

SANITATION

Chapter 266

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- § 266-1. Nuisances standards adopted.
- § 266-2. Retail food-handling establishments standards adopted; certificates, permits and licenses.
- § 266-3. Boarding homes for children standards adopted; certificates, permits and licenses.
- § 266-4. Acts deemed hazardous to public health; compliance with provisions required.
- § 266-5. Correction of violations upon notice.
- § 266-6. Failure to comply with order deemed violation.
- § 266-7. Compliance with licensing requirements.
- § 266-8. Failure to comply with provisions deemed violation.
- § 266-9. Definitions.
- § 266-10. Enumeration of acts deemed nuisances.
- § 266-11. Physicians to report communicable diseases.
- § 266-12. Physicians to report animal bites, epilepsy, mental disorders, births and deaths.
- § 266-13. Diseases requiring quarantine.
- § 266-14. Additional regulations on communicable diseases.
- § 266-15. Prevention of infantile blindness.
- § 266-16. Animals affected with rabies.
- § 266-17. Interference with posted placards.
- § 266-18. Authority to require medical examinations.
- § 266-19. Rules and regulations governing food and food handlers.

- § 266-20. Rules and regulations governing barbershops and beauty parlors.
- § 266-21. Rules and regulations governing milk and other dairy products.
- § 266-22. Rules and regulations governing water supply.
- § 266-23. Rules and regulations governing sanitary conditions of buildings.
- § 266-24. Rules and regulations governing animals and fowl.
- § 266-25. Rules and regulations governing sewage disposal systems and scavengers.
- § 266-26. Pending actions.
- § 266-27. More stringent requirement to prevail in cases of conflict.
- § 266-28. Civil actions.
- § 266-29. Violations and penalties.

[HISTORY: Adopted by the Board of Health of the Borough of Wood-Ridge 7-2-59 as Ord. No. 1-59. Section 266-29 amended at time of adoption of code; see Ch. 1, General Provisions, Art. III. Other amendments noted where applicable.]

GENERAL REFERENCES

Fees and applications — See Ch. 256.
Retail food establishments — See Ch. 258.

§ 226-1. Nuisances standards adopted.

- A. A code defining and prohibiting certain matters, things, conditions or acts and each of them as a nuisance, prohibiting certain noises or sounds, requiring the proper heating of apartments, prohibiting lease or rental of certain buildings, prohibiting spitting in or upon public buildings, conveyances or sidewalks, authorizing the inspection of premises by an enforcing official, providing for the removal or abatement of

certain nuisances and recovery of expenses incurred by the Board of Health in removing or abating such nuisances and prescribing penalties for violations is hereby established pursuant to Public Health and Sanitation Codes Adoption by Reference Act, N.J.S.A. 26:3-69.1. to 3-69.6. A copy of said code is annexed hereto and made a part hereof without the inclusion of the text thereof herein.

- B. The said code established and adopted by this chapter is described and commonly known as the "Public Health Nuisance Code of New Jersey (1953)."
- C. Three (3) copies of said "Public Health Nuisance Code of New Jersey (1953)" have been placed on file in the office of the Secretary of the Board of Health of the Borough of Wood-Ridge, upon the introduction of this chapter and will remain there on file for the use and examination of the public, until final action is taken hereon.

§ 266-2. Retail food-handling establishments standards adopted; certificates, permits and licenses.

- A. A code regulating retail food handling establishments, providing for the inspection of such establishments and fixing penalties for violations is hereby established pursuant to Public Health and Sanitation Codes Adoption by Reference Act, N.J.S.A 26:3-69.1 to 3-69.6. A copy of said code is annexed hereto and made a part hereof without the inclusion of the text thereof herein.
- B. The said code established and adopted by this chapter is described and commonly known as the "Retail Food-Handling Establishment Code of New Jersey (1952)."¹
- C. Three (3) copies of said "Retail Food-Handling Establishment Code of New Jersey (1952)" have been placed on file in the office of the Secretary of the Board of Health of the Borough of Wood-Ridge, upon the introduction of this chapter and will remain there on file for the use and examination of the public, until final action is taken hereon.

¹ Editor's Note: See also Ch. 258, Food Establishments, Retail.

