

## Chapter 199

### FEES

§ 199-1.	Fee schedule for services and material distributed by Police Department.	§ 199-6.	Fee schedule for services and material distributed by Departments of Community Services and Building Planning and Economic Development.
§ 199-2.	Hours for reviewing accident reports and/or photographs.	§ 199-7.	Fees and special service charges pursuant to the New Jersey Open Public Records Act.
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§ 199-4.	Special escort services.	§ 199-9.	Fee for bad check.
§ 199-5.	Fee schedule for services and material distributed by the Division of Engineering.	§ 199-10.	Redemption and discharge of tax sale certificates.

**[HISTORY: Adopted by the City Council of the City of Rahway 7-9-1984 by Ord. No. A-12-84 as Ch. 18 of the 1984 Code. Amendments noted where applicable.]**

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#### **§ 199-1. Fee schedule for services and material distributed by Police Department.**

The following fees are hereby fixed and established for certain services extended and materials distributed by Police Department of the municipality:

- A. Copies of reports of a noncriminal nature, except accident reports:
  - (1) First page: \$3.
  - (2) Each additional page: \$1.
- B. Accident reports shall be charged in accordance with New Jersey State statutes.
- C. Search fees, in cases where a review of a record is desired: \$3.
- D. Viewing photographs of an accident scene: \$3.
- E. Copies of photographs:
  - (1) Four inches by five inches: \$5.
  - (2) Eight inches by 10 inches: \$8.
- F. Photostatic copies of any other reports:
  - (1) First page: \$3.
  - (2) Each additional page: \$1.
- G. Taking fingerprints of applicants for private employment with own fingerprint card and must be a

Rahway resident: \$25. **[Amended 5-12-2003 by Ord. No. O-32-03 ; 12-13-2010 by Ord. No. O-28-10 ]**

- H. The Municipal Clerk, as the custodian of government records for documents, may, in accordance with N.J.S.A. 47:1A-1 et seq., appoint a deputy custodian of government records for documents pertaining to Police Department matters. **[Added 4-8-2002 by Ord. No. O-13-02 ]**

**§ 199-2. Hours for reviewing accident reports and/or photographs.**

The viewing or reviewing of reports or of photographs of accident reports shall be permitted and conducted at Police Headquarters daily, Monday through Friday, from 8:00 a.m. to 4:00 p.m.

**§ 199-3. Search fee exemptions.**

No search fee shall be charged in the event that a report or photograph is not on file with the Police Department nor for any report for which a formal request is made by any local, county, state or federal law enforcement agency or by the federal postal authorities.

**§ 199-4. Special escort services.<sup>1</sup>**

- A. Definitions. As used in this section, the following terms shall have the meanings indicated:

REQUESTING AGENCY — Any person, firm or corporation, public or private, desiring to use such special escort service.

SPECIAL ESCORT SERVICE — The provisions of special police protection for any person, firm or corporation, public or private, for the purpose of transporting money or other valuable goods within the boundaries of the municipality.

- B. Fee. Effective with the passage of this chapter, the cost of special escort service rendered by the Police Department to any person, firm or corporation, public or private, is hereby fixed at \$40 per round-trip for a single destination within the City of Rahway. **[Amended 7-9-1984 by Ord. No. A-12-84 ; 5-13-1991 by Ord. No. A-9-91 ; 5-12-2003 by Ord. No. O-32-03 ]**
- C. Records of requests for escort service. The desk officer shall record all requests received for escort service and shall file daily reports with the Chief of Police.
- D. Billing and payment procedures. The Chief of Police shall cause monthly bills to be forwarded to each requesting agency detailing the date, destination and total cost. All bills are payable before the 10th day of the following month. Failure of the using agency to pay the monthly bill in accordance with the terms of this section will constitute grounds for the termination of such escort service until all bills are satisfied. Checks in payment shall be made payable to the Police Department, City of Rahway. A report of receipts and a check representing total receipts shall be filed with the Municipal Treasurer on a monthly basis.
- E. Waiver of fees. The Municipal Council may, by resolution, waive the fees required under this subsection for the following:
- (1) Religious organizations holding regular services in the municipality.
  - (2) Public schools under the jurisdiction of the Rahway Board of Education.

