

ORDINANCE 4 – 2015

**ORDINANCE OF THE BOROUGH OF WOODBURY HEIGHTS,
COUNTY OF GLOUCESTER AND STATE OF NEW JERSEY
ESTABLISHING A JOINT MUNICIPAL COURT FOR THE
BOROUGH OF WOODBURY HEIGHTS, PITMAN, WENONAH,
AND THE TOWNSHIP OF MANTUA, AND APPROVING A
JOINT MUNICIPAL COURT SHARED SERVICE AGREEMENT
FOR THE OPERATION OF THE MANTUA JOINT MUNICIPAL COURT**

WHEREAS, the Borough Council of the Borough of Woodbury Heights has determined that it is in the best interest of the Borough to establish a Joint Municipal Court with the Township of Mantua and the Boroughs of Pitman and Wenonah;

WHEREAS, the aforesaid Joint Municipal Court participants (hereinafter sometimes referred to as the "Participating Municipalities") wish to establish a Joint Municipal Court under the authority of N.J.S.A.2B:12-1, et seq., to be known as the "Mantua Joint Municipal Court"; and

WHEREAS, the Participating Municipalities find that it is in the best interests to establish a Joint Municipal Court upon the terms and conditions established by a Joint Municipal Court Agreement approved by this Ordinance and incorporated herein by reference; and

WHEREAS, the Borough Council of the Borough of Woodbury Heights deems it in the best interests of the Borough to accordingly abolish the Municipal Court for the Borough of Woodbury Heights and establish a Joint Municipal Court for the Participating Municipalities, to be known as the "Mantua Joint Municipal Court".

NOW, THEREFORE, BE IT ORDAINED by the Borough Council of the Borough of Woodbury Heights, Gloucester County, New Jersey, with the Mayor concurring, as follows:

Section 1.

Effective at 12:00 a.m. on April 1, 2015, the Municipal Court of the Borough of Woodbury Heights is hereby abolished.

Section 2.

This Ordinance shall be effective at 12:30 a.m. on April 1, 2015, following due notice as provided in accordance with Section 3 hereof. All summonses, warrants and other matters issuing, arising from or within the jurisdiction of the Borough of Woodbury Heights Municipal Court and the other Participating Municipalities shall be within the jurisdiction of the Mantua Joint Municipal Court on and after the aforesaid April 1, 2015, including those matters arising prior to such date which have not theretofore been completed.

Section 3.

Written notice of the appeal and abolishment of the Municipal Court of the Borough of Woodbury Heights and the other Courts of the Participating Municipalities, and the establishment of the Mantua Joint Municipal Court, shall be provided to the Administrative Office of the Courts and the Assignment Judge of the vicinage, and posted in the Municipal Buildings of the Participating Municipalities at a location where Public Notices are routinely posted.

Section 4.

The purpose of this Ordinance is to establish a single Joint Municipal Court to be located in the Township of Mantua located at 401 Main Street, Mantua, New Jersey.

Section 5.

The Borough Council of the Borough of Woodbury Heights hereby approves of the terms and conditions of the Shared Service Agreement between the Township of Mantua and the Borough of Pitman and the Borough of Woodbury Heights and the Borough of Wenonah to establish the "Mantua Joint Municipal Court", such Agreement attached hereto and incorporated herein by reference. The Mayor and Clerk of the Borough of Woodbury Heights are hereby expressly authorized to execute and deliver the aforesaid Agreement on behalf of the Borough.

Section 6.

Under and pursuant to the provisions of N.J.S.A.2B:12-1, et seq., a Joint Municipal Court to be known as the "Mantua Joint Municipal Court" is hereby established.

Section 7.

The Mantua Joint Municipal Court shall have an official seal bearing the impression of the name of the Court.

Section 8.

The jurisdiction of the Mantua Joint Municipal Court shall be coextensive with the Municipal territory of the Participating Municipalities.

Section 9.

In accordance with N.J.S.A.2B:12-4, as amended, the Judge of the Mantua Joint Municipal Court shall be appointed by the Governor with the advice and consent of the Senate, and shall have such qualifications as is now or may be required by law and shall serve for a term of three (3) years from the date of appointment until a qualified successor has been appointed. Compensation of the Judge shall be at an annual salary and other compensation as is now or hereinafter may be

provided by Ordinance and in accordance with the terms of the aforesaid Shared Service Agreement.

Section 10.

