

BOROUGH OF POINT PLEASANT BEACH
Police Department Study and Recommendations

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EXECUTIVE SUMMARY

The Division of Local Government Services (DLGS) assessed the Borough of Point Pleasant Beach Police Department (PPBPD or Department) at the request of Mayor Vincent R. Barrella. This Executive Summary presents an overview of the findings presented throughout the report.

General

Upon review of the PPBPD, DLGS staff generally found that the PPBPD is a well managed, dedicated, and properly trained law enforcement agency. DLGS staff found that the staffing levels within the patrol division are adequate. The present staffing allows the proper level of service to the community as reflected in the excellent response times.

DLGS notes the close interaction between the Department and the Special Law Enforcement Officers (SLEO). As a “shore” community, the Borough experiences surges of seasonal traffic and population. One of the areas in which the Borough has excelled is in its employment and deployment of SLEOs during these periods.

The PPBPD building is inadequate and needs improvement. The facility does not meet the needs of the agency. The PPBPD has challenges regarding storage and continuity of records, as the records are stored in an unsecured section of the basement of the municipal building. In 2007, the area was cited by the New Jersey Department of Labor and Workforce Development, regarding mold issues and failing to maintain a safe and healthful workplace, pursuant to the Public Employees Occupational Safety and Health Program (PEOSH).

The current computer-assisted dispatch and records management system (CAD/RMS) is not capable of producing the information to allow for data-driven decision-making within the Department. This system does not allow the police managers to accurately monitor “time spent” or “time consumed activities” on a real-time basis. In addition, the Department is experiencing issues and concerns regarding the onboard computers in the police vehicles. The facility’s physical and technological support of the PPBPD must be brought into line with the expanded needs and responsibilities of the Department in order to best provide police service to the Borough of Point Pleasant Beach.

DLGS notes, however, that the changes as suggested within will take time and resources. Once the relevant parties have read this report, DLGS staff will welcome the opportunity to aid in the development of a plan to accomplish the goals set forth within this report.

Summary of Recommendations

The DLGS report should act as a blueprint for the Borough of Point Pleasant Beach Mayor, Council and Police Department to achieve the most effective and fiscally efficient Police Department for the Borough. The PPBPD should have periodic meetings with the Borough Administration to ensure the recommendations made in this report are met in a timely manner. The following are recommendations made by DLGS.

Organization Analysis

- The Borough of Point Pleasant Beach Police Department is organized pursuant to N.J.S.A. 40A:14-118 under the codified Revised General Ordinances of the Borough of Point Pleasant Beach, as amended through January 20, 2009, Chapter 2, Section 10.1. The current police ordinance is not in compliance with N.J.S.A. 40A: 14-118 which requires municipalities to establish, by ordinance, the number and type of police positions to be included in the police force. The ordinance should be changed in order to comply with Reuter v. Borough of Fort Lee, 167 N.J. 38 (2001).
- The staffing needs for the PD are one Chief, one Captain, two Lieutenants, four Sergeants and 16 Officers/Detectives.

Data Analysis and Patrol Staffing Analysis

- All relevant ordinances must be brought into compliance with the Rules and Regulations promulgated by the New Jersey Division of Criminal Justice.
- New fees should be implemented where available. Fee ordinances should be amended.

Equipment and Facilities

- Develop strategic plan to improve the building.
- Create a safe working environment and the needed space for operations.

Alarms

- Adopt an ordinance requiring all fire, burglar and other alarms to be registered with the Beach and establishing fines for an excessive number of false alarms.
- The records personnel should generate notifications for false alarms that violate the ordinance.

Towing

- Institute an ordinance to recover administrative costs.

DIVISION OF LOCAL GOVERNMENT SERVICES
BOROUGH OF POINT PLEASANT BEACH
POLICE DEPARTMENT EVALUATION

INTRODUCTION

The Division of Local Government Services (DLGS) conducted this study, requested by Point Pleasant Beach Mayor Barrella, to review the operations and staffing of the Borough of Point Pleasant Beach (Beach) and the Point Pleasant Borough Police Department. DLGS's work focused on the internal performance of the Police Department and detailed data analysis of three main areas: workload, deployment, and response times. These three areas are related to patrol operations, which constitute the majority of the Police Department's personnel and financial commitment. Although only three areas were selected for detailed data analysis, the operations analysis considers all areas of the Police Department.

OVERVIEW

Policing in a suburban resort¹ community, such as the Borough of Point Pleasant Beach, and in any community is a far more complex set of activities than many people recognize. To many citizens, the police are simply crime fighters whose responsibility is to protect people's safety and property and to enhance the public's sense of security. There are, however, a myriad of other responsibilities the police discharge on a daily basis, including preserving order in the community, guaranteeing the movement of pedestrian and vehicular traffic, protecting and extending the rights of persons to speak and assemble freely, and providing assistance for those who cannot assist themselves.

The Point Pleasant Beach Police Department (PPBPD or Department) provides the community with a full spectrum of policing activity, spanning a range of services that include response to emergencies, response to calls for service, directed activities, and problem solving.

Basis of Review

Standards and Accepted Practices

- New Jersey Division of Criminal Justice, Guide to Developing a Written Directive System, July 2001.
- New Jersey Division of Criminal Justice, Model Rules and Regulations, July 2001.

¹ As defined under the NJ Dept. of Law & Public Safety Uniform Crime Report (UCR), 2008, p.223. "Resort municipality is a municipality which, because of its recreational, entertainment or amusement characteristics or facilities or its close proximity to such characteristics or facilities, experience a total increase during the seasonal period in the number of persons temporarily resident therein of 25 percent or more of its population."

- New Jersey Division of Criminal Justice, Attorney General Guidelines, ongoing publications. See. www.state.nj.us/oag/dcj/guides.htm.
- The Field Operations Division of the International Association of Chief of Police [IACP], Washington D.C. 20036, on-going. See. www.theiacp.org/PublicationsGuides/tabid/71/Default.aspx.
- Standards for Law enforcement Agencies, Commission on Accreditation for Law Enforcement Agencies (CALEA), Inc. Fairfax, Virginia 22030, on-going. See. www.calea.org/Online/CALEAPrograms/LawEnforcement/lawenfprogram.htm.

Analysis Categories

The general categories used for analysis in the study were: Administration and Staffing; Facilities and Fleet and, in conjunction with these major categories, DLGS staff reviewed police administration policies; community assessment; physical resources; human resources; training and competency; and external interactions.

Assessment Objective

The objective of the assessment was to observe, analyze, comment and make recommendations on the structure and organization of the PPBPD. This report will suggest the proper staffing levels based on the existing organization and work schedule. The goal is to identify and appropriately fund positions through hiring, promotions, use of civilian positions, and reorganization. The governing body must review the recommendations in relation to collective bargaining agreements in order to identify changes that can occur within the context of the current collective bargaining agreements and those that require changes to the agreements.

Assessment Methodology

The assessment of PPBPD was conducted through data collection, on-site observation of police personnel, interviews, research, reviews of relevant literature, statutes, regulations and nationally accepted standards of police organization, comparative evaluation of police industry standards, meetings, analysis of data, and experience of DLGS staff.

The International Association of Chiefs of Police has developed a scientific approach to the distribution of patrol staffing levels. This approach to the allocation of patrol staffing has found acceptance among the most progressive police agencies in the country. Although the system is not perfect, it is much more effective than allocation methods based upon subjective evaluations of a particular situation in comparison to other police agencies. The DLGS staff, additionally, utilizes models taught by Northwestern University Center for Public Safety.

DLGS staff intermittently spent approximately 10 weeks in 2009 interviewing, observing and collecting data for this report. The DLGS staff met with the Police Chief and his staff who provided the data used in this report.

Assessment Team Members

The DLGS staff members, who have studied public safety departments of local governments within the State of New Jersey, conducted the assessment. The lead investigator was a member of the Public Safety Liaison team within the DLGS and has over 25 years police experience with the last seven active duty years as the Police Chief of the 60 sworn officers in Maplewood NJ. He is a graduate of the West Point Leadership School sponsored by the New Jersey Chiefs of Police Association. Upon retirement from Maplewood 12 years ago, he was hired by the New Jersey Department of Treasury and assigned to the Local Government Budget Review for three years. Upon the dissolution of that body, he transferred to the Department of Community of Affairs. At both organizations, he conducted reviews of Public Safety organizations to provide technical assistance and recommend acceptable staffing levels and improvements to organization structures.

