

GENERAL PROVISIONS

Chapter 250

GENERAL PROVISIONS, BOARD OF HEALTH

ARTICLE I

Adoption of Code by Board of Health

- § 250-1. Adoption of Code.
- § 250-2. Code supersedes prior ordinances.
- § 250-3. When effective.
- § 250-4. Copy of Code on file.
- § 250-5. Amendments to Code.
- § 250-6. Publication; filing.
- § 250-7. Code book to be kept up-to-date.
- § 250-8. Altering or tampering with Code; penalties for violation.
- § 250-9. Severability of Code provisions.
- § 250-10. Severability of ordinance provisions.
- § 250-11. Repeal of ordinances.
- § 250-12. Ordinances saved from repeal.
- § 250-13. Changes in previously adopted ordinances.
- § 250-14. Incorporation of provisions into Code.

[HISTORY: Adopted by the Board of Health of the Borough of Wood-Ridge: Art. I, 11-6-86 as Ord. No. 1-86. Amendments noted where applicable.]

GENERAL REFERENCES

Board of Health — See Ch. 37.

ARTICLE I
Adoption of Code by Board of Health
[Adopted 11-6-86 as Ord. No. 1-86]

Be it ordained by the Board of Health of the Borough of Wood-Ridge, in the County of Bergen and State of New Jersey:

§ 250-1. Adoption of Code.

Pursuant to N.J.S.A. 40:49-4, the ordinances of the Board of Health of the Borough of Wood-Ridge of a general and permanent nature, as revised, codified and consolidated into chapters and sections by General Code Publishers Corp. and consisting of Chapters 250 through 272, are hereby approved, adopted, ordained and enacted as Part III of the "Code of the Borough of Wood-Ridge," hereinafter known and referred to as the "Code."

§ 250-2. Code supersedes prior ordinances.

This ordinance and the Code shall supersede all other general and permanent ordinances of the Board of Health enacted prior to the enactment of this Code, except such ordinances as are expressly saved from repeal or continued in force and effect hereinafter.

§ 250-3. When effective.

All provisions of this ordinance and the Code shall take effect thirty (30) days after the date of the first publication.

§ 250-4. Copy of Code on file.

A copy of the Code in loose-leaf form has been filed in the office of the Secretary of the Board of Health and shall remain there for use and examination by the public until final action is taken on this ordinance; and if this ordinance shall be adopted, such copy shall be certified as provided by law, and such certified copy shall remain on file in the office of the Secretary of the Board of Health, to be made available to persons desiring to examine the same during all times while the said Code is in effect.

§ 250-5. Amendments to Code.

Any and all additions, amendments or supplements to the Code, when passed and adopted in such form as to indicate the intent of the Board of Health to make them a part thereof, shall be deemed to be incorporated into such Code so that reference to the "Code of the Borough of Wood-Ridge" shall be understood and intended to include such additions and amendments. Whenever such additions, amendments or supplements to the Code shall be adopted, they shall thereafter be printed and, as provided hereunder, inserted in the loose-leaf book containing the said Code, as amendments and supplements thereto.

§ 250-6. Publication; filing.

The Secretary of the Board of Health, pursuant to law, shall cause to be published, in the manner required, a copy of this Adopting Ordinance in a newspaper of general circulation in the borough. Sufficient copies of the Code shall be maintained in the office of the Secretary for inspection by the public at all times during regular office hours. The enactment and publication of this Adopting Ordinance, coupled with the availability of copies of the Code for inspection by the public, shall be deemed, held and considered to be due and legal publication of all provisions of the Code for all purposes.

§ 250-7. Code book to be kept up-to-date.

It shall be the duty of the Secretary, or someone authorized and directed by the Secretary, to keep up-to-date the certified copy of the book containing the Code required to be filed in the Secretary's office for the use of the public. All changes in said Code and all ordinances adopted subsequent to the effective date of this codification, which shall be adopted specifically as part of the Code, shall, when finally adopted, be included therein by reference until such changes or new ordinances are printed as supplements to said Code book, at which time such supplements shall be inserted therein.

§ 250-8. Altering or tampering with Code; penalties for violation.

It shall be unlawful for anyone to improperly change or amend, by additions or deletions, any part or portion of the Code, or to alter or tamper with such Code in any manner whatsoever which will cause the law of the Board of Health to be misrepresented thereby. Anyone violating this section of this ordinance shall be subject, upon conviction, to a fine of not less than five dollars (\$5.) nor more than five hundred dollars (\$500.).

§ 250-9. Severability of Code provisions.

Each section of the Code and every part of each section is an independent section or part of a section, and the holding of any section or a part thereof to be unconstitutional, void or ineffective for any cause shall not be deemed to affect the validity or constitutionality of any other section or parts thereof.

§ 250-10. Severability of ordinance provisions.

Each section of this ordinance is an independent section, and the holding of any section or part thereof to be unconstitutional, void or ineffective for any cause shall not be deemed to affect the validity or constitutionality of any other section or parts thereof.

§ 250-11. Repeal of ordinances.

All ordinances of a general and permanent nature adopted by the Board of Health and in force on the date of the adoption of this ordinance and not contained in the Code are hereby repealed as of the effective date of this adopting ordinance, except as hereinafter provided.

§ 250-12. Ordinances saved from repeal.

The adoption of this Code and the repeal of ordinances provided for in § 250-11 of this ordinance shall not affect the following ordi-

nances, rights and obligations, which are hereby expressly saved from repeal:

- A. Any ordinance of the Board of Health adopted subsequent to November 3, 1983.
- B. Any right or liability established, accrued or incurred under any legislative provision prior to the effective date of this ordinance, or any action or proceeding brought for the enforcement of such right or liability.
- C. Any offense or act committed or done before the effective date of this ordinance in violation of any legislative provision, or any penalty, punishment or forfeiture which may result therefrom.
- D. Any prosecution, indictment, action, suit or other proceeding pending, or any judgment rendered, prior to the effective date of this ordinance, brought pursuant to any legislative provision.
- E. Any franchise, license, right, easement or privilege heretofore granted or conferred.
- F. Ordinances authorizing the purchase, sale, lease or transfer of property, or any lawful contract or obligation.
- G. Any provisions of an ordinance or resolution of the Board of Health creating employments, positions or offices and fixing salaries and duties therefor which are not provided in the Code hereby adopted and which are not in conflict or inconsistent therewith, or any ordinance pertaining to the salaries and compensation of Board of Health officers and employees.

§ 250-13. Changes in previously adopted ordinances.

- A. In compiling and preparing the ordinances of the Board of Health for adoption and revision as part of the Code pursuant to N.J.S.A. 40:49-4, certain grammatical changes and other minor changes were made in one (1) or more of said ordinances. It is the intention of the Board of Health that all such changes be adopted as part of the Code as if the ordinances so changed had been previously formally amended to read as such.

B. In addition, the following changes, amendments or revisions are made herewith, to become effective upon the effective date of this ordinance. (Chapter and section number references are to the ordinances as they have been renumbered and appear in the Code.)¹

§ 250-14. Incorporation of provisions into Code.

Upon adoption, these provisions will be included in the Code as Chapter 250, General Provisions, Board of Health, Article I, Adoption of Code by Board of Health, §§ 250-1 through 250-14.

¹ Editor's Note: Pursuant to § 250-13B, the following sections were amended: §§ 258-4B, 258-5, 262-3, 262-6, 266-29, 272-4 and 272-10. A complete description of each change is included in Ord. No. 1-86, which is on file in the office of the Secretary of the Board of Health.