

**BOROUGH OF DEMAREST
COUNTY OF BERGEN**

ORDINANCE 1132-24

**ORDINANCE AMENDING AND MODIFYING CHAPTER 32 OF THE DEMAREST
BOROUGH CODE**

Section 1. Purpose & Authority. The purpose of this ordinance is to modify and amend Chapter 32 of the Demarest Borough Code pursuant to N.J.S.A. 40:48-1, and 40:49-2.

Section 2. Amendments. (amendments are highlighted, deletions strikethrough).

~~Article IX Municipal Clerk~~

~~§ 32-34 Generally~~

~~There shall be a Clerk appointed by the Council, who shall serve as provided by N.J.S.A. 40A:9-133.~~

~~§ 32-35 Powers and duties.~~

~~The Clerk shall:~~

~~A. Keep the minutes and records of the proceedings of the Council and of any Council committee upon request of the Chair of the committee. It shall be the duty of the Municipal Clerk to prepare minutes (where such minutes are required) generally within 30 business days following the day in which such meeting took place.~~

~~B. Preserve and compile all ordinances and resolutions and not less than once per year, with the advice and assistance of the Borough Attorney, compile, codify and bind all the ordinances and resolutions then in effect, in conformity with the plan and system of the Code; and the Clerk shall annually index the record books, compilation and codification of ordinances and resolutions and provide for their publication.~~

~~C. Have custody of the Borough seal and affix it to such books, papers and documents as may be specifically authorized pursuant to law or ordinance or when necessary to~~

exemplify any document on record in his/her office or to certify any act or paper which, from the records in his/her office, shall appear to have been a public act or document of the Borough.

D. Have and take custody of all official books, papers and documents of the Borough for which no other repository is provided by charter or ordinance and preserve and keep them safely.

E. Provide secretarial and clerical services for the Councilpersons in the discharge of their official duties.

F. Perform the functions required of Municipal Clerks by the General Election Law (Title 19 of the Revised Statutes) and any other state law or ordinance and receive for Borough use the fees prescribed therefor.

G. Administer the licensing provisions of Borough ordinances where no other provision is made for administration thereof and promptly remit to the Tax Collector all fees received in connection therewith.

H. Perform such functions as are vested in the Clerk by state law and ordinances relating to bingo and raffles licensing.

I. Have such other and different functions, powers and duties as may be prescribed by law or ordinance.

§ 32-36 Compensation.

The salary of the Deputy Borough Clerk shall be such as shall from time to time be fixed by resolution of the Borough Council or by the Salary Ordinance of the Borough of Demarest.

Section 3. Repealer. All prior ordinances that are inconsistent with this ordinance are repealed. All ordinances are hereby amended to be consistent with this ordinance and all ordinances, including this one, shall be construed consistent with the express purpose of this ordinance.

Section 4. Savings and Construction. This ordinance shall be construed consistent with the purpose stated in Section 1 hereof. Any ambiguities in this ordinance shall be construed in accordance with the purpose of this ordinance. If any part of this ordinance is invalidated by a court of competent jurisdiction, the remainder of this ordinance shall be saved to the full extent possible. This ordinance repeals provisions of the Demarest Code only where stated herein; otherwise this ordinance is amendatory and supplementary to existing provision of the Demarest Code.

Section 5. Codification. This ordinance shall be codified as amendments to the chapters set forth herein.

This ordinance shall be codified as amendments

Section 6. Effective Date. This ordinance shall take effect immediately upon approval and publication of notice of adoption as provided by law.

Attest:

Approved:



Julie Falkenstern
Acting Municipal Clerk



Brian Bernstein
Mayor

Introduced: 3/25/24
2nd Reading: 4/18/24
Adopted: 4/18/24