

**TOWNSHIP OF CRANFORD
CRANFORD, NEW JERSEY**

ORDINANCE NO. 2023-04

**AN ORDINANCE TO AMEND THE TOWNSHIP OF CRANFORD'S
CODE APPENDIX, POLICE DEPARTMENT RULES AND REGULATIONS,
PROHIBITING POLICE OFFICERS FROM CONSUMING ALCOHOLIC
BEVERAGES, REGULATED CANNABIS, AND DRUGS THAT WILL
IMPAIR THEIR ABILITY TO PROPERLY PERFORM THEIR DUTIES**

WHEREAS, in 2020 the New Jersey voters approved an amendment to the New Jersey Constitution to legalize the use of cannabis by adults at least 21 years of age; and

WHEREAS, P.L. 2021, c. 16, the Marketplace Modernization Act (the "Act"), regulates the development and enforcement of a recreational cannabis; and

WHEREAS, the New Jersey Office of Attorney General (NJOAG) has recognized the specific impact of cannabis legalization on municipal police agencies because of the personal use of cannabis both on and off duty by police officers; and

WHEREAS, under the statutory authority of NJSA 40A:14-118, the Township Committee of the Township of Cranford (the "Township") had previously established the Cranford Township's Police Department Rules and Regulations (the "Rules and Regulations") that prohibit the use of alcoholic beverages and drugs by police officers while on and off duty; and

WHEREAS, the Township Committee has determined that it is in the best interests of the public safety, health, and welfare of the Township's residents to restrict police officers' use of regulated cannabis in specific settings.

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Cranford, County of Union, State of New Jersey as follows:

Section 1. Chapter A503-47, Alcoholic beverages and drugs, Article V, General Conduct on and off Duty, in the Police Department's Rules and Regulations, Appendix of the Code is hereby amended as follows:

§ A503-47. Alcoholic beverages, regulated cannabis, and drugs.

- A. No member or employee of the Department will appear for or be on duty under the influence of liquor, regulated cannabis or drugs or be unfit for duty because of their excessive use.

EXPLANATION – Matter struck through ~~thus~~ in the above ordinance is not enacted and is intended to be omitted in the law. Matter underlined thus is a new matter.

- B. Members or employees of the Department shall not drink any kind of intoxicating beverage or consume regulated cannabis while on duty or take any drug not duly prescribed and necessary for health at any time.
- C. Members or employees of the Department shall refrain from drinking intoxicating beverages for a reasonable period before going on duty. Additionally, members or employees of the Department shall not consume regulated cannabis within twelve (12) hours of reporting to work for any official duty including but not limited to working regularly scheduled shifts, attending meetings, attending firearms qualifications, participating in extra duty assignments, fulfilling overtime assignments, or performing any other official function as a member of the Department.
- D. Intoxicating beverages, regulated cannabis, or drugs may not be consumed at any police station.
- E. No member of the Department shall, at any time when in uniform, except in the performance of duty, enter any place in which intoxicated liquor is served and sit at the bar.
- F. Members and employees shall not bring into or keep any intoxicating liquor, regulated cannabis or drugs on Department premises except, when necessary, in the performance of a police task. Liquor or drugs brought into Department premises in the furtherance of a police task shall be properly identified and stored according to the Rules and Regulations.

Section 2. Unless otherwise set forth herein, all other fees and terms set forth in the Rules and Regulations, Chapter A503 shall be and remain unchanged.

Section 3. Any ordinances or parts of ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

Section 4. This Ordinance shall take effect upon adoption and publication according to law.

Introduced: April 4, 2023

Adopted: May 2, 2023

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Approved:

Brian Andrews, Mayor

Attest:

Patricia Donahue, RMC
Municipal Clerk

RECORDED VOTE

Brian Andrews
Jason Gareis
Terrence Curran
Kathleen Miller Prunty
Gina Black

INTRODUCED

Aye
Aye
Aye
Aye
Aye

ADOPTED

Aye
Aye
Aye
Absent
Aye

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