- D. The rules and regulations of the Board of Health of the Borough of Wood-Ridge governing the issuance of certificates, permits and licenses and/or the approval of already existing certificates, permits and licenses in relation to the code aforementioned and the control and/or revocation thereof shall be as follows:
- (1) No person shall operate a retail food-handling establishment unless a certificate, permit or license or approval of an existing certificate, permit or license to operate same shall have been issued by the Board of Health of the Borough of Wood-Ridge. Such certificate, permit or license or approval of an existing certificate, permit or license shall be posted in a conspicuous place in such establishment.
 - (2) There shall be a charge of eight dollars (\$8.) for such certificate, permit, license or approval of an existing certificate, permit or license. **[Amended 11-7-68 by Ord. No. 1-68; 1-6-77 by Ord. No. 1-76]**
 - (3) Certificates, permits or licenses issued or approved under the provision of this chapter shall expire annually on December 31 of each year and application for renewal thereof shall be submitted together with the required fee, prior to December 1 of each year.
 - (4) A person conducting an itinerant retail food-handling establishment shall secure a certificate, permit or license; if such person is the holder of a certificate, permit or license issued by the Board of Health of another jurisdiction, said certificate, permit or license may be approved by the Board of Health of the Borough of Wood-Ridge. There shall be a fee of five dollars (\$5.) charged for such certificate, permit, license or approval thereof. **[Amended 11-7-68 by Ord. No. 1-68]**
 - (5) A certificate, permit or license or approval of an existing certificate, permit or license may be suspended or revoked for violation of the provisions of this section of this chapter or the "Retail Food Handling Establishment Code of New Jersey (1952)" adopted hereby, after the

holder thereof has been afforded an opportunity for a hearing by the Board of Health or its authorized representative.

- (6) A certificate, permit or license or approval of a certificate, permit or license issued by the Board of Health is not transferable.

§ 266-3. Boarding homes for children standards adopted; certificates, permits and licenses.

- A. A code regulating boarding homes for children, providing for the inspection of such establishments and fixing penalties for violations is hereby established pursuant to Public Health and Sanitation Codes Adoption by Reference Act, N.J.S.A. 26:3-69.1 to 3-69.6. A copy of said code is annexed hereto and made a part hereof without the inclusion of the text thereof herein.
- B. The said code established and adopted by this chapter is described and commonly known as the "New Jersey Boarding Home for Children Code (1956)."
- C. Three (3) copies of the "New Jersey Boarding Home for Children Code (1956)" have been placed on file in the office of the Secretary of the Board of Health of the Borough of Wood-Ridge, upon the introduction of this chapter and will remain there on file for the use and examination of the public, until final action is taken hereon.
- D. The rules and regulations of the Board of Health of the Borough of Wood-Ridge governing the issuance of certificates, permits and licenses and/or the approval of already existing certificates, permits and licenses in relation to the code aforementioned and the control and/or revocation thereof shall be as follows:
 - (1) No person shall operate a boarding home for children unless a certificate, permit or license or approval of an existing certificate, permit or license to operate same shall have been issued by the Board of Health. Such certificate, permit or license or approval of an existing cer-

tificate, permit or license shall be posted in a conspicuous place in such establishment.

- (2) There shall be a charge of one dollar (\$1.) for such certificate, permit or license or approval of an existing certificate, permit or license.
- (3) Certificates, permits or licenses issued or approved under the provisions of this section of this chapter shall expire one (1) year from the date of issuance and application for renewal thereof shall be submitted in the form and manner prescribed by Section 2.2 of the "New Jersey Boarding Home for Children Code (1956)," together with the required fee, thirty (30) days prior to the expiration date.
- (4) A certificate, permit or license or approval of an existing certificate, permit or license may be suspended or revoked for violation of the provisions of this section of this chapter or the "New Jersey Boarding Home for Children Code (1956)" adopted hereby, after the holder thereof has been afforded an opportunity for a hearing by the Board of Health or its authorized representative.
- (5) A certificate, permit or license or approval of an existing certificate, permit or license is not transferable between persons or premises.

§ 266-4. Acts deemed hazardous to public health; compliance with provisions required.

