-6-1990 by Ord. No. 27-1990]**

F. Be responsible for the enforcement of any contract, franchise or other arrangement in favor of the city or its citizens and, upon knowledge of any violations, call the same, in writing, to the attention of the Mayor and Council, together with appropriate recommendations.

G. Keep the Mayor and Council informed as to the conduct of the city's affairs by submission, in writing, of monthly reports and an annual report described below.

H. Review and recommend all bills and vouchers for approval by the Council.

I. Prescribe administrative rules and procedures for the efficient management and operation of the city, subject to the approval of the Mayor and Council.

J. Study and make recommendations regarding the administrative procedures and personnel organization and policies of the city.

K. Make studies and surveys of municipal problems and make recommendations to the Mayor and Council which will improve the efficiency of city operations.

L. Attend all meetings of the Mayor and Council with the right to take part in discussions, but without the right to vote.

M. Recommend to the Mayor and Council for adoption such measures as he may deem necessary or expedient, keep the Mayor and Council advised of financial conditions of the city, make reports to the Council as requested by it and at least once a year make an annual report of this work for the benefit of the Council and the public.

N. Prepare and submit to the city a proposed budget for each year, including the budget message.

O. Be responsible for the administration of the budget after its adoption.

P. Investigate at any time complaints regarding any officer or department of the city of his own initiation or upon the request of Mayor and Council and be responsible for any complaints regarding the services or personnel of the city.

Q. Assumes the duties and responsibilities of City Treasurer unless another person lawfully holding the office of City Treasurer already serves in such capacity. **[Amended 4-6-1989 by Ord. No. 2-1989]**

R. Perform other duties as specifically or generally assigned by the Mayor and Council.

S. Be responsible to the Mayor and Council for carrying out all policies established by it and for the proper administration of all business affairs of the city within the jurisdiction of the Mayor and Council.

### § 4-37.2. Delegation of functions.

The City Administrator may, in his discretion, allocate, assign or delegate functions or powers to a department head for more efficient administration of the city government, provided that any such delegation, allocation or assignment shall not relieve the City Administrator of any of his responsibilities under the Charter or Code, nor shall it be inconsistent with any express requirement of the Code. Any such delegation shall be in writing, which shall be filed with the Clerk and reported to the Mayor and Council.

### § 4-37.3. Promulgation of administrative regulations. [Added 9-6-1990 by Ord. No. 27-1990]

The City Administrator is hereby vested with full authority to issue administrative regulations to establish and implement any matters within his general powers and duties. The City Administrator is expressly granted such authority with respect to matters of administration of the budget and control of purchasing. Such regulations when issued shall be placed on file with the City Clerk.

## ARTICLE VII
## Department of Public Works
## [Amended 5-5-1988 by Ord. No. 13-1988[15]]

### § 4-38. Establishment of Department. [Amended 1-21-1992 by Ord. No. 24-1991]

The Department of Public Works of the City of Gloucester City is hereby established for the purpose of providing and administering all municipal services of the city, including maintenance of municipal buildings, facilities, parks, playgrounds and real estate, municipal utility facilities and services, sewerage system and, generally, performing all of the

[15] Editor's Note: This ordinance superseded former Art. VII, Department of Public Works, as amended 12-29-1980 by Ord. No. 12-1980 and 11-5-1987 by Ord. No. 18-1987.

tasks and services previously performed by the Departments of Streets, Playgrounds, Water and the Gloucester City Sewerage Authority. Said Streets Department, Playground Department, Water Department and Gloucester City Sewerage Authority are hereby consolidated into the Department of Public Works.

### § 4-39. Composition. [Amended 1-21-1992 by Ord. No. 24-1991; 12-29-1997 by Ord. No. 37-1997]

The Department of Public Works shall consist of a Director of Public Works, who shall be the chief administrative officer of the Department. There shall be a Division of Water and Sewer and any other divisions as may be approved by the Council within the Department, including Parks and Playgrounds, Streets and Public Buildings. Assignment of personnel to these functions shall be at the discretion of the Director, in cooperation with the Supervisor of Sewer/Supervisor of Water, and be in accordance with the rules and regulations of the New Jersey Department of Personnel and as set annually in the budget by the Common Council.

### § 4-40. Supervisor of Streets. [Added 1-21-1992 by Ord. No. 1-1992]

A. The Mayor and Common Council of the City of Gloucester City hereby create the position of Supervisor of Streets.

B. The Supervisor of Streets position shall require the following experience and duties:

(1) Experience. Three years in the construction, maintenance and repair of streets.

(2) Duties.

(a) Supervises and works with a group of employees engaged in the construction, maintenance and repair of streets; does related work as required.

(b) Gives suitable assignments and instructions, needed advice and assistance and inspects and checks the work completed and sees that proper procedures are followed.

**§ 4-41. Superintendent of Sewer/Superintendent of Water. [Added 1-21-1992 by Ord. No. 2-1992; amended 5-1-1997 by Ord. No. 10-1997]**

A. The Mayor and Common Council of the City of Gloucester City hereby create the position of Superintendent of Sewer/Superintendent of Water.

B. The position shall require the following experience, licenses and duties:

(1) Experience.

(a) Sewers. Three years in the construction, maintenance and repair of sewers and other drainage facilities as required.

(b) Water. Three years' experience in the repair and maintenance of water mains, pipes, valves and other water service equipment and/or in varied plumbing work.

(2) Licenses. Sewers/water. Possession of the licenses of the appropriate grade, issued by the New Jersey Department of Environmental Protection and Energy to operate a public water treatment and/or sewage treatment plant and/or a public water supply system.

(3) Duties.

(a) Sewers. Supervises and works with a group of employees engaged in the construction, mainte-

nance and repair of sewers; does related work as required.

(b) Water. Supervises and works with a group of employees engaged in the installation, maintenance and repair of water mains, pipes, valves and other water service equipment.

(c) Sewers/water. Gives suitable assignments and instructions, needed advice and assistance and inspects and checks the work completed and sees that proper procedures are followed.

**§ 4-41.1. Division of Water and Sewer. [Added 12-29-1997 by Ord. No. 37-1997]**

A. Division established; duties.

(1) There shall be established in the Department of Public Works a Division of Water and Sewer.

(2) The division shall, under the provisions of Chapter 4 of this Code, be responsible for the services within the city as follows:

(a) Operate and maintain the city's water supply, treatment and distribution system.

(b) Operate and maintain the city's sanitary and stormwater sewer system.

(c) Maintain, install, repair, test, set water service maps and records for the mains, service connections, valves, lines, appurtenances and meters as is necessary for the efficient operation of the water and sewer system.

(d) Install, maintain and service all fire hydrants in the city, subject to such tests and approvals as may be required by the Fire Department.

(e) Develop water conservation plans, provide regulations concerning the use of water,

including proposing to the Mayor and Common Council the measures to conserve water and uses of water in connection with the available supply or critical shortages.

(f) The division shall take all necessary actions to assure that the city's water supply system is in compliance with the regulations of the state and federal agencies vested with the oversight of this service. This will include the responsibility to account for the water being produced in terms of quality and quantity and the metering of the water being consumed.

B. Appointments; staffing. There shall be appointed a Superintendent of Sewer/Superintendent of Water in accordance with the regulations of the New Jersey Department of Personnel to act as the head of this Division.[1] The Superintendent shall, under the appropriate direction of the Administrator and Director of Public Works, assign and oversee the work force of this Division. Such work force shall be comprised of the number of employees as allocated by the Council in the annual budget of the city and appointed within the rules and regulations of the New Jersey Department of Personnel.

C. Expenditures; purchasing. The Division shall, in compliance with Chapter 4 of this Code, prepare requisitions for the purchase of materials and services required to perform the duties of the Division and report as required through the Chief Financial Officer on the budgeting and fiscal requirements of the Division.

D. Preparation of bills. The Division shall, in cooperation with the Tax Collector, read or cause to be read the meters of the water consumers and assist in the preparation of the bills as required to account for the

[1] **Editor's Note: See also § 4-41, Superintendent of Sewer/Superintendent of Water.**

water used in the system and receive the payment for the water and sewer system usage.

