

ORDINANCE 2010-13

AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER XXI, SECTION 21 OF THE CODE OF THE TOWNSHIP OF WANTAGE ENTITLED "FEES" BY PROVIDING FOR REVISED FEES FOR REQUESTS FOR COPIES OF GOVERNMENT RECORDS UNDER THE OPEN PUBLIC RECORDS ACT

BE IT ORDAINED by the Township Committee of the Township of Wantage, Sussex County, New Jersey as follows:

Section 1. The schedule of fees in Chapter XXI, Section 21 of the Code of the Township of Wantage regarding fees charged for copies of government records is hereby amended to read as follows:

Requests for copies of government records under the Open Public Records Act, N.J.S.A. 47:1A-1 et seq.

- (1) Photostatic copies of any government record that can be photocopied with municipal facilities - .05¢ per letter size page or smaller and .07¢ per legal size page or larger.
- (2) In the event that the actual cost for duplication of a government record exceeds the foregoing rate, the charge shall be the actual cost of duplicating the government records requested. The actual cost shall be the cost of materials and supplies used to make a copy of the record, but shall not include the cost of labor or other overhead expenses associated with making the copy except as provided in Subsection (5) hereof.
- (3) For any government record copied onto a non-paper medium, the actual cost of the non-paper medium.
- (4) For any copy of a government record for which the Township is unable to duplicate with its own facilities and requires the services of an outside vendor, the actual cost to the Township from the outside vendor.
- (5) Whenever the nature, format, manner of collation or volume of a record embodied in the form of printed matter to be inspected, examined or copied 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 charge for the record shall be the actual cost to the Township, together with a service charge of \$12 per hour for each hour required to duplicate the record. The requestor shall have the opportunity to review and object to the charge prior to it being incurred.

- (6) In the event that the Township does not maintain the record requested in the medium requested, the Township shall either convert the record to the medium requested or provide a copy in some other meaningful medium. If a request is for a record in a medium not routinely used by the Township, not routinely developed or maintained by the Township or requiring a substantial amount of manipulation or programming of information technology, the cost for the record shall be the actual costs of duplication together with a special charge that shall be reasonable and shall be based upon the cost for any extensive use of information technology, or for the labor cost of personnel providing the service, that is actually incurred by the Township or attributable to the Township for the programming, clerical and supervisory assistance required, or both.
- (7) Access to electronic records and non-printed materials shall be provided free of charge, provided however, that the Township may charge for the actual costs of any needed supplies, such as computer disks.

Section 2. When Effective. This ordinance shall take effect upon passage and publication as required by law.

ATTEST:

Clara M. Nuss, Mayor

James R. Doherty, Clerk/Administrator

NOTICE is given that this ordinance amendment was introduced and passed upon first reading at a meeting of the Mayor and Township Committee of the Township of Wantage, in the County of Sussex, New Jersey, held on October 7, 2010. It will be further considered for final passage with the proposed ordinance after public hearing at a meeting of the Mayor and Township Committee to be held in the Wantage Township Municipal Building, 888 Route 23, Wantage, New Jersey 07461, on October 28, 2010, at 7:00 o'clock P.M., and copies of the ordinance will be made available at the Clerk's office in the Municipal Building to members of the general public.

James R. Doherty, Clerk/Administrator