- A. No person, firm or corporation shall commit any act, or permit any act to be committed, continued, maintained or created, which is deemed to be hazardous or dangerous to the life or detrimental to the health of any human being or the public health.
- B. Any act affecting the public water supply, the operation, use and maintenance of hotels and eating places, the disposal of offal, garbage and sewage, the handling of food for sale, the keeping of animals, the boarding of children, the operation of apartment houses or the reporting of communicable diseases is hereby deemed to be hazardous or dangerous to the life or

detrimental to the health of any human being and the public health; and it shall be unlawful for any act to be committed or performed in any manner, except as is authorized to be performed and committed by this chapter designated the "Sanitary Code of the Borough of Wood-Ridge, in the County of Bergen and State of New Jersey, 1959 Edition."

- C. No person, firm or corporation shall commit any act, engage in any business, permit to be committed any act, or in any manner do anything which may be deemed to be hazardous or dangerous to the life or detrimental to the health of any human being or the public health, unless such act shall be performed in accordance with the recognized standards and practices, covering the performance of such acts in a manner which shall make them not hazardous or dangerous to the life or detrimental to the health of any human being or the public health.
- D. The recognized standards and practices for the performance or commission of any acts in a manner which shall make them not hazardous or dangerous to the life or detrimental to the health of any human being or the public health shall be held to mean the practices and requirements set forth in this chapter.

§ 266-5. Correction of violations upon notice.

The owner, occupant or person in charge of or managing any building or premises shall, forthwith after notice from the Board of Health, its members, agents or employees so to do, correct any condition existing in such building or premises or business, so that the premises or building or business shall be in such condition as to comply with the recognized standards and practices for the performance or commission of any acts in a manner which shall make them not hazardous or dangerous to the life or detrimental to the health of any human being or the public health.

§ 266-6. Failure to comply with order deemed violation.

The failure or neglect of any person responsible hereunder to comply with any order of the Board of Health, its members, agents

or employees, made pursuant to the provisions of this ordinance, shall be deemed to be a violation of this chapter.

§ 266-7. Compliance with licensing requirements.

No premises or building or business required by this chapter to be licensed shall hereafter be occupied or conducted until after there has been issued by the Board of Health a proper license pursuant to this chapter, certifying that said premises or building or business is constructed, maintained or being operated in compliance with the recognized standards and practices as herein defined.

§ 266-8. Failure to comply with provisions deemed violation.

Any owner, occupier or tenant, manager, employee or person, firm or corporation in any manner directly or indirectly connected with any land or building or business which is erected, maintained, operated or conducted, except in accordance with this chapter, shall be deemed guilty of a violation of this chapter.

§ 266-9. Definitions. [Amended 11-7-68 by Ord. No. 1-68]

As used in this chapter, the following terms shall have the meanings indicated:

BARBERSHOP, HAIRDRESSING ESTABLISHMENT, MANICURING PARLOR and BEAUTY PARLOR — Include any and all premises which are commonly known by the foregoing names, and include, as well, all premises or portions thereof, wherein the shaving, clipping, cutting, trimming, singeing, shampooing, curling, dressing, dying, bleaching, tinting, waving or coloring of the human hair or beard, or the beautifying, massaging, cleaning, stimulating or like operations upon the human scalp, face, arms, hands or neck, or the manicuring of the fingernails, or any one (1) or more of the foregoing operations are carried on for compensation.

BOARD OF HEALTH or BOARD or THIS BOARD — The Board of Health of the Borough of Wood-Ridge, County of Bergen, New Jersey.

BOROUGH, MUNICIPALITY, THIS BOROUGH or THIS MUNICIPALITY — The Borough of Wood-Ridge, County of Bergen, New Jersey.

BUSINESS — The entire premises wherein any business is conducted, including the buying, selling or keeping for sale of meat, milk, fish or vegetables for human consumption.

BUTCHER — Whosoever is engaged in the business of cutting or selling any meat.

CATTLE — All animals, except birds, fowl and fish, of which any part of the body is used for food.

CELLAR — Every basement or lower story of every building or house of which one-half ($\frac{1}{2}$) or more of the height from the floor to the ceiling is below the level of the street adjoining.

COMMUNICABLE DISEASE — Any disease of an infectious, contagious or pestilential nature, and also any other disease publicly declared by this Board to be dangerous to the public health.

DIRT — Natural soil, earth and stone.

FISH — Every part of any edible animal that lives in water.

