

**AN ORDINANCE AMENDING CHAPTER 44-POLICE DEPARTMENT OF THE  
GENERAL CODE OF THE BOROUGH OF HAMBURG IN THE COUNTY OF  
SUSSEX, STATE OF NEW JERSEY TO PROVIDE FOR THE POSITION OF HEARING  
OFFICER WITH RESPECT TO POLICE DISCIPLINARY MATTERS.**

**ORDINANCE 08-2024**

BE IT ORDAINED by the Mayor and Council of the Borough of Hamburg in the County of Sussex, State of New Jersey, that Chapter 44 – Police Department of the Code of the Borough of Hamburg is hereby amended as follows:

1. Section 44-12 A is amended as follows: Any member of the Police Department may be terminated or otherwise disciplined upon a hearing to be conducted by a hearing officer appointed by the Mayor and Council.

The hearing officer shall preside over the hearing, take testimony and shall have the power to subpoena witnesses and documents and render a decision in a detailed report, including specific findings of fact, and if guilt is established an explanation shall be provided of the penalty to be imposed. The hearing officer shall have the authority to suspend, terminate, find or reduce in rank any member of the Police Department who may be found guilty of the charge or charges brought. The decision of the hearing officer shall be final.

Sub-sections (1) through (16) shall remain in full force and effect.

2. Section 44-13 - Suspension and removal of members and officers- is amended in its entirety as follows: Whenever allegations of incapacity, misconduct or disobedience of rules and regulations shall be charged against any officer or member of the Police Department, the charges shall be made in writing, signed by the person making such charge or charges and filed with the Mayor and Council. The Chief of Police shall serve or cause to be served a copy of the charge or charges upon the officer or member so charged with the notice of a designated hearing date by the Mayor and Council, which shall be no later than 10 days nor more than 30 days from the date of service of the charge or charges. The hearing officer appointed by the Mayor and Council shall conduct a disciplinary hearing as provided aforesaid.

3.. Any and all Ordinances or parts thereof inconsistent with the terms of this ordinance are hereby repealed.

4.. In the event any provision of this Ordinance is deemed invalid by a Court of competent jurisdiction, the rest and remainder shall remain in full force and effect.

5. This Ordinance shall take effect upon passage and publication as provided by law.

#### CERTIFICATION

Notice is hereby given that the above Ordinance was introduced and passed on first reading at the meeting of the Mayor and Council of the Borough of Hamburg held on March 4, 2024 at 7:00 p.m., and will be considered for final passage at a regular meeting of said Mayor and Council to be held on April 1, 2024 at 7:00 p.m. or as soon thereafter as same can be considered, in the Municipal Building located at 16 Wallkill Avenue, Hamburg, New Jersey at which time and place all persons interested therein or affected thereby will be given the opportunity to be heard concerning the same. A copy of said Ordinance is on file in the Office of the Borough Clerk, Municipal Building located at 16 Wallkill Avenue, Hamburg, New Jersey and is available for public inspection and acquisition during regular business hours



Doreen Schott, RMC  
Municipal Clerk