The appointment of a Joint Municipal Court Administrator and such number of Deputy Court Administrators shall be appointed as provided consistent with this Ordinance and in accordance with the terms of the aforesaid Shared Service Agreement between the Participating Municipalities.

Section 11.

The Mantua Joint Municipal Court Staff shall be appointed in a manner consistent with this Ordinance and in accordance with the terms of the aforesaid Shared Service Agreement.

Section 12.

Such number of Joint Municipal Court Prosecutors shall be appointed in the manner provided by this Ordinance and in accordance with the terms of the aforesaid Shared Service Agreement with a Joint Municipal Court Prosecutor to have such jurisdiction, powers and duties as prescribed by N.J.S.A.2B:25-1, et seq.

Section 13.

Joint Municipal Court Public Defender

(a) Appointment. The Joint Municipal Court Public Defender shall be appointed in a manner consistent with the terms of this Ordinance and in accordance with the terms of the aforesaid Shared Service Agreement, and shall have such jurisdiction, powers and duties as prescribed by N.J.S.A.2B:24.1, et seq.

(b) Representation. Any person applying to the Mantua 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 of not more than Two Hundred Dollars (\$200.00), but only in such amount determined by the Joint Municipal Court Judge which is necessary to pay the necessary costs of Municipal Public Defender's services. The Joint Municipal Court Judge may waive the application of such 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 applicable law and the Rules of Court.

(c) Alternate Method of Collection. If payment of Municipal Public Defender Fees is deferred by the Joint Municipal Court Judge, or if the Fee is otherwise unpaid, then each of the Participating Municipalities may endeavor to collect the Fee in a manner authorized by N.J.S.A.40:6A-1 and N.J.S.A.2A:158A-19.

Section 14.

Repealer. All Ordinances or parts of Ordinances inconsistent with the provisions of this Ordinance are hereby repealed.

Section 15.

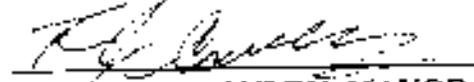
Severability. If any provision of this Ordinance or the application of this Ordinance to any person, entity or circumstances is held invalid by any Court of jurisdiction, the remainder of such provisions of this Ordinance not so deemed invalid shall remain in full force and effect.

Section 16.

When Effective. This Ordinance shall only be effective upon the last of the following to occur:

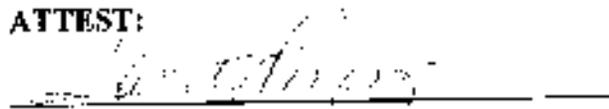
- 1) Its adoption and publication in accordance with law; and
- 2) Approval of the establishment of the Joint Municipal Court by the Administrative Office of the Courts; and
- 3) An Ordinance duly authorized and adopted by the governing body of each of the Participating Municipalities.

BOROUGH OF WOODBURY HEIGHTS



ROBBIE J. CONLEY, MAYOR

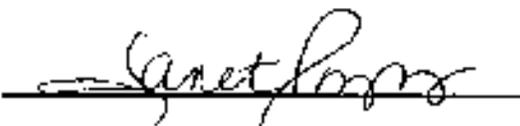
ATTEST:



JANET PIZZI, BOROUGH CLERK

CERTIFICATION

The foregoing Ordinance was introduced at a Regular Meeting of Borough Council of the Borough of Woodbury Heights held on the 18th day of FEBRUARY, 2015, and will be considered for final passage and adoption at a Regular Meeting at which time any person interested therein will be given an opportunity to be heard. Said meeting to be held on 18th day of MARCH, 2015, at the Borough Hall, 500 13th Ave, Woodbury Heights, New Jersey.



JANET PIZZI, BOROUGH CLERK

PUBLIC NOTICE

ORDINANCE 4 – 2015

ORDINANCE OF THE BOROUGH OF WOODBURY HEIGHTS, COUNTY OF GLOUCESTER AND STATE OF NEW JERSEY ESTABLISHING A JOINT MUNICIPAL COURT FOR THE BOROUGHS OF WOODBURY HEIGHTS, PITMAN, WENONAH, AND THE TOWNSHIP OF MANTUA, AND APPROVING A JOINT MUNICIPAL COURT SHARED SERVICE AGREEMENT FOR THE OPERATION OF THE MANTUA JOINT MUNICIPAL COURT

Notice is hereby given that the above Ordinances were adopted at a Regular Meeting of the Mayor and Borough Council of the Borough of Woodbury Heights held on the 18 day of March, 2015.

JANET PIZZI, BOROUGH CLERK