FOOD ESTABLISHMENT — Any hotel, restaurant, buffet, lunchroom, grill room, saloon, tavern, cafe, beer garden, lunch counter, dining room, refreshment stand, candy kitchen, candy store, ice cream parlor, tearoom, ice cream manufactory, bakery shop, delicatessen store, fruit store, vegetable store, fruit stand, vegetable stand, butter and egg store, grocery store, dairy store, butcher shop, pushcart, wagon, car, automobile or other vehicle or carrier, and any store, place or premises within the borough, where food or drink intended for human consumption is prepared, produced, manufactured, packed, stored, handled, sold, served or offered for sale in or from which food or drink intended for human consumption is transported or delivered.

FOR-SALE, HELD FOR SALE, FOR CONSUMPTION or FOR CONSUMPTION AS FOODS — All food, fish, meat and vegetables found in any place serving food for sale or

consumption as such food on such place, unless the contrary is distinctly marked thereon.

GARBAGE — Every accumulation of animal or vegetable matter, or both, liquid or otherwise, that attends the preparation, storage or vending of meats, fish, birds, fruits, vegetables or other organic substances, whether for private or public consumption.

HEALTH DEPARTMENT — The Health Department of the Board of Health of the Borough of Wood-Ridge, County of Bergen, New Jersey.

ISOLATION — The placing apart of a person or persons affected with or exposed to a communicable disease, for the purpose of preventing the spread of a communicable disease to other persons, households or premises.

LIGHT or LIGHTED — Refers to natural external light.

MEAT — Every part of any land animal or poultry, used as food, whether mixed or not with any other substance.

PERMIT — The permission in writing of this Board, issued according to its rules and regulations and its sanitary code.

PERSON — Any person, persons, firm, corporation or association.

PUBLIC PLACES — Parks, and water and open spaces thereto adjacent, public yards, grounds and areas and all open spaces between buildings and streets.

QUARANTINE — The placing of restrictions upon households or premises, or the persons thereof, for the purpose of preventing the spread of a communicable disease to other persons, households or premises.

RUBBISH — All the loose inorganic matter, household or commercial waste and dirtlike substances which accumulate from residences or business places.

RULES AND REGULATIONS — Shall be held to include special rules and regulations.

STREET — Avenues, sidewalks, gutters and public alleys.

TENEMENT HOUSE — Every house, building or every portion thereof which is rented, leased, let or hired out to be occupied or is occupied as the house, home or residence of more than two (2) families living independently of one another and doing their cooking upon the premises, or by more than two (2) families upon a floor, so living and cooking, but having a common right to the halls, stairways, yards, water closets or privies or some of them.

VEGETABLE — Every plant used for food.

§ 266-10. Enumeration of acts deemed nuisances.

The following acts of commission or omission are hereby declared to be nuisances:

- A. All those acts of commission or omission as are indicated in the "Public Health Nuisance Code of New Jersey (1953)," approved by the New Jersey State Department of Health, September 16, 1953, together with all amendments, additions and revisions thereto, and adopted herein by reference, under and by virtue of the authority of the Public Health and Sanitation Codes Adoption by Reference Act (N.J.S.A. 26:3-69.1 to 3-69.6).
- B. The presence upon lands lying within the boundary limits of the Borough of Wood-Ridge, County of Bergen and State of New Jersey, of ragweed, poison ivy, poison oak, poison sumach, or other noxious or poisonous weeds or vegetation, tent caterpillars and loathsome and obnoxious insects, vermin, rodents, brush, weeds, dead and dying trees, stumps, roots, obnoxious growth, filth, garbage, trash and debris.
- C. The placing or causing to be placed, earlier than 8:00 p.m. of the day preceding that upon which the appropriate municipal department or collecting contractor shall collect from said premises, on the sidewalk area near the curblineline of the street upon which said premises abut, of any ashes, garbage, rubbish and other refuse matter required to be collected and removed by said department or collecting contractor.

- D. The placing or causing to be placed of automobile or machine parts, heavy metal or building materials on any street, sidewalk or public place.
- E. The placing or causing to be placed of any garbage for removal in other than metal or modern plastic containers provided with handles and tightly fitting covers.
- F. The placing or causing to be placed of garbage and wet refuse matter in the same containers.
- G. The placing or causing to be placed of any ashes for removal in other than metal containers, provided with handles and tightly fitting covers.
- H. Permitting any container used for the collection of ashes, garbage or refuse matter to remain on a public street beyond the same day of and after the collection and removal of its contents, by the Municipal Street Department or collecting contractor.

