

ORDINANCE #10-2026

AN ORDINANCE AMENDING CHAPTER 38 OF THE CODE OF THE BOROUGH OF MENDHAM, ENTITLED “POLICE DEPARTMENT”

WHEREAS, the Borough of Mendham recognizes the importance of maintaining a Police Department under the command and supervision of a Chief of Police in accordance with N.J.S.A. 40A:14-118; and

WHEREAS, the Borough Council desires to reaffirm and re-establish the position of Chief of Police as the executive head of the Police Department responsible for the day-to-day operations thereof; and

WHEREAS, the Borough Council finds that maintaining the Chief of Police position is in the best interests of the Borough and its residents and promotes effective law enforcement, public safety, accountability, and continuity of operations; and

WHEREAS, the Borough desires to amend Chapter 38 of the Borough Code to remove references to the Public Safety Director position and restore the Chief of Police as the head of the Police Department;

NOW, THEREFORE, BE IT ORDAINED by the Borough Council of the Borough of Mendham, County of Morris, State of New Jersey, that Chapter 38 of the Borough Code entitled “Police Department” is hereby amended as follows (additions underscored, deletions struck through) (any subsection not enumerated herein shall remain unchanged):

POLICE DEPARTMENT

§38-2 Members.

A. The Police Department of the Borough of Mendham is established and shall consist of **one (1) Chief of Police**, not more than one (1) Police Captain, not more than one (1) Police Lieutenant, not more than four (4) Police Sergeants and not more than seven (7) Police Patrol Officers. The actual numbers of incumbents, if any, in each position at any particular time shall be determined solely by the Borough Council based upon what it deems necessary to properly preserve peace and good order in the Borough of Mendham and may be less than the maximum herein established. The maximum numbers herein established for Sergeants and patrol officers may include investigators.

§38-3 Rules and Regulations.

The Borough Council may, from time to time, establish, amend or repeal such rules and regulations as it may deem necessary to establish efficient operation of the Police Department and to secure proper and capable law enforcement for the protection, health, safety and welfare of the Borough of Mendham and its citizens.

The Borough Council shall serve as the appropriate authority, as defined in N.J.S.A. 40A:14-118, to whom the **Chief of Police** shall be directly responsible for the efficiency and routine day-to-day operations of the Police Department.

§38-22 Public Safety Director.

§38-22 Public Safety Director is hereby repealed in its entirety.

A. Appointment – Deleted.

B. Powers and Duties – Deleted.

C. Deleted.

D. Deleted.

BE IT FURTHER ORDAINED, that if any section, paragraph, subsection, clause or provision of this Ordinance shall be adjudged by a court of competent jurisdiction to be invalid, such adjudication shall apply only to the section, paragraph, subsection, clause or provision so adjudged, and the remainder of the Ordinance shall be deemed valid and effective.

BE IT FURTHER ORDAINED, that all ordinances or parts of ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

BE IT FURTHER ORDAINED, that this Ordinance shall take effect upon final passage, approval, and publication in accordance with law.

Introduced: July 15, 2026

Adopted: August 12, 2026

Attest:

BOROUGH OF MENDHAM

Lauren McBride, Borough Clerk

James R. Kelly, Mayor

