

ORDINANCE REPEALING CHAPTER 71 OF THE SOUTH HARRISON TOWNSHIP CODE ENTITLED “FEES”

WHEREAS, amendments to N.J.S.A.47:1A-5(b) and the Superior Court, Appellate Division’s decision in Smith v. Hudson County Register, 411 N.J. super 538(App. Div. 2010) have modified the administrative process and the fees associated with requests for government records; and

WHEREAS, provisions of Chapter 71 of the South Harrison Code entitled “Fees” no longer comply with current Law; and

WHEREAS, consistent with the new legislation the Township hereby intends to repeal Chapter 71, subsections §71-1 through §71-6, respectively, and to adopt an “Open Public Records Act Request Form”, which is consistent with current Law;

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of South Harrison, that Chapter 71, Sections§71-1 through Sections§71-6 of the South Harrison Township Code are hereby repealed in its entirety;

BE IT FURTHER ORDAINED that the “Open Public Records Act Request Form” attached hereto is hereby adopted as the form to be utilized by the custodian of records in connection with requests for government records pursuant to N.J.S.A.47:1A-5(b), et seq.;

BE IT FURTHER ORDAINED that the Clerk or other custodian of records under existing Law shall respond to all requests for government records in a form and manner consistent with N.J.S.A.47:1A-5(b), et seq., and consistent with all other applicable Law and the Common Law;

BE IT FURTHER ORDAINED that this Ordinance shall take effect upon its adoption, publication, and as otherwise provided by Law;

BE IT FURTHER ORDAINED as follows:

1. Repealer: All ordinances or parts of ordinances inconsistent with the terms and provisions of this Ordinance are hereby repealed to the extent of such inconsistency.
2. Saved from Repeal: All ordinances or parts of ordinances not inconsistent with the terms and provisions of this Ordinance are hereby saved from repeal.

TOWNSHIP OF SOUTH HARRISON

By: _____
JAMES McCALL, MAYOR

ATTEST:

Nancy E. Kearns, RMC
Township Clerk

NOTICE

The foregoing Ordinance was introduced at a meeting of the Mayor and Township Committee of the Township of South Harrison conducted on February 9, 2011, and will be considered for final hearing and adoption at a meeting to be held on the 9th day of March 2011, at 8:00 p.m., at which time any objections hereto may be heard.

Nancy E. Kearns, RMC
Township Clerk

NOTICE

Notice is hereby given that the foregoing Ordinance O-11-06 was finally adopted at a Regular Meeting of the South Harrison Township Committee held on the 9th day of March 2011 at 8:00 p.m. in the South Harrison Township Municipal Building, 664 Harrisonville Road, Harrisonville, New Jersey

Nancy E. Kearns, RMC
Municipal Clerk