§ 266-11. Physicians to report communicable diseases. [Amended 11-7-68 by Ord. No. 1-68]

- A. Every physician shall report in writing to the Board of Health, within twelve (12) hours after such disease has been diagnosed, any person within the Borough of Wood-Ridge who is afflicted with any of the following communicable diseases:
 - Amebiasis
 - Anthrax
 - Botulism
 - Brucellosis
 - Cholera
 - Dengue
 - Diarrhea of newborn
 - Diphtheria
 - Food poisoning (specify)
 - Glanders

Hepatitis:
 Infectious
 Serum
Leprosy
Malaria
Measles
Meningococcal meningitis
Plague
Psittacosis
Q fever
Rabies
Relapsing fever, louseborne
Rocky Mountain spotted fever
Salmonellosis (specify)
Shigellosis
Smallpox
Tetanus
Trachoma
Trichinosis
Tuberculosis
Tularemia
Typhoid fever
Typhus fever
Virus infection of the central nervous system
Aseptic meningitis (specify)
Encephalitis (specify)
Poliomyelitis
Yellow fever

- B. Every physician shall report in writing directly to the State Department of Health, within twelve (12) hours after his first attendance, any person within the Borough of Wood-Ridge who is afflicted with any of the following venereal diseases:

Chancroid
Gonorrhea
Granuloma inguinale
Lymphogranuloma venereum
Ophthalmia neonatorum
Syphilis

§ 266-12. Physicians to report animal bites, epilepsy, mental disorders, births and deaths.

Every physician shall report in writing to the Board of Health, within twelve (12) hours after his first attendance, any person within the Borough of Wood-Ridge, who has been bitten by dogs or other animals and also persons suffering from epilepsy and mental deficiency and also shall make reports of births, stillbirths and deaths occurring within the confines of the Borough of Wood-Ridge.

§ 266-13. Diseases requiring quarantine.

A. Any person afflicted with any of the foregoing is hereby required to remain in quarantine in accordance with any order made by the Board of Health and regulations of the State Department of Health. However, in the absence of any order by the Board of Health, all persons suffering from the following diseases shall remain in isolation for the following periods:

- (1) Diphtheria: until clinical recovery and until two (2) successive cultures from nose and throat taken at least twenty-four (24) hours apart are negative for virulent diphtheria organisms, such cultures being taken at least seven (7) days after the discontinuance of any antibiotic therapy.
- (2) Hepatitis, infectious Type A and serum Type B: until end of febrile period.
- (3) Measles (rubeola): Where applicable the patient should be excluded from school until seven (7) days after appearance of rash.
- (4) Meningitis, meningococcal: until end of febrile period, or until twenty-four (24) hours after the administration of sulfadiazine or penicillin has begun.
- (5) Poliomyelitis: no restrictions, except for hospitalized patients, when patient should be treated as any other enteric infection.
- (6) Salmonellosis: until clinical recovery.

- (7) Smallpox (variola): two (2) weeks from onset of disease and until all crusts or scabs have fallen off.
 - (8) Typhoid fever: until clinical recovery.
 - (9) Mumps: The patient should be excluded from school for the period of acute illness, but no longer than six (6) days.
 - (10) Pertussis (whooping cough): The patient should be excluded from school until clinical recovery and for three (3) weeks after the onset of typical paroxysms. Contact with unvaccinated infants should be avoided.
 - (11) Rubella (German measles, three-day measles): Children should be excluded from school until three (3) days from appearance of rash.
 - (12) Streptococcal infections (includes scarlet fever, sore throat, srysipelas): Children should be excluded from school until clinical recovery and the disappearance of purulent discharges, or until twenty-four (24) hours after the commencement of specific antimicrobial therapy, provided that such therapy is continued for at least ten (10) days.
 - (13) Chickenpox (varicella): Patients should be excluded from school until six (6) days after onset of rash. All crusts and scabs need not have fallen off.
- B. It is necessary that persons afflicted with the foregoing listed diseases and their physicians comply with the regulations concerning isolation of persons ill or infected with a communicable disease and the regulations on the restrictions of contacts of persons having such communicable diseases as set forth by the New Jersey State Department of Health.

