

# TOWNSHIP OF EVESHAM

ORDINANCE No. 38-12-99

## AMENDING THE CODE OF THE TOWNSHIP OF EVESHAM CHAPTER 3 AND CHAPTER 72

WHEREAS, the Evesham Township Code provides for a Municipal Public Defender under §3-32.1; and

WHEREAS, §3-32.1(E) established an application fee of fifty dollars (\$50), to be paid by any person seeking representation by the Municipal Public Defender in matters pending in the Municipal Court of the Township of Evesham; and

WHEREAS, in March of 1998, the Governor of New Jersey approved P.L. 1997, Chapter 256 increasing the aforementioned application fee to not more than \$200 to offset the costs of the Municipal Public Defender (N.J.S.A. 2B:24-17).

BE IT ORDAINED by the Township Council of the Township of Evesham, County of Burlington, State of New Jersey that §3-32.1 of the Township Administrative Code be and is hereby amended as indicated by the highlighted areas, as follows:

### Section One. §3-32.1. **Municipal Public Defender.**

- E. Pursuant to P.L. 1997, c. 256 (N.J.S.A. 2B:24-17), there is hereby established an application fee of not more than two hundred dollars (\$200), which fee shall be required to be paid by any person seeking representation by the Municipal Public Defender in matters pending in the Municipal Court of the Township of Evesham. The Municipal Court Judge may, in his or her discretion, waive the fee, in whole or in part, if the Judge determines that the application fee represents an unreasonable burden on the person seeking such representation. The Municipal Court may permit a person to pay the application fee over a specific period of time, not to exceed four (4) months.

Section Two. §72-1(F)(3) **Public Defender Fee** is hereby revised to reflect a fee of two hundred dollars (\$200).

Section Three. All ordinances or parts of ordinances inconsistent with this ordinance are hereby repealed to the extent of such inconsistency.

Section Four. If any section, paragraph, subdivision, clause or provision of this ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision and the remainder of this ordinance shall be deemed valid and effective.

Section Five. This Ordinance shall take effect immediately after final passage and publication as required by law.

Adopted on second and final reading on

December 7, 1999.

  
Mayor

Attest Carmela Bonaiuto, Deputy  
Clerk