

**CORBIN CITY
ORDINANCE NO. 2 -2023**

AN ORDINANCE BY THE CITY COUNCIL OF CORBIN CITY REPEALING AND REPLACING CHAPTER 19, OFFICERS AND EMPLOYEES, OF THE CODE OF THE CITY OF CORBIN CITY, ATLANTIC COUNTY, NEW JERSEY

WHEREAS, the Mayor and Council wish to repeal and replace Chapter 19, Officers and Employees, of the Code of Corbin City to organize said Officers and Employees of the City of Corbin City; and

WHEREAS, it is necessary to repeal Chapter 19 in its entirety and replace it with a new Chapter 19, Officers and Employees, of the Code of Corbin City.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Corbin City, County of Atlantic, State of New Jersey, that the following Chapter 19, Officers and Employees, replaces the current Chapter 19 of the Code of Corbin City.

SECTION 1. Purpose: The purpose of this Ordinance is to replace Chapter 19, Officers and Employees, in order to update the Code of Corbin City to accurately reflect the roles of the officers and employees of the City of Corbin City.

SECTION 2. Chapter 19, Officers and Employees is hereby repealed and replaced with the following:

Chapter 19. Officers and Employees

ARTICLE I. ADMINISTRATION

Section 19-1. City Clerk.

A. Appointment and qualifications There shall be a Clerk of the City appointed by City Council for a term of three years. Prior to the appointment, the City Clerk shall have been qualified by training and experience to perform the duties of the office. Any appointee to the office of City Clerk must hold a certification from the State of New Jersey as a registered municipal clerk. The appointment and qualifications referred to herein shall be in accordance with N.J.S.A. 40A:9-133 et seq. For the purposes of tenure, the term of a municipal clerk shall be deemed to have begun as of the actual date upon which a person serving as municipal clerk is appointed. In the event of a vacancy, an appointment shall be made for a new term, not the unexpired term.

B. Powers and duties of the City Clerk. The City Clerk shall perform the duties set forth in N.J.S.A. 40A:9-133, including the following:

- (1) Act as secretary of the City and custodian of the City Seal and of all minutes, books, deeds, bonds, contracts and archival records of the City;
- (2) Act as secretary to City Council, prepare meeting agendas at the discretion of the Council President, be present at all meetings of City Council, keep a journal of

the proceedings of every meeting, retain the original copies of all ordinances and resolutions, and record the minutes of every meeting;

(3) Serve as the chief administrative officer in all elections held in the City, subject to the requirements of Title 19 of the New Jersey Statutes Annotated;

(4) Serve as chief registrar of voters in the City, subject to the requirements of Title 19 of the New Jersey Statutes Annotated;

(5) Serve as local registrar pursuant to N.J.S.A. 26:8-17, et. seq. with the duties associated with that position as enumerated in the statute and appoint up to two deputy registrars;

(6) Serve as the administrative officer responsible for the acceptance of applications for licenses and permits and the issuance of licenses and permits, except where statute or the City Code has delegated that responsibility to some other City officer;

(7) Serve as coordinator and records manager responsible for implementing local archives and records retention programs as mandated pursuant to Title 47 of the New Jersey Statutes Annotated; and

(8) Perform such other duties as are now or hereafter imposed by statute, regulation or by City ordinance, or resolution.

Section 19-2. Deputy City Clerk.

A. Appointment. Pursuant to the provisions of N.J.S.A. 40A:9-135, there is hereby created the office of Deputy City Clerk in and for the City. This position may be filled by appointment of the City Council for a term of one year.

B. Duties. The duties and responsibilities of the Deputy City Clerk shall be those assigned by the City Clerk and the Mayor. In the absence of the City Clerk, the Deputy City Clerk shall have the right and power to execute all documents required by law or ordinance to be executed by the City Clerk and shall affix the seal of the City thereto whenever required.

Section 19-3. Administrative Assistant.

A. Appointment. There is hereby created the position of Administrative Assistant. The Administrative Assistant shall perform all the duties assigned by the City Clerk and/or Mayor. This position may be filled annually by appointment of the City Council.

