Municipal Court of Irvington
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ANTHONY R. ATWELL
Chief Judge

SHARIFA R. SALAAM
Judge

ANTHONY J. FRASCA
Judge

CHANDRA R. COLE
Judge

TERRIE L. YUELLING
Court Director

BRENDA A. JONES
Acting Court Administrator

LOCAL SUPPLEMENTAL VIOLATIONS BUREAU SCHEDULE
REVISED EFFECTIVE MARCH 14, 2016

Pursuant to R. 7:12-4, the following Local Supplemental Violations Bureau Schedule of designated offenses and Payable Amounts has been approved by the vicinage Assignment Judge and shall be in effect for offenses committed on and after **March 14, 2016**. This Local Schedule shall be prominently posted for public inspection at the location of the Violations Bureau.

The Local Supplemental Violations Bureau Scheduled that were prepared, pursuant to R. 7:12-4, for offenses committed prior to the effective date of this Schedule is on file with the Municipal Court Administrator and is available for public inspection upon request.

PART I
TRAFFIC SECTION
DESIGNATED OFFENSES

ORDINANCE NO	SHORT DESCRIPTION	PAYABLE AMOUNT
192-6	Restricted use of parking lot (Western Pkwy/Myrtle Ave)	$ 45.00
192-9	Parking or standing for the purpose of repair	$ 45.00
192-12	Parking prohibited at all times	$ 45.00
192-13	Parking prohibited (street cleaning)	$ 45.00
192-14	Parking prohibited (certain hours)	$ 45.00
192-15	Limited time parking	$ 45.00
192-16.2	Parking restricted for residents parking	$ 45.00
192-17	Trucks over certain weight excluded	$ 150.00
192-18	One way traffic	$ 85.00
192-19	One way traffic at parking lots	$ 85.00
192-24	No parking – taxi stands	$ 50.00
192-25	Bus Stop designated	$ 85.00
192-26	U-turns (certain streets)	$ 85.00

192-27	Certain turns prohibited	$ 85.00
192-28	No turn on red	$ 85.00
192-30	No parking when snow covers road	$ 45.00
192-31	Emergency no parking	$ 45.00
192-32	Off street parking regulations	$ 45.00
192-40	No buses/truck parking (12 midnight to 6 am)	$ 150.00
192-40b	No truck tractor/trucks over 20 feet parking (9:00 pm to 6 am)	$ 150.00
192-40e	No commercial truck, tractor, trailer, omnibus in residential driveway	$ 150.00
192-42	Parking private lot (library)	$ 45.00
192-46	Parking prohibited except for certain vehicles (permit only)	$ 45.00
192-47	Parking prohibited except for certain persons	$ 45.00
192-54c	Parking over the line	$ 45.00
192-54d	Backwards to meter	$ 45.00
192-56	Overtime meter	$ 45.00
192-63	No commercial vehicle in lots	$ 150.00
192-85	Abandoned vehicles (72 hours)	$ 100.00
192-89	Bus terminal (no driving through)	$ 85.00
192-93a	Parking prohibited on Grove Street (Sundays)	$ 45.00
192-119	Handicapped parking (resident only)	$ 45.00
192-122	Prohibited parking outside designated spaces	$ 45.00

PART II
NON-TRAFFIC SECTION
DESIGNATED OFFENSES

Ord. No.	Short Description	Payable Amount 1st Offense	Payable Amount 2nd Offense	Payable Amount 3rd Offense
134-3	Placing Litter in Receptacles	$ 150.00	$ 250.00	$ 500.00
134-4	Maintaining Gutter and Sidewalks Free of Litter	$ 50.00	$ 250.00	$ 500.00
134-5	Litter from Places of Business	$ 150.00	$ 250.00	$ 500.00
134-6	Litter from Vehicles	$ 150.00	$ 250.00	$ 500.00
134-7	Litter from Trucks and Truck Tires	$ 150.00	$ 250.00	$ 500.00
134-11	Distributing Handbills	$ 250.00	$ 500.00	$ 750.00
134-12	Placing Handbills in or upon vehicles	$ 250.00	$ 500.00	$ 750.00
134-13	Placing Handbills on Vacant private Premises	$ 250.00	$ 500.00	$ 750.00
134-14	Placing Handbills on private Premises	$ 250.00	$ 500.00	$ 750.00
134-16	Posting notices on Poles and Buildings	$ 250.00	$ 500.00	$ 750.00
134-17	Depositing Litter on Occupied Private Property	$ 500.00	$ 750.00	$1,000.00
134-18	Depositing Litter on Vacant Lots	$ 500.00	$ 750.00	$1,000.00
134-19	Maintenance of Private Property Free of Litter	$ 50.00	$ 250.00	$ 500.00
134-27	Parking on Residential Lawns	$ 50.00	$ 250.00	$ 500.00
134-28	Storage of Inoperable or Unregistered Vehicles	$ 50.00	$ 250.00	$ 500.00
134-29	Debris on Constriction Sites	$ 250.00	$ 500.00	$ 750.00
148-10	Ground Surface hazards or insanitary conditions	$ 50.00	$ 250.00	$ 500.00
148-13	Landscaping	$ 50.00	$ 250.00	$ 500.00
148-14	Signs & Billboards	$ 50.00	$ 250.00	$ 500.00
148-15	Windows	$ 50.00	$ 250.00	$ 500.00
148-16	Storefronts	$ 50.00	$ 250.00	$ 500.00
148-17	Removal of Signs or Advertisements	$ 50.00	$ 250.00	$ 500.00
148-18	Awnings and Marquees	$ 50.00	$ 250.00	$ 500.00
148-20	Foundation Walls	$ 50.00	$ 250.00	$ 500.00
148-21	Chimneys	$ 50.00	$ 250.00	$ 500.00
148-22	Porches, Balconies, Fire Escapes	$ 50.00	$ 250.00	$ 500.00

