

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

ORDINANCE #2009-02

**AN ORDINANCE OF THE TOWNSHIP OF ANDOVER, COUNTY OF SUSSEX AND STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER 125, "RECORDS, PUBLIC", SECTION 125-8, "PROCEDURES AND FEES FOR PURCHASING COPIES OF PUBLIC RECORDS" OF THE REVISED GENERAL ORDINANCES**

**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 125, "Records, Public", Section 125-8, "Procedures and fees for purchasing copies of public records", of the aforesaid Revised General Ordinances is hereby amended to read as follows:

**§ 125-8. Procedures and fees for purchasing copies of public records.**

Copies of records may be purchased for the fee prescribed by law or regulation. If a fee is not prescribed by law or regulation, the fee shall be the actual cost of duplicating the record, provided, however, that where the actual cost for duplication of a record exceeds the rates below, the actual cost shall be imposed:

A. Standard-sized paper documents, up to 8 1/2 by 14 inches in size.

**(1) \$0.07 per page.**

B. Large-sized paper documents and maps.

(1) Zoning Map: **\$.07 per page if the map is copied utilizing 8 ½ x 11 or 8 ½ x 14 paper or the actual cost of reproduction if it is sent to an outside agency.**

(2) Street Map: **\$.07 per page if the map is copied utilizing 8 ½ x 11 or 8 ½ x 14 paper or the actual cost of reproduction if it is sent to an outside agency.**

(3) Site Plan: actual cost.

(4) Subdivision Plat: actual cost.

(5) Tax Maps: \$7 or actual cost.

(6) Engineering Plans: actual cost.

C. Preprinted documents.

(1) Copy of the Code Book: **Actual cost charged by publisher.**

D. Police reports and photographs.

(1) Police accident reports: same as Subsection A above, if requested and picked up in person.

(2) Police accident reports, when copies are requested other than in person: \$5 for the first three pages and \$1 per page for each additional page, as established by N.J.S.A. 39:4-131.

(3) Photographs. Copies of color photographs under eight-by-ten inches: \$2 per page; photographs larger than eight-by-ten: \$7.50, provided, however, that where a photo static copy is required, then in that event, the charge will be in accordance with Subsection A above.

E. Electronic records.

(1) Copy of videotape. Tape supplied by the municipality: **\$1.00 per tape.**

(2) Copy of audiotape. Tape supplied by the municipality: **\$1.50 per tape.**

(3) Copy of electronic document or database. The following fees cover the cost of copying existing files to a floppy disk or CD. Any requests for software conversions shall be subject to the special service charge described in Subsection G below. For security reasons, the use of a floppy disk or CD provided by the requestor is prohibited.

(a) Floppy disk: **\$0.40**

(b) CD: **\$0.40.**

(4) Where a copy of a video, audio or electronic record is requested and the requestor has provided videotape, audio cassette, computer diskette or CD, there will be no charge if the record can be duplicated in-house by Township employees. However, where it is necessary to out-source the request, a special service charge may apply.

F. Miscellaneous medium.

(1) Microfilm: actual cost.

G. A special service charge shall be imposed, in addition to the actual cost of duplicating the record, where the nature, format, manner of collation or volume of printed matter is such that it cannot be reproduced by ordinary document-copying equipment in ordinary business size or where such record involves an extraordinary expenditure of time and effort to accommodate the request. The requestor shall have the opportunity to review and object to the special service charge prior to it being incurred.

H. Conversion of records from one medium to another. Cost of duplication plus special service charges as follows:

(1) Conversion of paper record to electronic form: actual cost.

(2) Conversion of electronic files from one software product to another: actual cost.

(3) If the request for a record is: a) not in a medium not routinely used by the Township; b) not routinely developed or maintained by the Township; or 3) requires substantial amount of manipulation or programming of information technologies, the Township will impose a special charge based on the cost for extensive use of information technology or for labor cost of personnel providing the services that is actually incurred by the Township

or attributable to the Township for the programming, clerical and supervisory assistance required, or both. The requestor shall have the opportunity to review and object to the special service charge prior to it being incurred.

I. Applicable postage shall be added for any and all records requested by mail.

J. A deposit shall be paid prior to filling any anonymous request where it is estimated that the information requested will cost in excess of \$5 to reproduce. The amount of the deposit shall equal the total estimated cost of filling the request.