**§ 4-42. Superintendent of Public Works. [Added 2-21-1992 by Ord. No. 25-1991; amended 5-1-1997 by Ord. No. 10-1997; 6-7-2001 by Ord. No. 17-2001]**

A. Length of term and removal. The term of office shall be at the pleasure of Common Council, and said Superintendent of Public Works shall be removable upon a majority vote of Common Council, unless the Superintendent has previously acquired tenure in accordance with N.J.S.A. 40A:9-154.6. A Superintendent of Public Works having acquired tenure shall not be removed therefrom for political or other reasons except for good cause in accordance with the above cited statute; any person serving in said position may be retired when having attained the age of 70 years of age in accordance with the statute. The Superintendent of Public Works of Gloucester City shall also be considered the Principal Public Works Manager of Gloucester City, and shall hold a Public Works Manager Certificate (N.J.S.A. 40A:9-154.6c) through the duration of his employment in such title.

B. Experience and requirements. The Superintendent of Public Works shall have:

(1) Five years of supervisory experience in the construction, maintenance and repair of streets and five years of supervisory experience in sewer, water, sanitation or other public works facilities.

(2) Thorough knowledge of the proper procedures used in making routine and complex repairs to water and sewer equipment and in the construction, maintenance and repair of streets.

(3) Possession of the licenses of the appropriate grade, issued by the New Jersey Department of Environmental Protection and Energy, to operate a public

water treatment and/or sewage treatment plant and/or a public water supply system, if the same are not possessed by the Superintendent of Sewer/Superintendent of Water.

C. Responsibilities and duties. The Superintendent of Public Works shall:

(1) Be the chief administrator of the Department of Public Works. He shall supervise the maintenance and operation of streets, roads, avenues, public buildings, parks, municipal utility facilities, sewerage system and municipal waterworks system. The Superintendent shall make short- and long-term recommendations to Common Council for the improvement of the Department.

(2) Supervise employees engaged in the work involved in the construction, maintenance and repair of streets and sewers and in the installation of, maintenance and repair of pipes, valves, pumps, hydrants and other water/sewer service equipment. Gives suitable assignments and instructions to individuals and groups and supervises their work.

(3) Execute a budget and plan for the effective utilization of available funds, personnel, equipment, materials and supplies and makes all final determinations subject to the rules of civil service concerning disciplinary measures, promotions and appointment of employees under his supervision.

(4) In coordination with the City Administrator and the other city departments, establishes departmental procedures and personnel organization, deals with all internal problems within the Department and coordinates the work of the Department with other departments in Gloucester City.

(5) Keep Common Council informed on the progress and status of all ongoing and future jobs, projects and

activities that the Public Works Department is involved with or plans to become involved with.

## ARTICLE VIII
## Board of Health and City Physician

### § 4-43. Membership and terms of office of Board of Health. [Amended 3-1-1990 by Ord. No. 3-1990]

A. The Board of Health, as presently constituted, shall continue and its membership shall consist of seven members appointed by the Mayor and Common Council for staggered terms of three years. Annually, the Common Council shall appoint three members to fill expiring terms to maintain the membership of seven members. Any appointment to fill a vacancy shall be for the unexpired term only.

B. Two alternate members of the Board of Health shall be appointed by the Mayor and Common Council. Such alternates shall vote only during the absence, unavailability or disqualification of a regular member but may otherwise participate in the discussions and proceedings of the Board. The term of alternate members shall be for two years.[2] Alternate members shall be appointed on a staggered basis and shall be designated Alternate No. 1 and Alternate No. 2 at the time of their appointment.

### § 4-44. Office of City Physician.

The office of City Physician as heretofore established is continued, the prerequisite for said office being that the City Physician shall be a regular practicing physician in good standing. The incumbent City Physician shall hold office until his full term of three years shall have expired and until his

[2] Editor's Note: Ord. No. 3-1990 also provided that the initial appointment of Alternate No. 1 shall be for two years and the initial term for Alternate No. 2 is for one year.

successor shall have been duly elected. Every three years thereafter there shall be elected by the Common Council a like person as City Physician, to serve for a term of three years and until his successor shall have been duly elected.

(Cont'd on page 426.5)

### § 4-45. Professional duties of City Physician.

The City Physician shall be required, and it shall be his duty, to attend professionally upon the indigent sick in Gloucester City, which shall include his attendance upon confinement cases, and to provide and furnish, at his own expense, all the necessary medicine therefor, all of which medicine shall be subject to inspection as shall be called for by Common Council during the Physician's term of office.

### § 4-46. Additional duties of City Physician.

The City Physician shall, in the performance of his duties, obey the orders of the Common Council, and he shall (when called upon) attend the meetings of the Board of Health of Gloucester City and advise with it as to the sanitary condition of the City or of any particular locality thereof and shall submit his opinions, in writing, when required of him.

### § 4-47. Salary of City Physician.

The City Physician shall receive an annual salary or compensation for services rendered and medicines furnished, payable in equal monthly installments.[1]

### § 4-48. (Reserved)

[1] Editor's Note: See Ch. 7, Salaries.

## ARTICLE IX
## Fire Department

**[Amended 12-28-1970; 11-3-1977 by Ord. No. 12-1977; 12-28-1989 by Ord. No. 10-1989; 8-19-1991 by Ord. No. 14-1991; 10-7-1993 by Ord. No. 34-1993; 11-4-1993 by Ord. No. 36-1993; 3-21-1994 by Ord. No. 6-1994; 4-7-1994 by Ord. No. 4-1994; 2-3-2000 by Ord. No. 2-2000; 4-4-2002 by Ord. No. 6-2002]**

### § 4-49. Establishment and responsibilities.

There shall be established in the City of Gloucester City a Fire Department. This Department shall, in accordance with this article of the Administrative Code and in compliance with all pertinent statutes, rules and regulations governing municipal Fire Departments, be responsible:

A. To enact policies and procedures to prevent, extinguish, and control fire and hazardous conditions.

B. To enact and enforce policies and procedures to identify and rectify circumstances that may be related to the ability to prevent, extinguish and control fires and hazardous conditions.

C. To enact policies and procedures to rescue, safeguard and educate the public as to prevention, extinguishment and control of fire and hazardous conditions.

D. To enact policies and procedures to issue violations to correct circumstances that hinder the Department in the prevention, extinguishment and control of fire and hazardous conditions and to create billing procedures for the collection of funds for the provision of services or violations.

### § 4-49.1. Number and location of stations.

The Gloucester City Fire Department shall consist of a minimum of three stations and be geographically located as listed below:

A. At least two stations shall be located on the west side of the City, between the river and Broadway.

B. At least one station shall be located on the east side of the City, between the Broadway and the City line.

C. Any other station as may be available shall be located where possible and be subject to the conditions of this ordinance.

## § 4-50. Organization of Fire Department.

A. There shall be a Chief of Fire appointed by the Common Council in accordance with the rules and regulations of the New Jersey Department of Personnel. The Chief shall be the ranking officer of the Department and will also be in full charge of the Career and Volunteer Divisions of the Department. The Chief shall make, administer, and enforce rules and regulations for the control, discipline and disposition of the Department and its officers and employees. He shall have exclusive jurisdiction of the control, extinguishment, and prevention of fires. He shall, within the appropriations of the annual budget, assign personnel, maintain the headquarters and acquire and maintain equipment and apparatus.

B. There shall be a Division of Career Fire and Emergency Medical Services, staffed with sufficient personnel to safely operate under the terms of this ordinance and departmental standard operating procedures. All personnel shall be appointed by the Council in accordance with the regulations of the New Jersey Department of Personnel including the provision that each fire fighter shall have and maintain a valid emergency medical technician certification to be appointed and remain a member of the Department. There shall be an amount of personnel as authorized by this ordinance and limited annually only by the appropriations of the final adopted budget of the City. **[Amended 6-5-2003 by Ord. No. 14-2003]**

(1) There shall be four supervisory officers, if eligible and appointed through the promotional procedures of the New Jersey Department of Personnel. These shall be in the title of Battalion Chief. At those times when there are no eligible employees to be permanently promoted to Battalion Chief, an employee meeting the requirements and appointed to the position of Fire Lieutenant shall serve in this position until such time as a promotion to Battalion Chief shall be available. The supervisory officer shall be the shift supervisor and have full responsibility for all personnel, both career and volunteer, for the purpose of daily operations of the Department. The supervisory officers shall be in command behind the Chief of the Department as specified in the hierarchy section of this ordinance.