148-25	Freedom from Infestation	$ 50.00	$ 250.00	$ 500.00
148-26	Accumulation of garbage and rubbish prohibited	$ 50.00	$ 250.00	$ 500.00
148-28	Bathroom and Kitchen Floors	$ 50.00	$ 250.00	$ 500.00
148-29	Basement and Cellar Floors	$ 50.00	$ 250.00	$ 500.00
148-30	Supporting Structural Members	$ 50.00	$ 250.00	$ 500.00
148-31	Walls and Ceilings	$ 50.00	$ 250.00	$ 500.00
148-33	Accumulation of Refuse; Fire Hazards	$ 50.00	$ 250.00	$ 500.00
148-34.1(a)	Street Numbers	$ 50.00	$ 250.00	$ 500.00
150-10b(1)	Keep solid waste separate from recycling materials in not more than two containers per dwelling unit	$ 50.00	$ 250.00	$ 500.00
150-10b(1)(a)	Property owner/operator/tenant provide and or utilize approved leak proof containers for storage of solid waste materials	$ 50.00	$ 250.00	$ 500.00
150-10b(1)(b)	Corrugated or card board boxes/cartons/containers shall be flattened and securely bundled/tied/and placed at curb for collection on recycling collection days.	$ 100.00	$ 250.00	$ 500.00
150-10b(1)(c)	Allowing commingled materials (I.e.: glass beverage containers, milk/detergent containers, etc.) to spill/leak on sidewalk or elsewhere	$ 50.00	$ 250.00	$ 500.00
150-10b(2)	Property owner or occupant of property shall place in each receptacle for solid waste/recycling no more material than it can properly hold without spilling	$ 50.00	$ 250.00	$ 500.00
150-10b(3)	Failure to secure receptacle allowing garbage (solid waste) to spill/leak on sidewalk or elsewhere	$ 50.00	$ 250.00	$ 500.00
150-10b(4)	Placing trash out early (before 6:00 pm)	$ 50.00	$ 250.00	$ 500.00
150-10b(5)	Storage of solid waste/recycling shall be placed in rear year	$ 50.00	$ 250.00	$ 500.00

	of property with a lid and in proper receptacles			
150-11b	No more than 2 pieces of bulk can be placed at the curb per property for pick up (scheduled 2nd garbage day) (Must not weigh more than 50 lbs./be more than 4 ft. in length and can be handled by one man)	$ 50.00	$ 250.00	$ 500.00
171-12	Failure to apply for dumpster permit	$ 250.00	$ 500.00	$ 750.00
171-15	Failure to apply for permit to disturb/breakup sidewalk	$ 250.00	$ 500.00	$ 750.00
171-83	Duty of landowners to remove snow/ice within 24 hours after snowfall	$ 250.00	$ 500.00	$ 750.00
171-85	Depositing snow or ice in streets	$ 250.00	$ 500.00	$ 750.00

PART III

ALLOCATION AND DISTRIBUTION OF PAYABLE AMOUNT

A. VIOLATIONS BUREAU PAYMENTS

Parts I and II of this Schedule list specific amounts that are payable through the Violations Bureau for designated traffic and non-traffic offenses, pursuant to R. 7:12-4. However payment for any of those listed offenses, or any other matter, may not be made through the Violations Bureau if the law enforcement officer marks on the Complaint-Summons that a court appearance is required.

B. ALLOCATION OF PAYABLE AMOUNTS BETWEEN FINES, ASSESSMENTS AND COURT COSTS

In Part I (Traffic Violations), the Payable Amount established in this Local Supplemental Violations Bureau Schedule, for each offense, includes at least a fine, court costs (which equal but not exceed the fine) and amounts required by statute to be assessed. These amounts are:

- $ 1.00 for the Body Armor Replacement Fund
- $ 1.00 for the New Jersey Spinal Cord Research Fund
- $ 2.00 for the New Jersey Forensic DNA Laboratory Fund
- $ 1.00 for the Autism Medical Research and Treatment Fund
- $ 1.00 for the New Jersey Brain Injury Fund

In Part II (Non-Traffic Violations), the Payable Amount established in this Local Schedule, for each offense, includes a fine and court costs (which may equal but not exceed the fine).