Section 19-4. Custodian.

There is hereby created the position of Municipal Custodian, whose duties shall include the caretaking and general maintenance of City property as directed by the Mayor of the Mayor's

designee. This position may be filled annually by appointment of the City Council.

ARTICLE II EMERGENCY MANAGEMENT

Section 19-5. Establishment of office of Emergency Management Coordinator; Deputy

A. Pursuant to N.J.S.A. App.A:9-40.1, there is hereby established within the City of Corbin City the Office of Emergency Management Coordinator, the purpose and duties of which shall be to act as a coordinating agency for all activity in connection with civil defense and emergency management within the municipality pursuant to the statutes of the State of New Jersey. The Emergency Management Coordinator shall be appointed by the Mayor for a term of three years. As a condition of their appointment and their right to continue for the full term of his appointment, each municipal emergency management coordinator shall have successfully completed at the time of their appointment or within one year immediately following their appointment, whichever is later, the current approved Home Study Course and the basic Emergency Management workshop. The failure of the municipal emergency management coordinator to fulfill such requirement within the period prescribed shall disqualify the coordinator from continuing in the office of coordinator and a vacancy in the office shall be deemed to have been created.

B. The Emergency Management Coordinator shall appoint one or more Deputy Coordinator(s) and such staff as needed subject to approval of the Mayor.

ARTICLE III REVENUE & FINANCE

Section 19-6. Chief Financial Officer.

A. Creation of office. The Office of Chief Financial Officer is hereby created in and for the City of Corbin City pursuant to the provisions of N.J.S.A. 40A:9-140.10, et seq. The Chief Financial Officer shall possess and maintain the qualifications and certifications set forth therein. The Chief Financial Officer shall serve for a term of four years which shall commence January 1 of the year in which they are appointed.

B. Appointment. The Chief Financial Officer shall be appointed by the City Council and shall serve in accordance with the provisions of N.J.S.A. 40A:9-140.8 and 40A:9-140.13.

C. Supervision. The Chief Financial Officer shall at all times be under the supervision of and responsible to the Mayor in all actions relative to the duties and responsibilities of said office to be consistent with State Statutes.

D. Duties. The Chief Financial Officer shall oversee financial operations of the City of Corbin City. The Chief Financial Officer shall also perform all duties normally ascribed to the Chief Financial Officer, including all the functions, powers and duties as provided by general law and City ordinances. Additionally, the Chief Financial Officer shall perform the following:

- (1) Keep and maintain books and records of the Division of Local Finance in the Department of Community Affairs of the State of New Jersey;
- (2) Have custody of all public moneys of the City;

- (3) Make monthly reports to the City Council of all receipts, expenditures, commitments and unexpended appropriations;
- (4) All moneys received from any source by or on behalf of the City or any department, board, office or agency thereof, except as otherwise provided by City ordinance, shall be paid to the Chief Financial Officer who shall, by the next ensuing bank day after their receipt, deposit them in the authorized public depository of the City to the credit of the proper account;
- (5) Maintain a central payroll system and all social security, federal withholding tax (FWI), state employment insurance (SUI), pension and insurance records required for municipal personnel;
- (6) Prepare, on a monthly basis, a statement of the unexpended and unencumbered balance in each account;
- (7) Assist in the preparation of the City budget;
- (8) Perform all general and budgetary accounting and fiscal controls and such other duties as may be assigned; and
- (9) Oversee the duties of any Corbin City employee assisting with financial affairs.

Section 19.7. Tax Collector.

A. Creation of office. The Office of Municipal Tax Collector is hereby created in and for the City of Corbin City pursuant to the provisions of N.J.S.A. 40A:9-141 et seq.

B. Appointment; term removal from office.

(1) The Municipal Tax Collector shall be appointed by the City Council and shall serve for a term of four years from the first day of January next following their appointment pursuant to N.J.S.A. 40A:9-142. At the time of appointment, the Tax Collector shall be certified by the State of New Jersey as the Municipal Tax Collector and maintain necessary certifications.