Assessment Parameters

In its analysis of the PPBPD, DLGS has applied broadly accepted contemporary concepts and principles of policing organization and management to identify numerous areas where police services could be strengthened. DLGS recognizes that every department must be structured to meet the specific needs of the community it serves. However, certain principles of organization have been proven valid over a period of time:

- Tasks, similar or related in purpose, processes, methods, or clientele, should be grouped together in one or more units under the control of one person;
- Each task should be clearly and concisely made the duty of an individual; responsibility for planning, execution, and control should be definitively placed on designated individuals;
- Each individual, unit, and situation should be under the immediate control of one, and only one, individual, thus achieving the principle of unity of command;
- Each assignment or duty should carry with it the authority necessary to fulfill the responsibility;
- Lines of demarcation between the responsibilities of units should be clearly drawn by a precise definition of the duties of each;
- Rank should increase one-step, and only one-step, at each level of the organization's structure and be consistent with the duties and responsibilities assigned to the position;
- Personnel who actually supervise others should hold supervisory rank;
- Qualified civilian employees should staff functions that can be performed by non-sworn personnel; and
- Non-traditional or highly specialized functions should only be established if a demonstrated and on-going need exists.

These principles, coupled with the knowledge of the community possessed by command personnel, should guide the development of an appropriate table of organization and the operational policies necessary for the future direction of the PPBPD.

The PPBPD is structured to perform its essential functions efficiently and effectively, within its fiscal restraints, consistent with the nature and particular needs of the community it serves. The structure and staffing currently in place along with the structure and recommended staffing is one that must be able to support the expansion of the Department by the addition of 40-45 officers during the seasonal influx of tourists. This dramatic increase of people places extraordinary demands on the delivery of services from May through September. The 100% increase of officers needing both supervision and support requires a full-time force of officers to hire, train and supervise these officers. While acknowledging the imbalance of workload during the non-tourist season, the Chief and the governing body should insist all training and contracted leave time be utilized during the eight months of non-visitor activity. During this time, officers assigned to the Patrol Squads should be assigned as School Resource Officers (SRO) function and other community based programs.

DLGS may identify positions that should be funded to provide a recommended level of police service without compromising officer safety. The timetable to implement these recommended changes is the responsibility of the Beach.

DLGS recommendations reflect an acceptable police industry method for determining staffing levels while making available sound contemporary supervisory concepts to improve the efficiency, effectiveness and performance of the PPBPD.

DLGS staff thanks the municipal officials and police administrations of Point Pleasant for their assistance in completing this project.

Background

Demographics

The Borough of Point Pleasant Beach, located in Ocean County, has a population of 5,314, according to the 2000 US Census² Survey. Point Pleasant Beach was incorporated as a Borough by an Act of the New Jersey Legislature on May 18, 1886, from portions of Brick Township. Point Pleasant Beach is on the Barnegat Peninsula (a long, narrow barrier peninsula that divides the Barnegat Bay from the Atlantic Ocean). Point Pleasant Borough and the Borough of Bay Head border Point Pleasant Beach. According to the United States Census Bureau, the Beach has a total area of 1.7 square miles, of which 1.4 square miles of it is land.

Governance

Point Pleasant Beach is governed under the Borough form of New Jersey municipal government. The governing body consists of a Mayor and a 6 member Borough Council with all positions elected at large. The Mayor is elected directly by the voters to a four-year term of office.

² 2000 census: <http://censtats.census.gov/data/NJ/0603402756460.pdf>

The Borough of Point Pleasant Beach Police Department is organized pursuant to N.J.S.A. 40A:14-118 under the codified Revised General Ordinances of the Borough of Point Pleasant Beach, as amended through January 20, 2009, Chapter 2, Section 10.1;

2-10.1 Police Department

Within the Department of police and civil defense there shall be a police department of the Borough of Point Pleasant Beach.

- a. Composition. The police department shall consist of a chief of police, a captain of police, a lieutenant, three sergeants and such other patrolmen, probationary officers, police matrons, traffic officers, school traffic officers, communications operator supervisor, and other officers and employees as the borough may from time to time appoint.

The current police ordinance is not in compliance with N.J.S.A. 40A: 14-118 which requires municipalities to establish, by ordinance, the number and type of police positions to be included in the police force. See *Reuter v. Borough of Fort Lee*, 167 N.J. 38 (2001) the ordinance uses “shall consist of” rather language found in the recommended model ordinance whose provisions are as follows:

§ There is hereby created in and for the [name of municipality], a Police Department which shall consist of no more than [enumerate each rank and the number of individuals which may be appointed to each rank*] to be appointed to these positions by the [governing or appointing authority].

* For example, “a Chief of Police, one Deputy Chief, two Captains, three Lieutenants, four sergeants and sixteen patrolmen.”

Recommendation

The ordinance should be changed in order to comply with *Reuter v. Borough of Fort Lee*, 167 N.J. 38 (2001).

Financial

According to their budget documents, the Police Department budget for FY2009 was \$3,351,251. Of this amount, \$3,192,401 was salaries and wages, and \$158,850 was “other expenses.” This represents 34.5% of the total Beach budget of \$11,586,361.

Borough of Point Pleasant Beach Police Department - General

The Point Pleasant Beach Police Department is currently staffed by 24 full-time police officers, four full-time civilian dispatchers, and three full-time civilian personnel. During the summer months the PPBPD adds to the ranks between 40 to 45 personnel that include Class II police officers, Class I police officers (Special Law Enforcement Officers-SLEO), parking enforcement officers and part-time communication operators who work within the sub station on the boardwalk.

The PPBPD is broken down into 3 divisions; Administration, Investigations/ Professional Standards and Patrol. The Chief of Police has the overall authority and responsibility, including areas such as budgeting, planning, training and policy development.

- The Administration Division is led by the Captain. The Captain is responsible for the budget, scheduling, communications operations, crossing guards, and civilian personnel.
- The Investigations/Professional Standards Unit is led by a lieutenant. The unit is responsible for all criminal investigations as well as training, recruiting and hiring of personnel.
- The Patrol Division, which is the core of the PPBPD, is led by a lieutenant and is broken down into four squads who work a 12-hour a day schedule. Each of the four squads is led by a sergeant. In addition to the four squads the Patrol Lieutenant supervises the SROs, bike patrol unit and K-9 unit.

The Department has put significant responsibility and authority in the middle management of the organization. The two Lieutenants have broad authority over a wide range of both line and staff functions. DLGS believes that this approach is cost-effective and also helps to build management skills in middle management.

DLGS staff found that the staffing levels within the Patrol Division are adequate when measuring the calls for service (CFS) and the time spent on each call to unobligated/directed patrol, writing reports, and administrative responsibilities. The present conditions allow the officers to provide the proper level of service to the community. This is reflected in the excellent response times.

DLGS noticed that during May through October all of the police personnel were flexible with their personal schedules including the Chief of Police due to the tourism and special event period.

DLGS collected the data from the records management systems/computer aided dispatch (CAD) to evaluate the calls-for-service information. DLGS believes that the current technology linking the dispatch and records systems precludes the Department from recording all of the data properly. Improving this is critical if the Department wants to properly manage the data-driven calls for service and time spent or consumed time on each call. However, even with the limitations created by these data issues, DLGS was able to develop a comprehensive analysis of police data.

With regard to the internal functions of the agency, DLGS had no such difficulties. The Police Department was able to provide DLGS with detailed information about all aspects of Department operations, and each member of the agency with whom we met was very forthcoming and helpful.

Recommendations

The DLGS's report should act as a blueprint for both the governing body and police administrations. The Beach governing body should have periodic meetings with the PPBPD leadership to ensure that DLGS's recommendations are implemented and followed up in a timely fashion.

Point Pleasant Beach Staffing History

One common method of evaluating a police department's performance is to review the crime rate and other information, as set forth in the Uniform Crime Reports (UCR), as reported by the New Jersey Department of Law and Public Safety³. Although helpful, one must remember that this information is self-reported and that the data is limited as an indicator of police performance, since it does not take into account such issues as cultural conditions, influence of other criminal justice entities and unreported crime. In the instant case of Point Pleasant Beach (PPB), the crime data does not take into account whether the crimes occurred in the summer months when there is a surge of individuals into the Beach.

