

BOROUGH OF CLOSTER
ORDINANCE NO.: 2016:1208
AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTERS 110, AND A301 OF
THE CODE OF THE BOROUGH OF CLOSTER REGARDING FEES AND DEPOSITS,
SPECIFICALLY FOR THE CLERK, CONSTRUCTION OFFICE, LAND USE, ASSESSOR,
POLICE DEPARTMENT & DPW

WHEREAS, the Borough of Closter desires to amend Chapter A301 of the Code, specifically to amend the subsections for the Borough Clerk, Construction Office and Police Department fees and to create a new subsection for Department of Public Works (DPW) fees; and

WHEREAS, the Borough Clerk has requested proposed changes and the other named department heads have been contacted and agreed to the changes that would impact their departments; and

WHEREAS, the proposed changes were reviewed by the Ordinance and Legislative Committee which recommends that it be adopted by the Governing; and

WHEREAS, the Borough Attorney has reviewed the changes and found same to be in order.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Closter, County of Bergen and State of New Jersey as follows:

Section 1. Games of Chance, § 110-3. Application for license shall be amended as follows:

Delete the current text and replace same with the following.

Each applicant for a license shall file with the Borough Clerk a written application as provided for in N.J.S.A. 5:8-52 and N.J.A.C. 13:47 (Form 2R-A). State license fees shall be as set forth in N.J.S.A. 5:8-53. Municipal fees shall be as set forth N.J.A.C. 13:47-4.9 and N.J.A.C. 13:47-4.10; except that the fee for a one-year license for Instant Raffle Game shall be \$20.00.

Section 2. § A301-1 Section A, Borough Clerk, shall be amended as follows:

A. Delete Paragraph (1) and replace same with the following:

(1) Alcoholic beverages:

- (a) Plenary retail consumption Class C (33): \$2,500.00
- (b) Plenary retail distribution Class D (44): \$2,304.00
- (c) Club licenses (31): \$188.00

B. Re-title paragraph (2) so that it reads: "Individual Amusement machines, including video machines;" The rest of the section shall be unchanged.

C. Delete paragraph (7) in its entirety (to be moved to DPW section)

D. Delete paragraph (9) and replace same with the following:

(9) Dealers, secondhand gold and silver: \$45.00

E. Delete paragraph (12) and replace same with the following:

(12) Limousines.

- (a) Annual fee for limousine/livery service license \$50.00
- (b) Vehicles

- [1] Certificate of Compliance issued in duplicate for each limousine covered under the required insurance policy: \$10.00 for each vehicle
- [2] Duplicate Certificate of Compliance if lost or misplaced: \$5.00 for each vehicle

F. Add text to paragraph (13) as follows:

- (13) Business Registration, Retail Establishments: \$20.00 annually
- (a) Seasonal sidewalk café; additional \$15.00 annual registration fee

G. Delete paragraph (16) (will be moved to Board of Health), paragraph (17) (will be moved to the Police Department), paragraph (18) (will be moved to Construction Office) and paragraph (22) (fee inconsistent with OPRA)

H. Revise the fees in paragraph 23 a, b & c as follows:

- (a) Going out of business: \$90
- (b) Estate or house contents: \$90
- (c) Fire: \$90

The remainder of the paragraph shall be unchanged.

I. Add text in paragraph 25: Site Work Permit: \$35.00

J. Delete paragraph 26 (fee inconsistent with OPRA) and paragraph 29 (will be moved to police department fees)

Section 3. § A301-1 Section B, shall be amended as follows:

Delete Section B, Certificate of Continued Occupancy (duplicates fee already listed in C. Construction Office, paragraph (h))

Section 4. § A301-1 Section C, Construction Office, shall be amended as follows:

Add the following fees to the end of Section C:

Contractors and builders, annually: \$25.00

Section 5. § A301-1 Section E, Land Use fees, shall be amended as follows:

A. Delete 6 (a) and replace same with the following text.

6(a) Developmental fees for residential development shall be 1.5% of the equalized value of the assessment.

