

Revised Health Code
of the
CITY OF ENGLEWOOD
NEW JERSEY

2003

Adopted: November 10, 2003

PUBLISHED BY ORDER OF THE
ENGLEWOOD BOARD OF HEALTH

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FORWARD

The adoption and publication of this Revised Health Code of the City of Englewood, New Jersey provides city officials and the general public with a single volume containing the updated health code (formerly called sanitary code) of the City of Englewood. A loose-leaf format will enable the Board of Health to add and revise sections as appropriate within the same volume, a copy of which will be available for public use at the office of the Department of Health. Copies of the code will be available for purchase at the office of the City Clerk.

The attention of the public is called to the state statutes and regulations which apply in the field of health, in general Titles 24 and 26 of the New Jersey Statutes Annotated, the New Jersey State Sanitary Code and the New Jersey Administrative Code. A complete copy of the New Jersey State Sanitary Code is available at the office of the Board of Health for public reference and use.

Certain articles in the sanitary code adopted by the Board of Health in 1956 have been omitted from this revision. For example, the chapter on communicable diseases has been preempted by Chapter 2 of the New Jersey Sanitary Code and the chapter of garbage, ashes and rubbish has been preempted by the Revised General Ordinances of the City of Englewood, New Jersey (1978). Other articles have been consolidated. For example, the articles on food and beverages, frozen food, water supply, ice restaurants and other articles pertaining to food and beverages have been consolidated into a chapter on retail food service establishments, or have been preempted by Chapter 12 of the New Jersey Sanitary Code.

This code follows the general format of the Revised General Ordinances of the City of Englewood, New Jersey (1978). The following features have been incorporated to thus conform the format of this code:

1. **Arrangement of Code:** The code consists of 18 chapters which are arranged in alphabetical order after a first chapter entitled "General Provisions" and a second chapter entitled "Board of Health." Each chapter is divided into sections and in some cases also into articles. Each section number consists of two parts, separated by a dash, with the number before the dash referring to the chapter, and the number after the dash referring to the section. Thus, section "2-1" is Chapter 2, Section 1.
2. **Analysis:** Preceding the text of each chapter, there is set forth an "Analysis" or table of contents listing the chapter, article and section headings contained therein. This, in many instances, will serve as an index to the contents of the particular chapter.
3. **Section Headings:** At the head of each section, there appears an appropriate caption which summarizes the contents of the section.
4. **Notes:** In some cases, references are made in the form of "Notes" to pertinent provisions of the state statutes, state administrative code and case law.
5. **General Index:** A detailed index, keyed to pertinent chapters and sections of the code, is placed at the end of this volume.
6. **Loose-leaf Binder:** The loose-leaf arrangement permits integrated supplementation as additional ordinances are adopted.

PREFACE

This volume entitled the “Revised Health Code of the City of Englewood, New Jersey” is a second revision and codification of the Englewood Board of Health’s ordinances. Since the adoption of the first codification in 1956, the need for a revision and new codification of the ordinances has become imperative to eliminate the uncertainties of application, obsolescence, conflicts and confusion in the interpretation of the accumulated and multi-amended ordinances and the effect of new legislation.

This code contains only ordinances of a general and permanent nature and replaces all general and permanent ordinances of the Board of Health of the City of Englewood adopted prior to April 14, 1980 except those expressly saved from repeal by the Adopting Ordinance.

This volume is presented for the use and benefit of the citizens, officials and employees of the City and the Department of Health in the belief that this revision will render the ordinances of the Board of Health more readily accessible, more easily understood, and their future enforcement more effective and certain. To accomplish this intended purpose, the code will be kept up-to-date by means of an adequate supplemental service.

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**BOARD OF HEALTH
CITY OF ENGLEWOOD
ORDINANCE NO. 2003-02**

AN ORDINANCE ADOPTING A REVISION AND CODIFICATION OF THE HEALTH CODE OF THE CITY OF ENGLEWOOD, IN THE COUNTY OF BERGEN, NEW JERSEY, PROVIDING FOR THE REPEAL OF CERTAIN ORDINANCES NOT INCLUDED THEREIN AND THE SAVING FROM REPEAL OF CERTAIN OTHER ORDINANCES NOT INCLUDED THEREIN.

WHEREAS, The board of Health of the City of Englewood, has caused its ordinances of a general and permanent nature to be compiled and revised and the same embodied in a revision and codification thereof known as the “Revised Health Code of the City of Englewood, New Jersey (2003)”:

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF HEALTH OF THE CITY OF ENGLEWOOD;

Section 1. The ordinances of the Board of Health of the City of Englewood of a general and permanent nature, as codified in the following designated chapters of “Revised Health Code of the City of Englewood, New Jersey (2003)”, as filed in the office of the Department of Health, are hereby adopted and ordained as codified general ordinances of the Board of Health of the City of Englewood, to be known as the “Revised Health Code of the City of Englewood, New Jersey (2003)”, and all provisions thereof shall be in force and effect on and after the effective date of this ordinance.

Section 2. The Revised Health Code of the City of Englewood, New Jersey (2003) as so adopted includes Chapters 1 through 18 inclusive and Rules and Regulations.

Section 3. All ordinances of a general and permanent nature adopted by the Board of Health of the City of Englewood prior to November 10, 2003, and not contained in the “Revised Health Code of the City of Englewood, New Jersey (2003)” are hereby repealed from and after the effective date of this ordinance, except as provided in Section 4 hereof.