(2) There shall be a fire fighter appointed to a title as set by the New Jersey Department of Personnel as the EMS Training Officer, who shall be certified as required by the New Jersey Department Health. This staff positions reports to the Chief of the Department on administrative matters and to the Supervisory Officer for fire operations.

(3) The following titles shall be maintained within the career service division:

(a) Fire fighter.

(b) Fire Prevention Specialist UFD.

(c) Fire Lieutenant (should no one be available for permanent appointment to Battalion Chief).

(d) Battalion Chief.

(e) Chief of Fire.

C. There shall be a Volunteer Division staffed with a sufficient number of officers and firefighters as determined by the Chief and Fire Committee of Council to safely operate under the terms of this ordinance and

standard operating procedures. Members shall be assigned to stations at the discretion of the Chief.

(1) There shall be a Deputy Chief assigned to the entire Department subordinate only to the Chief of the Department. Common Council, upon consultation with the officers of all the battalions and the Chief of the Department, shall appoint the Deputy Chief.

(2) There shall be one Battalion Chief assigned to each station and shall have full responsibility of the operations of their respective station and the supervision of the Captains, Lieutenants and firefighters under his/her command. Common Council, upon consultation with the officers of the affected battalion and the Chief of the Department, shall appoint Battalion Chiefs.

(3) There shall be one Captain assigned to each station. Captains shall meet the requirements set forth by this ordinance and Department policy. Common Council, upon consultation with the officers of the affected battalion and the Chief of the Department, shall appoint Captains.

(4) There shall be one Lieutenant assigned to each station. Lieutenants shall meet the requirements set forth by this ordinance and Department policy. Common Council, upon consultation with the officers of the affected battalion and the Chief of the Department, shall appoint Lieutenants.

(5) There shall be firefighters assigned as available among the ranks of the Volunteer Division. The firefighters shall meet all the training requirements as set forth in this ordinance and departmental policy.

D. There shall be a Division of Emergency Management. The City's Emergency Management Coordinator shall come from the ranks of the career employees. Council shall make the appointment according to the terms of

this ordinance, the City Code and in consultation with the Chief of Fire and pursuant to the regulations of the New Jersey Department of Personnel. The employee shall acquire and maintain all certifications and training certificates as specified under the State of New Jersey regulations in a timely manner. The EMC shall report to the Chief of Fire on all fire duties and the Mayor and Council or New Jersey State Police through the designated procedures.

(1) The EMC shall coordinate investigations and emergency responses to situations that have the potential to become environmental/health hazards to the City and do related emergency prevention work.

(2) The EMC shall do planning, organizing and develop varied emergency management programs and procedures within the municipality and do related work as required.

(3) The EMC shall assist with directing and integrating the practice exercises of the municipality with that of the county and state emergency management organizations.

(4) The EMC shall manage the environmental cleanup activities through the City and represent the City on environmental issues.

(5) The EMC shall manage the emergency operations center and coordinate all agencies involved in the abatement of an incident, whether caused by nature, chemicals or some other disaster.

(6) The EMC shall maintain and update all annexes to the City emergency management plan and be the liaison between the City and the county, state, and federal FEMA representatives.

**§ 4-50.1. Bureau of Fire Prevention. [Added 6-5-2003 by Ord. No. 14-2003]**

There shall be in the Department a Division of Fire Prevention. This office shall be manned by a Fire Prevention Specialist UFD who shall serve under the direction of the Chief of the Fire and perform such duties as assigned including those outlined in this section and as a fire fighter under the command established in this ordinance.

A. Staffing:

(1) The appointment to this position shall be made by the Common Council under the regulations of the New Jersey Department of Personnel.

(2) The employee in this position shall maintain all requirements as to remaining a career fire fighter in Gloucester City and the licensing required to perform such life, safety and inspection duties under the New Jersey Department of Community Affairs.

B. Duties:

(1) Under the direction of the Chief of the Department, perform all inspections as required in the Uniform Fire Code of New Jersey (N.J.A.C. 5) as Life Hazard Uses and Non Life Hazard Uses.

(2) Perform all inspections as encoded in the local fire prevention standards per Chapter 48 of the ordinances of the City of Gloucester City.

(3) Establish and implement programs for the instruction and investigation of business establishments in firesafety practice.

(4) Report findings and violations to the Fire Official detailing infractions and recommendations.

(5) Coordinates and takes reports from fire fighters conducting neighborhood inspections to issue violations and/or recommendations to situations found during block inspections.

(6) Maintains files of inspections and findings.

(7) Coordinates and implements programs with schools, business organizations, and civic organizations to promote fire awareness and safety, including participation in scheduling and reviewing fire drills and demonstration of proper utilization of equipment and procedures.

(8) Coordinates with the Emergency Management Coordinator to establish and conduct tests of emergency awareness programs.

(9) Performs special duties at events where congregations of people may dictate special arrangements.

(10) Inspects fire hydrants or coordinates inspections with fire fighters and utility division.

(11) Performs as a fire fighter or Emergency Medical Technician where needed in response to alarms.

(12) Performs other various tasks as may be directed by the Fire Chief in conformance with the description of this title.

**§ 4-51. Volunteer allotments.**

The volunteer members of the Department that are in good standing shall receive the following allotment:

| Position | Annual Allotment |
|---|---|
| Deputy Chief | $550.00 |
| Battalion Chief | $450.00 |
| Captain | $400.00 |
| Lieutenant | $350.00 |
| Firefighters | $300.00 |

**§ 4-52. Chain of command.**

A. The chain of command of the Gloucester City Fire Department shall be as follows: upon the occurrence of an incident, the first arriving officer shall establish command until a higher ranking officer arrives on the scene. At this time, he shall be briefed on the incident and will become the incident commander. The same procedure shall occur upon the arrival of each higher ranking officer until the arrival of the Chief of the Department.

B. The following shall be the hierarchy for the Department during fire suppression activities: **[Amended 6-5-2003 by Ord. No. 14-2003]**

(1) Chief of Fire.

(2) Deputy Chief (volunteer).

(3) Shift Supervisory Officer (career).

(4) Battalion Chief (volunteer).

(5) Captain (volunteer).

(6) Lieutenant (volunteer).

(7) Fire Prevention Specialist UFD (career).

(8) Fire fighter (career).

(9) Fire fighter (volunteer).

**§ 4-53. Authority of Fire Committee; disciplinary measures.**

Members of the Gloucester City Fire Department and all staff positions established by this ordinance shall be subject to the orders and administration of the Chief of the Department.

A. The Chief of the Department shall have the power to take disciplinary action after a review of the infractions or violation of this ordinance, the City's Personnel Policy as provided in accordance with the standard operating

procedures and/or any departmental policies. The Career Division employees shall be disciplined in accordance with the regulations of the New Jersey Department of Personnel and any pertinent contractual provisions. The Fire Committee of the Common Council shall have the right to hear any appeal of action taken by the Chief.

### § 4-54. Authority of Chief and other officers.

All personnel of the Department shall function as a single unit under one command while on the scene of a fire or incident; all personnel shall be subject to the orders of any officer, whether Uniform Division or Volunteer.

### § 4-55. Maintenance of apparatus, equipment and gear.

Any apparatus, equipment or gear in need of repair or maintenance shall be reported to the on-duty ranking officer for action. The ranking officer shall take action in accordance with departmental policies. Certain responsibilities may be assigned by the Chief to maintain an effective and efficient policy on the maintenance of departmental property.

### § 4-56. Mandatory retirement age.

The Department and the City shall follow all state and federal laws and guidelines concerning the retirement age of both career and volunteer members.