K. For purposes of this chapter, "actual cost" shall mean the cost of materials and supplies used to make a duplicate.

**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.

**INTRODUCED: January 26, 2009**  
**ADOPTED: February 09, 2009**  
**EFFECTIVE: February 13, 2009**

**ATTEST:**

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

\_\_\_\_\_  
**Vita Thompson, Clerk**

By: \_\_\_\_\_  
**Robert O. Smith, Mayor**

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

ORDINANCE #2009-02

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**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 125, "Records, Public", Section 125-8, "Procedures and fees for purchasing copies of public records", of the aforesaid Revised General Ordinances is hereby amended to read as follows:

**§ 125-8. Procedures and fees for purchasing copies of public records.**

Copies of records may be purchased for the fee prescribed by law or regulation. If a fee is not prescribed by law or regulation, the fee shall be the actual cost of duplicating the record, provided, however, that where the actual cost for duplication of a record exceeds the rates below, the actual cost shall be imposed:

A. Standard-sized paper documents, up to 8 1/2 by 14 inches in size.

**(1) \$0.07 per page.**

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(3) Site Plan: actual cost.

(4) Subdivision Plat: actual cost.

(5) Tax Maps: \$7 or actual cost.

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C. Preprinted documents.

(1) Copy of the Code Book: **Actual cost charged by publisher.**

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(4) Where a copy of a video, audio or electronic record is requested and the requestor has provided videotape, audio cassette, computer diskette or CD, there will be no charge if the record can be duplicated in-house by Township employees. However, where it is necessary to out-source the request, a special service charge may apply.

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G. A special service charge shall be imposed, in addition to the actual cost of duplicating the record, where the nature, format, manner of collation or volume of printed matter is such that it cannot be reproduced by ordinary document-copying equipment in ordinary business size or where such record involves an extraordinary expenditure of time and effort to accommodate the request. The requestor shall have the opportunity to review and object to the special service charge prior to it being incurred.

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(3) If the request for a record is: a) not in a medium not routinely used by the Township; b) not routinely developed or maintained by the Township; or 3) requires substantial amount of manipulation or programming of information technologies, the Township will impose a special charge based on the cost for extensive use of information technology or for labor cost of personnel providing the services that is actually incurred by the Township

or attributable to the Township for the programming, clerical and supervisory assistance required, or both. The requestor shall have the opportunity to review and object to the special service charge prior to it being incurred.

I. Applicable postage shall be added for any and all records requested by mail.

J. A deposit shall be paid prior to filling any anonymous request where it is estimated that the information requested will cost in excess of \$5 to reproduce. The amount of the deposit shall equal the total estimated cost of filling the request.

K. For purposes of this chapter, "actual cost" shall mean the cost of materials and supplies used to make a duplicate.

**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.

#### **NOTICE OF PENDING ORDINANCE**

**PUBLIC NOTICE** is hereby given that the foregoing Ordinance was introduced and passed at first reading at a Regular Meeting of the Township Committee of the Township of Andover held on January 26, 2009. A public hearing regarding same will be held at a meeting scheduled for February 09, 2009 beginning at 7:30 P.M., at the Municipal Building, 134 Newton-Sparta Road, Andover Township, NJ, at which time all persons interested both for and against said ordinance shall be given an opportunity to be heard concerning same.

**ATTEST:**

\_\_\_\_\_  
**Vita Thompson, Municipal Clerk**

**TOWNSHIP OF ANDOVER**

By: \_\_\_\_\_  
**Robert O. Smith, Mayor**

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

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**AN ORDINANCE OF THE TOWNSHIP OF ANDOVER, COUNTY OF SUSSEX  
AND STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING  
CHAPTER 125, "RECORDS, PUBLIC", SECTION 125-8, "PROCEDURES  
AND FEES FOR PURCHASING COPIES OF PUBLIC RECORDS" OF THE  
REVISED GENERAL ORDINANCES**

**NOTICE OF FINAL ADOPTION**

**NOTICE** is hereby given that the above entitled ordinance was introduced and passed on first reading at a meeting of the Township Committee of the Township of Andover held at the Municipal Building on the 26<sup>th</sup> day of January 2009. The same came up for final adoption at a meeting of the Township Committee of the Township of Andover held at the Municipal Building on the 09<sup>th</sup> day of February 2009, and, after all persons present were given an opportunity to be heard concerning same, it was finally passed and adopted and will be in full force in the Township according to law.

Vita Thompson, R.M.C.  
Municipal Clerk