§ 266-14. Additional regulations on communicable diseases.

- A. Whenever there is reason to believe that any person is suffering from any contagious or communicable disease, the Board of Health is hereby empowered to make such examination into the circumstances of the case and take such steps as may be necessary for the protection of the public health.

- B. The Board is authorized to order the isolation of any such case and the quarantine of any and all persons in the household of or in contact with the patient and shall further post the premises wherein such patient is isolated or quarantined with appropriate placards.
- C. No person shall, without a permit from the Board of Health, carry or remove from any one building to another (except to a hospital caring for contagious or infectious diseases) any person sick with any contagious or communicable disease.
- D. No person shall bring or cause to be brought into the borough any person infected with any contagious or communicable disease, except if the same shall be a resident thereof, and no person shall bring or cause to be brought into the borough any article liable to propagate a communicable disease.
- E. No person shall allow a human body dead of asiatic cholera, diphtheria, meningococcus meningitis, plague, poliomyelitis, scarlet fever, smallpox, streptococcic sore throat, typhus fever or yellow fever to remain without burial or other lawful disposition for a period longer than twenty-four (24) hours after death unless said body is thoroughly embalmed and disinfected. Any such body which is to be buried or lawfully disposed of within twenty-four (24) hours after death without embalming, shall be placed in tight covered casket which shall not thereafter be opened.
- F. No parent or guardian of any child suffering from whooping cough shall permit any such child to board any bus or other public conveyance or to visit any house other than the house in which such child resides or any store, school, Sunday school or public assembly.

§ 266-15. Prevention of infantile blindness.

Any physician, midwife or other persons in attendance on a confinement case shall, within two (2) hours after the birth of a child, use prophylactic treatment for the prevention of infantile blindness. Three (3) drops of a one-percent fresh solution of nitrate of silver or twenty-five-percent solution of Argyrol shall be dropped in each eye after the eyelids have been opened.

§ 266-16. Animals affected with rabies.

It shall be the duty of all persons owning or having in his possession any dog or cat or other animal affected with rabies or suspected of being affected with rabies forthwith to report the same to the Board of Health.

§ 266-17. Interference with posted placards.

No person shall interfere with or obstruct the posting of any placard by any health official in or on any place or premises, nor shall any person conceal or mutilate any such placard or remove it, except by permission of the Board of Health or its authorized representative.

§ 266-18. Authority to require medical examinations. [Amended 11-7-68 by Ord. No. 1-68]

The Board of Health is hereby empowered, whenever necessary, to establish the true character of any disease which is suspected to be communicable to require a medical examination of the person supposed to be affected by such disease, including the taking of necessary specimens from such person, and any such person is hereby required to submit to such examination and to furnish such specimen as may be required.

§ 266-19. Rules and regulations governing food and food handlers.

- A. Rules and regulations of the Board of Health of the Borough of Wood-Ridge governing food and food handlers are as follows:
- (1) No person shall conduct, operate or maintain any food establishment without first obtaining a license therefor from the Board of Health. The license fee shall be two dollars (\$2.).
 - (2) All persons, while handling food or confectionery, in the process of manufacture or operating machines handling such food or confectionery, shall wear suitable caps or

other covering on their heads, so as to cover the hair of the scalp, and be cleanly clothed.

- (3) No person shall sell or offer for sale any food or drink for human consumption which has been contaminated by or exposed to any communicable disease or which is unfit, unwholesome, impure, decayed or diseased or which is misbranded or adulterated, as defined by the laws of the State of New Jersey.
- (4) The owner, proprietor or person in charge of every food establishment shall keep such establishment adequately lighted, ventilated and drained, shall have no water closet or urinal within or directly connected with any room in which food or drink is manufactured, prepared, produced, packed, stored, handled, sold, offered for sale or served and shall have adequate washing facilities provided in convenient locations for all workmen and employees. A room or rooms, entirely separated from any toilet, shall be provided for changing and storing wearing apparel and working apparel.
- (5) No sleeping room shall be directly connected with any room which is used for the production, manufacturing, preparation, handling, storing, packing, packaging, selling, offering for sale or serving of food or drink.
- (6) The owner, proprietor or person in charge of every food establishment shall keep the establishment, and all dishes, utensils, cutlery and equipment therein, in a thoroughly clean and sanitary manner and shall protect all food and drinks during all processes, including delivery, from flies, dust, dirt, vermin and contamination.
- (7) No food or drink shall be produced, prepared, exposed, packed, packaged, compounded, handled, stored, manufactured, offered for sale, sold or served in any room located in a building where animals are kept.
- (8) No accumulation of rubbish or garbage shall be permitted in any food establishment or in any hallway, alley, room, yard, sidewalk or place adjacent thereto or connected therewith.