### § 4-57. Life members of Fire Department.

Any member having completed 20 years of service to the Department, and is in good standing, may be presented for life

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membership. This shall include the recommendation of the Chief of the Department. The Fire Committee and the Chief shall review all other cases. Once approved, the Council may pass a resolution declaring the life member status of the person presented.

**§ 4-58. Training requirements.**

A. All firefighters and candidates for officer must have the following minimum training. These requirements are a minimum standard only and are not the final requirement for appointment. The Chief shall have the authority to set additional requirements as needed and in accordance with standard operating procedures and departmental policy.

(1) Deputy Chief.

(a) Advance pump operations.

(b) Engine company fire ground operations.

(c) Advance ladder operations.

(d) Truck company fire ground operation.

(e) Building construction.

(f) Firefighter safety.

(g) Fire officer leadership.

(h) Fire Department administration and management.

(2) Battalion Chief.

(a) Advance pump operations.

(b) Engine company fire ground operations.

(c) Advance ladder operations.

(d) Truck company fire ground operation.

(e) Building construction.

(f) Firefighter safety.

(g) Fire officer leadership.

(3) First Captain.

(a) Advance pump operations.

(b) Engine company fire ground operations.

(c) Advanced ladder operations.

(d) Truck company fire ground operations.

(e) Building construction.

(f) Firefighter safety.

(g) Fire officer leadership.

(4) Lieutenant.

(a) Advance pump operations.

(b) Engine company fire ground operations.

(c) Advance ladder operations.

(d) Truck company fire ground operations.

(e) Building construction.

(f) Firefighter safety.

(5) Firefighter Level 1 training.

(a) OSHA right to know training.

(b) Hazmat awareness.

(c) Hazmat operations.

(d) SCBA certification.

B. All levels of training shall be completed prior to the appointment of said positions. All levels of training shall be in addition to any lower level positional requirements.

C. A departmental training officer may be appointed from the ranks of the employees of the Department. The

training officer shall coordinate all training and be assisted by other department personnel.

D. All EMS training shall be handled by the FF/EMT assigned by the Chief to perform such duties as administrative aide listed above.

### § 4-59. Career personnel.

All career personnel and officers shall be appointed in accordance with New Jersey Department of Personnel requirements for entry and promotion.

### § 4-59.1. Compensation.

The annual salaries provided by ordinance for the members of the Department shall be in lieu of any and all fees, commissions, emoluments of any kind paid to or received by any such member. All members of the Department of Fire shall be required to account for and pay any fees, commissions, or emoluments to the Treasurer of the City.

### § 4-59.2 Shifts to be served.

All members of the Department of Fire shall be required to serve on such shifts and for such hours and for such times as may be assigned by the Chief of Fire.

## ARTICLE X
## Police Department

### § 4-60. How Police Department constituted; administration. [Amended 10-5-1972; 12-20-1973; 3-7-1974; 2-4-1988 by Ord. No. 1-1988; 11-2-1989 by Ord. No. 7-1989; 3-2-2000 by Ord. No. 3-2000]

A. The Police Department of the City of Gloucester City shall consist of a Chief of Police; and may consist of a

Deputy Police Chief; a Captain and as many Lieutenants, Sergeants and police officers as shall, from time to time, be lawfully appointed. **[Amended 6-28-2007 by Ord. No. O15-2007]**

B. Vacancies that may occur in all ranks above police officer shall be filled from promotions within the Department in accordance with Department of Personnel rules and regulations.

C. The Chief of Police, Deputy Police Chief, Captain, Lieutenants, Sergeants and police officers shall be subject to the orders of the Mayor, as the chief enforcement officer, on all matters of enforcement. The Chief of Police shall have all administrative duties, such as supplies, uniforms, equipment, care of equipment, disciplinary action and all other administrative matters, subject to the review of the Police Committee of Common Council. **[Amended 6-28-2007 by Ord. No. O15-2007]**

D. (Reserved)

E. The position of Deputy Police Chief is hereby established, and the following duties shall be performed by said official.

(1) There may be a Deputy Police Chief and/or Captain who, if appointed, shall perform such duties as directed by the Chief of Police, notwithstanding any delineation of duties in this section.

(2) The Deputy Police Chief shall have the following duties unless the Chief of Police shall otherwise direct:

(a) The Deputy Police Chief is next in command to the Chief of Police and in every case of absence or disability of the Chief of Police, the Deputy Police Chief shall perform all of the duties of the Chief of Police.

(b) He will assist the Chief of Police with the administration of the Department in personnel

assignments, vacation schedules, equipment requirements, et cetera.

(c) He will ensure that general orders, department directives, departmental procedures and assignments are being executed thoroughly and promptly.

(d) He shall, from time to time, review the manner in which the school crossing guards perform their duties and instruct, if necessary.

(e) He shall be directly responsible to the chief of Police for maintaining all records, data, files and inventory of police equipment.

(f) He will ensure that general orders, department directives, departmental procedures and assignments are being executed thoroughly and promptly.

(g) He shall keep records of all supplies, equipment and material assigned to the Police Department

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(c) He will ensure that general orders, department directives, departmental procedures and assignments are being executed thoroughly and promptly.

(d) He shall, from time to time, review the manner in which the school crossing guards perform their duties and instruct, if necessary.

(e) He shall be directly responsible to the Chief of Police for maintaining all records, data, files and inventory of police equipment.

(f) He will ensure that general orders, department directives, departmental procedures and assignments are being executed thoroughly and promptly.

(g) He shall keep records of all supplies, equipment and material assigned to the Police Department

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and know its whereabouts or to whom it is assigned. He will know the average rate of consumption and advise the Chief of Police to reorder when necessary.

(h) He shall perform all duties as may be assigned by the Chief of Police.

(i) He will make such observation of new procedures and review existing procedures to make recommendations for increased efficiency. He shall supervise all personnel assigned to him and be responsible for their conduct and efficiency.

(3) The Lieutenant shall have the following duties unless the Chief of Police shall otherwise direct:

(a) He will ensure that general orders, department directives, departmental procedures and assignments are being executed thoroughly and promptly.

(b) He will observe the Sergeants, Detectives and police officers in the performance of their daily duties, to comment and instruct if necessary.

(c) He will review all police reports and prescribe action, as indicated.

(d) He shall see that every member of the Police Department is properly instructed in his duties by the Sergeants, paying particular attention to the instructions of the new members of the force. He shall see that the Sergeants require all members of the Department to be attired in proper uniform with the proper equipment to perform their duties.

(e) He shall observe that all rules and regulations of the Gloucester City Police Department are being followed and report any violation to the Chief of Police.

(f) He will make such observations of new procedures and review existing procedures to make recommendations for increased efficiency. He shall supervise all personnel assigned to him and be responsible for their conduct and efficiency.

(g) He will assist in the training of any new members of the Police Department.

### §§ 4-61 and 4-62. (Reserved)[3]

### § 4-63. Training of policemen. [Amended 3-2-2000 by Ord. No. 3-2000]

No person shall hereafter be given or accept a permanent appointment as a police officer in the City of Gloucester City unless such person has successfully completed a police training course at a school approved and authorized by the Police Training Commission in the Department of Law and Public Safety of the State of New Jersey.

### § 4-64. Salaries.

The salaries of the members of the Police Department shall be as fixed by the Salary Ordinance of Gloucester City.[4]

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[3] Editor's Note: Former § 4-61, Classes of patrolmen, and § 4-62, Eligibility for appointment, were repealed 3-2-2000 by Ord. No. 3-2000.

[4] Editor's Note: See Ch. 7, Salaries.

### § 4-65. Executive duties of Police Chief; rules and regulations [Amended 3-2-2000 by Ord. No. 3-2000]

The Chief of Police shall be the executive officer of the Department subject to such rules, regulations and orders as prescribed herein or which the Police Committee of Common Council may from time to time hereafter make and establish, which rules and regulations shall not be inconsistent with the laws of this state or the ordinances of the city, for the government, control, uniform, badges and insignia of the members of the police force, and as may be deemed expedient and proper to carry out the objects of this ordinance and with a view to making the police force and all the members thereof efficient, vigilant, prompt and useful to the city. Such rules and regulations shall be styled the "Police Rules of the Police Department of Gloucester City, New Jersey," and they may prescribe the duties of the members of the Department more specifically than is contained herein, and may provide such penalties and forfeitures, as suspension from pay, fine and reprimand, as may be deemed necessary and expedient for the proper regulation of the police force.

