

**CITY OF ABSECON**

**ORDINANCE 10-2019**

**AN ORDINANCE REPLACING CHAPTER 77 IN THE CITY CODE BOOK IN ITS ENTIRETY AND RENAMING IT "POLICE DEPARTMENT FEES"**

**WHEREAS**, the City Council of the City of Absecon has the need to revise portions of the City Code that are outdated and update them with usable policies.

**WHEREAS**, the City Council of the City of Absecon wishes to replace Chapter 77 of the City Code in its entirety and replace it with the following list of fees fixed and established for certain services extended and materials distributed by the Police Department.

**NOW THEREFORE BE IT ORDAINED**, by the City Council of the City of Absecon that Chapter 77 of the City's Code read as follows:

**Chapter 77 Police Department Fees**

77.1 Establishment of Fees

The following fees are hereby fixed and established for certain services extended and materials distributed by the Absecon Police Department, County of Atlantic and State of New Jersey.

- A. Copies of Reports, to include but not limited to: Investigation Reports, Supplemental Reports, Property Reports, etc... (*Not Protected or Privileged Reports*)
  - a. \$0.75 per page for first 10 pages
  - b. \$0.50 per page for next 10 pages
  - c. \$0.25 per page for each page thereafter
  
- B. Motor Vehicle Accident Reports (Records Window or Online at CrashDocs.org)
  - a. \$5.00 for NJTR-1 Report (*Not to Include Investigation Reports, Supplemental Reports, Photographs or any other incident related reports*)
  
- C. Motor Vehicle Impound Release Form
  - a. \$25.00 fee to be paid prior to release being issued.
  
- D. Postage and Envelopes
  - a. \$0.25 for standard size envelope plus required postage
  - b. \$0.50 for oversized envelope plus required postage
  
- E. Photographs
  - a. \$5.00 for a Printed copy of a Photograph
  - b. \$1.00 for each DVD/CD of Photographs on File (If Applicable)

- F. Audio/Video Recordings
  - a. \$20.00 Flat Fee per incident to include cost of materials (DVD's/CD's)
  - b. \$20.00 Flat Fee for Transcripts of Taped Statements
  
- G. Firearms ID and Pistol Permits
  - a. \$5.00 for Firearms Identification
  - b. \$2.00 for Pistol Permits
  
- H. Handicapped Placards
  - a. \$4.00 for Temporary handicapped Placards issued by the Chief of Police
  
- I. Record Searches
  - a. \$5.00 for Search Fees in case where a review of record is desired.
  - b. Exemptions
    - i. No Search Fee required in the event no records are found.
    - ii. No Search fee for Government Agencies.
  - c. Document Fees are to be charged accordingly as set above.
  
- J. Discovery Packets
  - a. \$20.00 Flat Fee for a Discovery Packet for any person requesting and lawfully entitled to the Traffic or Criminal discovery materials.
  - b. This Fee does not include Audio/Video Recordings which shall be charged in addition as aforementioned in this ordinance.
  - c.

## 77.2 OPRA Requests

Pursuant to N.J.S.A. 47:1A-1 et seq. (OPRA Law), the fee for printed copies of Police department Public Records shall be as follows:

- A. The following fees will be charged following authorization of release:
  - a. \$0.05 per letter sized page
  - b. \$0.07 per legal sized page
  - c. \$5.00 for Motor Vehicle Accident Reports (Paper or Electronic Copies)
  - d. If the Absecon Police Department can demonstrate that the actual cost for duplication exceeds the foregoing rates, the Absecon Police Department shall charge the actual cost of duplicating the record. 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 copies, except as provided in Subsection C of N.J.S.A. 47:1A-5
  - e. Access to electronic records and nonprinted material shall be provided free of any charge except for the actual cost of any needed supplies.

## 77.3 Payment

Payments must be received prior to release of any documents and materials requested. The Absecon Police Records Department will issue a receipt for all monies received for said request. All monies received shall be deposited within 48 hours of receipt and transmitted to the Chief Financial Officer as per law.

#### 77.4 Confidential Records

Nothing contained in this ordinance shall be construed to require or authorize the making of copies of any documents, paper or records in the possession of the Absecon Police Department which are regarded as Confidential by State Law or any other Law Enforcement Agency

**BE IT FURTHER ORDAINED** that:

1. Any Ordinance or parts of ordinances, which are inconsistent with the provisions of this Ordinance, are hereby repealed to the extent of any such inconsistency.
2. This Ordinance shall take effect upon final adoption and publication as required by law.

**DATED: May 16<sup>th</sup>, 2019**

**SIGNED:** \_\_\_\_\_  
**Kimberly Horton, Mayor**

**ATTEST:** \_\_\_\_\_  
**Carie A. Crone, RMC, Municipal Clerk**

Passed on first reading at a regular meeting of the Municipal Council held on May 2<sup>nd</sup>, 2019. Laid over and advertised for public hearing and final adoption on May 16<sup>th</sup>, 2019. Notice is hereby given that the foregoing Ordinance was approved for final adoption by the Municipal Council of the City of Absecon at a regular meeting held May 16<sup>th</sup>, 2019.