

TOWNSHIP OF MOORESTOWN

ORDINANCE 17-2009

AN ORDINANCE AMENDING CHAPTER 6-30 ENTITLED “DEPARTMENT OF HEALTH AND WELFARE” AND AUTHORIZING A FEE EXEMPTION FOR THE SOLEMNIZATION OF MARRIAGES AND CIVIL UNIONS FOR MILITARY PERSONNEL

WHEREAS, N.J.S.A. 37:1-13 et seq. permits Mayors and Deputy Mayors (with the consent of the Mayor) to perform ceremonies to solemnize marriages and civil unions; and

WHEREAS, N.J.S.A. 40:48-1.4 permits a municipality to set a fee for a service rendered in connection with any officer or employee’s position and further requires said fee to be deposited into the municipal treasury;

WHEREAS, Chapter 6-30(B)(5) of the Code of the Township of Moorestown provides for the collection of a fee for the solemnization of marriage and civil union by the Mayor and Deputy Mayor and for the issuance of vital records; and

WHEREAS, said fees are set annually by resolution; and

WHEREAS, the Township Council deems it appropriate to exempt military personnel from the fee imposed for the solemnization of marriage and civil union by the Mayor and Acting Mayor.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Moorestown, County of Burlington, State of New Jersey, that:

Section 1: Chapter 6-30(B)(5) of the Code of the Township of Moorestown shall be amended to add the following paragraph:

(5)(1) Military personnel shall be exempt from the fee set forth in paragraph (5)a. Said personnel shall provide proof of service to the Registrar of Vital Statistics prior to the ceremony.

Section 2: In all other respects, Chapter 6 shall remain in full force and effect.

Section 3: Repealer. Any and all other ordinances inconsistent with any of the terms and provisions of this ordinance are hereby repealed to the extent of such inconsistencies.

Section 4: Severability. In the event that any section paragraph, clause phrase, term, provision or part of this ordinance shall be adjudged by a court of competent jurisdiction to be invalid or unenforceable for any reason, such judgment shall not effect, impair or invalidate the remainder thereof, but shall be confined in its operation to the section, paragraph, clause, term, provision or part thereof directly involved in the controversy in such judgment shall be rendered.

Section 5: Effective Date. This ordinance shall take effect upon proper publication and in accordance with law.

Section 6: Short Title. This Ordinance shall be known as Ordinance 17-2009.

NOTICE

The ordinance published herewith was introduced and passed upon first reading at a meeting of the Township Council of the Township of Moorestown, County of Burlington, State of New Jersey, held on August 10, 2009. This ordinance will be further considered for final passage by the Township Council at a meeting to be held in the Auditorium of the William Allen Middle School, 801 North Stanwick Road, NJ on August 31, 2009 at 7:30 pm or at any time and place to which such meeting may be adjourned. All persons interested will be given the opportunity to be heard concerning such ordinance. During the week prior to and including the date of such further consideration, copies will be made available at the Municipal Clerk's Office in said Municipal Building to any member of the general public who shall request such copies.

Patricia L. Hunt, RMC
Township Clerk