- (9) All doors, windows and other openings to the outer air in any food establishment shall be securely screened from April 1 to November 30 in each year. All screen doors shall be provided with self-closing devices.
- (10) All counters, shelves, showcases, windows, containers, boxes, bags, wrapping paper and other articles used in the handling, keeping, displaying, wrapping and packaging of food shall be kept free from dust, dirt, insects, vermin and all other contamination.
- (11) All food or drink requiring refrigeration for its preservation shall be stored and kept refrigerated in properly constructed refrigerators or iceboxes. All refrigeration equipment used for the storage of food or drink shall be kept in a clean and sanitary condition and in good repair at all times. Any compartment used for storage of ice shall be lined with some watertight substance.
- (12) All refrigerators and iceboxes in any food establishment shall be open at all times to inspection by any member or officer of the Board. No person shall allow any animal, vegetable or dairy product which is foul, decomposed, decayed, malodorous or in a state of putrefaction to be or remain in any refrigerator or icebox.
- (13) All kitchens and places where food is cooked, processed or prepared by heat shall be illuminated by sufficient artificial light, ventilated by sufficient windows and equipped with adequate mechanical ventilation. All stoves, ovens and ash pits shall be provided with adequate ventilating hoods and pipes or with some mechanical means of ventilation adequate to render harmless to persons employed therein any steam, gases, vapors, impurities or excessive heat which might be generated or released by or in the process of making, preparing, baking, cooking, processing or compounding food or drink.
- (14) Sufficient sinks with an adequate supply of running hot and cold water shall be maintained in every food establishment. Said hot water shall be maintained at a temperature of at least one hundred forty degrees Fahrenheit (140° F.) at the faucet.

- (15) No common drinking cup, glass or other receptacle shall be kept or maintained in any food establishment for the use of its customers.
- (16) All utensils, pots, pans, grills, knives, forks, spoons, cutlery, dishes, cups, saucers, bowls, plates, crockery, chinaware, glassware and other equipment or receptacles used in the preparation, service and sale of any food or drink intended for human consumption on the licensed premises shall be properly cleansed before each reuse, by the immersion thereof in a solution of hot water and soap, or hot water and some efficient cleansing agent, followed by scouring to remove all foreign substances, followed by rinsing, spraying or immersion in clean hot water of a temperature not less than one hundred eighty degrees Fahrenheit (180° F.) for a period of at least three (3) minutes. Following cleansing, all articles must be so stored, kept and handled as to prevent any contamination from dust, dirt, flies or vermin.
- (17) No beverage intended for human consumption shall be sold, offered for sale or dispensed upon or from any stand, pushcart, wagon, motor vehicle or other conveyance, either upon private or public property, unless such beverage is dispensed or served in a clean, single-service container, which container shall be destroyed after its first use.
- (18) All establishments selling draught beer, ale, porter and other malt beverages shall thoroughly clean all pipes, coils, faucets, taps and appurtenances at least once each week.
- (19) No food intended for human consumption shall be placed lower than two and one-half (2½) feet above the surface of any sidewalk, street, alley, walk or public place, unless the same shall be enclosed in boxes or other receptacles and so covered as to be protected from animals and their excretions and, as well, from flies, dust, dirt, vermin and all foreign and injurious substances. At no time shall animals be allowed in any place where food is manufactured, handled, stored, served or sold.

