

**NOTICE OF PENDING ORDINANCE**  
**NOTICE IS HEREBY GIVEN**

that at a meeting of the Council of the Borough of North Plainfield held on August 15, 2022 there was introduced and read for the first time, and passed on such first reading, an ordinance, a true copy whereof is printed below and that said Council did then and there fix the regular meeting of said Council to be held on September 12, 2022 at 7:30 p.m. or as soon thereafter as the matter may be heard, and the North Plainfield Borough Council Chambers, 263 Somerset Street, North Plainfield, New Jersey as the place when and where said ordinance will be further considered for final passage, at which time and place, or at any time and place to which such meeting shall from time to time be adjourned, all persons interested will be given an opportunity to be heard concerning such ordinance.

The said ordinance as introduced and passed on first reading as aforesaid is in the following words and figures:

**ORDINANCE NO. 22-07**

**BOROUGH OF NORTH PLAINFIELD**  
**COUNTY OF SOMERSET**  
**STATE OF NEW JERSEY**

**AN ORDINANCE TO AMEND, REVISE AND SUPPLEMENT THE BOROUGH CODE OF THE BOROUGH OF NORTH PLAINFIELD, MORE SPECIFICALLY CHAPTER II, ADMINISTRATION, MORE PARTICULARLY SECTION 2-16, "DIVISION OF HEALTH, HOUSING AND PROPERTY," AND MORE SPECIFICALLY CHAPTER XI, PROPERTY MAINTENANCE, MORE PARTICULARLY SECTION 11-6, "ADMINISTRATIVE PROVISIONS."**

**WHEREAS**, pursuant to *N.J.S.A.* 40:48-1 and *N.J.S.A.* 40:48-2, the governing body of a municipality may make, amend, repeal, and enforce such ordinances, regulations, rules and by-laws not contrary to the laws of this State and/or of the United States, as it may deem necessary and proper for the good of government, order, and protection of person and property and for the preservation of the public health, safety and welfare of the municipality and its inhabitants and, as may be necessary to carry into effect the powers and duties conferred and imposed by this subtitle, or by any other law; and,

**WHEREAS**, the Mayor and Borough Council of the Borough of North Plainfield, County of Somerset, State of New Jersey (the “Borough”) have considered the process of providing trash removal throughout the Borough through the services of private providers and the Ordinances providing for the orderly, safe and healthy removal of trash throughout the Borough; and,

**WHEREAS**, the Mayor and Borough Council deem it necessary and appropriate to enact legislation to protect the health, safety and security of residents and citizens during trash removal and conduct trash removal in an orderly, safe and healthy manner; and,

**WHEREAS**, the Borough therefore wishes to amend, revise and supplement the Borough Code of the Borough of North Plainfield as it relates to Chapter II, Administration, more particularly Section 2-16, currently titled “Division of Health, Housing and Property;” and, as to Chapter XI, Property Maintenance, more specifically Section 11-6, “Administrative Provisions.”

**NOW, THEREFORE, BE IT ORDAINED** by the Borough Council of the Borough of North Plainfield, County of Somerset, State of New Jersey that the Borough Code of the Borough of North Plainfield is hereby amended, revised and supplemented as to Chapter II, Administration, more particularly Section 2-16, currently titled “Division of Health, Housing and Property;” and, as to Chapter XI, Property Maintenance, more specifically Section 11-6, “Administrative Provisions,” as follows:

**Deletions shown by ~~strikethrough~~; additions shown by underline**

**Borough Code § 2-16.1, Divisions Created, is hereby amended as follows:**

(b) Division of Health. Within the Division, there shall be a Division of Health, which shall have and exercise all regulatory and appointive powers of a local Board of Health, though the Council shall still serve, where applicable, as the local Board of Health. The Division shall also:

1. Administer and enforce the local health ordinances; through the Public Officer, Health Officer or Code Enforcement Officer or their respective designees;

**Borough Code § 2-16.1, Divisions Created, is hereby amended as follows:**

(c) Division of Housing. Within the Division there shall be a Division of Housing, which shall contain the following:

1. Office of Inspection. The Office of Inspection shall, by and through the Zoning Officer, Public Officer, Health Officer or Code Enforcement Officer or their respective designees, inspect to insure compliance with and enforce all land use ordinances and regulations, inspect to compliance with and enforce, to the extent permitted by law, any State — municipal cooperative housing and/or building programs.

**Borough Code § 11-6.1, Public Officer, is hereby amended as follows:**

The person charged with the responsibility of enforcement of this Code shall also be known as the Property Maintenance Officer, Public Officer or Code Enforcement Officer or their respective designees. This Officer, under the direction of the Department of Administration, shall have authority as necessary in the interest of the public health, safety and general welfare, to implement the provisions of the Borough Code, including, but not limited to Borough Code 2-16.1, et seq., Borough Code § 11-1.1, et seq. Borough Code § 14-1.1, et seq. and Borough Code § 26-1.1, et seq.

**NOW, THEREFORE, BE IT FURTHER ORDAINED** that:

1. All ordinances or portions of ordinances that are inconsistent with this Ordinance shall be repealed as to their inconsistencies only.

2. If any provision or paragraph of this Ordinance shall be held invalid by any court of competent jurisdiction, the same shall not affect the other provisions or paragraphs of this Ordinance, except so far as the provision or paragraph so declared invalid shall be separable from the remainder or any portion thereof.

**NOW, THEREFORE, BE IT FURTHER ORDAINED** that this Ordinance shall take effect, after final passage, twenty (20) days following action or inaction by the Mayor

as provided by law or an override of a mayoral veto by the Council, whichever is applicable and publication in accordance with law, unless a resolution is adopted, pursuant to N.J.S.A. 40:69A-181(b), declaring an emergency and providing that this Ordinance shall take effect at an earlier date.

Copies of the full Ordinance are on file with the Borough Clerk of the Borough of North Plainfield in the Municipal Building, 263 Somerset Street, North Plainfield, New Jersey. Copies may be obtained upon request and a copy is posted on the Bulletin Board in the Municipal Building reserved for such purpose.

Richard K. Phoenix, RMC  
Borough Clerk