Staffing History

Year	Population	Sworn Officers	Officer per 1,000	Civilian	Total	Police Employees per 1,000
1999	5,314	22	4.14	9	31	5.83
2000	5,314	22	4.14	9	31	5.83
2001	5,314	24	4.52	8	32	6.02
2002	5,314	23	4.33	8	31	5.83
2003	5,403	26	4.81	8	34	6.29
2004	5,403	26	4.81	7	33	6.11
2005	5,397	26	4.82	7	33	6.11
2006	5,397	25	4.63	7	32	5.93
2007	5,411	25	4.62	7	32	5.91
2008	5,411	24	4.44	7	31	5.73

Through years 1999 to 2008⁴, the full-time, resident population remained stable. This represents the year-round population and not the influx of "summer population" to this shore community⁵. Analogously, the Police Officer and civilian police employee numbers have remained stable with a slight rise in sworn officers, balanced with a decrease in civilian personnel.

³ All charts and figures were compiled from the Uniform Crime Reports of New Jersey. <http://www.state.nj.us/njsp/info/stats.html>.

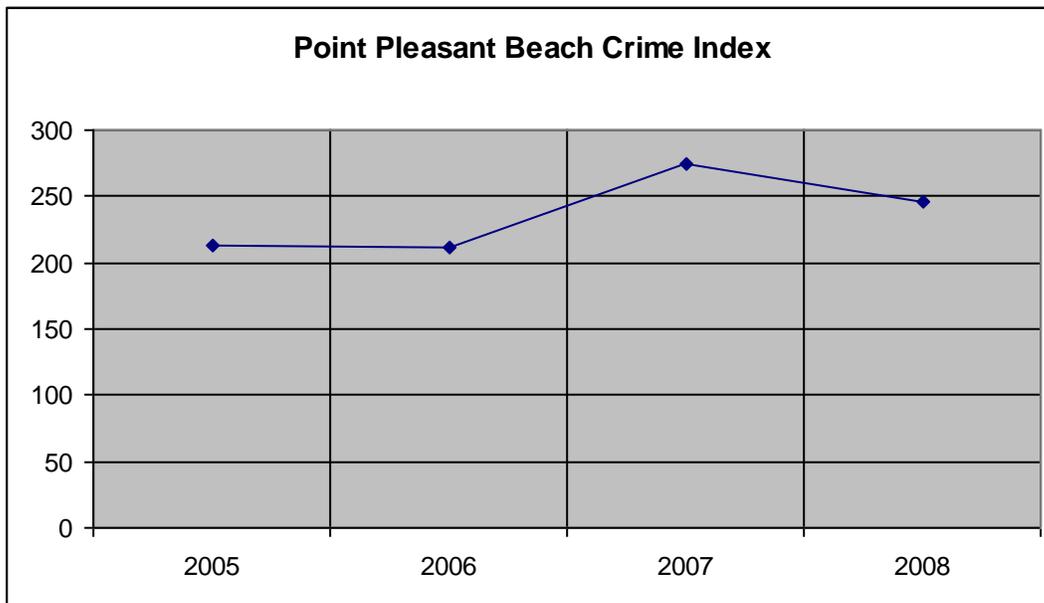
⁴ Id. 2008 is the latest NJUCR report available.

⁵ NJUCR, 2008, p. 165. "Please note that these resort population estimates... are not a complete measure of seasonal population because...not counted are the many day visitors and persons who occupy campgrounds, hotels, motels or bed and breakfast establishments or who stay with friends or relatives."

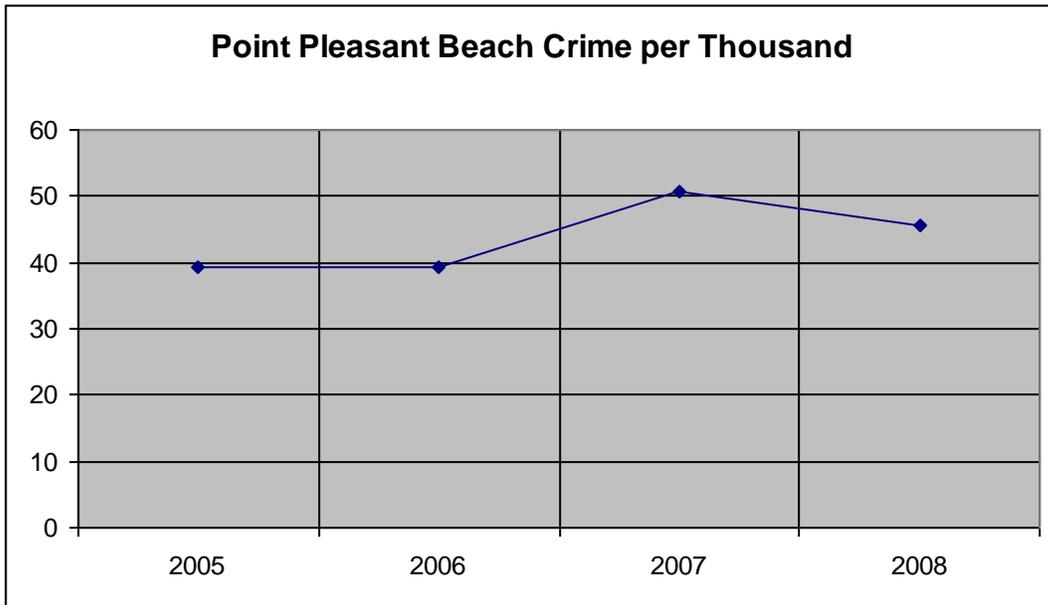
Crime Statistics⁶

Borough of Point Pleasant Beach PD				
Year	2005	2006	2007	2008
Crime Index*	213	212	274	246
Violent	7	3	9	9
Non-Violent	206	199	265	237
Crime/1000	39.4	39.3	50.8	45.5
Violent/1000	1.3	2.4	1.7	1.7
Non-Violent/1000	38.1	36.9	49.1	43.8

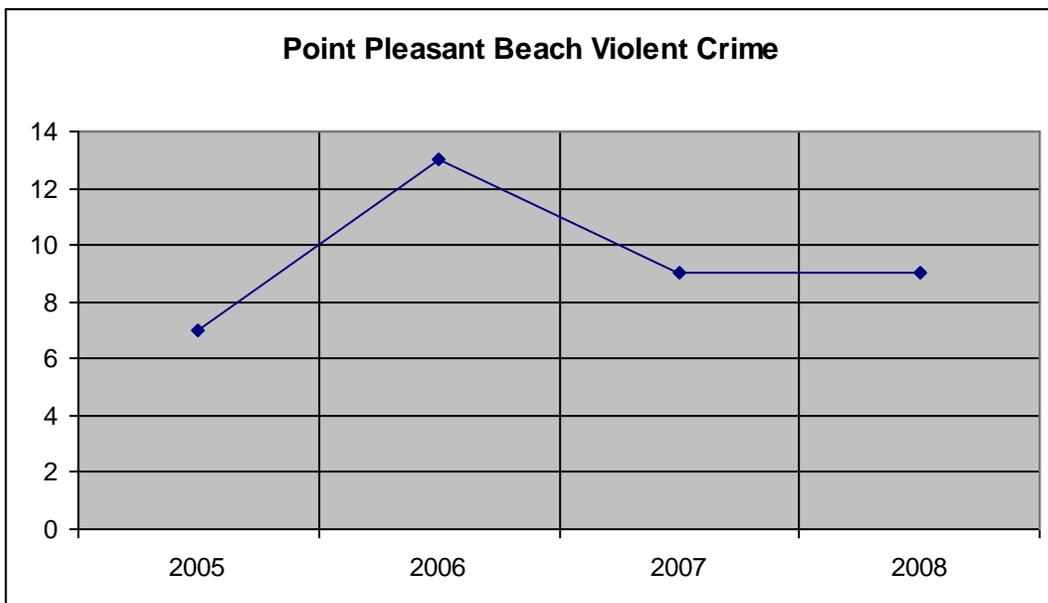
*New Jersey State Police 2008 Uniform Crime Reports, Glossary of Terms. Crime Index: The total of the seven major offenses used to measure the extent, fluctuation and distribution of crime in a geographical area. The following crimes make up the index: Murder, rape, robbery, aggravated assault, burglary, larceny-theft, and motor vehicle theft. These offenses are referred to as Index offenses.

