

**TOWNSHIP OF ANDOVER
SUSSEX COUNTY, NEW JERSEY**

ORDINANCE NO.2015- 14

**AN ORDINANCE OF THE TOWNSHIP OF ANDOVER, COUNTY OF SUSSEX, AND
STATE OF NEW JERSEY TO AMEND THE TOWNSHIP CODE BY AMENDING
CHAPTER 3 “ADMINISTRATION OF GOVERNMENT,” ARTICLE XVII “JOINT
MUNICIPAL COURT” TO ADD SECTION 64 “SPECIAL COURT OFFICER”**

WHEREAS, effective January 1, 2015, the Township of Andover’s municipal court merged with three other municipalities to form the Andover Joint Municipal Court (Andover, Hampton, Fredon and Byram Townships and Andover Borough); and

WHEREAS, the operations of the Andover Joint Municipal Court have been successful and there has been a high volume of cases conducted; and

WHEREAS, in light of the number of cases being heard on each court day, the Township Committee has determined that a dedicated Special Court Officer is needed; and

WHEREAS, the Township Committee has determined that it is in the Township’s best interest to amend the Code to provide for a Special Court Officer.

NOW THEREFORE, BE IT ORDAINED, by the Township Committee of the Township of Andover, in the County of Sussex, and State of New Jersey as follows:

SECTION 1. Chapter 3 “Administration of Government,” Article XVII “Joint Municipal Court” of the Code of the Township of Andover, is hereby amended and supplemented to read as follows:

§3-64 “Special Court Officer”

(1) A "Special Court Officer" means any person appointed pursuant to N.J.S.A. §40A:14-146.8 et seq., to on a part-time basis, perform duties similar to those performed regularly by members of the Police Department of the Township of Andover in connection with providing security during all municipal court sessions. The Special Court Officer reports to the Chief of Police of the Township of Andover.

(2) Duties: The Special Court Officer will provide security, including metal detection and bag searches upon all individuals entering the courtroom, will maintain order in the courtroom and will follow the direction of the judge. The duties performed at the direction of the judge may include swearing in of witnesses, collecting court documents, presenting court documents, reviewing reports and filing complaints.

(3) The ability to carry a firearm by a Special Court Officer may be authorized only after the officer has demonstrated that he/she has been fully certified as successfully completing training as prescribed by the Chief of Police or that he/she is authorized to carry a firearm pursuant to N.J.S.A. §2C:39-6 and N.J.S.A. §2C:58-1 et seq. as a retired law enforcement officer.

(4) Pursuant to N.J.S.A. §40A:14-146.10, no person shall be appointed as a Special Court Officer unless the person:

- (a) Is a resident of the State of New Jersey during the term of appointment;
- (b) Is able to read, write, and speak the English language well and intelligently and has a high school diploma or its equivalent;
- (c) Is sound in body and of good health;
- (d) Is of good moral character;
- (e) Has not been convicted of any crime or criminal offense involving dishonesty or which would make him or her unfit to perform the duties of the office;
- (f) Has successfully completed a training course approved by the New Jersey Police Training Commission.

(5) The Special Court Officer will be appointed for a term of one year. Nothing herein shall be construed to require reappointment upon the expiration of the term.

(6) The salary for this position is \$20.00 per hour.

SECTION 2. All ordinances of the Township of Andover, which are inconsistent with the provisions of this Ordinance, are hereby repealed to the extent of such inconsistency.

SECTION 3. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance.

SECTION 4. This Ordinance shall take effect immediately upon final passage, approval, and publication as required by law.

SECTION 5. This Ordinance may be renumbered for codification purposes.

**TOWNSHIP OF ANDOVER
COUNTY OF SUSSEX
STATE OF NEW JERSEY**

ATTEST

Diana Francisco, R.M.C.
Deputy Clerk

Michael Lensak, Mayor

**Introduced: October 26, 2015
Adopted: November 9, 2015
Published: November 13, 2015**

**VOTE: Ayes- 5
Nays-none
Abstain- none**