### § 4-66. Other duties of Chief.

It shall be the duty of the Chief of Police to cause the public peace to be preserved and see that all laws and ordinances relating thereto are properly enforced; he shall faithfully and promptly obey and cause all men under him to obey all the rules, regulations and orders from time to time prescribed by the Police Committee of Common Council; he shall, in case of tumult, riot, insurrection or threatening's thereof, take command of the police force in person and direct their movements and operations in discharge of their respective duties.

### § 4-67. Continuation of employment; dismissal. [Amended 3-2-2000 by Ord. No. 3-2000]

The duly appointed members of the Gloucester City Police Department shall hold and continue in their respective positions and may only be removed in accordance with the State of New Jersey Department of Personnel rules and regulations.

### § 4-68. Disqualification for appointment.

No person shall be appointed an officer or member of the Police Department who has been convicted of a crime involving moral turpitude which would in the judgment of the appointing power be prejudicial to the morale of the force.

### § 4-69. Complaints of violations. [Amended 3-2-2000 by Ord. No. 3-2000]

Each and every police officer shall make complaint before the Judge of the Municipal Court of every person known to him to have violated any of the laws of the United States, the State of New Jersey, or ordinances of the city, so that the Judge may order the issuance of either a warrant or summons for the appearance of the person charged with the violation.

### §§ 4-70 and 4-71. (Reserved)[5]

### § 4-72. Rules and regulations.

Each member of the Police Department shall be presented with a printed copy of the rules and regulations of the Police Department; such rules shall show what his duty shall be on all occasions or upon his being apprised of the violation of the provisions of any of the ordinances of the city, and also what

[5] Editor's Note: Former § 4-70, Charges against members of Department; notice and hearing; authorized punishments, and § 4-71, Loss of pay, were repealed 3-2-2000 by Ord. No. 3-2000.

particular provision of any ordinance or ordinances it is his duty to see enforced; and any neglect by any member of the Police Department to carry out each and every rule and regulation or order as aforesaid shall be held to be sufficient cause for his dismissal from the Department.

### § 4-73. Hours of work, vacations and sick leave. [Amended 3-2-2000 by Ord. No. 3-2000]

Hours of work, vacations and sick leave shall be those as established and approved by the Police Committee of the Common Council.

### § 4-74. Causes for discipline or dismissal. [Amended 11-2-1989 by Ord. No. 7-1989; 3-2-2000 by Ord. No. 3-2000]

Any officer or employee of the Police Department may be disciplined or dismissed in accordance with New Jersey Administrative Code Title 4A and any rules established by the Mayor and Common Council.

### § 4-75. Uniforms and equipment.

The uniforms and equipment of the officers and employees of the Police Department shall be furnished by Gloucester City under the direction of the Police Committee of Common Council.

### § 4-76. Employment of off-duty Police Department members. [Added 1-15-2009 by Ord. No. O26-2008]

A. Legislative intent. The purpose of this policy is to set forth guidelines to govern off-duty or secondary employment by members of the Gloucester City Police Department and for the convenience of those persons and

entities that utilize such service. The City of Gloucester hereby established a procedure policy regarding the use of said officers.

B. Policy. It shall be the policy of the Gloucester City Police Department to provide guidelines to police employees to inform them of the types of off-duty or secondary employment that is authorized and to establish procedures to maintain accountability for the dignity and welfare of the Police Department. These requirements are essential for the efficient operation of the Police Department and the protection of the community.

C. Procedures.

(1) Members of the Gloucester City Police Department shall be permitted to accept and engage in police related employment for private employers, school districts, etc. only during off-duty hours and at such time as will not interfere with efficient performance of regularly scheduled or emergency tours of duty for the City.

(2) Any person or entity wishing to contract and employ off-duty police officers shall first obtain the approval of the Chief of Police. Such approval shall be granted only if in the opinion of the Chief of Police said employment would not be inconsistent with the efficient functioning and good reputation of the Gloucester City Police Department and would not unreasonably endanger or threaten the safety of the officers who are to perform the work.

(3) Any Gloucester City Police Officer, when employed by the City of Gloucester shall be treated as an employee of the City of Gloucester. However, such wages earned for outside employment shall not be applied toward pension benefits of such officers so employed, nor shall hours worked for outside employers be considered in any way compensable as overtime.

(4) Outside or off-duty employment shall not present any potential conflicts of interest between their respective duties as police officers and the duties of their outside employment. Some examples of employment representing conflicts of interest are:

(a) Process servers, repossesses, bill collectors, towing of vehicles, collection of monies or merchandise for private purposes.

(b) Personnel investigations for private sector or any employment, which might require the police officer to have access to police information, files, records or services as a condition of employment or use of such thereof.

(c) Appearing in uniform during the performance of tasks other than that of a police nature.

(d) Assisting, in any manner, in the case preparation for the defense in any criminal or civil action or proceeding.

(e) Conducting activities for a business or labor group that is on strike.

(f) Working in occupations that are regulated by, or that must be licensed through the Police Department.

(g) Employment that constitutes a threat to the status or dignity of the police service as a professional occupation. Such examples are: Establishments that sell pornographic books, magazines, sexual devices, videos or otherwise provide entertainment or services of a sexual nature as prohibited by law.

(h) Any subversive groups dedicated to racist, ethnic or gender related beliefs.

(5) Police officers may engage in off-duty or outside employment as follows:

(a) Where a government, profit making or not for profit entity enters into an agreement with the City of Gloucester Police Department for police officers in uniform or plain clothes who are able to exercise their police duties. These types of extra duties that can be considered for contacting (but not necessarily limited to) are:

[1] Traffic control or pedestrian safety.

[2] Crowd control.

[3] Security and protection of life and property.

[4] Routine law enforcement for public authorities.

[5] Plain clothes assignments.

[6] Business security.

D. Requirements and limitations. Requirements and limitations on such regular off-duty and outside employment are as follows:

(1) Any police officer wishing to engage in regular off-duty employment will submit a memo to the Chief of Police through the proper and established chain of command and receive permission from the Chief or the Chief's PBA designee to engage in regular off-duty employment.

(2) In order to be eligible for off-duty employment a police employee must be in good standing with the Police Department. Current or pending disciplinary actions will be taken into consideration when determining such standing. The Chief of Police or the PBA designee will have authority and control over any and all off-duty employment. Continued

departmental approval of a police employee's off-duty employment is contingent on such good standing.

(3) Officers on medical or other leave due to sickness; temporary disability or on-duty related injuries should not be eligible to engage in off-duty employment. Those police officers in a probationary status may work off-duty employment at the discretion of the Chief of Police or the PBA designee.

(4) Work hours for all off-duty employment must be scheduled in a manner that does not conflict or interfere with the police employee's performance of his regular duties.

(5) A police officer engaged in any off-duty employment is subject to callback in case of emergency situations and may be expected to leave his regular off-duty employment in case of such circumstances.

(6) Permission for a police employee to engage in regular off-duty employment may be revoked at any time where it is determined that such employment is not in the best interest of the department.

E. Escrow accounts.

(1) Any person or entity requesting the services of an off-duty law enforcement officer in the Gloucester City Police Department shall estimate the number of hours such law enforcement services are needed and shall deposit a monetary amount sufficient to cover the rates of compensation and administrative fees into an escrow account established by the City of Gloucester. This amount shall be based on the fees established by his policy for the total estimated hours of requested service.

(2) Prior to posting any requests for services of off-duty officers, the Chief of Police or the PBA designee shall verify that the balance in the escrow account of

the person or entity requesting such services is sufficient to cover the compensation and fees for the number of hours specified in the request for services. The Chief of Police shall not post a request for services from any person or entity unless all fees and compensation required in the manner described above have been deposited with the City of Gloucester. No officer shall provide any such services for more hours than are specified in the request for services unless such funds are adequately deposited in the escrow account with the City of Gloucester.

