

TOWNSHIP OF LOWER, COUNTY OF CAPE MAY, STATE OF NEW JERSEY

ORDINANCE #2019-03

AN ORDINANCE AMENDING CHAPTER 3-22 (D) OF THE CODE OF THE TOWNSHIP OF LOWER, PROVIDING THAT TOWNSHIP RESIDENCY WILL BE A PREFERENTIAL CONSIDERATION, BUT IT WILL NOT BE SOLELY DETERMINATIVE FOR APPOINTMENT OF NON POLICE DEPARTMENT APPLICANTS.

WHEREAS, Chapter 3-22 (D) of the Code of the Township of Lower (Code) establishes rules and regulations that govern the employment appointment procedures with the various Township Departments; and

WHEREAS, the Township Council desires to amend Chapter 3-22 (D) to view permanent Township residency as a preferential consideration, but not a sole determinative factor in appointment for non police department applicants; and

WHEREAS, the Township Council recognizes that Chapter 3-22 (D) (1) should be modified to include Township residency as one of a number of factors to be considered in the appointment and hiring of non police department applicants.

NOW, THEREFORE, BE IT ORDAINED by the Township Council of the Township of Lower in the County of Cape May and the State of New Jersey as follows:

SECTION 1. Chapter 3-22 (D) of the Code entitled "Employees" is hereby deleted in its entirety and shall read as follows:

**D. Employees**

(1) Each department, office and agency may have such positions as the council may authorize. Employees shall be appointed and may be removed pursuant to Charter and the Township's personnel rules and shall be paid in accordance with the annual Salary Ordinance. Employees shall be hired on the basis of their qualifications, past experience, and performance on the civil service test. Township residency, for non police department applicants seeking employment, will be considered as a **preferential factor** where aloud by Civil Service. Nothing herein shall be construed to effect the residency requirement for the Police Department as noted in Chapter 90-8 of the Lower Township Code.

(2) The Township shall maintain a code of ethics and all employees shall function within its parameters.

SECTION 2. Severability. If for any reason any Section of this Ordinance shall be declared illegal by any Court of competent jurisdiction, the remaining sections of the Ordinance shall remain in full force and effect notwithstanding the section(s) declared illegal.

SECTION 3. Civil Service. The Resolution (#81-120) on file with Civil Service is hereby repealed.

SECTION 4. Repealer. Any Ordinance or provision thereof inconsistent with this Ordinance is hereby repealed to the extent of such inconsistency.

SECTION 5. This Ordinance shall take effect immediately upon the adoption and publication in accordance with the law.

First Reading: February 20, 2019

Adopted: *March 18, 2019*

Attest: *Julie A Picard*  
Julie A Picard, Township Clerk

*ABSENT*  
Thomas Conrad, Councilmember

*[Signature]*  
David Perry, Councilmember

*[Signature]*  
Roland Roy, Jr., Councilmember

*[Signature]*  
Frank Sippel, Deputy Mayor

*[Signature]*  
Erik Simonsen, Mayor