Section 4. The repeal provided for in Section 3 of this ordinance shall not affect:

1. Any offense or act committed or done by any penalty or liability incurred or any contract or right established or accruing before the effective date of this ordinance;
2. Any prosecution, action, suit or other proceeding pending or any judgment rendered on or prior to the effective date of this ordinance;
3. Any license right conferred by the Board of Health of the City of Englewood;

ADOPTING ORDINANCE

4. Any ordinance or resolution promising or guaranteeing the payment of money by or for the Board of Health of the City of Englewood;
5. The annual budget appropriation ordinance or resolution and all ordinances and resolutions appropriating money or transferring funds;
6. Any ordinance or resolution authorizing the Board of Health of the City of Englewood to enter into, execute or assume a contract or contracts;
7. Any pension or tenure right of any officer or employee of the Department of Health of the City of

Englewood or any pension or benefit of any retired officer or employee;

8. Any provision of any ordinance or resolution or employment agreement providing for the payment of compensation, salary or wages of, or the method of payment to, any Department of Health official, officer or employee, or providing for additional compensation with respect thereto, or providing for any other benefit or allowance, whether monetary or otherwise;

9. Any provision of any ordinance or resolution creating any position or office, or fixing the duties or responsibilities thereof, which is not provided for in the Revised Health Code and which is not in conflict with or inconsistent with the provisions of the Revised Health Code.

10. Ordinance Number 67-2 entitled “An Ordinance Requiring All Persons Engaged in or Employed in the Business of Preparing or Processing Food or Drink Intended for Human Consumption, be it for Immediate on or off-Premises Consumption, to Obtain a “Food Handler’s Certificate”; Prescribing an Education Course Therefor; Requiring All Employers to Keep Accurate Records of all Such Persons so Employed; Fixing a Fee for the Issuance of the Said “Food Handler’s Certificate”, and Imposing Penalties for the Violation Thereof.”

Section 5. Copies of the “Revised Health Code of the City of Englewood” have been filed in the Office of the Department of Health and shall remain there for the use and examination of the public until final action is taken on this ordinance.

Section 6. Copies of the “Revised Health Code of the City of Englewood” shall be and shall remain on file in the Office of the Department of Health and made available to persons desiring to examine the same if this ordinance shall be adopted, and while the same is in effect.

Section 7. This ordinance shall take effect upon final passage and publication as prescribed by law.

ADOPTING ORDINANCE

Violet P. Cherry
Secretary to the Board

Introduced: September 15, 2003

Published: September 18, 2003

Adopted: November 10, 2003

Published: November 13, 2003

OUTLINE OF CHAPTERS AND ARTICLES

Chapter 1. GENERAL PROVISIONS § 1-1 to 1-12.

Chapter 2. BOARD OF HEALTH, § 2-1 to 2-13.

Chapter 3. AIR POLLUTION CONTROL.

Article

1. Title and Policy, § 3-1 to 3-2.
2. Definitions, § 3-3.
3. Prohibition of Air Pollution, Open Burning and Smoke, § 3-4 to 3-6.
4. Standards and Regulations, § 3-7 to 3-9.
5. Control and Prohibition of Air Pollution from Asbestos Surface Coatings, § 3-10 to 3-11.
6. Inspections, Right of Entry and Warning, § 3-12 to 3-14.
7. Penalties, § 3-15.
8. Construction and Severability, § 3-16.

Chapter 4. ANIMALS

1. Farm Animals, § 4-1.
2. Fowl, § 4-2.
3. Keeping of Small Animals, § 4-3 to 4-8.
4. Bees, § 4-9.

Chapter 5. CHILD CARE

1. Child Care Facilities, § 5-1 to 5-2.
2. Health and Safety Standards, § 5-3 to 5-25.

Chapter 6. FEES AND FEE SCHEDULE, § 6-1 TO 6-3

Chapter 7. LEAD, §7-1.

Chapter 8. LICENSES OR PERMITS.

1. Applications, Issuance, Display, § 8-1 to 8-6.
2. Suspension or Revocation of License or Permit,
 - Subarticle A. Suspension of License, § 8-7 to 8-11.
 - Subarticle B. Revocation of License, § 8-12 to 8-17.
 - Subarticle C. Informal Hearings, § 8-18.
 - Subarticle D. Formal Hearings, § 8-19.
 - Subarticle E. Conditional Licenses, § 8-20.

Chapter 9. MASSAGE THERAPIST, § 9-1 to 9-3.

Chapter 10. NUISANCES.

Article

1. Prohibition of Specified Nuisances, § 10-1 to 10-2.
2. Abatement of Nuisances, § 10-3 to 10-6.

Chapter 11. OCCUPATIONAL HEALTH, § 11-1 to 11-7.

Chapter 12. PUBLIC PLACES AND PUBLIC LAVATORIES.

Article

1. Public Places, § 12-1.
2. Public Lavatories, § 12-2 to 12-5.

Chapter 13. RETAIL FOOD SERVICE ESTABLISHMENTS.

Article

1. Licenses and Permits for Retail Food Service Establishments, § 13-1 to 13-4.
2. Equipment and Floor Standards, § 13-5 to 13-6.
3. Plan Review for New or Remodeled Retail Food Establishments, § 13-7 to 13-9.
4. Retail Food Service Manager Certification, § 13-10 to 13-15.
5. Rules and Regulations, § 13-16 to 13-17.

Chapter 14. SEPTIC TANKS, CESSPOOLS, PRIVIES AND PORTABLE TOILETS.

1. Septic Tanks, Cesspools, Privies, § 14-1 to 14-2.
2. Portable Toilets, § 14-3 to 14-5.
3. General Provisions, § 14-6 to 14-8.

Chapter 15. SWIMMING POOLS.

1. Definitions, § 15-1.
2. Administration, § 15-2 to 15-15.
3. Rules and Regulations, § 15-16.

Chapter 16. TANNING SALONS, § 16-1 to 16-2.

Chapter 17. VENDING MACHINES, § 17-1 to 17-3.

Chapter 18. VIOLATIONS AND PENALTIES, § 18-1 to 18-5.