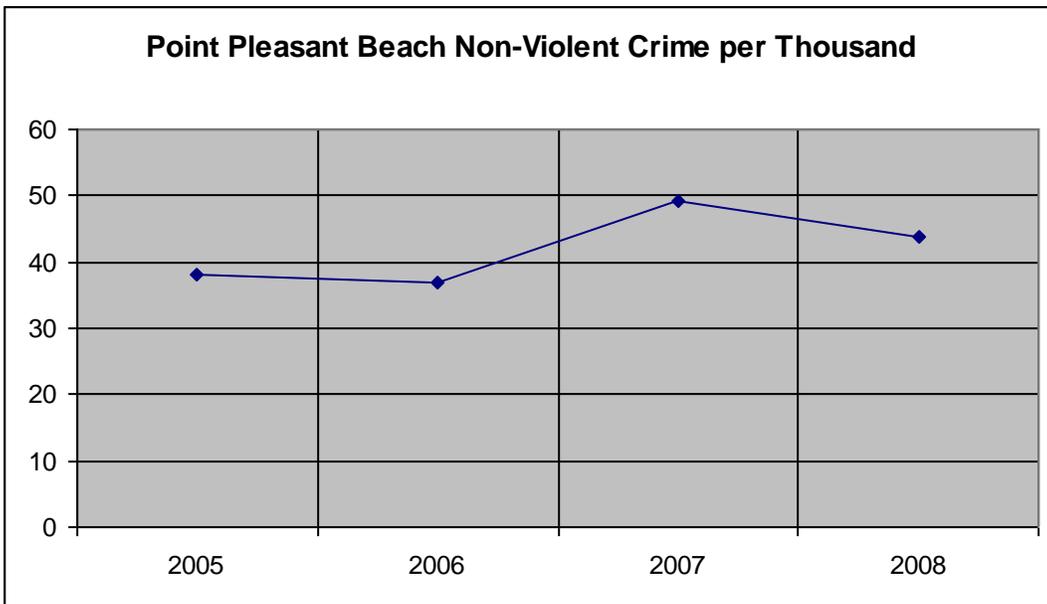
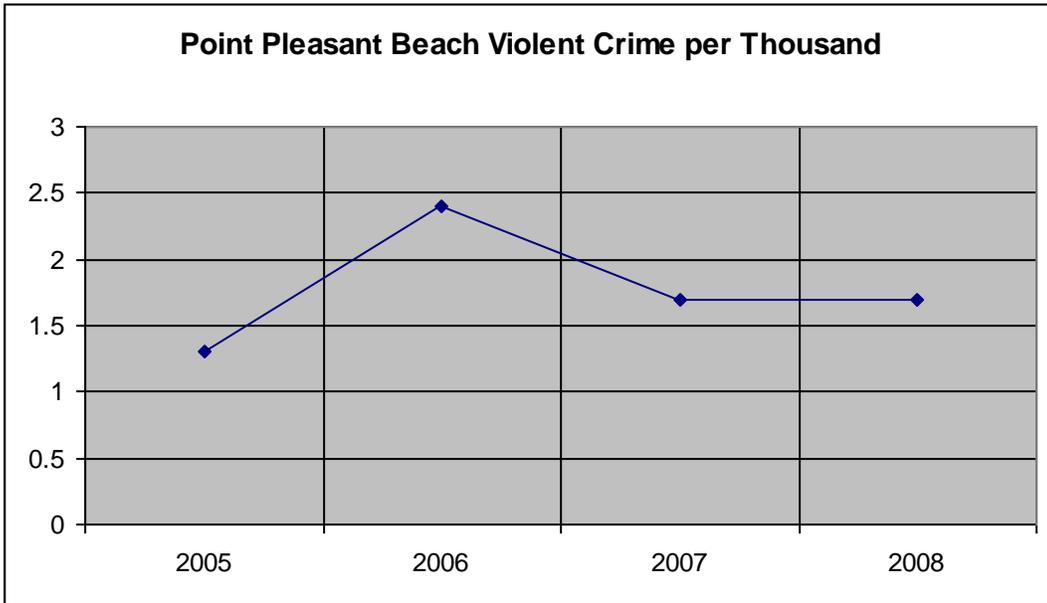


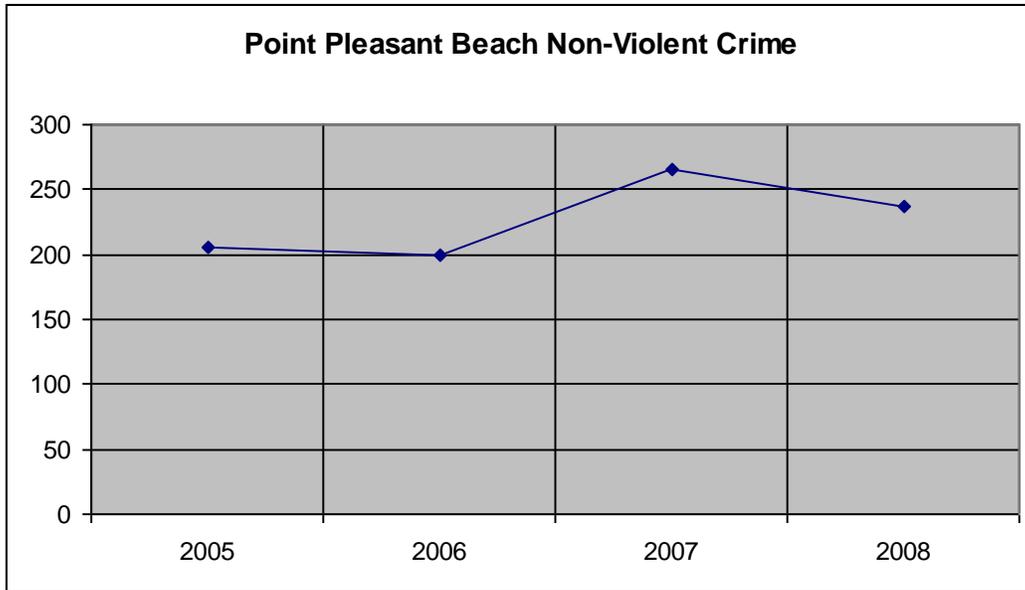
⁶ Id. All charts and figures were compiled from the Uniform Crime Reports of New Jersey.



In the Borough of Point Pleasant Beach, there was a “spike” in reported crime from 2006 to 2007, due to the increase in non-violent crimes from 199 to 265. DLGS staff notes, however, that in spite of the increase in non-violent crimes, there was a decrease in violent crime from 13 to 9 in the same period as indicated on the two graphs below.







The chart below represents a comparison between Point Pleasant Beach and other “resort” communities as designated in the 2008 NJ Uniform Crime Reports.

2008 CRIME TOTALS/RATES									
Municipality	County	Designation*	Pop.	Crime Index Total	Violent Crime	Non-Violent Crime	Crime Rate	Annual Mean Pop.	AMP Crime Rate
Point Pleasant Beach	Ocean	R** - Suburban***	5,411	246	9	237	45.5	6,131	40.1
Stillwater Twp.	Sussex	R - Rural****	4,312	49	1	48	11.4	4,660	10.5
Bradley Bch. Boro	Monmouth	R - Suburban	4,816	150	15	135	31.1	6,746	31.6
North Wildwood	Cape May	R - Suburban	4,849	330	17	313	68.1	9,667	34.1
Wildwood City	Cape May	R - Urban Center*****	5,291	709	71	638	134.0	9,021	78.6
Belmar Boro	Monmouth	R - Suburban	5,927	343	33	310	57.9	6,559	52.0
Resort Mean			5,101	305	24	280	58.0	7,131	41.2

*Designations are defined by the UCR as: Character of municipalities by urban, suburban and rural classifications, and square miles, were initially compiled by the Department of Community Affairs, Division of State and Regional Planning, Bureau of Statewide Planning, and are used for comparative purposes. Following is a list of categories used and a description of each category.

**R - Resort Municipality

***Suburban - Predominantly single family residential, within a short distance of an urban area.

****Rural - Scattered small communities and isolated single family dwellings.

*****Urban Center - Densely populated with extensive development.

The mean crime rate for the resort communities, not using the average mean population, is 58.0 crimes per 1000 population. When using the average mean population, the mean crime rate drops to 41.2 crimes per 1000 population⁷. In

⁷ The average mean population calculation is determined for each municipality designated a resort municipality by use of the following formula: AMP= $\frac{12P + 3SP}{15}$

resort communities, this is the more appropriate method of calculation as it takes into account a higher population during the “tourism” season. Accordingly, Point Pleasant Beach is 12.5 points below the mean for resort communities in general and 1.1 below the mean when calculating using the average mean “resort” method.

The chart below compares Borough of Point Pleasant Beach to other municipalities of comparable population and “suburban”⁸ designation.

