

ORDINANCE NO. 3-11

AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF HANOVER AMENDING AND SUPPLEMENTING SECTION 125-7. ENTITLED "FEES COLLECTED THROUGH TAX COLLECTOR-TREASURER." WITH THE INCLUSION OF A NEW FEE REGARDING THE CALCULATION OF THE AMOUNT TO REDEEM A TAX LIEN CERTIFICATE UNDER CHAPTER 125 OF THE CODE OF THE TOWNSHIP ENTITLED FEES

WHEREAS, pursuant to N.J.S.A. 54:5-54, the owner, his/her heirs, holder of any prior outstanding tax lien certificate, mortgagee, or occupant of land sold from municipal taxes, assessment for benefits pursuant to R.S. 54:5-7 or other municipal charges, may redeem it at any time until the right to redeem has been cut off in the manner set forth in Chapter 54 of the Statutes, by paying to the Tax Collector, or to the Collector of Delinquent Taxes on land of the municipality where the land is situated for the use of the purchaser, his/her heirs or assigns, the amount required for redemption as set forth in Chapter 54; and

WHEREAS, the Tax Collector shall provide to any party entitled to redeem a Certificate pursuant to N.J.S.A. 54:5-54 et al., two (2) calculations of the amount required for redemption within a calendar year at no cost. The governing body of a municipality may, by ordinance, require a fee not to exceed \$50.00 for each subsequent calculation requested of the Tax Collector. A request for a redemption calculation shall be in writing to the Tax Collector; and

WHEREAS, in accordance with the recommendation of the Township's Chief Municipal Finance Officer who also serves as the Tax Collector and Treasurer, it

is the intention of the Township Committee to amend and supplement Section 125-7. entitled “Fees Collected Through Tax Collector-Treasurer.” under Chapter 125 of the Code of the Township entitled Fees with the inclusion of the fee prescribed by Statute in the calculation of the amount required for the redemption of a Tax Lien Certificate.

Section 1. Section 125-7. Entitled “Fees Collected through Tax Collector – Treasurer.” Under Chapter 125 of the Code of the Township entitled Fees is hereby amended and supplemented with the inclusion of a new fee for the calculation of the amount to redeem a Tax Lien Certificate:

“C. In accordance with N.J.S.A. 54:5-54, the Tax Collector shall provide to any party entitled to redeem a Certificate pursuant to N.J.S.A. 54:5-54, two (2) calculations of the amount required for the redemption within a calendar year at no cost. For each subsequent calculation requested from the Tax Collector, there shall be a \$50.00 fee. A request for a redemption calculation shall be made in writing to the Tax Collector.”

“D. In accordance with N.J.S.A. 54:5-97.1, the Tax Collector may charge a lien holder of a tax lien \$50.00 for the calculation of the amount due to redeem the tax lien as required pursuant to N.J.S.A. 54:5-97.1. Any requests for a redemption calculation shall specify the date to be used for the calculation which shall be the date of the notice. Neither the Tax Collector nor the Township shall be liable for an incorrect calculation. The fee paid to the Township shall not become part of the lien, and shall not be passed on to any party entitled to redeem pursuant to N.J.S.A. 54:5-54.”

Section 2. All ordinances or parts of ordinances in conflict or inconsistent with the provisions of this ordinance are, to the extent of such inconsistency, hereby repealed.

Section 3. In case, for any reason, any section or provision of this Ordinance shall be held to be unconstitutional or invalid, the same shall not affect any other section or provision of this Ordinance, except so far as the section or provision so declared unconstitutional or invalid shall be severed from the remainder or any portion thereof.

Section 4. This ordinance shall take effect in accordance with the law.

TOWNSHIP COMMITTEE
TOWNSHIP OF HANOVER
COUNTY OF MORRIS
STATE OF NEW JERSEY

DATE OF INTRODUCTION: January 27, 2011
DATE OF ADOPTION: February 10, 2011

NOTICE OF INTRODUCTION

NOTICE IS HEREBY GIVEN, That the foregoing Ordinance was submitted in writing at a meeting of the Township Committee of the Township of Hanover, in the County of Morris and State of New Jersey, held on the 27th day of January, 2011, introduced and read by title and passed on first reading and the Governing Body will further consider the same for second reading and final passage thereof at a meeting to be held on the 10th day of February, 2011, at 8:30 o'clock in the evening prevailing time, at the Municipal Building, 1000 Route 10, Whippany, in said Township of Hanover, at which time and place a public hearing will be held thereon by the Governing Body and all persons and citizens in interest shall have an opportunity to be heard concerning same.

JOSEPH A. GIORGIO, TOWNSHIP CLERK
TOWNSHIP OF HANOVER
COUNTY OF MORRIS
STATE OF NEW JERSEY

DATED: February 3, 2011