

**TOWNSHIP OF ANDOVER  
SUSSEX COUNTY, NEW JERSEY**

**ORDINANCE NO. 2019-04**

**AN ORDINANCE OF THE TOWNSHIP OF ANDOVER, COUNTY OF SUSSEX, AND STATE OF NEW JERSEY TO AMEND THE TOWNSHIP CODE BY AMENDING CHAPTER 3 ENTITLED “ADMINISTRATION OF GOVERNMENT”, ARTICLE XVII ENTITLED “JOINT MUNICIPAL COURT” TO ADD A NEW SECTION 3-63.6 ENTITLED “PAYMENT METHODS”**

**WHEREAS**, the Township Committee has reviewed and assessed the Township Code section relating to the Joint Municipal Court which is operated out of the Township Municipal Court; and

**WHEREAS**, the Township Committee has taken note of the trend toward the use of credit cards and/or debit cards more readily than cash or checks; and

**WHEREAS**, New Jersey statutes, N.J.S.A. 2B:1-5(a), authorize municipal courts to accept credit and debit card payments; and

**WHEREAS**, New Jersey regulations, N.J.A.C. 5:30-9.1 *et seq.*, also authorize municipalities to accept credit and debit card payments; and

**WHEREAS**, in order for a municipality to accept credit and debit card payments, the governing body must authorize the same and state the type of obligations which can be paid by electronic receipt and the types of electronic receipt that will be permitted; and

**WHEREAS**, the Mayor and Township Committee desire to authorize the payment of municipal court civil and criminal fines and penalties and other judicially imposed financial obligations, bail and other fees, costs or payments associated with the operation of the joint municipal court; and

**WHEREAS**, it is the intention of the Mayor and Township Committee to authorize the Joint Municipal Court Office to accept payment by credit and debit card for those fees, costs or other payments associated with the joint municipal court as set forth above; and

**WHEREAS**, the utilization of credit cards for payment of these fees, costs and other payments must be in accordance with the provisions of N.J.A.C. 5:30-9.1 *et seq.* and in compliance with the New Jersey Rules of Court.

**WHEREAS**, the Township Committee has determined that the Joint Municipal Court shall begin accepting credit and debit cards as additional forms of payment of court fines and costs; and

**WHEREAS**, the Township Committee has determined that amendments to the Code should be made in order to facilitate this change.

**NOW THEREFORE, BE IT ORDAINED**, by the Township Committee of the Township of Andover, in the County of Sussex, and State of New Jersey as follows:

**SECTION 1.** Chapter 3 “General Administration”, Article XVII “Joint Municipal Court” shall be amended to add new Section 3-63.6 “Payment Methods” to read as follows:

§3-63.6 Payment Methods.

Pursuant to N.J.S.A. 2B:1-5(a), payment of civil and criminal fines and penalties and other judicially imposed financial obligations may be made to the Joint Municipal Court by credit or debit card, in addition to cash or money order.

The remainder of this Chapter remains unchanged.

**SECTION 2.** All ordinances of the Township of Andover, which are inconsistent with the provisions of this Ordinance, are hereby repealed to the extent of such inconsistency.

**SECTION 3.** If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance.

**SECTION 4.** This Ordinance shall take effect immediately upon final passage, approval, and publication as required by law.

**SECTION 5.** This Ordinance may be renumbered for codification purposes.

Diana Francisco, Administrator/Clerk

VOTE: AYES:

Lensak, McGovern, Walsh, Blackburn

Absent : Carafello

**Intro: 04-04-2019**

**Adoption: 04-18-2019**

**Publication: 04-23-2019**