

ORDINANCE NO. 7-2023

AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF HANOVER, IN THE COUNTY OF MORRIS, AND STATE OF NEW JERSEY, AMENDING PART 1 THE TOWNSHIP CODE, "ADMINISTRATIVE LEGISLATION," TO ESTABLISH CHAPTER 55, ENTITLED MUNICIPAL BUILDINGS, RESTRICTED AREAS TO SAFEGUARD RECORDS

WHEREAS, Township of Hanover officials and employees are entrusted with the responsibility to maintain and safeguard public records that consist of or contain information deemed confidential pursuant to federal, State or local law; and

WHEREAS, to ensure compliance with such laws, including the New Jersey Open Public Records Act ("OPRA") set forth at N.J.S.A. 47:1A-1 et seq. and its statutorily defined responsibilities, the maintenance and custody of specific records are required; and

WHEREAS, municipal officials assigned this responsibility include, but are not limited to, the Municipal Clerk, Police Chief, Chief Financial Officer, Tax Collector, Tax Assessor, Construction Code Official, Board of Health Secretary and the Township Administrator; and

WHEREAS, due to this responsibility to maintain and safeguard records, reports, documents and information in municipal offices, records may not be available for immediate public viewing since they may contain personal information, phone numbers, social security numbers, medical data and other confidential information; and

WHEREAS, securing these records maintains the integrity of this information and, when an OPRA request is received, and it is determined that a requestor is entitled to the records, the records can be released individually and redacted as required by law; and

WHEREAS, securing and keeping these records confidential will support a safe workplace while balancing public access in the Township Municipal Buildings; and

WHEREAS, the Township cannot expect its municipal employees to physically intervene to protect a record, or other Township assets or personal belongings, and creating secure areas with clear signage will help deter persons from collecting records that they are not entitled to receive without following the process required by OPRA.

NOW THEREFORE BE IT ORDAINED, by the Mayor and Township Committee of the Township of Hanover in the County of Morris and State of New Jersey as follows:

SECTION 1. Part 1: Administrative Legislation, of the Code of the Township of Hanover, is hereby amended to establish Chapter 55, entitled Municipal Buildings, Restricted Areas to Safeguard Records to read as follows in its entirety:

Chapter 55. Municipal Buildings, Restricted Areas to Safeguard Records

§55 - 1. Purpose. While the general public may be permitted to access Township buildings during regular business hours, the intent of this Chapter is to safeguard public records that may contain confidential information or may be exempt from disclosure under the Open Public Records Act, other Township assets, and personal belongings, and ensure a safe workplace, by restricting access to work stations and work areas where such records, assets and personal belongings are maintained.

§55 - 2. Restricted areas. Municipal office areas in the Township Municipal Building including Police Headquarters located at 1000 Route 10, the Community Center located at 15 North Jefferson Road and the DPW Complex located at 25 North Jefferson Road, in the Whippany Section of Hanover Township, have been secured and are closed to the public for the purposes set forth in this section, including protecting documents, digital data and other written, copied or printed materials that may contain confidential information that is protected by the federal, State or local laws. These areas include, but are not limited to, the following departments and bureaus:

1. Offices of the Business Administrator & Township Clerk
2. Professional Planner
3. Health Department and Registrar's Office
4. Finance Department (except for vestibule)
5. Tax Assessor & Tax Collector's Office (except for vestibule)
6. Engineering Department (except for vestibule)
7. Building and Zoning Department (except for vestibule)
8. Recreation and Park Administration Department (except for lobby)
9. Planning and Board of Adjustment Office (except for vestibule)
10. Violations Bureau, Shared Municipal Courts, and Judges' Chambers
11. Public Works Department
12. Hanover Sewerage Authority Office
13. Police Headquarters (except for lobby area)
14. Mail & Supply Rooms
15. Server Room
16. Employee Restrooms and Kitchen/Break Room
17. Conference Rooms
18. Vault and Storage Areas
19. Telephone and Electronic Equipment Closets
20. Main Public Meeting Room
21. General Office (except for vestibule)

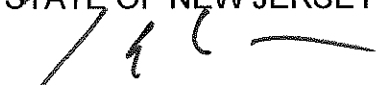
§55 - 3. Signage. The Township of Hanover shall post signs outside of restricted offices and work areas that read, "Stop, Restricted Area, Authorized Employees Only".

§55 - 4. Violations. Any unauthorized person who violates any provision of this chapter shall be subject, upon conviction, to a fine not exceeding \$2,000 or imprisonment for a period not exceeding 90 days or a period of community service not exceeding 90 days, at the discretion of the Municipal Court Judge, or criminal prosecution under N.J.S.A. 2C-18-3.

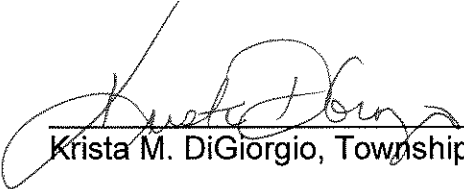
SECTION 2. If any portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent portion, and such holding shall not affect the validity of the remaining portions hereof.

SECTION 3. All ordinances or parts of ordinances inconsistent herewith are repealed as to such inconsistencies.

SECTION 4. This Ordinance shall take effect in accordance with law.

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

Thomas "Ace" Gallagher, Mayor

ATTEST:


Krista M. DiGiorgio, Township Clerk

DATE OF INTRODUCTION: February 9, 2023
DATE OF ADOPTION: March 9, 2023

CERTIFICATION

I, Krista M. DiGiorgio, Township Clerk of the Township of Hanover, County of Morris and State of New Jersey, do hereby certify the foregoing to be a true copy of an Ordinance adopted by the Township Committee of said Township on the 9th day of March, 2023 at a meeting duly convened, of said Body.


Krista M. DiGiorgio, Township Clerk