

ORDINANCE 2018-14

AN ORDINANCE OF THE TOWNSHIP OF CHATHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY, AMENDING CHAPTER II, TITLED “ADMINISTRATION”, ARTICLE IV, TITLED “THE MUNICIPAL COURT”, BY ADDING SECTION 2-21.8, TITLED “MUNICIPAL PROSECUTOR”

WHEREAS, N.J.S.A. 2B:25-1 and following require that each municipality shall, by ordinance, establish the office of Municipal Prosecutor; and

WHEREAS, the Revised General Ordinances of the Township of Chatham do not establish the office of Township of Chatham Municipal Prosecutor; and

WHEREAS, the Township Committee of the Township of Chatham desires to correct that oversight and establish the office of Municipal Prosecutor.

NOW, THEREFORE, BE IT ORDAINED, by the Township Committee of the Township of Chatham, County of Morris, State of New Jersey, as follows:

Section 1. Chapter II, titled “Administration”, Article IV, titled “The Municipal Court”, is hereby amended to add a new Section 2-21.8 titled “Municipal Prosecutor” as follows:

§2-21.8 Municipal Prosecutor.

§2-21.9 Established.

There is hereby established the office of Municipal Prosecutor in the Township pursuant to N.J.S.A. 2B:25-1 and following.

§2-21.10 Qualifications and Supervision.

The Municipal Prosecutor must be an attorney-at-law of the State of New Jersey, in good standing and will be under the supervision of the State of New Jersey Attorney General and/or the Morris County Prosecutor.

§2-21.11 Duties.

The Municipal Prosecutor shall appear in the Municipal Court of Chatham Township, New Jersey on behalf of the State of New Jersey, the County of Morris and/or the Township or any agencies or officers thereof. The Municipal Prosecutor shall perform such duties as are prescribed by law including the prosecutor of complaints for violations of the Revised General Ordinances of the Township and Morris County Ordinances or Resolutions.

§2-21.12 Appointment and Term.

The Municipal Prosecutor shall be annually appointed by the Township Committee for a term expiring on December 31 and until a successor shall have been qualified in accordance with law.

Section 2. Severability

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 3. Effective Date

This Ordinance shall take effect upon final adoption and publication according to law.

Introduced: May 31, 2018

TOWNSHIP OF CHATHAM, COUNTY OF
MORRIS, STATE OF NEW JERSEY

Adopted: June 21, 2018

Attest:

BY: _____
Karen M. Swartz, Deputy Mayor

Gregory J. LaConte, Clerk