(3) Such notifications of any proposed work by any person or entity should normally be made in a timely manner through the City of Gloucester Finance and Administration Department.

(4) In the event the funds in such an escrow account should become depleted, services of off-duty officers shall cease and requests for further or future services shall not be performed or posted until additional funds have been deposited in the escrow account in the manner prescribed above.

(5) The person or entity requesting such service shall be responsible for ensuring that sufficient funds remain in the escrow account in order to avoid any interruption of service. This may also be accomplished by the Chief of Police or the PBA designee.

(6) The Chief of Police or the PBA designee, at his discretion, will be responsible for the continuation or cessation of any such work being performed by any person or entity as the health, safety and welfare of the general public is taken into consideration.

(7) Emergency services and repairs (public utilities, telephone/water companies, etc.) are exempt from this policy.

(8) Under exigent or emergent circumstances, the Chief of Police or the PBA designee shall be authorized to permit an exemption to any person or entity to the escrow account requirements.

F. Rates of compensation; administrative fees; payment for services.

Compensation for contracting the services of off-duty law enforcement officers are established as follows:

1. Rate of compensation per hour for traffic – $60.

2. Rate of compensation per hour for all other – $50.

3. Rate of compensation of $75. per hour with a vehicle for each hour worked. **[Amended 2-23-2012 by Ord. No. O05-2012; 4-26-2012 by Ord. No. O09-2012]**

4. An additional fee of $5. per hour is hereby established to cover administrative costs incurred by the Gloucester City Police Department.

5. Schools may request waiver of the car and administration fees.

6. Public utilities may post a bond or a purchase order in place of any escrow in the amount of $5,000. which may be involved, if such utility fails to provide payment within one (1) week for services rendered.

**§ 4-77. (Reserved)**

## ARTICLE XI
## Tax Assessor
## [Added 6-3-1976[6]]

**[6]Editor's Note: This ordinance provided for the repeal of former Article XI, Board of Tax Assessors, to become effective 7-1-1976.**

### § 4-78. Appointment; term of office.

In accordance with N.J.S.A. 40:46-6.2c, there shall be appointed by the Mayor and Common Council a single Tax Assessor for the entire tax district of Gloucester City, who shall hold office for a term of four years and until his successor has been duly appointed and qualified. The initial term of said Assessor shall commence on July 1, 1976, and expire on June 30 of the fourth year thereafter; provided, however, that in the case of the death, resignation or removal of said Assessor, his successor shall be appointed for the unexpired term only.

### § 4-79. Duties.

It shall be the duty of the Tax Assessor to make the assessments for taxes on the real and personal property in Gloucester City, in accordance with the Tax Law of the State of New Jersey and the decisions and rulings made by the State and County Boards of Tax Appeals.

### § 4-80. Salary.

The Tax Assessor shall receive an annual salary, which salary shall be fixed in the Salary Ordinance of the City of Gloucester City[7], and shall be in lieu of any and all fees or commissions.

**[7]Editor's Note: See Ch. 7, Salaries.**

### § 4-81. Suspension or dismissal.

The Accounts and Finance Committee of the Common Council shall report to the Common Council any neglect or dereliction of duty on the part of the Tax Assessor, and the Common Council shall have the right, by a majority vote, to suspend or dismiss the Tax Assessor for such neglect or dereliction of duty, upon conviction thereof, the said Tax Assessor being first presented with a copy of the charges, which shall be in writing and being given a fair and impartial hearing by the Common Council.

## ARTICLE XIA
## Public Defender
**[Added 3-4-1994 by Ord. No. 5-1994]**

### § 4-82. Office established.

The Office of Public Defender is hereby established.

### § 4-82.1. Determination of indigence.

The Judge of the Municipal Court of the City of Gloucester City is authorized to make decisions as to which defendants are indigent, and after a determination is made, the Public Defender shall represent the defendant.

### § 4-82.2. Application fee. [Amended 12-4-1997 by Ord. No. 29-1997]

The Court Clerk shall charge a fee of $200.00 per application for a Public Defender. The Judge of the Municipal Court of the City of Gloucester City is authorized, based upon his or her determination, to waive the fee, or part of the fee, only upon a clear and convincing showing that the application fee represents an unreasonable burden on the person seeking representation. The Judge of the Municipal Court of the City of Gloucester City is specifically authorized to require that the application fee be paid at once or in installments over a period of four months or less from the date of the application by the person seeking representation.

**§ 4-82.3. Use of fee.**

The application fee shall be used to help defray the cost of hiring a Public Defender and in the administrative costs of the Municipal Court of the City of Gloucester City.

## ARTICLE XII
## Municipal Court

**§ 4-83. Municipal Court continued.**

The Municipal Court for the City of Gloucester City, established as of January 1, 1949, pursuant to the provisions of Chapter 264 of the Laws of New Jersey of 1948,[8] is continued.

[8]**Editor's Note: See now N.J.S.A. 2B:12-1.**

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### § 4-84. Name of Court.

The name of the Municipal Court shall be the "Municipal Court of Gloucester City."

### § 4-85. Seal.

The Municipal Court shall have a seal, which shall bear the impress of the name of the Court.

### § 4-86. Judge; term of office.

There shall be a Judge of the Municipal Court, who shall be appointed by the Mayor of Gloucester City with the advice and consent of the Common Council of Gloucester City, and who shall serve for a term of three (3) years from the time of his appointment and until his successor is appointed and qualified.

### § 4-87. Salary.

The Judge of the Municipal Court shall receive an annual salary to be determined by the Common Council of Gloucester City at the time of his confirmation by the Common Council of Gloucester City, which shall be paid in the same manner as the salaries of other municipal officers are paid, and which shall be in lieu of all fees, costs and any other allowances whatsoever.[11]

### § 4-88. Powers, duties and jurisdiction.

The Municipal Court and the Judge thereof shall have, possess and exercise all the functions, powers, duties and jurisdiction conferred by the provisions of Chapter 264 of the Laws of New Jersey of 1948, as amended and supplemented, or by any other law.

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[11] **Editor's Note: See Ch. 7, Salaries.**

**§ 4-89. Clerk: term of office; salary; duties.**

The Clerk of the Municipal Court, heretofore appointed by the Common Council of Gloucester City, shall serve for a term of three (3) years from the time of his appointment and until his successor is appointed and qualified. The Clerk of the Municipal Court shall receive an annual salary to be determined

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by the Common Council, which shall be paid in the same manner as the salaries of other municipal officers are paid and which shall be in lieu of all fees, costs and any other allowances whatsoever.[1] He shall perform such functions and duties as shall be prescribed for him by the law, the court rules applicable to municipal courts and the Judge of the Municipal Court.

### § 4-90. Sittings of Court.

The Municipal Court shall be held in the City Hall of Gloucester City. The Judge shall sit from 10:00 a.m. until the calendar is completed and at such other times as the business of the Court may require, subject to the rules applicable to municipal courts.

### § 4-91. (Reserved)

## ARTICLE XIII[2]
## Planning Board

### § 4-92. Planning Board continued.

The Planning Board, consisting of nine (9) members, heretofore created pursuant to the provisions of Chapter 433 of the Laws of New Jersey 1953, is continued.

### § 4-93. Classes of members.

The members constituting said Planning Board shall consist of the following:

A. Class I: the Mayor.

B. Class II: one (1) of the officials of the municipality to be appointed by the Mayor.

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[1] **Editor's Note: See Ch. 7, Salaries.**

[2] **Editor's Note: In accordance with Chapter 115 of the Laws of New Jersey of 1976, §§ 4-92 to 4-99, inclusive, of the Code, and any amendments and supplements thereto adopted prior to February 1, 1977, were readopted and continued in full force and effect by Ord. No. 4-1977, adopted 1-17-77.**

C. Class III: a member of the governing body to be appointed by the governing body.

D. Class IV: six (6) citizens of the municipality to be appointed by the Mayor.

### § 4-93.1. Alternate members. [Added 2-3-83 by Ord. No. 2-1983]

There shall be created the positions of alternates to the Planning Board with Alternate No. 1 to have a two-year appointment and Alternate No. 2 to have a one-year appointment.

