

**1EXPLANATION:** This Ordinance authorizes an amendment to Article III, titled “Municipal Prosecutor”, by amending Sections 23-13, 23-14, 23-15, 23-16 and 23-17 to delete First Assistant Municipal Prosecutor and inserting Driving While Intoxicated Special Prosecutor, and adding a new Section 23-19, titled “Shared Municipal Court”, and Article IV, titled “Municipal Public Defender”, by adding a new Section 23-26, titled “Shared Municipal Court.”

### **ORDINANCE 2013-05**

**AN ORDINANCE AMENDING ARTICLE III, TITLED “MUNICIPAL PROSECUTOR”, OF THE CODE OF THE TOWNSHIP OF HILLSBOROUGH, BY AMENDING SECTIONS 23-13, 23-14, 23-15, 23-16 AND 23-17 TO DELETE FIRST ASSISTANT MUNICIPAL PROSECUTOR AND INSERTING DRIVING WHILE INTOXICATED SPECIAL PROSECUTOR, AND ADDING A NEW SECTION 23-19, TITLED “SHARED MUNICIPAL COURT”, AND ARTICLE IV, TITLED “MUNICIPAL PUBLIC DEFENDER”, BY ADDING A NEW SECTION 23-26, ALSO TITLED “SHARED MUNICIPAL COURT.”**

**BE IT ORDAINED** by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey, as follows:

Section 1. Article III, titled “Municipal Prosecutor”, of the Code of the Township of Hillsborough, Sections 23-13, 23-14, 23-15, 23-16 and 23-17 are amended to delete First Assistant Municipal Prosecutor and insert Driving While intoxicated Special Prosecutor.

Section 2. Article III, titled “Municipal Prosecutor”, of the Code of the Township of Hillsborough is amended to add a new section, Section 23-19, titled “Shared Municipal Court”:

§23-19. Shared Municipal Court

In the event that the Township enters into or has entered into Shared Services Agreements for a Shared Municipal Court pursuant to the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1 et seq., or other such similar law, the Township Municipal Prosecutor and any other Prosecutors shall also prosecute any and all matters for all governmental entities that are part of the Shared Municipal Court, including all first appearances for each of the governmental entities that are part of the Shared Municipal Court.

Section 3. Article IV, titled “Municipal Public Defender”, of the Code of the Township of Hillsborough is amended to add a new section, Section 23-26, titled “Shared Municipal Court”:

§23-26. Shared Municipal Court

In the event that the Township enters into or has entered into Shared Services Agreements for a Shared Municipal Court pursuant to the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1 et seq., or other such similar law, the Township Municipal Public Defendant and any other Public Defenders shall also defend any and all matters for all governmental entities that are part of the Shared Municipal Court, including all first appearances for each of the governmental entities that are part of the Shared Municipal Court, as are assigned to the Municipal Public Defender.

Section 4. Severability. Should any provision of this Ordinance be determined invalid by a court or administrative tribunal of competent jurisdiction, such determination shall not affect the remaining provisions.

Section 5. Effective Date. This Ordinance shall take effect immediately upon final passage and publication according to law.

**ATTEST:**

**HILLSBOROUGH TOWNSHIP**

By: \_\_\_\_\_  
Pamela Borek, Clerk

By: \_\_\_\_\_  
Frank DelCore, Mayor

*Introduced: 1/22/13*  
*Published: 1/31/13*  
*Public Hearing: 2/26/13*  
*Adopted: 2/26/13*  
*Published: 3/7/13*