

**BOARD OF HEALTH OF THE BOROUGH OF NORTH CALDWELL
COUNTY OF ESSEX
STATE OF NEW JERSEY**

BOARD OF HEALTH ORDINANCE NO. BHO-1-16

**AN ORDINANCE AMENDING BOARD OF HEALTH CHAPTERS
OF THE BOROUGH OF NORTH CALDWELL CODE
IN THE COUNTY OF ESSEX, NEW JERSEY**

WHEREAS, the Mayor and Council of the Borough of North Caldwell, in the County of Essex, New Jersey, have caused its ordinances of a general and permanent nature to be amended and supplemented and to be compiled and revised and embodied in a codification known as the "North Caldwell Borough Code, 2016"; and

WHEREAS, the Mayor and Council of the Borough of North Caldwell sit as the Board of Health of the Borough of North Caldwell; and

WHEREAS, the Board of Health of the Borough of North Caldwell in the County of Essex, New Jersey, have caused its ordinances of a nature specifically related to the Board of Health to be amended and supplemented and to be compiled and revised and embodied within the Codification known as the "North Caldwell Borough Code, 2016";

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF HEALTH OF THE BOROUGH OF NORTH CALDWELL IN THE COUNTY OF ESSEX, NEW JERSEY, AS FOLLOWS:

Section 1. The regulations of the Board of Health of the Borough of North Caldwell of a general and permanent nature, as codified in the North Caldwell Borough Code are amended as follows:

CHAPTER 116 FOOD ESTABLISHMENTS AND BEVERAGE VENDING MACHINES

116-5, License Fees-Food Establishments, and 116-6, Permit and License Fees-Vending Machines, are revised and are relocated in Chapter 116 from the Borough Code Chapters 47 and 48.

CHAPTER 121 HOUSING

121-5, Hearings; Results of Hearings; Appeals; Emergency Orders, is revised from 10 to 15 days for the time period within which a hearing will commence after a petition for a hearing is filed.

121-6, Promulgation of Rules and Regulations Authorized, is amended from the Health Officer to the Board of Health as the authority empowered to make and adopt rules and regulations.

CHAPTER 125 MILK

This chapter is revised to comply with the statutory provisions of N.J.S.A. 24:10-57.10.

CHAPTER 128 NUISANCES

128-4, Violations and Penalties is revised to state a minimum penalty of \$100.00 and a maximum penalty of \$1,000.00 for violations of the Public Health Nuisance Code.

128-5 – 128-10, are new and contain the adoption of the International Property Maintenance Code, 2012, and include provisions for adoption of the International Property Maintenance Code, 2012, maintenance of copies in the Borough offices, compliance, and violations and penalties. The penalties for violations are a minimum penalty of \$100.00 and a maximum penalty of \$1,000.00.

CHAPTER 140 SEWAGE DISPOSAL SYSTEMS, INDIVIDUAL

140-3, Permit Required (Individual Sewage Disposal System), is revised as the Health Officer or the Health Officer's designee shall issue permits for the installation, construction, alteration or repair of subsurface sewage disposal systems.

140-10, Denial of Permit or Certification; Hearing, is new and provides procedures for a hearing by the Board of Health in cases of denial of a permit or certification.

140-12, Fees (Individual sewage disposal systems), are revised as follows: Application for certification for construction, \$250; Application for a permit to alter, \$100; Reinspections, \$100; Permit to clean or empty, \$50.

CHAPTER 144 SOLID WASTE

144-4, Violations and Penalties, is revised to state a minimum penalty of \$100.00 and a maximum penalty of \$1,000.00 for violations of the chapter.

CHAPTER 147 SWIMMING POOLS, PUBLIC RECREATIONAL BATHING

This chapter is revised to include the term "public recreational bathing places" as consistent with N.J.A.C. 8:26-1.1 et seq.

147-8, Violations and Penalties, is revised to state a minimum penalty of \$50.00 and a maximum penalty of \$1,000.00 for violations of the chapter.

CHAPTER 151 WATER, SAFE DRINKING WATER ACT RULES

This chapter is amended to provide for and include the Safe Drinking Water Act (N.J.A.C. 7:10).

151-4, Construction Permit and Engineering Certificate, is revised as the Borough Engineer issues permits to construct, alter or replace water supply systems under this chapter.

151-5, Operational Certificate, is revised to provide that the Borough Engineer issues certificates for new water supplies.

151-6, Hearing Following Refusal of Permit; Results of Hearing, is revised to provide for a hearing by the Governing Body when a permit or certificate is denied.

151-7, Stop-Work Orders; Continuation of Work Restricted, is revised to provide the Borough Engineer with the authority to stop work authorized under this chapter.

151-8, Permit Fees and Other Charges, is revised as follows: Application for a permit to construct new or replace existing, \$150; Application to alter existing, \$100; Permit to locate, construct or replace, \$100; Reinspections, \$50.

151-9, Violations and Penalties, is revised to state a minimum penalty of \$100.00 and a maximum penalty of \$1,000.00 for violations of the chapter.

CHAPTER 154 WEED CONTROL

154-4, Violations and Penalties, is revised to state a minimum penalty of \$100.00 and a maximum penalty of \$1,000.00 for violations of the chapter.

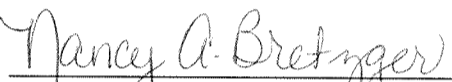
Section 2. Each section of the Board of Health Chapters 111 through 154 of the code of the Borough of North Caldwell, and every part of each section, is an independent section or part of a section and the holding of any section or part thereof deemed to be unconstitutional, void or

ineffective for any cause shall not be deemed to affect the validity or constitutionality of any other sections or parts thereof.

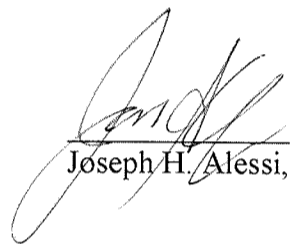
Section 3. All Board of Health ordinances or parts of Board of Health ordinances which are inconsistent with the provisions of this ordinance are hereby repealed to the extent of such inconsistency.

Section 4. This Board of Health ordinance shall take effect immediately upon final passage and publication thereof according to law, as may be required.

Introduced: December 6, 2016
Adopted: December 20, 2016



Nancy A. Bretzger, Borough Clerk



Joseph H. Alessi, Mayor