### § 4-94. Membership requirements; terms of office; financial interests. [Amended 1-17-77 by Ord. No. 2-1977]

All members of the Board shall serve without compensation, and the members of Class IV shall hold no other municipal office, except that one (1) of such members may be a member of the Zoning Board of Adjustment and one (1) may be a member of the Board of Education. The term of the member composing Class I shall correspond to his official tenure. The terms of the members composing Class II and Class III shall be for one (1) year or terminate at the completion of their respective terms of office, whichever occurs first. The terms of the members composing Class IV shall be for four (4) years. No member of the Planning Board shall be permitted to act on any matter in which he has, either directly or indirectly, any personal or financial interest.

### § 4-95. Organization; powers.

The Planning Board is authorized to adopt bylaws governing its procedural operation. It shall elect a Chairman from the members of Class IV and create and fill such other offices as it shall determine. It shall have the power and authority to employ experts and a staff and to pay for their services and

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such other expenses as may be necessary and proper, not exceeding in all, exclusive of gifts, the amount appropriated by the governing body for the use of said Planning Board.

### § 4-96. Administration of subdivision regulations.

The Planning Board, in accordance with Section 14 of Chapter 433 of the Laws of 1953[1], is expressly designated as the official agency to administer the provisions of the Land Subdivision Ordinance of the City of Gloucester City providing for the regulation of land subdivisions, including the granting of final approval of subdivision plats. The Planning Board is authorized to appoint a Subdivision Committee in accordance with Section 15 of the above-mentioned laws.

### § 4-97. Referral of other matters to Board.

The governing body, by ordinance only, may provide for the reference of any matter or class of matters to the Planning Board before final action is taken by the municipal body or municipal officer having final authority.

### § 4-98. Public hearings.

Whenever a public hearing is required on any matter, the Planning Board shall follow the procedure as described in Section 7, Chapter 433 of the Laws of 1953.

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[1] **Editor's Note: Chapter 433 of the Laws of 1953 was repealed by P.L. 1975, c 291. See N.J.S.A. 40:55D-1 et seq.**

**§ 4-99. (Reserved)**

## ARTICLE XIV
## Statutory and Other Agencies

**§ 4-100. Housing Authority.**

The Housing Authority of the City of Gloucester City, a body corporate and politic heretofore created and established pursuant to the provisions of the Local Housing Authorities Law of the State of New Jersey, is continued.

**§ 4-101. (Reserved)**[2]

**§ 4-102. Board of Adjustment.**

The Board of Adjustment as heretofore established pursuant to the provisions of N.J.S.A. 40:55-36 et seq.[3] is hereby continued.

**§ 4-103. Administration of waterworks.**

The administration of the municipal waterworks shall be as provided for in Chapter 90, Water, of the Code of the City of Gloucester City.

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[2] Editor's Note: Former § 4-101, Sewerage Authority, was repealed 12-2-1999 by Ord. No. 19-1999.

[3] Editor's Note: N.J.S.A. 40:55-36 et seq. was repealed by Ch. 291 of the Laws of 1975. See now N.J.S.A. 40:55D-69 et seq.

**§ 4-104. Department of Community Development; establishment. [Added 6-5-2003 by Ord. No. 14-2003[4]]**

The Department of Community Development shall be established to coordinate those efforts that are necessary to the identification, implementation, application and evaluation of those programs and proposals that pertain to the development and redevelopment of the City.

**§ 4-104.1. Duties and responsibilities. [Added 6-5-2003 by Ord. No. 14-2003]**

A. Establish a liaison among the various sections of the local government and potential developers.

B. Manage and oversee the development and redevelopment projects of City staff and contractors.

C. Establish liaison with units of the federal, state and county government.

D. Receive and evaluate proposals for economic development and housing assistance from local business, potential developers and community-based organizations; coordinate implementation of programs in the area of housing and neighborhood assistance; maintain records of liens on properties which have been secured by City borrowing as well as lists of individuals, organizations and businesses who have requested inclusion in any housing, economic or community development or redevelopment program offered by the City.

E. Maintain a record of City-owned property and make recommendations as to the use, improvement or disposal of property.

F. Apply for and administer grant monies received for the rehabilitation, preservation (including historic

[4] Editor's Note: This ordinance also repealed former § 4-104, Department of Community and Economic Development, added 12-29-1997 by Ord. No. 37-1997.

preservation), and construction of governmental, housing and commercial projects.

G. Coordinate programs promoting commercial, industrial, and residential programs within the City.

H. Perform other duties as directed by the governing body to further economic, community and housing development in Gloucester City.

**§ 4-104.2. Office of the Director of Community Development established. [Added 6-5-2003 by Ord. No. 14-2003]**

A. There shall be a position in the unclassified service of the City for a Director of Community Development, who, under the direction of the City Administrator, shall be responsible for the supervision, assignment of duties and oversight of the operations of the Department and coordinate such activities and assignments as directed in the performance of municipal services.

B. The Director shall be appointed as an unclassified managerial position under the rules and regulations of the New Jersey Department of Personnel. The appointment will be made in accordance with the Employee Manual of Gloucester City and pertinent federal, state and local laws, regulations and ordinances. The Director of Community Development shall be appointed by Common Council, shall serve at the pleasure of Common Council, and shall be removable upon a majority vote of the full membership of the Common Council. The annual salary of the Director of Community Development shall be as fixed in the Salary Ordinance of the City of Gloucester City, and, if necessary, the Finance Committee of the Common Council.

**§ 4-104.3. Division of Redevelopment; duties and personnel authorized. [Added 6-5-2003 by Ord. No. 14-2003]**

A. There shall be established within the Department of Community Development a Division of Redevelopment, which shall be responsible for the planning, investigation, implementation and evaluation of such programs, regulations, policies and grants that pertain to the development and redevelopment of the City of Gloucester City.

B. In such Division there shall be assigned a Coordinator of Development and Redevelopment appointed under the appropriate rules and regulations of the New Jersey Department of Personnel and any other employees as determined necessary by the Common Council and appropriated in the budget in classified service of the City of Gloucester City. Such employees shall be responsible for the activities of the Division and to perform in accordance with the activities as specified in the regulations for the pertinent agencies of the State of New Jersey, government of the United States, other governmental entities with cognizant authority and the rules of the City of Gloucester City. These duties shall include reviewing the grant and loan programs of the City and in conformance with those regulations as prescribed by the Administrator and CFO through the Finance Committee and make such reports and documentation as directed.

**§ 4-104.4. Division of the Gloucester City Urban Enterprise Zone.* [Added 7-7-2005 by Ord. No. O16-2005]**

***Editor's Note: See Section 4-114 for assumption of duties by the Gloucester City Economic Development Corporation.**

A. Establishment; powers and duties.

(1) There is hereby created within the Department of Community Development the Division of the Gloucester City Urban Enterprise Zone that shall

perform within the Urban Enterprise Zone created by Ordinance #O11-2004* the required services for the City as permitted and required of it pursuant to the City's designation as an Urban Enterprise Community under N.J.S.A. 52:27H-66.1.

***Editor's Note: Ordinance No. O11-2004 repealed by Ordinance No. O22-2012. See Section 4-114.**

(2) The Division shall:

(a) Administer, operate and formulate programs to carry forward the policies and mandates of the City Council as required and permitted under N.J.S.A. 52:27H-66.1.

(b) Administer and conduct such function and activities as are required and permitted within an Urban Enterprise Zone pursuant to all applicable laws, as may be approved by the City Council.

(c) Coordinate the activities of the Division with other city departments, other governmental entities and agencies, businesses within and without the Urban Enterprise Zone, organizations and groups involved with matters pertaining to the operation of the Urban Enterprise Zone and the residents of the city.

(d) Plan and develop for implementation by the City Council such programs as shall further the purposes of the Enterprise Zone.

