

## ORDINANCE 48-2013

### ORDINANCE OF THE BOROUGH OF MADISON AMENDING CHAPTER 12 OF THE BOROUGH CODE ENTITLED "COURT"

**WHEREAS**, the Borough of Chatham, Township of Chatham, Borough of Madison and Township of Harding wish to renew and expand the Agreement for the Creation and Operation of a Joint Municipal Court pursuant to the Uniform Shared Services and Consolidation Act (the "Agreement"); and

**WHEREAS**, the Morris County Assignment Judge has approved the continuation and expansion of the Joint Municipal Court to include Morris Township in addition to the municipalities referenced above.

**NOW, THEREFORE, BE IT ORDAINED** by the Council of the Borough of Madison, in the County of Morris and the State of New Jersey as follows:

**SECTION 1:** The Madison Borough Code is amended to include the following Chapter 12 entitled "Joint Municipal Court":

#### **Chapter 12: Joint Municipal Court**

##### **§12-1. Establishment.**

Pursuant to the provisions of N.J.S.A. 2B:12-1 et seq., a single Joint Municipal Court is hereby established for the Borough of Chatham, Township of Chatham, Borough of Madison, Township of Harding and Township of Morris. The jurisdiction of the Joint Municipal Court shall be coextensive with the territories of the Borough of Chatham, Township of Chatham, Borough of Madison, Township of Harding and Township of Morris.

##### **§12-2 Joint Court Committee.**

A Joint Court Committee shall be formed consisting of two (2) representatives appointed by the respective governing bodies of the Borough of Chatham, Township of Chatham, Borough of Madison, Township of Harding and Township of Morris. The Joint Court Committee shall operate as set forth in the Agreement for the Creation and Operation of a Joint Municipal Court pursuant to the Uniform Shared Services and Consolidation Act dated October 29, 2013, as may be amended from time to time.

### **§12-3 Agreement**

The Agreement for the Creation and Operation of a Joint Municipal Court pursuant to the Uniform Shared Services and Consolidation Act, dated October 29, 2013 (as it may be amended from time to time) is hereby ratified and approved. Said Agreement is on file in the office of the Municipal Clerk, Hartley Dodge Memorial, 50 Kings Road, Madison, New Jersey and is available for inspection during normal business hours.

### **§12-4 Effective Date**

The expanded Joint Municipal Court shall be effective and commence on January 1, 2014 and shall remain in effect until December 31, 2017, unless subsequently extended, renewed or terminated by one or more of the participating municipalities pursuant to the Agreement for the Creation and Operation of a Joint Municipal Court pursuant to the Uniform Shared Services and Consolidation Act dated October 29, 2013 (as it may be amended from time to time).

### **§12-5 Withdrawal of Joint Municipal Court Members**

A municipality may withdraw from participation in the Joint Municipal Court by delivering written notice to the Joint Municipal Court and all participating municipalities of its intention to withdraw in accordance with the agreement authorized by this Chapter.

### **§12-6 Additional Joint Municipal Court Members**

Additional municipalities may join the Joint Municipal Court. Any amendment to include an additional municipality shall require approval by all participating municipalities as required by law and the agreement authorized by this Chapter.

### **§12-7 Joint Court Staff**

Joint Court personnel and independent contractors shall be appointed pursuant to the appropriate statutory authority, rules of the Court and/or the Joint Court Operations Agreement as applicable.

SECTION 2: In the event of any inconsistencies between the provision of this Ordinance and any prior ordinance of the Borough of Madison, the provisions hereof shall be determined to govern. All other parts, portions and provisions of the Borough Code of the Borough of Madison are hereby ratified and confirmed, except where inconsistent with the terms hereof.

SECTION 3: If any article, 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 and they shall remain in full force and effect.

SECTION 4: This ordinance shall take effect immediately upon passage and publication in accordance with law.

ADOPTED AND APPROVED  
December 9, 2013

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ROBERT H. CONLEY, Mayor

Attest:

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ELIZABETH OSBORNE, Borough Clerk

Introduced and passed: November 13, 2013

Published, Madison Eagle: November 21, 2013

Hearing and consideration for final adoption: December 9, 2013

Published upon final adoption, Madison Eagle: December 12, 2013