

**ORD 1738-24**  
**AN ORDINANCE AMENDING THE CODE OF THE**  
**TOWNSHIP OF HAZLET, CHAPTER 1, ARTICLE III,**  
**SECTION 1-17**

**BE IT ORDAINED** by the Township Committee of the Township of Hazlet, in the County of Monmouth and State of New Jersey, that Chapter 1, Article III, Section 1-17 of the Code of the Township of Hazlet shall be amended as follows:

1-17 E “Local Supplemental Violations Bureau Schedule” shall provide:

Pursuant to R. 7:12-4, the following Local Supplemental Violations Bureau Schedule of designated offenses and Payable Amounts has been approved by the vicinage Assignment Judge and shall be in effect for offenses committed on and after January 1, 2021. This Local Schedule shall be prominently posted for public inspection at the location of the Violations Bureau.

The Local Supplemental Violations Bureau Schedules that were prepared, pursuant to R. 7:12-4, for offenses committed prior to the effective date of this Schedule, are on file with the municipal court administrator and are available for public inspection upon request.

**PART I**

**TRAFFIC SECTION**

**Designated Offenses**

<b><u>ORD. NO.</u></b>	<b><u>SHORT DESCRIPTION</u></b>	<b><u>PAYABLE AMOUNT</u></b>
1046-97	PERMIT PARKING CERTAIN STREETS	\$54.00
305-2	PARKING ON CLOSED STREETS	\$54.00
307-7	PARKING & STANDING/PROHIBITED CERTAIN STREETS	\$54.00
305-8	NO PARKING-SNOW COVERED ROAD	\$54.00
305-9	NO PARKING CONSTRUCTION ZONE	\$54.00
305-10	STOPPING OR STANDING PROHIBITED CERTAIN HOURS	\$54.00
305-11	NO STOPPING OR STANDING	\$54.00
305-12	PARKING TIME LIMITED ON CERTAIN STREETS	\$54.00
305-13	PARKING PROHIBITED FOR STREET CLEANING	\$54.00

305-14	PARKING PROHIBITED FOR STREET CLEANING	\$54.00
305-15	PARKING PROHIBITED CERTAIN HOURS CERTAIN STREETS	\$54.00
305-16	PARKING OF TRUCKS OVER 5 TONS PROHIBITED	\$54.00
305-18	VEHICLES OVER DESIGNATED WEIGHT EXCLUDED	\$54.00
305-32	REGULATION OF MOVEMENT & PARKING ON PRIVATE PROPERTY	\$54.00
305-19	PARKING ON ONE WAY STREET	\$54.00
305-24	NO LEFT TURN	\$54.00
305-26	NO PARKING LOADING ZONE	\$54.00
305-27	NO PARKING BUS STOP	\$54.00
305-35	PERMIT PARKING	\$54.00

**PART II**

**NON-TRAFFIC SECTION**

**Designated Offenses**

<b><u>ORD. NO.</u></b>	<b><u>SHORT DESCRIPTION</u></b>	<b><u>PAYABLE AMOUNT</u></b>
125-9A	CONSUMPTION OF ALCOHOL IN PUBLIC	\$200.00
177-2	CURFEW VIOLATION/LOITERING	\$100.00
177-3	CURFEW/DUTY OF PARENT	\$150.00
325-17	SOLICITATION ON ROADWAYS/ VIOLATIONS & PENALTIES	\$100.00
372-1	SNOW & ICE REMOVAL	\$150.00

## ALLOCATION AND DISTRIBUTION OF PAYABLE AMOUNT

### A. VIOLATIONS BUREAU PAYMENTS

Parts I and II of this Schedule list specific amounts that are payable through the Violations Bureau for designated traffic and non-traffic offenses, pursuant to R. 7:12-4. However, payment for any of those listed offenses, or any other matter, may not be made through the Violations Bureau if the law enforcement officer marks on the Complaint-Summons that a court appearance is required.

### B. ALLOCATION OF PAYABLE AMOUNTS BETWEEN FINES, ASSESSMENTS AND COURT COSTS

In Part I (Traffic Violations), the Payable Amount established in this Local Supplemental Violations Bureau Schedule, for each offense, includes at least a fine, court costs (which may equal but not exceed the fine) and amounts required by statute to be assessed. These amounts are:

- \$1.00 for the Body Armor Replacement Fund
- 1.00 for the New Jersey Spinal Cord Research Fund
- \$2.00 for the New Jersey Forensic DNA Laboratory Fund
- \$1.00 for the Autism Medical Research and Treatment Fund
- \$1.00 for the New Jersey Brain Injury Fund

In Part II (Non-Traffic Violations), the Payable Amount established in this Local Schedule, for each offense, includes a fine and court costs (which may equal but not exceed the fine).

