

**ORDINANCE OF THE TOWNSHIP OF IRVINGTON, NJ**

No. MC 3448

Effective Date \_\_\_\_\_

Dated JUL 12 2011

APPROVED AS TO FORM AND LEGALITY ON THE BASIS OF FACTS SET FORTH BY \_\_\_\_\_

*[Signature]*  
Legislative Research Officer

COUNCIL MEMBER S. JONES

presents the following Ordinance SECONDED

MCELROY

**An Ordinance Authorizing Constables Appointed by the Township to Serve Warrants in Property Code Violation Matters and Establishing a Fee for the Service of a Warrant by Constables**

WHEREAS, N.J.S.A. 40A:9-120 permits the governing body of a municipality to appoint no less than two (2) or more than fifty (50) constables; and necessary staff reductions have impaired the ability of the Township to adequately and expeditiously address violations of our Property Maintenance Code.

The Township of Irvington has duly appointed Constable(s), for a term appointed, who have subscribed to the oath as provided by law and have a surety bond in force for the term of the appointment.

NOW, THEREFORE BE IT ORDAINED by the Township of Irvington Municipal Council as follows:

Section 1. Constable(s) duly appointed by the Township of Irvington may be permitted to serve all warrants and other notices required to be served in all matters concerning property code violations.

Section 2. The Police Chief or designee may authorize assistance to the Constable(s) upon the request for such by the Constable(s).

Section 3. No current Township employee will be permitted to serve warrants.

Section 4. There shall be a surcharge added to each warrant or notice required to be served and such surcharge shall be payable by the party upon whom service is required.

Section 5. The fee payable to the Constable for Service of a Warrant or other required Notice shall be twenty-five dollars (\$25.00) for each service.

Section 6. All ordinances or parts of ordinances inconsistent or in conflict with the provisions of the within ordinance are hereby repealed.

Section 7. This ordinance shall take effect upon final passage and publication according to law.

**RECORD OF COUNCIL VOTE**

X = Indicates Vote    N.V. = No Vote    A.B. = Absent

COUNCIL MEMBER	YES	NO	N.V.	A.B.	COUNCIL MEMBER	YES	NO	N.V.	A.B.
BEASLEY, 2 <sup>ND</sup> V.P.	X				MCELROY	X			
JONES, L.C.	X				MCKENZIE, 1 <sup>ST</sup> V.P.	X			
JONES, S.	X				SOWELL, PRESIDENT	X			
LYONS	X								

Council Adopted on First Reading Date JUN 28 2011 Council Adopted on Second Reading Date JUL 12 2011

MAYOR Wayne Smith Date 7/13/2011 Approved \_\_\_\_\_ Rejected \_\_\_\_\_

Reconsidered by Council - Override/ Yes \_\_\_\_\_ No \_\_\_\_\_ Date of Override \_\_\_\_\_

COUNCIL PRESIDENT John Sowell MUNICIPAL CLERK Paul & Meera

I hereby certify that the foregoing is a true copy of a Resolution duly adopted by the Municipal Council. In witness whereof I have hereunto set my hand and the Corporate Seal of the Township of Irvington.

MUNICIPAL CLERK Paul & Meera DATE 7/13/11

BA  BLDG  CFO  COURT  DHS  DHW  DNS  ENG  FIRE  INIC  JUDGE  LIBR  LICEN  LEGAL  MAYOR  OCPD  DIR  OCPD  AD  P&R  PAYROLL  POL  DIR  POL  CF  PURCH  SEC  PB/BA  TA  TAX  AS  TAX  COL  TRAFFIC  UEZ  ZONING  OFF  DLGS  GNCD  OTHER(S): \_\_\_\_\_