

ORDINANCE OF THE TOWNSHIP OF DEPTFORD, COUNTY OF GLOUCESTER, STATE OF NEW JERSEY ESTABLISHING A JOINT MUNICIPAL COURT FOR THE TOWNSHIP OF DEPTFORD AND THE CITY OF WOODBURY AND ESTABLISHING THE DEPTFORD TOWNSHIP JOINT MUNICIPAL COURT

WHEREAS, the Township of Deptford (the “Township”) and the City of Woodbury (the “City”) wish to establish a single Joint Municipal Court wherein both municipalities will share the services of the single court which shall be known as the Deptford Township Joint Municipal Court; and

WHEREAS, the Township Council has determined that it is in the best interest of the residents of the Township to establish a single Municipal Court; and

WHEREAS, the County of Gloucester through a Tri-Partite Agreement with the Township and the City will provide for a Joint Municipal Court facility at the Gloucester County Justice Complex located at 70 Hunter Street, Woodbury, New Jersey 08096.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Council of the Township of Deptford, in the County of Gloucester and the State of New Jersey, the Code of the Township of Deptford is hereby amended as follows:

Section 1.

All summons and other appropriate matters issuing or arising from the Township of Deptford shall be processed in the Deptford Township Joint Municipal Court on or after May 1, 2020, including those matters arising prior to May 1, 2020 which remain pending.

Section 2.

Pursuant to the provisions of N.J.S.A. 2B:12-1 et seq., the Deptford Township Joint Municipal Court is hereby established.

Section 3.

The territorial jurisdiction of the Deptford Township Joint Municipal Court shall consist of the Township of Deptford, Gloucester County, New Jersey.

Section 4.

Municipal Judge, Appointment and Jurisdiction

There shall be a Judge of the Municipal Court, who shall be appointed by Mayor and Council of the Township and who shall serve for a term of three (3) years from the date of his/her appointment and until his/her successor is appointed and qualified as provided by the law.

An interim Judge of the Deptford Joint Municipal Court will be appointed by Mayor and Council of the Township until the Judge is affirmed permanently as provided in N.J.S.A. 2B:12-4(b). An acting Judge shall be appointed after the appointment of the permanently appointed Judge by the Township as provided in N.J.S.A. 2B:12-4(b).

Section 5.

Municipal Court Administrator

There shall be a Joint Municipal Court Administrator and at least one (1) Deputy Court Administrator who shall be appointed by the Township of Deptford pursuant to N.J.S.A. 2B:12-10, as amended and supplemented. The Joint Municipal Court Administrator shall perform such functions and duties as are prescribed by law, the Rules of the Courts and the Judge.

Section 6.

Joint Municipal Court Prosecutor

The Joint Municipal Court Prosecutor shall be appointed by the Township of Deptford for a term of 1 year(s). The Municipal Court Prosecutor shall have the jurisdiction powers and duties prescribed by N.J.S.A. 2B:25-1, *et seq.*

Section 7.

Municipal Court Public Defender

a. Appointment. The Municipal Court Public Defender shall be appointed by the Township of Deptford for a term of 1 year(s). The Municipal Court Public Defender shall have the jurisdiction, powers and duties prescribed by N.J.S.A. 2B:24.1, *et seq.*

b. Any person applying to the Deptford Joint Municipal Court for representation by a Municipal Public Defender shall, in accordance with the provisions of N.J.S.A. 2B:24-17, pay an application fee, but only in an amount determined by the Municipal Court Judge, necessary to pay the costs of municipal public defender services. The Municipal Court Judge 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.

c. Alternate Method of Collection. If the payment of the fee is deferred by the Municipal Court Judge or the fee is otherwise unpaid, then the Township may endeavor to collect the fee in the manner provided in N.J.S.A. 40:6A-1 and N.J.S.A. 2A:158A-19.

Section 8.

Repealer.

All ordinances or parts of ordinances or resolutions inconsistent or in opposition at the provisions of this ordinance are hereby repealed in their entirety.

Section 9.

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 10.

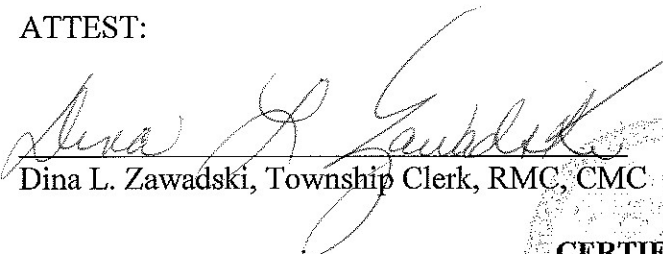
When effective.

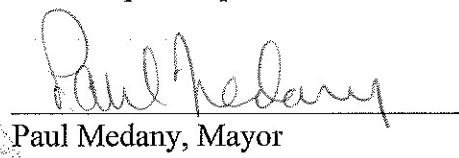
This Ordinance shall be effective upon its adoption and publication in accordance with law and on April 20, 2020; and

BE IT FURTHER ORDAINED, that this Ordinance shall become effective immediately upon final passage and publication as required by law.

ATTEST:

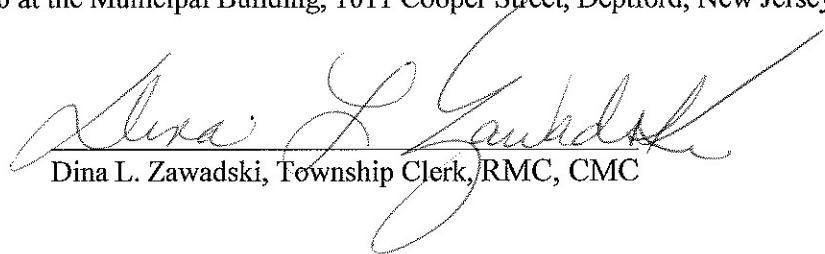
Township of Deptford


Dina L. Zawadski, Township Clerk, RMC, CMC


Paul Medany, Mayor

CERTIFICATION

The foregoing Ordinance was introduced at a Regular Meeting of Township Council of the Township of Deptford held on the 6th day of April, 2020 and will be considered for final passage and adoption at a Work Session Meeting at which time any person interested therein will be given an opportunity to be heard. Said meeting to be held on the 20th day of April, 2020 at the Municipal Building, 1011 Cooper Street, Deptford, New Jersey.


Dina L. Zawadski, Township Clerk, RMC, CMC

RECORD OF VOTE – Introduction O.7.20					RECORD OF VOTE – Adoption O.7.20				
Council Member	Yes	No	Abstain	Absent	Council Member	Yes	No	Abstain	Absent
Medany	✓				Medany	✓			
Hufnell	✓				Hufnell	✓			
Barnshaw	✓				Barnshaw	✓			
Belling	✓				Belling	✓			
Lamb	✓				Lamb	✓			
Love	✓				Love	✓			
Schocklin	✓				Schocklin	✓			