2008 CRIME TOTALS/RATES							
Municipality	County	Designation*	Pop	Crime Index Total	Violent Crime	Non-Violent Crime	Crime Rate
Point Pleasant Beach	Ocean	R** - Suburban***	5,411	246	9	237	45.5
Highlands Borough	Monmouth	Suburban	5,310	65	8	57	12.2
Roseland Borough	Essex	Suburban	5,357	26	1	25	4.9
Berlin Township	Camden	Suburban	5,381	223	14	209	41.4
Mendham Township	Morris	Suburban	5,539	31	4	27	5.6
Mean Crime Rate			5,400	118	7	111	21.9
Total Mean			5,219	217	17	200	41.2

*Designations are defined by the UCR as: Character of municipalities by urban, suburban and rural classifications, and square miles, were initially compiled by the Department of Community Affairs, Division of State and Regional Planning, Bureau of Statewide Planning, and are used for comparative purposes. Following is a list of categories used and a description of each category.

**R - Resort Municipality

***Suburban - Predominantly single family residential, within a short distance of an urban area.

OPERATIONS ANALYSIS

POLICE DEPARTMENT ORGANIZATION

Organization/Operations/Structure

Administration

DLGS was particularly struck by the high caliber of management and organization within the PPBPD. It is clear from our discussions and onsite visits that the agency has a clear sense of mission. Members of the Department share that vision, and there is a strong commitment to the best practices and service to the community. DLGS believes the PPBPD is one of the better law enforcement agencies that we have had an opportunity to review.

Patrol

The patrol unit is the core of the Police Department, and it is the most visible component. DLGS staff found the patrol officers were well trained, enthusiastic, and closely in touch with their assigned patrol areas. There appears to be the sense of personal responsibility for assigned patrol areas that is critical for effective community policing.

There is one Patrol Lieutenant who works an 8-hour shift, Monday through Friday who is responsible for management of the patrol function. The Lieutenant also has additional staff responsibilities. There are four squads, broken into A, B, C and D, with alternate 12-hour work schedules. The 12-hour tour of duty for patrol squad officers ensures that the Patrol Lieutenant is observing a greater cross-section of patrol function. This allows the police administration to flex the Lieutenants' hours for upcoming and/or future special events.

The patrol function is well served by working the 12-hour shifts; a schedule which provides a higher degree of staffing for each tour of duty. The 12-hour schedule reduces overtime and allows the Department to deploy additional personnel to perform more efficiently and effectively. The 12-hour shift allows the Department to better utilize staff during the peak tourism times, which is essential May through October. The patrol function presently consists of 12 patrol officers.

Data Analysis/Patrol Staffing Methodology

All information in this report was developed directly from data recorded in the Department's dispatch center.

The assessment was conducted through data collection, onsite observation of police personnel, interviews, research, reviews of relevant literature, statutes, regulations and nationally accepted standards of police organization, comparative evaluation of police industry standards, meetings, analysis of data, and experience of DLGS staff.

The International Association of Chiefs of Police (IACP) has developed a scientific approach to the distribution of patrol function staffing levels. This approach to the allocation of patrol staffing has found acceptance among the most progressive police agencies in the country. The DLGS staff, additionally, utilized models taught by Northwestern University Center for Public Safety in the analysis of the PPBPD.

Of the many problems facing the PPBPD, one of the most important is the allocation and distribution of patrol staffing. The largest portion of the police budget consists of police personnel costs. The Chief must be able to distribute the police force professionally and proficiently while exercising fiscal restraint to achieve the main objectives of crime prevention; which is the detection and apprehension of criminal offenders. This basic responsibility rests on the patrol function.

“Work schedule” and “officer availability” are areas of staffing addressed in this report. An assessment of the police officers’ work schedules will help determine if the City is scheduling their police force in the most efficient and cost effective manner. The second area of assessment is man power staffing. Within this report, police staffing is calculated by two methodologies: “calls for service” methodology and “alternative staffing/minimum staffing” methodology.

Work Schedule

The Uniformed Patrol squads work 12-hour shifts, a 2,190-hour base work year. All scheduled time off and the averages for vacation, sick, training, personal, and other days are subtracted from the base year.

Availability

It is necessary to calculate the average number of hours officers report to work. The present schedule requires PPBPD officers to work 12-hour shifts that total 2,190 hours annually before leave time was taken.

The term “police officer availability” refers to the average number of days or hours that officers actually report for work per year. The availability is determined by the work schedule: The average contracted leave time used and unscheduled time utilized by a typical officer.

- Vacation Days: The average number of vacation days used by officers was 9.1 days or 111.6 hours.
- Sick Days: The average number of sick days taken by officers was 7.75 days or 93 hours.
- Training Days: The average officer is excused from duty 7.75 days or 92.92 hours.
- Personal Days: The average number of personal days taken by officers was 2.6 days or 32 hours.
- Police Academy Instruction: The average number of police academy instruction days an officer is excused was 9.5 days or 114 hours.
- Special Assignments: The average number of special assignment days an officer is excused was 3.61 days or 43 hours.
- Flex Time: The average number of hours due an officer for working 2,190 hours in accordance with the Fair Labor Standards Act.

POINT PLEASANT BEACH POLICE DEPARTMENT PATROL OFFICER AVAILABILITY		
<i>Shift Duration = 12 Hours</i>		
Patrol Schedule	DAYS	HOURS
Base Year	365	2,920
Scheduled Days Off	182.5	2,190
Scheduled Work Days	182.5	2,190
Vacation	9.1	111.6
Sick	7.75	93.00
Training	7.75	92.92
Personal	2.6	32.00
P/A Instruction	9.5	114.8
Special Assignment	3.61	43.32
Flex Time	9.16	110.00
Average Availability	133.03	1,596.36

An officer assigned to patrol squads in 2008 reported to work, on average, 133 days or 1596 hours.

Patrol Function Staffing

The proposed justification and assessment was conducted through data collection, on-site observation of police personnel, interviews, research, reviews of relevant literature, statutes, regulations and nationally accepted standards of police organization, comparative evaluation of police industry standards, meetings, analysis of data, and experience of DLGS staff.

To determine and justify the size of the PPBPD, the Chief must establish the number of officers required to staff the uniformed patrol force. For greater accuracy, the Chief must know the amount and type of calls of response, the time to clear the call, and the time officers are at work. Demands for police services occur in a fairly predictable and systematic pattern over an extended period of time.

Minimum Staffing Level Methodology

There are several methods used to estimate the minimum level of patrol staffing for a department. The selection of the most appropriate method is based on a number of factors, including the size of the Department, the overall workload, and the quality of the data available. Data derived from the Computer Aided Dispatch system (CAD) is used to determine the number and type of calls for service (CFS) the Department responds to over time. The data is used to identify the minimum number of officers considered necessary to staff the Patrol Division while maintaining a safe community environment. The number does not include supervisors. DLGS utilizes the "Calls for Service" model and the "Alternative Staffing" model for determining the minimum staffing number. DLGS utilizes these models because they are the most widely recognized models for determining police department staffing levels.

Calls for Service Method

The first method used is the Calls for Service (CFS) method, which is based on the number of CFS, handled by the Department and thus, based on “workload”. Each CFS, either generated by phone and dispatched by the Department or initiated by officers while on patrol, is entered into the Computer Aided Dispatch (CAD) system, which enables the Department to track the call and the time it takes to complete the assignment. Information gathered should include the time, location, type, units assigned and disposition.

According to data supplied, the Department responded to 12,793 calls for service in 2008. All administrative calls, CAD entries for investigations initiated by Detectives and self-initiated traffic stops, have been eliminated and factored into other portions of the calculation. The average time per call furnished by the CAD was 32 minutes per call.

One-third of time is used for administrative responsibilities and one-third is “unobligated” Multiplying 12,793 calls by an average time of 32 minutes per call results in 6,780 hours of “obligated” time that is used servicing calls. The accepted rule for utilization of time spent by a patrol officer is one-third of time is spent answering calls (obligated time), time. Unobligated time is also known as preventive patrol, described as being “oriented toward the prevention of crimes and accidents, maintenance of public order, and discovery of hazards and delinquency-causing situations” (CALEA⁹). As a general rule, this method has proven reliable compared to more detailed and complex analyses. In order to compensate or adjust for administrative time and unobligated time, a factor of three is used by multiplying 6,780 hours (obligated time) by 3 results in 20,340 total hours per year of patrol officers’ time. Dividing 20,340 by 1,596 (officer availability), the result is 12.74 (12.74) officers considered necessary to staff the patrol squads. The number does not include supervisors.

Example of CFS Staffing Method Formula

2008 Data Information Analysis

Calls for Service Method

CFS	12,793
Time/call*	0.53**
Total time	6,780

*Total calls (CFS) multiplied by Average time/call.
 **0.53 is the decimal equivalent of 32 minutes per call.