C. ALLOCATION AND DISTRIBUTION OF COURT COSTS

A portion of the total court costs allocated, pursuant to Part III A. of this Local Schedule, shall be distributed upon collection in accordance with N.J.S.A. 22A:3-4 and N.J.S.A. 2B:12-30, as follows:

1. For all violations payable through the Violations Bureau, pursuant to the Statewide Violations Bureau Schedule or a Local Schedule, $ 2.00 shall be collected by the municipal court administrator and deposited into the Automated Traffic System Fund and $ 3.00 shall be collected by the municipal court administrator and deposited into the Automated Traffic System Statewide Modernization Fund. **This portion of court costs cannot be suspended.**

2. For all violations of the provisions of Title 39, or any other motor vehicle or traffic violation payable through the Violations Bureau, pursuant to the Statewide Violations Bureau Schedule or a Local Schedule, $ 0.50 shall be collected by the municipal court administrator and deposited into the Emergency Medical Technician Training Fund. **This portion of court costs cannot be suspended.**

3. Any remaining court costs shall be collected by the municipal court administrator and distributed to the municipality.

PART IV

MISCELLANEOUS

A. ADDITIONAL PENALTIES FOR FAILURE TO APPEAR ON RETURN DATES

1. MOTOR VEHICLE, TRAFFIC AND PARKING CASES

For offenses listed on this Local Schedule, the following additional penalties will be added to the Payable Amount, as indicated:

1. When a supplemental notice is sent, $ 10.00 will be added to the Payable Amount.

2. When a Notice of Proposed Suspension for a parking violation is sent, $ 10.00 will be added to the Payable Amount.

3. When an Order to Suspend is issued for a parking violation, $ 15.00 will be added to the Payable Amount.

4. A $ 3.00 DMV fee is also to be added to the total Payable Amount due upon the issuance of an Order to Suspend.

5. When a warrant is issued, unless the Judge otherwise orders, the amount of the bail indicated on the warrant shall be as follows: Parking offenses – the Payable Amount plus $ 15.00. All other listed offenses – the Payable Amount plus $ 25.00.

NOTE: Under the provisions of N.J.S.A. 39:5-9, costs, not to exceed $ 33.00, may be deducted by the court from forfeited bail in traffic cases.

2. NON-TRAFFIC CASES

For offenses listed in Part II on this Schedule, N.J.S.A. 2B:12-31 permits the municipal court to order the suspension of a defendant's driving privilege for failure to appear at any scheduled court appearance. The following procedures may be used by the court to effectuate that process:

1. Send a "Notice of Proposed Suspension of Driving Privileges for Failure to Appear" to the defendant. This notice may be used for violations that are payable on this Schedule, as well as for those violations that are not. Note: Unlike traffic matters, no fee may be assessed for the mailing of this notice.

2. Should the defendant fail to respond to the Notice of Proposed Suspension, the court may issue an Order of Suspension. When the Court issues the order, $ 25.00 [$10.00 (notice) + $ 15.00 (order)] will be added to the total Payable Amount.

3. A $ 3.00 DMV fee is also to be added to the Payable Amount, upon the issuance of the Order of Suspension.

4. When a warrant is used, unless the Judge otherwise orders, the amount of the bail indicated on the warrant shall be the amount of the Payable Amount plus $ 50.00.

B. APPEARANCE OF DEFENDANT IN CERTAIN CASES

If, in the opinion of the officer issuing the Complaint-Summons, circumstances indicate that the defendant should appear in court, the officer has the option to check the "Court Appearance Required" box on the Complaint-Summons, in which case, the matter may not be processed in the Violations Bureau.

C. AUTHORIZATION TO APPLY BAIL AGAINST FINE(S) AND COSTS

By executing the form of Authorization to Apply Bail Against Fine(s) and Costs and Waiver of Rights, a defendant against whom a warrant has been issued waives the rights to a lawyer and a trial, enters a plea of guilty to the offense charged and authorizes the municipal court administrator to apply the bail posted toward the payment of fines, assessments and costs owed. This form may be used for all offenses payable through the Violations Bureau.

D. DEFENSE BY AFFIDAVIT IN CERTAIN CASES

For any offense not listed on this Schedule or on a Local Schedule, a court appearance is required, unless the court authorizes a defendant by affidavit in accordance with the provisions of R. 7:12-3. For offenses involving traffic accidents resulting in personal injury, a court appearance is also required.

2/12/16
Date

Signature of Municipal Court Judge

APPROVED:

3-1-16
Date

Signature of Assignment Judge