

**TOWNSHIP OF LONG HILL
ORDINANCE 553-24
CONCERNING FEES CHARGED FOR COPIES OF TOWNSHIP RECORDS AND AMENDING CHAPTER 2
OF THE TOWNSHIP CODE ENTITLED "ADMINISTRATION"**

WHEREAS, P.L.2024, c.16, amended OPRA changed the rules for fees that can be charged for copies of public records (N.J.S.A.. 47:1A-5); and

WHEREAS, the Township Code must be amended to reflect these changes to the OPRA law

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Long Hill in the County of Morris, New Jersey that Chapter 2 of the Township Code entitled "Administration" is amended as follows:

Section 1. Subsection 2-59.3 entitled "Fees" in Section 2-59 entitled "Inspection and Copying Public Records; Fees" is amended to read as follows:

§ 2-59. INSPECTION AND COPYING PUBLIC RECORDS; FEES.

§ 2-59.3. Fees.

A copy or copies of Township records may be purchased by any person upon payment of the following fees:

~~a. Photocopying. The fee for the duplication of a Township record on Township photocopy machines shall be set forth in the Township fee resolution, as amended. If in a particular case, the Township's actual costs of duplication exceed the foregoing rates, the requestor shall pay the Township the actual cost of duplication. In no event shall the fee exceed the amount permitted by OPRA (N.J.S.A. 47:1A-5).~~

~~b. Copies of records in different media whenever the nature, format, manner or collation, or volume of a Township record embodied in the form of printed matter to be inspected, examined, or copied pursuant to this section is such that the record cannot be reproduced by ordinary document copying equipment in ordinary business size or involves an extraordinary expenditure of time and effort to accommodate the request, the Township Clerk may charge, in addition to the actual cost of duplicating the record, a special service charge that shall be based upon the actual direct cost of providing the copy or copies. In such cases, the requestor shall have the opportunity to review and object to the charge prior to its being incurred.~~

~~c. If a request is for a record: (1) in a medium not routinely used by the Township; (2) not routinely developed or maintained by the Township; or (3) requiring a substantial amount of manipulation or programming of information technology, the Township Clerk may charge, in addition to the actual cost of duplication, a special charge that shall be reasonable and based on the cost for any extensive use of information technology or for the labor cost of personnel providing the service, that is actually incurred by the Township or attributable to the Township for the programming, clerical, and supervisory assistance required, or both.~~

a. The fee assessed for the duplication of a government record embodied in the form of printed matter shall be \$0.05 per letter size page or smaller, and \$0.07 per legal size page or larger. Access to electronic records and non-printed materials shall be provided free of charge, but the Township may charge for the actual costs of any needed supplies such as computer discs. No fee shall be charged if the request is completed by directing the requestor to the requested government record that is

available on the Township's website or the website of another public agency.

b. No fee shall be charged to a victim of a crime for a copy or copies of a record to which the crime victim is entitled to access, as provided in section N.J.S.A .47:1A-1.1).


c. The custodian shall permit access to a government record and provide a copy thereof in the medium or format requested if the Township maintains the record in that medium or format. If the Township does not maintain the record in the medium or format requested, the custodian shall convert the record to the medium or format requested, if the medium or format is available to the Township and does not require a substantial amount of manipulation or programming of information technology or the services of a third-party vendor. If the custodian converts the record to the medium or format requested, she may charge, in addition to the actual cost of duplication, a special service fee that shall be reasonable and shall be based on the cost for any extensive use of information technology, or for the labor cost of personnel providing the service, that is actually incurred by the Township or attributable to the Township for the programming, clerical, and supervisory assistance required, or both. If the Township does not maintain the record in the electronic medium or format requested, and the medium or format is not available to the Township without a substantial amount of manipulation or programming of information technology, the custodian shall be under no obligation to convert the record to the electronic medium or format requested but shall, at a minimum, provide a copy in the electronic format maintained by the Township.


Section 2. Any and all other ordinances or parts thereof in conflict or inconsistent with any of the terms hereof are hereby repealed to such extent as they are so in conflict or inconsistent.

Section 3. In case any article, section or provision of this ordinance shall be held invalid in any court of competent jurisdiction, the same shall not affect any other article, section or provision of this ordinance except insofar as the article, section or provision so declared invalid shall be inseparable from the remainder or any portion thereof.

Section 4. This ordinance shall take effect immediately upon final passage and publication as required by law.

ATTEST


Megan Phillips, RMC


Guy Piserchia, Mayor *October 24*

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