(2) Any vacancy in the office of Municipal Tax Collector shall be filled by an appointment by the City Council for the unexpired term.

(3) The Municipal Tax Collector shall not be removed from office except in accordance with N.J.S.A. 40A:9-145.8, which statute is incorporated herein by reference.

C. Duties. The Tax Collector shall have and perform and discharge all functions, powers and duties proscribed for Tax Collectors by State Statute and Regulations and by City Ordinance. The Tax Collector shall receive and collect all moneys assessed or raised by taxes or assessments for any purpose. The Tax Collector shall keep proper records and shall report to the Chief Financial Officer on a monthly basis all receipts and deposits made.

Section 19.8. Deputy Tax Collector.

There is created in the City the position of Deputy Tax Collector. The City Council may appoint a Deputy Tax Collector to assist the Tax Collector in the performance of any and all duties as necessary.

Section 19.9. Municipal Tax Assessor.

A. Creation of office. The office of Municipal Tax Assessor is hereby created in and for the City of Corbin City pursuant to N.J.S.A. 40A:9-146.

B. Appointment; term. The Municipal Tax Assessor shall be appointed by the City Council for a term of four years from the first day of July next following their appointment in accordance with N.J.S.A. 40A:9-146. The Municipal Tax Assessor shall be qualified as required by N.J.S.A. 54:1-35.25, et seq. and shall hold a tax assessor's certificate.

C. A person appointed to office after receiving a tax assessor's certificate and thereafter serving in office for four consecutive years shall be entitled to tenure pursuant to N.J.S.A. 54:1-35.31, which statute is incorporated herein by reference.

D. Hours. City Council may, by Resolution, set the total number of weekly hours of operation of the tax assessor's office and the total number of weekly work hours of the tax assessor, commensurate with the compensation paid to the tax assessor. City Council shall not set the specific work hours of the tax assessor.

E. Powers and duties. The Municipal Tax Assessor shall:

- (1) Value all real property in the City for the purpose of assessments and taxation in accordance with general law and City ordinances;
- (2) Exercise all powers of Municipal Tax Assessor pursuant to general law;
- (3) Prepare the tax lists in duplicate as required by law and maintain adequate records for each and every parcel of real property assessed or exempted;
- (4) Have custody of and maintain an up-to-date City Tax Map and provide for the recording thereon of all changes in ownership or character of property assessed, employing for that purpose the facilities of other departments as required;
- (5) Report to the Mayor and City Council as to equalization proceedings and other matters involving the County Tax Board and make recommendations as to action to be taken in that regard;
- (6) Perform such other duties as may be prescribed by the City Council.

Section 19.10. Qualified Purchasing Agent.

A. Creation of Position. The Chief Financial Officer of Corbin City duly appointed pursuant to N.J.S.A. 40A:9-140.10 is hereby designated to serve in the additional capacity as Qualified Purchasing Agent for the City of Corbin City as that position is defined by N.J.S.A.40A:11-9, subject to that person holding a Qualified Purchasing Agent Certificate issued by the Director of the Division of Local Government Services which must be maintained on a current status.

B. Duties and authority. The Qualified Purchasing Agent shall have the authority, responsibility, and accountability for the purchasing activity for the contracting unit, to prepare public advertising for bids and to receive bids for the provision or performance of goods or services on behalf of the City and to award contracts permitted pursuant to subsection a. of section 3 of P.L.1971, c.198 (C.40A:11-3) in the name of the City, and conduct any activities as may be necessary or appropriate to the purchasing function of the City as its contracting agent, including the authority of the Qualified Purchasing Agent shall be for the award of contracts up to the maximum amount as permitted by law.

ARTICLE IV ZONING & CODE ENFORCEMENT

Section 19.11. Offices Created. Zoning Officer and Code Enforcement Officer.

A. There is hereby created within the City of Corbin City the positions of Zoning Officer and Code Enforcement Officer. These positions may be held by two separate employees or one employee qualified to perform both.