### C. ALLOCATION AND DISTRIBUTION OF COURT COSTS

A portion of the total court costs allocated, pursuant to Part III A. of this Local Schedule, shall be distributed upon collection in accordance with N.J.S.A. 22A:3-4 and N.J.S.A. 2B: 12-30, as follows:

1. For all violations payable through the Violations Bureau, pursuant to the Statewide Violations Bureau Schedule or a Local Schedule, \$2.00 shall be collected by the municipal court administrator and deposited into the Automated Traffic System Fund and \$3.00 shall be collected by the municipal court administrator and deposited into the Automated Traffic System Statewide Modernization Fund. **This portion of court costs cannot be suspended.**
2. For all violations of the provisions of Title 39, or any other motor vehicle or traffic violation payable through the Violations Bureau, pursuant to the Statewide Violations Bureau Schedule or a Local Schedule, \$.50 shall be collected by the municipal court administrator and deposited into the Emergency Medical Technician Training Fund. **This portion of court costs cannot be suspended.**
3. Any remaining court costs shall be collected by the municipal court administrator and distributed to the municipality.

**PART IV**  
**MISCELLANEOUS**

**A. ADDITIONAL PENALTIES FOR FAILURE TO APPEAR ON RETURN DATES**

**1. MOTOR VEHICLE, TRAFFIC AND PARKING CASES**

For offenses listed on this Local Schedule, the following additional penalties will be added to the Payable Amount, as indicated:

1. When a supplemental notice is sent, \$10.00 will be added to the Payable Amount.
2. When a Notice of Proposed Suspension for a parking violation is sent, \$10.00 will be added to the Payable Amount.
3. When an Order to Suspend is issued for a parking violation, \$15.00 will be added to the Payable Amount.
4. A \$3.00 DMV fee is also to be added to the total Payable Amount due upon the issuance of an Order to Suspend.
5. When a warrant is issued, unless the judge otherwise orders, the amount of the bail indicated on the warrant shall be as follows: Parking offenses — the Payable Amount plus \$15.00. All other listed offenses — the Payable Amount plus \$25.00.

Note: Under the provisions of N.J.S.A. 39:5-9, costs, not to exceed \$33.00, may be deducted by the court from forfeited bail in traffic cases.

**2. NON-TRAFFIC CASES**

For offenses listed in Part II on this Schedule, N.J.S.A. 2B: 12-31 permits the municipal court to order the suspension of a defendant's driving privilege for failure to appear at any scheduled court appearance. The following procedures may be used by the court to effectuate that process:

1. Send a "Notice of Proposed Suspension of Driving Privileges for Failure to Appear" to the defendant. This notice may be used for violations that are payable on this Schedule, as well as for those violations that are not. Note: Unlike traffic matters, no fee may be assessed for the mailing of this notice.
2. Should the defendant fail to respond to the Notice of Proposed Suspension, the court may issue an Order of Suspension. When the court issues the order, \$25.00 [\$10.00 (Notice) + \$15.00 (order)] will be added to the total Payable Amount.
3. A \$3.00 DMV fee is also to be added to the total Payable Amount, upon the issuance of the Order of Suspension.
4. When a warrant is used, unless the judge otherwise orders, the amount of the bail indicated on the warrant shall be the amount of the Payable Amount plus \$50.00.

**B. APPEARANCE OF DEFENDANT IN CERTAIN CASES**

If, in the opinion of the officer issuing the Complaint-Summons, circumstances indicate that the defendant should appear in court, the officer has the option to check the "Court Appearance Required" box on the Complaint-Summons, in which case, the matter may not be processed in the Violations Bureau.

**C. AUTHORIZATION TO APPLY BAIL AGAINST FINE(S) AND COSTS**

By executing the form of Authorization to Apply Bail Against Fine(s) and Costs and Waiver of Rights, a defendant against whom a warrant has been issued waives the rights to a lawyer and a trial, enters a plea of guilty to the offense charged and authorizes the municipal court administrator to apply the bail posted toward the payment of fines, assessments and costs owed. This form may be used for all offenses payable through the Violations Bureau.

**D. DEFENSE BY AFFIDAVIT IN CERTAIN CASES**

For any offense not listed on this Schedule or on a Local Schedule, a court appearance is required, unless the court authorizes a defense by affidavit in accordance with the provisions of R. 7:12-3. For offenses involving traffic accidents resulting in personal injury, a court appearance is also required.

**BE IT FURTHER ORDAINED** that the Municipal Clerk shall publish this ordinance in an official newspaper of the municipality at least one week prior to the hearing on the adoption of this ordinance; and

**BE IT FURTHER ORDAINED** that this ordinance shall become effective after second reading and publication as required by law.

PUBLIC NOTICE

PUBLIC NOTICE IS HEREBY GIVEN that at a meeting of the Township Committee of Hazlet Township held on the 9<sup>th</sup> day of April 2024, the above-entitled ordinance was adopted on final passage and becomes effective with the publication of this notice.

ATTEST:      Mary L. Lynch  
   Municipal Clerk