Total time*	6,780
Factor	3
Patrol time	20,340

*Total time multiplied by the factor of three which represents preventive patrol, answering calls and administrative time.

Patrol time*	20,340
Availability	1,596
Officers	12.74

*Patrol total time divided by Average Officer Availability.

⁹ Standards for Law Enforcement Agencies, Commission on Accreditation for Law Enforcement Agencies (CALEA), Inc. Fairfax, Virginia 22030, on-going. See page 4 for website source.

Alternate Staffing Method of Analysis/Minimum Staffing Method

Another method used to determine staffing of the patrol division is the “minimum staffing method,” which is based on the “safety” of the officers. This method requires that the Chief determine the minimum amount of officers needed to safely deploy a patrol squad and the minimum number of officers available for service delivery before recalling officers for overtime. The Chief has determined the minimum amount of patrolmen reporting for duty each day to be 5 officers prior to the use of overtime.

Multiplying 5 officers by the length of the tours of 12 hours, the result is 60 hours per day or 21,900 hours per year. Dividing the total hours per year by the officer availability (1,596 hours), the result is 14 officers (13.72) needed to staff the patrol squads.

Minimum Staffing Method*

**Number of Officers/day, times the number of hours per shift, times 365, and then divided by availability.*

Officers/day	5
Hour/shift	12
Hours/day	60

Hours/day	60
Days	365
Hours/year	21,900

Hours/year	21,900
Availability	1,596
Officers	13.72

The above two methodologies are the most widely used and accepted methodologies in determining minimum police staffing. Though the two methodologies (“workload” and “minimum staffing”) have different results, they both reflect minimum levels of police staffing (patrol officers). Many factors particular to the municipality must also be considered when determining minimum police staffing. The two methodologies utilized in this report indicate minimum calculated levels. The elected officials and the Police Chief are in the best positions to determine the factors particular to Point Pleasant Beach.

DLGS’s recommendations are not merely tips to promote efficiency, effectiveness, and performance, but are also essential steps that the administration should take to reduce the fiscal burden on taxpayers; thus making the Beach community a financially better place to live, work, shop, and raise children. Acknowledging the importance of the patrol function, periodic reviews of the workload analysis are recommended to

ensure adequate coverage and accurate data information. This will also ensure that there are no disparities between the actual workload analysis and the Chief of Police’s deployment policy.

Recommendations

The two methods have similar results; in this case, the minimum number of officers needed to staff the patrol function is 14 (13.72). DLGS has provided a suggested organizational chart in Appendix A based on the 14 police officers necessary for patrol and to staff the SRO position during the school year.

Staffing Comparison between Ordinance, Current and Proposed				
Sworn	Ordinance	Current	Proposed	Change
Chief	1	1	1	0
Captain	1	1	1	0
Lieutenant	1	2	2	0
Sergeant	3	5	4	-1
Officer/Detectives	*	15	16	+1
Total Sworn		24	24	0

* undetermined

Recommended Staffing as per Report						
	Chiefs Office	Admin. Div.	Patrol Div.	Invest. Div.	SRO	Total
Ptl/Det.			14	2	*	16
Sgt.			4			4
Lt.			1	1		2
Capt.		1				1
Chief	1					1
Total sworn						24

* assigned to Patrol Squads

Investigations

The criminal investigation function is vested with the responsibilities ordinarily associated with non-uniformed investigations and patrol activity. The investigators conduct follow-up on information gathered by the uniformed patrol force. The investigators should also be the point of contact working closely with other investigators from county, state, and federal agencies.

Assigning cases to a single person as the principal investigator is a typical circumstance with the PPBPD. While assigning more than one person to a case is not precluded, the action is designed to place accountability for each case (CALEA).

A lieutenant is in command of criminal investigations, staffed by two detectives. The two detectives are assigned to investigations; including the property and evidence

management control. The detectives work 8- hour tours of duty providing investigative coverage Monday through Friday and available for recall. The Lieutenant is also assigned to assist with case investigations.

In reviewing other police departments' benchmarks, we found that the usual workload for a detective is based on 80 to 120 cases per detective annually, based on the Part 1 crimes of the UCR. Another standard for the number of investigators is about 10 to 12 percent of the patrol function; however, this number is arbitrary and not linked to practical data¹⁰.

DLGS found the criminal investigation function to be particularly goal-oriented, with a focus on long-range planning, which assisted the Department in fully understanding the investigative workload. It is also able to identify the most productive methods for follow-up on investigations. Such an approach is highly productive and is illustrated by the low crime. The PPBPD should be recognized for its proactive approach to policing and crime solving. Further, the criminal investigation function has identified specific target investigations and understands their responsibilities.

Recommendations

The police administration should periodically review the caseload versus the UCR and patrol formula percentage to ensure that a sufficient amount of investigative personnel are assigned to the criminal investigation function.

Communications-Data Analysis

The current computer-assisted dispatch and records management system (CAD/RMS) is not capable of producing the types of information to allow for data-driven decision-making within the Department. This system does not allow the police managers to accurately monitor time spent/time consumed activities on a real-time basis. In addition, the Department is experiencing some issues and concerns regarding the on-board computers in the police vehicles.

The police administration also advises that the system takes too long to verify motor vehicle information while in operation due to inadequate and unreliable data coverage. When the system fails, officers are unable to query any of the local, state, or federal databases. This is frustrating to the officers. The breakdown sometimes forces the officers to abandon the query as they are out of their jurisdiction before the information is received back to the inquiring officer.

Recommendation

The local officials should explore the feasibility of obtaining an adequate computerized aided dispatch/records management system with a wireless component that will operate faster with the on-board computer systems installed in the police vehicles.

¹⁰ Source: "What Every Chief Executive Should Know: Using Data to Measure Police Performance," by Jon M. Shane.

Communications

The communications unit was recently updated to provide active dispatching positions/services to the PPBPD. The civilian dispatchers assigned to the unit appear to be professionally trained. During our visit, they interacted well with citizens both over the phone and with those visiting the facility in person, while keeping the communications center secure.

The basic function of the communication system is to satisfy the immediate information needs of the PPBPD in the course of normal daily activities and during emergencies. The communications system conveys information from the public to the PPBPD through communications personnel, then to the officer who responds to the call for assistance, as well as to other law enforcement and public service agencies, and finally to information storage facilities and retrieval systems (CALEA).

Most routine communications and all emergency communications are routed through the Beach's communications center. There are three interrelated means of communication in place: telephone, radio, and computer. All services demand immediate attention, forcing a dispatcher to choose one call over the other. The communications center console positions are capable of receiving telephone calls and dispatching police, fire, and emergency medical services at once. As previously stated, the current CAD/RMS is simply not capable of producing the data needed to manage a modern police agency. There is an obvious need to improve the technology of the PPBPD.

Differential Police Response Program

The PPBPD should consider a differential police response program. One of the programs available is "tele-service," a technique for screening and referral of service calls through which the dispatchers can record reports for certain categories of nonemergency incidents over the telephone. It is intended to divert nonemergency calls from the patrol units, providing officers with more time to engage in proactive/directed patrols or traffic enforcement duties.

Tele-service can also reduce waiting time for complainants with minor problems that may be deferred because of higher priority assignments. Although it is intended to divert assignments from the patrol units, tele-service cannot substitute for the presence of a police officer, nor can it be used to resolve or settle grievances. Tele-service reports related to patrol operations are not diminished in importance. The reports must be entered into the record management system to implement planning and deployment strategies.

Calls must be screened to ensure the following:

- That the offense is not in progress
- That no one at the location presents a threat to persons or property
- That there is not an opportunity for an apprehension
- That the incident is not listed as one that requires an on-scene response

- That there is neither physical evidence to be collected nor witnesses present to be interviewed
- That there are no circumstances present that would lead the dispatcher to believe that a police response would be appropriate (e.g., injuries)

A suggested list of calls that do not require a police response and the tele-service includes:

- A lost or stolen cell phone or small electronic devices such as an iPod or GPS units
- Theft from a vehicle
- Tampering with a vehicle
- Lost or stolen license plates
- Theft of a bicycle
- Larceny, minor thefts (excluding shoplifting and embezzlement)
- Malicious mischief and vandalism
- Lost property
- Threats
- Nuisance telephone calls
- Animal complaints
- Traffic complaints that are not in progress
- Harassment

For tele-service to be effective, it should include the following:

- A clear specification of types of calls eligible for tele-service
- The ability of the citizen to choose whether or not the call is taken over the phone
- Provision of a mailed copy of the report free of charge to the caller
- Training for the dispatchers to effectively carry out this task
- Review of reports taken over the phone for accuracy and inclusion in any feedback to the patrol squads
- Officers being aware of incidents occurring within their area of responsibility

The existing dispatch staff and police officers on modified or light duty should be able to perform this task. The Beach may also consider setting up a website for reporting minor incident or issues such as harassment, malicious damage, and lost or stolen cell phones.

