

Ordinance #2020-45

AN ORDINANCE BY THE MUNICIPALITY OF PRINCETON REGARDING GOVERNMENT RECORDS AND ADMINISTRATIVE FEES, THE DEPARTMENT OF HEALTH AND THE PRINCETON TOWNSHIP REDEVELOPMENT AGENCY, AND AMENDING CHAPTER 2 OF THE "CODE OF THE BOROUGH OF PRINCETON, NEW JERSEY, 1974" AND CHAPTER 2 OF THE "CODE OF THE TOWNSHIP OF PRINCETON, NEW JERSEY, 1968".

WHEREAS, the Borough of Princeton and Township of Princeton pursuant to the provisions of the New Jersey Municipal Consolidation Act, N.J.S.A. 40:43-66.35 consolidated as Princeton on January 1, 2013; and

WHEREAS, pursuant to N.J.S.A. 40:43-66.64, the Princeton Council on January 1, 2013 adopted a Resolution continuing in effect Ordinances of the former Borough of Princeton and the former Township of Princeton as a new Code for Princeton is prepared; and

WHEREAS, the Princeton Council has reviewed and recommends updates to portions of Chapter 2 of the "Code of the Borough of Princeton, New Jersey, 1974" and Chapter 2 of the "Code of the Township of Princeton, New Jersey, 1968," for purposes of consolidating and harmonizing said chapters, and specifically to: (1) update provisions governing the assessment of special service charges and fees in connection with requests for access to government records for consistency with the Open Public Records Act; (2) update provisions governing miscellaneous administrative fees; (3) formally recognize and establish the Department of Health; and (4) repeal provisions creating the Princeton Township Redevelopment Agency as obsolete under current provisions of the Local Redevelopment and Housing Law; and

WHEREAS, the Princeton Council wishes to adopt said Code revisions which will become a part of the new Princeton Code at a future date.

NOW, THEREFORE, BE IT ORDAINED by the Princeton Council as follows:

Section 1. Section 2-95 of the "Code of the Borough of Princeton, New Jersey, 1974" ("Borough Code") and section 2-122 of the "Code of the Township of Princeton, New Jersey, 1968" ("Township Code"), both of which contain the identical fees for copies of government records pursuant to the Open Public Records Act, are hereby amended by adding NEW subsections (d) to each of those sections as follows:

(d) Special service charges.

- (1) A special service charge may be applied by the custodian of records or his/her designee when 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 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.
- (2) The special service charge shall be based on the hourly rate of the lowest level employee capable of fulfilling the request (no fringe benefits).
- (3) The custodian shall notify the requestor in advance of the special service charge. The requestor has the right to disagree with the special service charge. If the custodian and requestor cannot reach an agreement regarding the special service charge, the custodian may deny the request.

Section 2. Sections 2-56, 2-57 and 2-58.1 of Chapter 2 of the Borough Code are hereby amended as follows (additions are underlined; deletions are [bracketed]):

Sec. 2-56. Maps--Fee.

The [borough]municipal clerk shall sell copies of the official zoning map of the [borough]municipality in accordance with the provisions of section 2-95 below. The clerk's office shall make available for purchase laminated, color street maps for the cost of \$5.00 per map, when available. [adopted pursuant to section 17A-

124 as well as copies of the street map of the borough for a fee of one dollar per map.]

Sec. 2-57. Notary public--Fee.

There shall be a fee of one dollar each time a [borough] municipal employee notarizes a document.

Sec. 2-58.1. Registrar of vital statistics documents--Fee.

The fee for documents produced by the register [or]of vital statistics[, the Princeton Regional Health Commission] and the [Regional]Princeton Health Department shall be as follows:

Certified Copies of Births, Marriages & Deaths	\$25.00
Additional copies on Certified Paper (Corrections)	\$25.00
Certification of Vital Records (informational purposes only)	\$15.00
Corrections	\$50.00

Section 3. Chapter 2 of the Borough Code is hereby amended by adding a NEW division thereto as follows:

Division 9. Department of Health.

Sec. 2-9. Department of health.

Sec. 2-9.1. Department created.

A department of health heretofore created is hereby continued. Council shall appoint a director to serve as head of the department, who shall also be the health officer appointed by the board of health. The health officer shall also be known as the director of the department of health (also “director” as used in this section).

Sec. 2-9.2. Qualifications; compensation; removal.

(a) The director shall be qualified and have the necessary experience to manage all aspects and divisions of said department, and shall be compensated as provided by the board of health and council.

(b) The board of health shall fix the term of the health officer, who shall not be removed except for cause and after an opportunity for a hearing, as required by law.

Sec. 2-9.3. Duties.

The duties and responsibilities of the director shall include those set forth in the Princeton Board of Health Ordinance 2016-01 BOH as the executive officer of the Princeton board of health and Princeton health department. In addition, the director shall be responsible for oversight over the divisions of housing and animal control established by this section 2-9.

Sec. 2-9.4. Division of housing created.

In the department of health, a division of housing is hereby created. The Princeton housing official shall serve as supervisor of this division, and except as to any functions for which the housing official has specific authority granted by law or ordinance, the housing official shall report to the director.

Sec. 2-9.5. Duties.

The duties of the housing official shall include but not be limited to those prescribed by chapter 16 of this Code, and specifically articles I (Housing Code), II (Buildings Unfit for Human Habitation or Use) and III (Regulation of Rental Housing).

Sec. 2-9.6. Division of animal control.

In the department of health, a division of animal control is hereby created. The Princeton certified animal control officer shall serve as supervisor of this division, and except as to any functions for which the animal control officer has specific authority granted by law or ordinance, the animal control officer shall report to the director.

Sec. 2-9.7. Appointment; qualifications; compensation.

The animal control officer shall be appointed by council in consultation with the director and chief of police and shall possess all the necessary qualifications and certifications as prescribed by law. Any vacancy in the position shall be filled by council in consultation with the director and chief of police. The certified animal control officer shall receive such compensation as shall be determined by council in the annual salary ordinance and resolution.

Sec. 2-9.8. Duties.

The duties of the animal control officer shall include but not be limited to those prescribed by chapter 6 of this Code, and specifically article III (Authority Over Dogs and Other Animals).

Section 4. The following sections of the Borough Code are hereby repealed:

- Section 2-58, entitled “Photocopies – Fee;” and
- Section 2-58.3, entitled “Access to maps or digital files – Fee.”

Section 5. The following sections of the Township Code are hereby repealed:

- Section 2-54, entitled “Government record fees;” and
- Sections 2-55, 2-56, 2-57, 2-58 and 2-59, which established the Princeton Township Redevelopment Agency.

Section 6. All ordinances and resolutions or parts thereof inconsistent with this ordinance are repealed.

Section 7. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portion thereof.

Section 8. The provisions of this ordinance shall be applicable within Princeton upon final adoption and shall become a part of the new Princeton Code once completed and adopted.

Delores Williams, Clerk

Liz Lempert, Mayor

Ordinance Introduced:

Ordinance Adopted:

This ordinance is part of the ongoing process of merging and harmonizing the code provisions of former Princeton Borough and former Princeton Township into a new code for the consolidated municipality of Princeton. It updates relevant portions of both codes to ensure consistency with the assessment of special service charges under the Open Public Records Act, updates provisions governing miscellaneous administrative fees, formally establishes the Department of Health and repeals provisions of the Township Code creating the Princeton Township Redevelopment Agency.