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1. Editor's Note: See also § 5-72D(7), which contains fees for special escort services.

**§ 199-5. Fee schedule for services and material distributed by the Division of Engineering. [Amended 7-9-1984 by Ord. No. A-12-84 ; 6-15-1988 by Ord. No. A-6-88 ; 5-12-2003 by Ord. No. O-32-03 ; 9-10-2007 by Ord. No. O-33-07 ; 9-14-2009 by Ord. No. O-31-09 ]**

The following fees are hereby fixed and established for certain services extended and materials distributed by the Division of Engineering:

- A. Certified flood zone letter: \$25.
- B. Tax Map sheets: \$5.
- C. Rahway Street Map: \$5.
- D. Flood Elevation Certificate Search: \$50.

**§ 199-6. Fee schedule for services and material distributed by Departments of Community Services and Building Planning and Economic Development. [Amended 2-11-1991 by Ord. No. A-2-91 ; 5-12-2003 by Ord. No. O-32-03 ; 7-12-2004 by Ord. No. O-25-04 ; 9-10-2007 by Ord. No. O-33-07 ]**

The following fees are hereby fixed and established for certain services extended and materials distributed by the Departments of Community Services and Building, Planning and Economic Development:

- A. Certified copy of death certificate: \$10.
- B. Certified copy of birth certificate: \$10.
- C. Certified copy of marriage certificate: \$10.
- D. Certified copy of certificate of domestic partnership: \$10.
- E. Certified copy of certificate of Civil Union: \$10.
- F. File a correction to Birth, Death, Marriage, Civil Union or Domestic Partnership record: \$25.
- G. Zoning Map: \$7.
- H. Zoning Ordinance, including Map: \$40.
- I. Land Use Ordinance: \$20.
- J. Flood Prevention Ordinance: \$10.
- K. Floodplain Ordinance: \$10.
- L. Subdivision Ordinance: \$15.
- M. Stormwater Runoff Ordinance: \$8.
- N. Site Plan Review Ordinance: \$15.
- O. Fee for individual plan sheet copies: \$5 per sheet.
- P. Fee for mailing documents: \$5 in addition to listed fees.
- Q. Copy of Master Plan: \$50.
- R. Copies 24 inches by 36 inches: \$5 per page.

- S. Copies larger than 24 inches by 36 inches: \$7.50 per page.
- T. Copy of Planning Board or Board of Adjustment tape: \$25.

**§ 199-7. Fees and special service charges pursuant to the New Jersey Open Public Records Act. [Amended 12-13-1993 by Ord. No. A-57-93 ; 4-8-2002 by Ord. No. O-13-02 ; 9-10-2007 by Ord. No. O-33-07 ; 11-8-2010 by Ord. No. O-23-10 ]**

A. Generally.

- (1) All documents that are deemed to be "government records" pursuant to N.J.S.A. 47:1A-1 et seq., the Open Public Records Act, shall be open to public search, inspection and examination, subject to and within the limitations prescribed by law.
- (2) All government records shall be carefully and conveniently filed, kept and preserved and be and remain the sole property of the City and shall not at any time be removed from the offices of such department except when required for use in official business and shall then be returned to such office without delay. Each department head shall be responsible for enforcing the requirements of this subsection in his or her department.
- (3) Any requests for copies of government records shall be made to the City Clerk on a form established by the City Clerk for such purposes.
- (4) A deposit shall be paid prior to filing a request where it is estimated that the records requested will cost in excess of \$5 to reproduce. The amount of the deposit shall equal the total estimated cost of fulfilling the request.
- (5) Nothing in this section shall require the custodian of documents or any other municipal official to examine, analyze, tabulate, or interpret documents which are subject to production under the New Jersey Open Public Records Act.

