

ORDINANCE 2026-01-824

**AN ORDINANCE AMENDING CHAPTER 26 POLICE DEPARTMENT, SECTION 26 – 9
REGARDING POLICE DEPARTMENT EXTRA DUTY FEES WITHIN THE BOROUGH
OF PINE BEACH**

WHEREAS, the Borough of Pine Beach (the “Borough”) has permitted private contractors to retain the services of off-duty police officers to provide police officer services; and

WHEREAS, in order to ensure that the Borough is paid for these services, and that assignments to outside contractors do not conflict with the needs of the Borough, it is appropriate to establish hourly rates and procedures to be followed by private contractors and the Borough of Pine Beach Police Department,

NOW THEREFORE BE IT ORDAINED by the Mayor and Council of the Borough of Pine Beach in the County of Ocean, State of New Jersey as follows:

SECTION 1. Section 26-9 entitled “Private Security duties” of Chapter 26 entitled “Police Department”, of the Borough General Ordinances is hereby amended as follows:

§26-9 Private Security Duties

- A. The party requesting the assignment shall execute and deliver an agreement in a form approved by the Borough Council by resolution from time to time. The Chief of Police or his designee shall be authorized to execute any such agreement provided it has been submitted in the form approved by resolution.
- B. The borough shall be responsible to provide all necessary insurance coverage as required by law, including but not limited to worker's compensation. Public liability and claims for damage for personal injury, including death or damage to property which may arise or result from the borough's performance under the contract.
- C. The party requesting the assignment of police officers shall indemnify and hold harmless the borough from any and all claims made by said police officers for injury or illness while performing extra duty assignments for said party. In addition, the party shall hold the borough harmless from any and all claims made by any third party for injury, illness or damage to property arising out of the extra duty assignment of a police officer.
- D. Any and all extra duty assignments shall be determined and approved by the Chief of Police or designee. The Chief of Police or designee may assign a patrol vehicle for use in performing extra duty if and in the event it is determined that the use of a patrol vehicle is necessary to perform the contracted duty.
- E. The work to be performed shall be considered "special assignment from independent contractors" and will not be considered direct assignment or duty on the job through the borough. The taking of any and all extra duty assignments shall be on a voluntary basis in accordance with a system established and administered by the Chief of Police.
- F. The Chief of Police has the authority to order any police officer to vacate or terminate any special duty assignment in response to emergency situations or whenever the assignment creates an unacceptable risk to health, safety and welfare of the police officer and/or the public in the sole determination and discretion of the Chief of Police. The contractor shall not be responsible for any compensation for the time that the police officer is away from the special duty assignment and shall have no claim for any costs or damages against the municipality, the Chief of Police or the police officer arising from

the termination of special duty assignment other than the prorated return of any costs prepaid to the borough or to the municipality.

- G.** Prior to any special duty assignment, the individual of the corporation requesting said off-duty employment shall be required to give an estimate of the amount of hours and the time that will be needed and pay to the borough said estimated sum in advance to be held in an escrow account by the borough for said purpose. Any additional payments due under such agreement shall be paid 15 days from date of billing. Interest shall be charged at the rate of 12% per annum on any amount billed for which payment has not been made within 15 days. The delinquent party shall be liable for all costs, fees and attorney's fees associated with the collection of any amounts due.
- H.** The Borough has established an escrow account dedicated to the payment of off duty police officers for outside employment by private contractors. Any prospective contractor must apply to the Chief of Police and the Municipal Clerks Office, requesting off-duty police services. The written application shall include the following information:

