

NOTICE OF PENDING ORDINANCE
NOTICE IS HEREBY GIVEN

that at a meeting of the Board of Health 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 Board did then and there fix the meeting of said Board 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. HO-22-01

BOROUGH OF NORTH PLAINFIELD BOARD OF HEALTH
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 XXVI,
HEALTH REGULATIONS, MORE PARTICULARLY
ARTICLE I, BOARD OF HEALTH, SECTION 26-1, “BOARD
OF HEALTH ESTABLISHED.”**

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 Board of Health of the Borough of North Plainfield, County of Somerset, State of New Jersey (the “Board”) has considered the process of providing trash

removal throughout the Borough of North Plainfield (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 Board deems 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 XXVI, Health Regulations, more particularly Article I, Board of Health, Section 26-1, “Board of Health Established.”

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 XXVI, Health Regulations, more particularly Article I, Board of Health, Section 26-1, “Board of Health Established,” as follows:

Deletions shown by ~~striketrough~~; additions shown by underline

Borough Code § 26-1.4, Appointment of Officers, is hereby amended as follows:

- a. The Board of Health shall have the power to appoint a Registrar of Vital Statistics, a Clerk, a Health Officer and/or a Sanitary Inspector, and may also appoint such other officers or assistants as the Board may deem necessary. The Board of Health shall have the power to contract with the Somerset County Board of Health for health services, and such County health officer shall serve the Borough in the same manner as if the Board's appointed Health Officer and/or Sanitary Inspector. References in this Code to "Health Officer" or "Sanitary Inspector" shall be deemed to include the County health officer contracted by the Board.
- b. The Board of Health shall have the power to appoint an Animal Control Officer and/or to contract for the services of an Animal Control Officer. References in

this Code to "Animal Control Officer" shall be deemed to include the contracted and/or appointed officer.

c. All appointees of the Board shall be governed by the rules of the Board, and they may be removed for cause by the Board and/or by the Borough.

d. The Property Maintenance Officer, Public Officer, Health Officer and/or Code Enforcement Officer and/or their respective designee(s) shall have the power and authority to enforce all provisions of this Code.

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 Board, 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