B. Delete section (7)(a) and replace same with the following text.

(7)(a) Development fees shall be 2.5% of the equalized assessed value for nonresidential development or as otherwise required by State law.

Section 6. § A301-1 Section F, Miscellaneous, shall be amended as follows:

A. Delete paragraph (1) (fees inconsistent with OPRA)

B. Revise paragraph (3) as follows:

For copies of public records which are required by law to be made, maintained or kept on file, the fee shall be as set forth in N.J.S.A. 47:1A-1 et seq., the Open Public Records Act.

(a) Whenever a requestor asks for copies of a record in a medium not routinely used by the Borough, not routinely developed or maintained by the Borough, or requiring a substantial amount of manipulation or programming of information technology, the Clerk may charge the requestor a special service charge, which will differ from the flat fee set forth in N.J.S.A. 47:1A-1 et seq. and which will be equal to the actual cost of reproduction of the record in the medium requested, including labor.

(b) Whenever the nature, format, manner of collation, or volume of a government record embodied in the form of printed matter to be inspected, examined, or copied is such that the record cannot be reproduced by ordinary document-copying equipment in ordinary business size or involves an extraordinary expenditure of time and effort to accommodate the request, the Clerk may charge a special service charge, which will differ from the flat fee set forth in N.J.S.A. 47:1A-1 et seq. and which will be equal to the actual cost of the reproduction of that record.

(c) The requestor shall have the opportunity to review and object to the special service charge prior to it being incurred.

(d) Reproduction of compact disc(s): equal to the cost of purchasing the discs to be provided to the requestor.

C. Revise paragraph (4) as follows:

(4) Reprints of portions of Code Book: letter size: .05 per page; Legal size .07 per page

D. Delete paragraph 8

Section 7. § A301-1 Section H, Assessor, shall be amended as follows:

Delete paragraph (1) and replace same with the following text.

- (1) List of property owners - If requested pursuant to N.J.S.A. 40:55D-12, the fee shall be .25 per name or \$10.00, whichever is greater. If requested for any other purpose, the fee shall be \$30.00.

Section 8. § A301-1 Section G, Police Department, shall be amended as follows:

A. Add subsection (c) to paragraph 12:

12(c) Wreckers or towing vehicles on police call list: \$125.00

B. Add paragraph 17:

(17) Hawkers, peddlers and street vendors:

- (a) Hawkers and peddlers: \$500 per individual going door to door.
- (b) Street vendors: \$100 per food truck; \$100 per food stand vendor.

Section 9. § A301-1 shall be amended as follows:

Add subsection N, Department of Public Works, which shall read as follows:

(1) Bulky white goods and tire pickup:

- (a) Per pickup, bulky white metal item: \$35; no more than three items.
- (b) Per tire, without rim: \$10.
- (c) Bulky white goods dropoff: \$20.
- (d) Tire (without rim) dropoff, per tire: \$7.

Section 10.

A copy of this Ordinance shall be forwarded by the Borough Clerk to the Construction Code Official, Assessor, Land Use Clerks, Chief of Police and Superintendent of the DPW.

If any sentence, section, clause or other portion of this Ordinance or the application thereof to any person or circumstance shall, for any reason, be adjudged by a court of competent jurisdiction to be invalid, such judgment shall not affect, impair or repeal the remainder of this Ordinance. All Ordinances or parts thereof inconsistent herewith are hereby repealed to the extent of such inconsistency. This Ordinance shall take effect immediately upon final passage and publication as required by law.

Councilperson	Motion	Second	Yes	No	Absent	Abstain
Councilman Barad						
Councilwoman Latner						
Councilman Di Dio						
Councilman Stabile						
Councilwoman Chung						
Councilwoman Amitai						

Introduced: June 22, 2016
Adopted: July 27, 2016

ATTEST:

APPROVED:

Loretta Castano, Borough Clerk

John C. Glidden, Jr., Mayor

Certified to be a true copy of an Ordinance adopted by the Mayor and Council of the Borough of Closter at the Regular Meeting held July 27, 2016.

Loretta Castano, Borough Clerk