B. Appointment; terms. The Zoning and Code Enforcement Officer(s) shall be appointed by City Council, to hold office for a period of one year, which term shall expire on December 31 of each year.

C. Duties of the Zoning Officer.

1. The Zoning Officer shall enforce and administer the provisions of the Zoning Ordinances of the City of Corbin City by traveling through the City and making regular observations and enforcing any violations as set forth in this Section, including issuing violations, summonses and representing the City in any court of law;
2. The Zoning Officer shall issue zoning permits for applications that are in compliance with the strict compliance with all of the provisions of the Zoning Ordinances of the City; and after a Decision and Resolution of the Planning Board consistent with such Resolution and also ensure compliance with any directives, restrictions and/or conditions in such Resolution;
3. The Zoning Officer shall keep and maintain records necessary for the performance of their duties; and
4. The Zoning Officer shall provide a monthly status report to the Mayor.

D. Duties of the Code Enforcement Officer.

1. It shall be the duty of the Code Enforcement Officer to enforce all other provisions of the Corbin City Code by traveling through the City and making regular observations and enforcing any violations as set forth in this Section, including issuing violations, summonses and representing the City in any court of law;
2. The Code Enforcement Officer shall keep and maintain records necessary for the performance of their duties; and
3. The Code Enforcement Officer shall provide a monthly status report to the Mayor.

E. Enforcement of the City Code by the Zoning Office and Code Enforcement Officer.

1. If in the course of their duties, the Zoning Officer and Code Enforcement Officer identifies a suspected violation or receives a complaint of suspected violation, they shall document the complaint, inspect the alleged violation, and if appropriate, issue a Notice of Violation to the property owner and/or person responsible for the violation. In the event that the property owner and/or responsible party does not properly remedy the violation within the time permitted, the Zoning Officer or Code Enforcement Officer shall pursue any appropriate actions in a municipal court or other courts of the State of New Jersey for lawful redress of said violations;
2. Upon due and proper notice and with the notice and/or consent of the property owner which shall not be unreasonably withheld, the Zoning Officer and Code Enforcement Officer shall have the right to enter any land, building or premises during the daytime if necessary to properly execution his or her duties. If such notice and consent cannot be obtained, entry on the property shall only be with the escort of law enforcement.

Section 19-12. Planning Board Secretary.

A. The position of Planning Board Secretary is hereby created pursuant to the provisions of N.J.S.A. 40:55D-24. The Secretary shall be appointed annually by the Corbin City Planning Board, holding office for a period of one year, which term shall expire on December 31 of each year.

B. Duties. The duties of the Planning Board Secretary shall include the following:

1. Processing and initial review of applications to determine that all documents and information have been provided;
2. Distribution of applications and information to board members, legal counsel, board professionals, city clerk and other staff, as appropriate;
3. Scheduling of applications for workshop, regular and special meetings;
4. Communication and interaction with the public, including making applications

available for inspection and review;

4. Preparation of agendas;
5. Preparation of meeting minutes;
6. Preparation, posting and submission to appropriate newspaper all meeting notices;
7. Preparation of Notices of Decision and submission to appropriate newspapers; and
8. Any other duties requested by the Planning Board.

Section 19-13. Qualifications for all employment.

As a requirement of continuing employment, all employees shall comply with all City Ordinances, City Personnel Policies, all State Statutes and Regulations, and maintain all qualifications and certifications necessary for their respective positions.

Section 19-14. Compensation for all officers and employees.

Compensation to be paid for all officers and employees shall be fixed annually in the Annual Salary Ordinance.

SECTION 3. All Ordinances or parts of Ordinances inconsistent herewith are hereby repealed to the extent of such inconsistencies, and should any section, clause, sentence or provision of any item in this Ordinance be declared unconstitutional or invalid by a Court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance.

SECTION 4. This Ordinance shall take effect upon its final passage and publication as provided by law.

First Reading: February 13, 2023

Adoption: March 13, 2023

WAYNE SMITH, MAYOR

Attest:

KIMBERLY JOHNSON, MUNICIPAL CLERK