

TOWNSHIP OF WANTAGE

AN ORDINANCE TO REPEAL SECTION 2-2 OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF WANTAGE ABOLISHING THE MUNICIPAL COURT OF THE TOWNSHIP OF WANTAGE AND ESTABLISHING A MUNICIPAL COURT FOR THE TOWNSHIP OF WANTAGE AND THE BOROUGH OF SUSSEX.

ORDINANCE #2008-07

BE IT ORDAINED by the Township Committee of the Township of Wantage that Section 2-2 of the revised General Ordinances of the Township of Wantage be and is hereby amended as follows:

Section 1. The Municipal Court of the Township of Wantage is abolished. Sections 2-2.1 through Section 2-2.10 are repealed in their entirety.

Section 2. The court abolishment and this ordinance repeal shall be effective August 31, 2008 at 11:59PM and after due notice is given as set forth in Section 3. All Summonses issuing from the Borough of Sussex shall be processed in the Joint Municipal Court after August 31, 2008.

Section 3. Notice of repeal and abolishment of the Municipal Court of the Township of Wantage shall be given by notice to the Borough of Sussex, the Administrative Offices of the Courts and the Assignment Judge of the Morris/Sussex Vicinage in writing.

Section 4. The Township Committee of the Township of Wantage in response to the abolishment of the Municipal Court of the Township of Wantage desires to establish a single Municipal Court for the Township of Wantage and the Borough of Sussex.

Section 5. Pursuant to the provisions of N.J.S.A. 2B:12-1 et seq., the Joint Municipal Court of the Township of Wantage and the Borough of Sussex is hereby established.

Section 6. The Municipal Court shall have an official seal which shall bear the impress of the name of the court.

Section 7. Municipal Judge, Appointment and Jurisdiction.

a. The Township Committee of the Township of Wantage shall appoint a part-time judge of the Municipal Court who shall be an attorney-at-law of New Jersey and shall have the qualifications required by law and shall serve for a term of 3 years from the date of his/her appointment and until his/her successor has been appointed and has qualified.

b. The compensation of the judge shall be such annual salary as is now or hereinafter may be provided by ordinance, which salary shall be in lieu of any and all other fees.

Section 8. The territorial jurisdiction of the Municipal Court shall be co-extensive with the territory of the Township of Wantage and the Borough of Sussex.

Section 9. Municipal Court Administrator. There shall be a Municipal Court Administrator who shall be appointed by the Township Committee of the Township of Wantage and who shall serve for a term of one year from the date of his/her appointment and until a successor has been appointed and is qualified.

Section 10. Deputy Court Administrator. The Township Committee of the Township of Wantage may appoint a Deputy Court Administrator of the Municipal Court who shall perform the functions assigned by the municipal judge and by the Municipal Court clerk.

Section 11. Municipal Prosecutor. There shall be a municipal prosecutor appointed by the Township Committee of the Township of Wantage. The municipal prosecutor shall have the jurisdiction, powers and duties prescribed by N.J.S.A. 2B:25-1 et seq.

Section 12. Representation by Municipal Public Defender.

Any person applying to the Municipal Court of the Township of Wantage and the Borough of Sussex for representation by a municipal public defender shall, in accordance with the provisions of P.L. 1997, c.256, pay an application fee of not more than \$200, but only in an amount determined by the Municipal Court judge, necessary to pay the costs of municipal public defender services. The Municipal Court may waive said application fee in whole or in part if the court determines, in its discretion, that the application fee represents an unreasonable burden on the person seeking representation. Said determination shall be made in accordance with the applicable provisions under law.

Section 13. Repealer. All ordinances or parts of ordinances or resolutions inconsistent or in opposition to the provisions of this Ordinance are hereby repealed in their entirety.

Section 14. Severability. If any provision of this ordinance or the application of this ordinance to any person or circumstances is held invalid, the remainder of this ordinance shall not be affected and shall remain in full force and effect.

Section 15. Effective Date. This Ordinance shall take effect upon adoption of an ordinance by the Borough of Sussex abolishing the Municipal Court of the Borough of Sussex and after publication and passage according to law.

ATTEST:

F. Parker Space, Mayor

James Doherty, Administrator/Municipal Clerk

NOTICE

TAKE NOTICE that the above entitled ordinance was introduced at a regular meeting of the Township Committee of the Township of Wantage on July 10, 2008, and will be considered for final passage after public hearing at a regular meeting of the Township Committee of the Township of Wantage to be held on August 14, 2008, at 7:00 p.m. in the Municipal Building, 888 Route 23 South, Wantage, New Jersey.

James Doherty, Administrator