B. Ordinary requests for information. The statutory fee schedule shall apply to routine requests under the Open Public Records Act. The fees of N.J.S.A. 47:1A-5 are incorporated in this section as such fee schedule presently exists or as such fees might appear in future modifications or amendments of the statute. Fees for routine copies of municipal documents, therefore, are:

<b>Page Size</b>	<b>Fee</b>
Letter (8 1/2 by 11)	\$0.05
Legal (8 1/2 by 14)	\$0.07

C. Special service charge/special charges authorized.

- (1) The City Clerk or other custodian or keeper of documents qualifying for mandatory production as government records under the Open Public Records Act shall be entitled to special service charges and/or special charges as set forth in § 199-7D.
- (2) Any requester of government records which are eligible for the imposition of a special charge or special service charge under § 199-7D shall receive advance notice of the amount of fees and charges before any work is started. The City Clerk shall require prepayment of any charges over \$5 before causing the work to begin.

D. Fees, special service charges and special charges.

- (1) Duplication of other work beyond capability of City in-house workforce. Whenever the in-house City workforce or available municipal equipment is insufficient to duplicate or produce government records in a timely fashion, the City Clerk may cause such duplication or production to be accomplished by outside vendors such as copy centers or producers of digital images. If the cost of such duplication or production charged by such vendors exceeds the routine charges set forth in N.J.S.A. 47:1A-5, the actual direct cost of same without any additional surcharge for labor costs shall be paid.
  - (2) Special service charges authorized. Whenever government records cannot be reproduced by regular copying equipment or fulfillment of the request would involve extraordinary time and effort (for example, where a large number of records must be recovered from storage or substantive staff time is required to review, sort and assemble records), charges may be imposed as follows:
    - (a) The actual cost (materials and supplies but no staff labor) of duplication or reproduction; plus
    - (b) A special service charge of \$50 per hour or the actual direct cost of labor (if less) shall be imposed for each hour of extraordinary time predicted to be utilized to respond to the request.
  - (3) Electronic and digital records.
    - (a) Cost of obtaining a copy of existing electronic files to a disk or CD in the format that currently exists is \$10. For security reasons, the use of a disk or CD provided by the requestor is prohibited.
    - (b) If a request for governmental records involves production or conversion of digital or computerized records or film which is: in a medium not routinely used by the City; not routinely developed or maintained by the City; or requiring a substantial amount of manipulation or programming of information technology, the requester shall pay fees and special fees, including: direct costs to comply with the request, plus special charges consisting of the lesser of the cost of technology and labor actually incurred or \$25 per hour.
    - (c) Copy of Council meeting: video tape, \$15; audio tape, \$5.
- E. Notice of requester of copyright laws.
- (1) The City of Rahway may be compelled by New Jersey law to produce or duplicate governmental records but no compliance with these legal obligations shall be deemed to constitute a license, sublicense or waiver of copyright laws.
  - (2) The City Clerk shall give the following notice to any requester of governmental records:

**NOTICE - COPYRIGHT LAWS**

You must comply with U.S. copyright laws. These laws may restrict your right to use, duplicate or modify the records provided to you by the City of Rahway. You should consult your own legal counsel on this since severe civil and criminal penalties for violation of copyright laws are provided.

- F. Waivers for governmental or educational requester. The Mayor, Clerk or City Council (by resolution) may waive the fees or other charges otherwise chargeable if the requester of governmental records is a governmental or educational entity.

**§ 199-8. Receipts; disposition of moneys.**

A receipt shall be issued by the appropriate municipal employee for any such moneys received by the municipality. All moneys shall be turned over to the Municipal Treasurer.

**§ 199-9. Fee for bad check. [Added 2-10-1992 by Ord. No. A-1-92 ; amended 5-12-2003 by Ord. No. O-32-03 ]**

Should the City receive a negotiable instrument from a customer in payment of a bill, charge or deposit due, and such instrument is subsequently dishonored or uncollectible for any reason, the City shall charge the customer a handling charge of \$30 per instrument.

**§ 199-10. Redemption and discharge of tax sale certificates. [Added 7-11-2011 by Ord. No. O-20-2011 ]**

Upon redemption of a tax sale certificate, the Tax Collector shall send the certificate to the Union County Clerk for cancellation of record. The County shall impose a charge of \$30 to handle, process and mail the cancelled certificates. The Tax Collector shall collect the charge for each tax sale/certificate redeemed.