 - 1) The dates that off-duty police services and police vehicle(s) will be needed.
 - 2) An estimate of the number of hours the contractor anticipates using the off-duty police officer(s) and, if appropriate, police vehicles.
 - 3) A check to cover the cost of off-duty police services and use of any Borough vehicles based on the estimated number of hours shall be submitted before the start of off-duty employment in accordance with state and Division of Local Government services regulations.
- I.** If the contractor's needs exceed the estimated sum in the escrow account, the Chief of Police, or his designee, shall immediately notify the contractor that the funds in the escrow account are insufficient to pay for continued off-duty police services. The contractor shall then either replenish the escrow account with a check sufficient to pay for continued services or the Chief of Police shall immediately terminate provision of the off-duty police services to the contractor.
- J.** If the contractor's estimated costs exceed the actual costs incurred, then the Borough shall, upon proper notice to the Borough Chief Financial Officer, refund the remainder of the escrow account.
- K.** Rates for off-duty police services are:

 - i. Extra Duty Hourly Rate: \$100 per officer per hour for any assignment ending before 7pm
 - ii. Extra Duty Hourly Rate: \$110 per officer per hour for any assignment scheduled after 7pm and before 6am.
 - iii. Administrative Fee: \$30 per hour
 - iv. Vehicle Fee: \$10 per hour per vehicle
 - v. The failure of a contractor to contact the Police Department at least two hours in advance of the start of an assignment to cancel the request for off-duty police services will result in a four-hour charge to the contractor.
- L.** No police officer shall perform extra duty assignments for compensation other than through the procedure established in this section.
- M.** The Borough holds the right to seek a third-party company for the police departments Off-Duty Employment services for Off-Duty Program Administration. The chosen service provider may charge an additional fee other than the officer, administration or any

other fees set forth by the Borough. This service may handle scheduling, billing, collections, pay or any other services previously performed by the Borough.

- N. The third-party service provider will reimburse the Borough via ACH or other funds transfer methods, according to the fees set forth above, due to the Borough and officer, in a timely manner, usually coinciding with payroll periods for "jobs" that the officers have performed or were scheduled for, in accordance with the rules of employment between the Borough and person(s) or company seeking services.

SECTION 2. All other ordinances in conflict or inconsistent with this ordinance are hereby repealed, to the extent of such conflict or inconsistency. In the event of any inconsistencies between the provisions of this Ordinance and any prior ordinance of the Borough of Pine Beach, the provisions hereof shall be determined to govern.

SECTION 3. All other parts, portions and provisions of the Revised General Ordinances of the Borough of Pine Beach are hereby ratified and confirmed, except where inconsistent with the terms hereof. If any article, section, subsection, paragraph, 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 and they shall remain in full force and effect, and to this end the provisions of this ordinance are hereby declared severable.

SECTION 4. This ordinance shall take effect immediately upon final passage and publication according to law.

Introduced: January 14, 2026

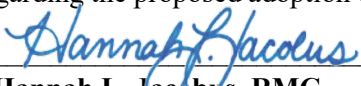
Council	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
<i>Councilman Keesling</i>			X			
<i>Councilwoman McGee</i>			X			
<i>Councilman Newman</i>						X
<i>Councilman Polhemus</i>	X		X			
<i>Councilman Saxton</i>			X			
<i>Council President Wieck</i>		X	X			

Public Hearing: February 11, 2026

Council	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
<i>Councilman Keesling</i>						X
<i>Councilwoman McGee</i>		X	X			
<i>Councilman Newman</i>	X		X			
<i>Councilman Polhemus</i>			X			
<i>Councilman Saxton</i>			X			
<i>Council President Wieck</i>			X			

NOTICE

NOTICE IS HEREBY GIVEN that the foregoing Ordinance was introduced by the Borough Council of the Borough of Pine Beach at a meeting held on **January 14, 2026** and will be considered for final adoption and passage at a meeting held by the Mayor and Council on **February 11, 2026 at 6:30 p.m.**, at the Borough Hall, located at 599 Pennsylvania Ave., Pine Beach, New Jersey, 08741. At that time any interested person may have come forward and be heard regarding the proposed adoption of this Ordinance.


Hannah L. Jacobus, RMC
Municipal Clerk