

****ADOPTED JULY 10, 2006****

TOWNSHIP OF DELANCO

ORDINANCE NO. 2006-10

**AN ORDINANCE TO AMEND CHAPTER 224
OF THE CODE OF THE TOWNSHIP OF DELANCO
ENTITLED "PUBLIC RECORDS, ACCESS TO"**

WHEREAS, the Township Code for the Township of Delanco, specifically, chapter 224, "Schedule of Fees" governs the fees to be charged for duplication of public records; and

WHEREAS, in 2001, the Open Public Record Law, N.J.S.A. 47:1A-1, et seq., was amended; and

WHEREAS, the Township of Delanco is required under the revised law to provide copies of government records in the form that they are kept, including for example, computer disks, photographs, and cassettes; and

WHEREAS, the revised law designates the Municipal Clerk as the "custodian of records" in order to centralized all requests for government records; and

WHEREAS, Chapter 224 of the Code must be amended to establish fees for charging government records in varying formats and to reflect the designation of the Municipal Clerk as the custodian of records under the revised law; and

WHEREAS, the Township Committee believes that other procedures be put in place to encourage the pick up of requested public records.

NOW, THEREFORE BE IT ORDAINED, by the Township Committee of the Township of Delanco, County of Burlington, State of New Jersey that:

Section One.

§224-1. Availability of Records is hereby amended to read as follows:

Every citizen of this State, during the regular business hours maintained by the custodian of any record sought, shall have the right to inspect any public record pursuant to N.J.S.A. 47:1A-1, et seq. Every citizen of this State shall also have the right, during such regular business hours and under the supervision of a representative of the custodian, to copy the records by hand, and shall also have the right to purchase copies of such records upon the payment of fees as set forth below.

§224-2. Fees is hereby amended to read as follows:

A. The Township shall be entitled to charge and collect fees for the reproduction of any public records at the rates and fees established in the New Jersey Open Public Records Act, N.J.S.A. 47:1A-1, et seq, as amended, as follows:

- (1) First page to tenth page: \$0.75 per page.
- (2) Eleventh page to twentieth page: \$0.50 per page.
- (3) All pages over twenty: \$0.25

B. Police records. When the following police records are sought, the custodian of such records shall make and supply copies of such records sought upon the payment in accordance with the schedule as provided in the previous section 224-2A :

- (1) Accident report.
- (2) Discovery
- (3) Police Reports

C. The Tax Collector shall be entitled to charge and collect a fee of \$30 for the preparation of a certificate of redemption for redeemed liens.

D. The Township Clerk shall be entitled to charge and collect a fee of \$10.00 for the first copy of each certified copy of a vital record and \$5.00 for each additional certified copy thereafter on the same request form. The Clerk shall also be entitled to charge and collect a fee of \$10.00 for vital record abstract certification.

E. Other various charges for reproduction of public records are as follows, provided that the costs of charges shall not exceed the actual costs born by the Township, and where copying is done by an outside agency, the Township may request payment directly to that outside agency:

1. Photographs (35 mm film or other standard format): up to \$1.00 per print;
2. Polaroid prints: up to \$2.00 per print;
3. Video tapes: up to \$27.00 per video tape;
4. Standard Audio cassettes: up to \$5.00 per cassette tape or CD.
5. Audio cassettes of meeting minutes (requiring reproduction by outside agency): \$60.00 per cassette tape;
6. 3.5 inch floppy disk or Computer Disk: up to \$5.00 per disk;
7. Municipal street maps: up to \$6.00 per map;
8. Municipal zoning maps: up to \$6.00 per map;
9. Zoning ordinance books: \$37.00, plus copies of amendments at the rates set forth in Section A above;
10. Master Plan: \$55.00, plus copies of amendments at the rates set forth in Section A above;
11. Tax Maps: copies of certain pages or portions of the map at \$4.00 per sheet provided that copies for a complete set of tax maps shall be provided by Engineer's office, through the office of the Municipal Clerk, at a rate of up to \$550.00.

12. Site plans, maps or blueprints: copies at up to \$12.00 per page.

E. In the event that the nature, format, manner of collation, or volume of a government record embodied in the form of printed matter to be inspected, examined, or copied pursuant to this section is such that the record cannot be reproduced by ordinary document copying equipment in ordinary business size or involves an extraordinary expenditure of time and effort to accommodate the request, the public agency may charge, in addition to the actual cost of duplicating the record, a special service charge. Administrative time involved in such extraordinary expenditures of time shall be charged at a rate of \$15.00 per hour. The Municipal Clerk shall notify the requestor of the imposition of a special service charge prior to undertaking the response to the request pursuant to N.J.S.A. 47:1A-1, et seq.

§224-3. Procedures shall read as follows:

A. Any person seeking the reproduction of public records, documents or other information as contemplated by this Article shall submit his or her request, in writing, on a form prescribed by the Municipal Clerk. All requests will be handled in accordance with N.J.S.A. 47:1A-1, et seq.

B. Prior to commencing with the reproduction of said public records and/or documents, the Municipal Clerk shall first estimate the number of pages or other formats involved and provide the requesting party with an estimate of the costs of reproduction.

C. No photocopying of any document shall be undertaken without the requesting party first having provided, by check or cash, the funds so estimated as necessary for that reproduction. In the event that the photocopying or other reproduction charges exceed the amount estimated, the requesting party shall be required to pay the difference.

Section 2: Repealer, Severability and Effective Date.

A. Repealer. Any and all Ordinances inconsistent with the terms of this Ordinance are hereby repealed to the extent of any such inconsistencies.

B. Severability. In the event that any clause, section, paragraph or sentence of this Ordinance is deemed to be invalid or unenforceable for any reason, then the Township Committee hereby declares it intent that the balance of the Ordinance not affected by said invalidity shall remain in full force and effect to the extent that it allows the Township to meet the goals of the Ordinance.

C. Effective Date. This Ordinance shall take effect upon proper passage and approval in accordance with the law.