B. Zone Coordinator.

(1) The Director of Community Development shall also act in the position of Zone Coordinator and, as such, shall head the Division of the Gloucester City Urban Enterprise Zone and who, under the direction of the City Administrator and in consultation with the Zone Board of Directors, shall be responsible for planning and administering the functions and duties of the Division.

(2) The Zone Coordinator shall be qualified and experienced in the field of economic development of community business zones and shall supervise such other full- or part-time employees as may be assigned to the Division.

(3) The Zone Coordinator shall:

(a) Carry out the duties and policies of the Division as established by the City Council for the implementation of the purposes for which the City of Gloucester City Enterprise Zone was created;

(b) Plan, promote, organize and administer a comprehensive plan for the operation and development of the Urban Enterprise Zone for adoption by the City Council;

(c) Establish administrative procedures to assure maximum services to the Urban Enterprise Zone and the community at large at reasonable cost;

(d) Assess the effectiveness of the programs provided and report to the City Council with regard to them;

(e) Study the needs of the Enterprise Zone to develop immediate and long-range plans to meet these needs;

(f) Establish and maintain cooperative planning and working relationships with other city departments, other governmental bodies and agencies, community and service organizations within and without the city, businesses within the enterprise zone and interested individuals;

(g) Recommend the acquisition, designation and construction of facilities when appropriate to further the purposes of the Enterprise Zone;

(h) Direct the operation of Enterprise Zone facility areas and arrange for their proper maintenance and operation; and

(i) Recommend to the City Council any rules, regulations and fees that are considered appropriate for the operation of the Enterprise Zone facilities.

## § 4-105. Division of Building and Code Enforcement established; functions; positions authorized. [Added 6-5-2003 by Ord. No. 14-2003]

A. There shall be within the Department of Administration a Division of Building and Code Enforcement, the head of which shall be the Construction Official appointed pursuant to the pertinent rules and regulations of the New Jersey Department of Personnel to the classified service of the City and who shall oversee the functions of such Division. Such functions shall include those functions directed by the Uniform Commercial Code of the State of New Jersey, the Zoning ordinances of the City of Gloucester City, the Property Maintenance Code of the City of Gloucester City, and other such regulations of the State of New Jersey, City of Gloucester City and any other regulating agency or cognizant entity of the United States Government or State of New Jersey that may direct or instruct activity through rules or regulations dealing with the proper conduct and performance of such duties.

B. There shall be positions created and appointments made through the appropriate rules and regulations of the New Jersey Department of Personnel to fulfill the duties as required for building, plumbing, fire and electrical subcode officials. Such other appointment(s) as may be determined by the Common Council and appropriated in the annual budgets as necessary to fulfill the duties of this Division shall be created through the appropriate rules and regulations of the New Jersey Department of

Personnel and salary and wage ordinances of the City of Gloucester City.

**§ 4-106. (Reserved)**

## ARTICLE XV
## City Employees and City Property

**§ 4-107. Loyalty oath of City employees.**

A. Every appointed employee of the City of Gloucester City and every other appointed public employee paid out of the City treasury is hereby required to subscribe to an oath or affirmation of loyalty to the Constitution and Government of the United States of America and of the State of New Jersey, that he is not a member of any

group or organization determined by the United States Government or an agency thereof authorized to make such determination, to be subversive to our government and its principles and which professes loyalty to alien doctrines and foreign governments and advocates the overthrow of our government by force and violence.

B. The oath or affirmation and certificate shall be in the same form as is required by the State of New Jersey.

C. Any employee required to subscribe to an oath or affirmation as aforesaid and who shall fail or refuse to do so or who, having so subscribed, shall be found to be a member of any such subversive or disloyal group or organization, or who, having subscribed, shall thereafter become a member of any such group or organization, shall be forthwith dismissed from his employment, and the City Treasurer is hereby directed not to pay any salary, wage or compensation to any such employee.

D. No applicant for employment under the City government or any other public agency paid out of the City treasury shall be appointed to such employment until he shall have subscribed to an oath or affirmation as hereinbefore set forth and, after employment, shall be subject to dismissal for the causes set forth in Subsection C of this section.

### § 4-108. Use of City property by subversive groups.

No public property owned by the City shall be used for meetings or assemblages of groups and organizations determined by the United States government or any agency thereof authorized to make such determination, to be subversive to our government and its principles and which profess loyalty to alien doctrines and foreign governments and advocate the overthrow of our government by force and violence.

**§ 4-109. Residence in City required.**
**[Added 11-4-1976 by Ord. No. 62]**

A. All officers, employees or appointees to any board employed by the City of Gloucester City or hereafter to be employed by the City of Gloucester City, other than those having a statutory exemption, are hereby required as a condition of their employment or their continued employment to have their place of abode in the City of Gloucester City and to be a bona fide resident therein. A bona fide resident, for the purpose of this section, is a person having a permanent domicile within the City of Gloucester City and one which has not been adopted with the intention of again taking up or claiming a previous residence acquired outside of the City of Gloucester City. The Mayor and Common Council of the City of Gloucester City may, at any time, require the officer, employee or appointees to any board employed by the City to submit proof of his, her or their residence in the City of Gloucester City.

B. In accordance with N.J.A.C. 4A:4-2.11, all uniformed officers, appointees and employees of the Police and Fire Departments shall maintain residency continuously from the closing date of the examination up to and including the date of appointment. **[Added 12-21-1998 by Ord. No. 31-1998]**

C. In the event that there is no qualified individual for a position with the City who can comply with Section A above then governing body can waive the requirement but if waived, governing body shall give preference in any offer of employment to residents of Camden County, and thereafter to residents of any county contiguous to Camden County, and thereafter to residents of the State of New Jersey. **[Added 10-23-2014 by Ord. No. O21-2014]**

## ARTICLE XVI
## Amendment; Severability; Repealer; Effective Date

### § 4-110. Amendment.

The Administrative Code of the City of Gloucester City may be amended or modified from time to time, by ordinance duly adopted, as may be deemed necessary or advisable by the Mayor and Common Council.

### § 4-111. Severability.

If any section, subsection, sentence, clause or phrase of this ordinance shall be declared invalid by the judgment of any court of competent jurisdiction, such section, subsection, sentence, clause or phrase shall be deemed to be severable from the remainder of the ordinance, which shall not be affected by any such judgment.

### § 4-112. Repealer; proviso.

All ordinances or parts of ordinances inconsistent with the provisions of this ordinance are hereby repealed, provided that any municipal office or position presently existing and currently occupied is hereby continued even though not specifically referred to herein, the duties and obligations thereof to continue as they now exist and the salary or compensation therefor to be as provided in the Salary Ordinance of the City of Gloucester City.[5]

[5]**Editor's Note: See Ch. 7, Salaries.**

### § 4-113. When effective.

This ordinance shall become effective upon final passage and publication as provided by law.

## ARTICLE XVII
## Gloucester City Economic Development Corporation
## [Added 12-20-2012 by Ord. No. 022-2012]

### § 4-114. Gloucester City Economic Development Corporation.

**Editor's Note: The Preamble of Ordinance No. 022-2012 designated the Gloucester City Economic Development Corporation to manage the Urban Enterprise Zone. Section 1 of Ordinance No. 022-2012 repealed Ordinance No. 011-2004.**

A. Pursuant to N.J.S.A. 52:27H-67, the "Gloucester City Economic Development, a New Jersey Non-Profit Corporation" is designated as the zone development corporation for the purposes of managing the Gloucester City Urban Enterprise Zone subject to the requirements herein.

B. The requirements of the above designation are:

(1) Compliance with N.J.S.A. 52:27H-67 concerning the composition of the Board;

(2) The Board member serving as the representative of the municipality shall be named by the Common Council;

(3) The annual budget shall be subject to approval by the Common Council.

(4) Monthly reports as to income, expenditures and projects shall be submitted to the Common Council.

(5) There shall be an annual audit performed by an auditing firm approved by Common Council.

(6) Common Council reserves the right to cancel or terminate any project or expenditure.

C. Upon the closure of the "Enterprise Zone Development Corporation of the City of Gloucester City" any funds shall be transferred to the "Gloucester City Economic Development, a New Jersey Non-Profit Corporation."