

Ordinance 2012-11

*BOROUGH OF HIGHTSTOWN
COUNTY OF MERCER
STATE OF NEW JERSEY*

**AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 2 ENTITLED
“ADMINISTRATION”, SECTION 2-55, ENTITLED “FEES FOR MUNICIPAL
SERVICES,” OF THE “REVISED GENERAL ORDINANCES OF THE BOROUGH OF
HIGHTSTOWN, NEW JERSEY.”**

WHEREAS, the Mayor and Council wish to amend certain provisions contained within Chapter 2, Section 2-55 of the Borough Code relating to enforcement and penalties as set forth herein.

NOW, THEREFORE, BE AND IT IS HEREBY ORDAINED, by the Borough Council of the Borough of Hightstown, in the County of Mercer and State of New Jersey, that Chapter 2, Section 2-55 of the “Revised General Ordinances of the Borough of Hightstown, New Jersey” is hereby amended and supplemented as follows (additions are shown with underline; deletions are shown with ~~strikeout~~):

Section 2-55

FEES FOR MUNICIPAL SERVICES

Subsections:

2-55.1 Inspection of Public Records.

2-55.2 Fees for Copies.

2-55.3 Copying by Person Requesting Documents.

2-55.4 Denial of Examination of Records.

2-55.5 Firearms Applications and Permits.

2-55.6 Returned Check Charge.

2-55.7 Fees for Notary Services.

Subsection 2-55.1 Inspection of Public Records.

In accordance with the provisions of N.J.S.A. 47:1A-2, all records which are required by law to be made, maintained or kept on file by any board, body, agency, department, commission, authority or official of the Borough shall be deemed to be public records. Every citizen of the State shall have the right to inspect such records during regular business hours maintained by the custodian thereof. Every citizen of the State shall also have the right, during regular business hours and under the supervision of the representative of the custodian, to copy such records by hand and to purchase copies of the records. Copies of records shall be made available upon the payment of the price established by law. (Ord. No. 19-1994)

Subsection 2-55.2 Fees for Copies.

The following fees shall be charged for copies of public documents:

a. For copies of public documents on letter-size or legal-size paper, fees shall be charged in accordance with those listed in N.J.S.A. 47:1A-5(b).

b. For oversized copies of public documents, the actual cost incurred in making the copy shall be charged. If the document must be copied by another source, e.g. a printer, for duplication, the actual cost paid by the Borough shall be paid by the requestor.

c. There shall be no charge for electronic transmission of documents via fax or e-mail.

d. For certified copies of birth certificates, marriage certificates, death certificates, domestic partnership certificates, or depositions, twenty (\$20.00) dollars per certified copy.

e. Municipal Court discovery and police accident reports

1. All requests for discovery in matters pending in the Hightstown Municipal Court shall be submitted through the Municipal Prosecutor.

2. The following fees shall be payable by the requestor to the Borough of Hightstown for the discovery or accident report provided:

i. For documents on letter-size or legal-size paper, fees shall be charged in accordance with those listed in N.J.S.A. 47:1A-5(b)

ii. Actual postage for any discovery or accident report sent by mail

iii. \$.25 for the envelope for any discovery or accident report sent by mail

iv. Photographs will be photocopied at the rates established herein. If requests are made for duplicate photographs, the actual cost of making the photographs shall be charged.

v. Duplication of video tapes constitutes an extraordinary duplication process and will be charged at the rate of \$5.00 per video tape.

vi. For any item that cannot be photocopied on the Borough's copy machine or for any item not otherwise provided for in this schedule, the actual cost incurred in making the copy shall be charged.

vii. Where the discovery must be obtained from an entity other than the Borough of Hightstown, e.g. another police department, the actual costs paid to the other entity shall be paid by the requestor.

viii. There shall be no charge to persons over the age of 65 for discoveries or police accident reports.