Recommendation

We recommend that the PPBPD develop policies and procedures to institute tele-service or a similar process for appropriate calls. The existing dispatch staff and police officers on modified or light duty should be able to perform this task.

Records Management

All police agencies have some level of records management—even if only supporting the personnel function. There are basic standards that must be followed to ensure a quality system.

Records provide an important link to the PPBPD record management system. The records provide a service to citizens, the PPBPD, law enforcement entities, and other agencies that provide service to the residents. The system is supposed to convey information from the public to the Department's record management's system so that data can be entered and retrieved.

DLGS found that records management personnel were qualified, skilled, and addressed the public in a customer-friendly, service-oriented manner.

The PPBPD is experiencing an issue regarding storage and continuity of records. Currently, records are stored in an unsecured section of the basement of the municipal building which can create issues relating to the security and integrity of the records.

Recommendation

DLGS commends the records personnel for their professionalism; however, informational technology and support are necessary to ensure security and integrity of the records management system. The Beach should provide the resources necessary to meet the identified needs for proper records management.

Crime Scene Technology

DLGS was particularly impressed by the quality of the crime scene investigations (CSI). They demonstrated a high degree of training, expertise, and enthusiasm and are particularly successful in identifying suspects through latent print work and DNA.

Special Law Enforcement Officers

DLGS was impressed by the training provided by the PPBPD administration to the SLEO officers. These Officers provides thousands of hours of service to the Beach under the supervision of the Police Department, saving the community a considerable amount of funds. The SLEO's patrol the boardwalk and participate in parking enforcement, and other miscellaneous activities, between May and October. Due to the excellent training provided by the PPBPD staff, many of these SLEOs achieve full-time positions with surrounding shore communities.

Many police agencies publically promote the concept of community with little actual substance. It is clear that in the PPBPD, there is a true partnership with the full-time police officers, the SLEO and the community, which is an integral part of the agency's strategy.

Equipment and Facilities

Facility

The PPBPD facility is inadequate and should be improved. Improvements to the signage, which leads to the complex and signs directing visitors to the PPBPD entrance, are needed. There are also concerns relating to sections of the building; specifically with mold, office space, storage, records management, and the property and evidence control room. There is an adage in law enforcement that "a police facility is a tool, not just a shelter." The facility does not meet the needs of the agency. In addition, the New Jersey Department of Labor raised numerous issues regarding the work environment.

Recommendations

The municipality should create a strategic plan to improve the building which would add a safe working environment and the needed space to operate the PPBPD.

Fleet

The police vehicles are stored outside and properly marked for visibility and safety. There appears to be an issue with the number of vehicles needed to support the work force, especially during the tourism periods. DLGS also commends the police administration in securing a federal surplus vehicle for emergency flood conditions.

Every year, Michigan State police conduct evaluations on first-line patrol vehicles of the top three manufacturers¹¹: Chevrolet Impala¹², Dodge Charger, and Ford Crown Victoria¹³. The results of the testing are considered a benchmark or measurement for municipalities across the country. The evaluations are nationally recognized as the accepted law enforcement vehicle standards and testing program.

Most of the PPBPD's current patrol vehicles are Ford Crown Victoria Police Interceptors which have 8-cylinder motors. The Borough and the PPBPD should consider purchasing 6-cylinder "police package" Chevrolet Impalas or Dodge Chargers, which have better gas mileage, and a superior drive-train warranty. Strong emphasis should be on the terms of the drive-train warranty and fuel mileage.

¹¹ [MSP - Police Vehicle Evaluation](#): Please contact the Michigan State Police Precision Driving Unit at (517) 322-1789 regarding information contained in any of the vehicle test books.
www.michigan.gov/msp/0,1607,7-123--16274--,00.html

¹² General Motors has announced a new Impala Caprice model vehicle for 2010.

¹³ Ford has announced that it will soon discontinue production of the Crown Victoria vehicle.

Recommendation

The responsibility for the fleet should remain with the Police Department; however, the governing body should perform reviews on future PPBPD vehicle selections. The Department should continue to review gasoline consumption reports to monitor fuel consumption, actual fuel costs and the impact on the agency's operating budget.

Property and Evidence Management

The property and evidence section is under the control of a detective assigned to the criminal investigations function. The detective assigned to this function is cognizant of the accountability and responsibilities associated with the job duties. The PPBPD is able to provide information as to how many pieces of evidence or property are contained in the property room. The property is stored off-site where other Beach employees have access. Due to this storage location, there are some serious security concerns.

Recommendation

DLGS proposes that video and alarm systems be installed at the property and evidence storage area to ensure integrity and which will provide a controlling chain of custody and control.

Alarms

False alarm issues are faced by all law enforcement agencies throughout the country. Nationally, "police response to burglar alarms constitute 10 to 20% of all police calls, but 94 to 99 percent of these alarms are false. In 2000, total national cost for responding to 36 million false burglar alarms was \$1.8 billion. If the alarm problem did not exist, at least 35,000 officers could be shifted to other duties" (Source-FBI National Academy Associate July/August, Volume 7, Number 4).

There were 507 police burglary alarm events in 2008. On most occasions, two police officers respond to alarms. Using the PPBPD CFS time analysis per call (32 minutes), this equates to 540 staffing hours for police officers. At the present time no fees are charged or collected for failing to register alarms. Additionally, revenues could be generated for false alarms that result in a serious loss of police and fire personnel time. Registration of an alarm could be free; however failing to register would create a penalty of \$25.00. In addition, the Beach would penalize establishments for false activations.

Recommendation

Records personnel should generate notifications through the records management system for alarms that violate the ordinance. Lost productivity associated with this service is worth approximately \$16,224. DLGS has provided a sample alarm ordinance with Appendix B.

Towing

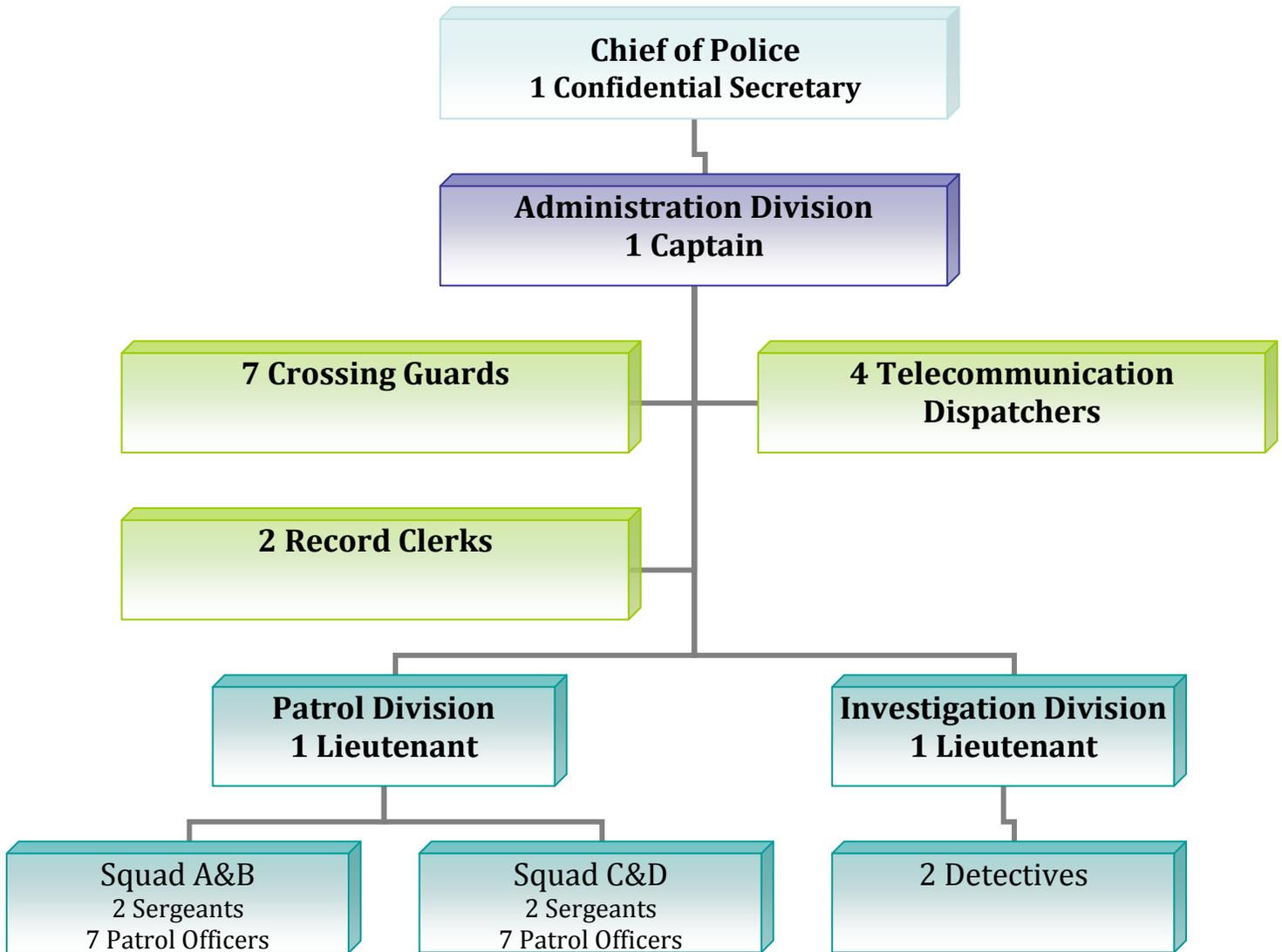
The PPBPD towed approximately 400 vehicles in 2008. The PPBPD expends a considerable amount of time on vehicles that are towed. Due to the administrative processes, the Beach should explore implementing a new ordinance where a \$20.00 administrative fee can be applied and then collected for the City. Imposition of such a fee could return approximately \$8,000 annually to defray the Beach's costs associated with these tows.