- f. For duplicate tax, water and sewer bills, five (\$5.00) dollars each.
- g. For a certificate as to approval of subdivisions, as follows:
 - 1. When the property described in the application is shown on the Assessment Map subdivided into Borough lots and does not exceed five thousand (5,000) square feet in area, three (\$3.00) dollars, and for each additional five thousand (5,000) square feet in area or fraction thereof, an additional fifty (\$0.50) cents.
 - 2. When the property is shown on the Assessment Map as acreage or is so assessed and lies wholly within the limits of a single block, three (\$3.00) dollars, and if within the limits of two (2) or more blocks, an additional one (\$1.00) dollar for each block.
 - 3. When the property described in the application is or has been subdivided and assessed as more than one (1) item, an additional fee of one (\$1.00) dollar shall be allowed for each subdivision separately assessed.
 - 4. Five (\$5.00) dollars shall be the maximum charge for a certificate covering lands lying wholly within one (1) block as shown on the Assessment Map of the Borough, unless there is a subdivision of proprietorship indicated by the assessment.
- h. For a certificate as to approval of subdivision within three (3) years from the date of the original search, one (\$1.00) dollar per year.
- i. For official searches for municipal liens (tax searches) or for improvements authorized but not assessed, ten (\$10.00) dollars.
- j. For a continuation of an official search for municipal liens or for a continuation of an official search for improvements authorized but not assessed, two (\$2.00) dollars per year.
- k. For a duplicate tax sale certificate, one hundred (\$100.00) dollars.
- l. For a full copy of the Revised General Ordinances of the Borough of Hightstown, one hundred (\$100.00) dollars.
- m. For a full copy of the Borough's Master Plan, one hundred and ninety-five (\$195.00) dollars.
- n. For a copy of an audio or video tape, the actual cost of the media and duplication thereof.

(Ord. No. 19-1994; Ord. No. 1998-12 § 1(A)–(E); Ord. No. 2003-32; Ord. No. 2004-03; Ord. No. 2004-13; Ord. No. 2005-09; Ord. No. 2008-09; Ord. No. 2010-17)

Subsection 2-55.3 Copying by Person Requesting Documents.

Where the document in question is more than one hundred (100) pages in length, the Clerk may permit the person requesting copies to use his own copying machine, provided that there is no risk of damage or mutilation of the document and it would not be compatible with the transaction of public business. Such determination shall be completely within the discretion of the Clerk. The fee in such case shall be fifteen (\$15.00) dollars per day. (Ord. No. 19-1994)

Subsection 2-55.4 Denial of Examination of Records.

Notwithstanding the provisions of subsection 2-33.1, where it appears that the records which are sought to be examined pertain to an investigation in progress by any body, agency, commission, board, authority or official, the right of examination may be denied if the inspection, copying or publication of the records would be inimical to the public interest, provided that this provision shall not be construed to prohibit any body, agency, commission board, authority or official from opening such records to public examination if not otherwise prohibited by law. (Ord. No. 19-1994)

Subsection 2-55.5 Firearms Applications and Permits.

The following fees will be charged as determined by the State of New Jersey:

Federal and State Applicant Card	\$49.00
Mental Health	\$15.00
Firearms purchaser identification card	\$5.00
Permit to purchase a pistol or revolver	\$2.00
<u>SBI Names Check</u>	

(New)

Subsection 2-55.6 Returned Check Charge.

A fee of ~~twenty-five (\$25.00) dollars~~ will be charged for any check returned to the Borough ~~unpaid for insufficient funds at the maximum allowable rate in accordance with N.J.S.A. 40:5-18.~~ (Ord. No. 1998-12 § 1(F); Ord. No. 2008-09)

Subsection 2-55.7 Fees for Notary Services.

A fee of two dollars and fifty cents (\$2.50) will be charged per signature notarized for each of the following services:

- a. Administering an oath/affirmation
- b. Executing a jurat
- c. Taking proof of a deed (proof of execution)
- d. Taking an acknowledgement

BE IT FURTHER ORDAINED, that all other Ordinances or parts of Ordinances inconsistent herewith are hereby repealed to the extent of such inconsistencies; and

BE IT FURTHER ORDAINED, that in the event that any portion of this Ordinance is found to be invalid for any reason by any Court of competent jurisdiction, such judgment shall be limited in its effect only to that portion of the Ordinance actually adjudged to be invalid, and the remaining portions of this Ordinance shall be deemed severable therefrom and shall not be affected; and

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

Introduced: August 20, 2012

Adopted:

ATTEST:

Debra L. Sopronyi
Municipal Clerk

Steven Kirson
Mayor