Recommendation

Institute an ordinance to recover the administrative costs incurred by the Beach. DLGS has provided a sample towing ordinance in Appendix C.

Appendix A

**Borough of Point Pleasant Beach
Proposed Police Department Table of Organization**



Appendix B

Borough of Point Pleasant Beach Sample Alarm Ordinance

As used in this article, the following terms shall have the definitions indicated:

ALARM REGISTRATION

Any person, corporation, partnership, or other entity that owns or controls a fire, burglary, or other similar alarm device within the City of _____ must register the alarm. There is no fee for registering the alarm; however, there is a \$25 penalty for failing to register the alarm.

FALSE ALARM

A false alarm is an alarm signal necessitating response by the City of _____ Police Department where an emergency situation does not exist. An alarm that has been activated by an external source that is beyond the reasonable control of the subscriber shall not be considered false. Any person, corporation, partnership, or other entity who owns or controls a fire, burglary, or other similar alarm device within the City of _____, which said device causes more than three false alarms in any given calendar year, shall be deemed in violation of the provisions of this article for the fourth alarm or any subsequent false alarms in such calendar year.

Service Charges

Section A. Any person, corporation, partnership, or other entity that violates the provisions of this article with respect to the occurrence of a false alarm shall be subject to the following service charges:

- (1) First offense (more than three false alarms in a calendar year): A charge of \$25 shall be paid to the City of _____.
- (2) Second offense (one subsequent false alarm [total of five] in the same calendar year): A charge of \$50 shall be paid to the City of _____.
- (3) Third offense (second subsequent false alarm [total of six] in the same calendar year): A charge of \$100 shall be paid to the City of _____.
- (4) Fourth and subsequent offenses (third and additional subsequent false alarms and subsequent offenses [total of six subsequent false alarms in the same calendar year]): A charge of \$200 per subsequent offense shall be paid to the City of _____.

Section B. In the event that service charges become due in accordance with the provisions of this code, they shall be paid to the City of _____ within 30 days of receipt of a statement thereafter or failure to pay the same when due shall constitute a violation of this article, subjecting the violator to the penalty provisions

of this article with each day that the service charge remains unpaid beyond the due date, constituting a separate violation. In addition, the City may seek to recover the unpaid service charge in a civil action.

EXEMPTIONS

For any violation of this article which results from the failure of an alarm company or service in fulfilling its service obligations to its customers, including the cancellation of any unintended alarm, the assessment shall be against the alarm service or company.

The provisions of this article shall not apply to alarm devices on property owned by public entities or agencies or state, local, county, or federal governments.

Appendix C

Borough of Point Pleasant Beach Sample Towing Ordinance with Administrative Fee

A. The following is the fee schedule for towing services:

(1) Daytime

	Light Duty	Medium Duty	Heavy Duty
First two miles or less (wrecker)	\$__	\$__	\$__
First two miles or less (flatbed)	\$__	\$__	\$__
Each additional mile or any portion thereof	\$__	\$__	\$__

Note: Per hour or fraction thereof

(2) No towing operator will be required to tow any vehicle in excess of the towing area.

(3) Daytime fees will be applied as follows:

(a) Basic tow: Daytime fees apply between 8 a.m. and 4:30 p.m., Monday through Friday, except on state holidays.

(b) Accident tow: Daytime fees apply between 8 a.m. and 4:30 p.m., Monday through Friday, except state holidays.

(4) On nights, weekends, and state holidays, there shall be a surcharge per tow of \$__ in addition to daytime rates.

(5) There shall be an administrative fee of \$20 per motor vehicle in all police-requested tows, to be paid by the licensee. This fee shall be due and payable upon the release of the vehicle to its owner within 30 days, payable to the municipality. In the event that the vehicle is sold at public auction by the Police Department, the administrative fee will be due and payable at that time.

B. The following is the fee for per-day storage services:

(1) Storage charges

(a) Inside building-secured storage facility:

Type of Vehicle	Fee
Autos	\$__
Pickups/vans/SUVs	\$__
Trucks	\$__
Tractor trailers/buses	\$__

(b) Outside secured.

Storage Facility Capacity Fee

Autos \$__

Pickup/vans/SUVs \$__

Tractor trailers/buses \$__

(c) Outside unsecured storage fees are not permitted. If a licensee stores any vehicle in an unsecured location, he or she will have waived his or her right to collect any fee for the towing of said vehicle.

(d) Storage charges start to accrue after the vehicle has been stored for at least one hour. Storage charges are to be calculated on a per-calendar-day basis starting on the date of the initial tow to yard.

C. Yard charges

(1) Included but not limited to car cover, photographs, administrative: \$__

(2) Placing any vehicle on a public street adjacent to it for the vehicle's removal: \$__

(3) Vehicle estimate requested by the owner or third-party insurance carrier (includes time with appraiser): \$__

(4) Removal of personal property from the subject vehicle:

(a) First time (up to 15 minutes): no charge

(b) All additional times: \$__

D. Cleanup charges. Cleaning up debris at an accident scene requires \$__ minimum and an additional \$__ per each 15 minutes for the cleanup. Speed-dry is additional \$__.

E. Waiting-time charges. If, once the towing operator arrives at the scene of the accident, he or she is required by the police, fire, or other emergency staff to wait more than 15 minutes to obtain the vehicle, he or she may charge \$__ per each 15 minutes after the initial 15 minutes has lapsed.

F. The licensee shall accept a minimum of two major credit cards 24 hours per day and must be able to do so both at the principal location and by drivers on the road at the time the service or tow is performed.

G. The Municipality and its Police Department shall not be liable to a licensee with respect to towing and/or service rendered to any owner pursuant to the licensee or otherwise. The licensee shall look to the registered owner and/or operator of such vehicle for payment of towing and/or storage service charges or any other compensation. If the vehicle is unclaimed by the registered owner and/or operator and the finance company and/or lien holder claims the right to retrieve said vehicle, then the licensee may seek compensation for the towing of the vehicle and its storage from the date the finance company and/or lien holder reasonably has notice of the location of the subject vehicle.

- H. If a vehicle is towed by a licensee to premises controlled by the Police Department for the purpose of utilizing the vehicle or its contents as evidence, or in an ongoing criminal investigation, such vehicle shall not be released from Police Department custody, except to the licensee, unless the owner of the vehicle furnishes the Police Department with a receipt that all applicable fees for towing and/or service have been paid in full. For any tows required by this section, the municipality shall be charged \$1 per tow. If a vehicle is released by the police to any party other than the licensee without proper receipt, the municipality shall be responsible for all charges but may pursue its remedy against the owner or other persons responsible.
- I. Municipality motor vehicles shall also be towed at the rate of \$__ per tow.