- (20) Food and drink shall be kept securely covered in such a manner as to prevent its contamination from dust, dirt, flies, vermin and handling. Bread, rolls and other bakery products shall, during transportation and up to the time of delivery, be securely wrapped or covered in such a manner as to prevent contamination by dirt, dust, flies, vermin and handling.
- (21) No person shall use any tap, faucet, tank, fountain or vessel or any pipe or conduit in connection therewith which shall be composed wholly or in part of any metallic or other substance whatever that is or is likely to be affected by any liquid passing through it in such a manner that dangerous, unwholesome or unhealthful compounds or substances shall or may be formed therein or thereby.
- (22) Every food establishment shall be equipped with a sufficient number of watertight metal garbage receptacles with tight-fitting covers, in which shall be kept all garbage, offal, waste food, scraps and other refuse. All such garbage receptacles shall be kept securely covered, except when being filled or emptied. All garbage, waste food, scraps and other refuse shall be removed from the interior of the premises daily.
- (23) All raw materials and ingredients used in the preparation of food or drink shall be fresh, sound, wholesome and safe for human consumption. Raw materials, ingredients and food and drink which have become unfit for human consumption shall be kept separate and apart from other foodstuffs held, kept or offered for sale, be properly denatured, placed in metallic containers marked "condemned" and removed daily from the interior of the premises. The presence of any raw material or any food or drink or any ingredient of food or drink in, upon or about any part of a food establishment, other than in containers marked "condemned," as aforesaid, shall be deemed prima facie evidence of its use for human consumption. All frozen foods, whether precooked or not shall be considered unfit for human consumption once

having defrosted unless intentionally defrosted for on-the-premises consumption. It shall be unlawful to re-freeze frozen foods after same have wholly or partially defrosted.

- (24) Every food establishment shall maintain at least one (1) water closet for each six (6) persons employed or engaged therein. Such water closets shall be equipped with clean seats, and said water closets and the walls, ceilings and floors about them shall be maintained in a clean and sanitary condition and in a state of good repair. Every room containing water closets shall be vented as set forth in the Plumbing Code of the Borough of Wood-Ridge, Edition of 1949.² Each water closet shall be surrounded on all four (4) sides by a wall or partition, and each compartment shall be equipped with self-closing doors.
- (25) Every food establishment shall maintain a washroom conveniently located for the use of its employees. Such washrooms shall be furnished with an adequate supply of soap, running water and single-service towels. The use of the common towel is prohibited.
- (26) All persons employed or engaged in any food establishment shall thoroughly wash their hands before commencing work, and also shall thoroughly wash their hands immediately after urinating or defecating. Notices shall be conspicuously posted in all washrooms and toilet rooms directing all employees to comply with this subsection.
- (27) Every food establishment which sells or serves food or drinks for consumption on the food establishment premises shall provide a sufficient number of water closets for the use of its patrons. Separate water-closet rooms shall be maintained for the use of customers of each sex. Each water closet shall be provided with a clean seat, and said water closet and the walls, ceiling and the floors about them shall be kept in a clean and sanitary condition and in a state of good repair. Every room containing water closets shall be vented as set forth in the Plumbing Code

² Editor's Note: See Ch. 126, Construction Codes, Uniform; and Ch. 194, Plumbing.

of the Borough of Wood-Ridge, Edition of 1949,³ and such washrooms shall be furnished with an adequate supply of soap, running water and single service towels. The use of a common towel is prohibited.

- (28) The Board, in all cases where it finds a violation of any of the provisions of this chapter in, upon or about a food establishment or finds a condition constituting a hazard or likely to constitute a hazard to the health of any member of the public, may serve upon the owner, proprietor or person in charge thereof an order directing that such food establishment be closed. All persons upon whom such an order is served shall forthwith obey the same, and no food establishment which has been closed by the Board's order shall be reopened until the Board rescinds its order closing the same. In all cases where the owner, proprietor or person in charge fails, refuses or neglects to obey an order to close, the Board may summarily close such establishment.
- (29) No food or drink used or intended to be used for human consumption shall be sold, held or offered for sale under a false name or quality, nor shall any food or drink used or intended to be used for human consumption which is not wholesome, sound and safe for human consumption be represented as being wholesome, safe and sound for human consumption. The sale or service, or the exhibiting or offering for sale or service of any food or drink for human consumption shall be deemed prima facie evidence of a representation that such food or drink is wholesome, sound and safe for human consumption.
- (30) No person shall use, or cause or permit to be used in the transportation, storage or delivery of food or drink intended for human consumption any bottle, can, jar, box, barrel or other container or receptacle which is unfit to be so used by reason of being unclean or unsanitary or in a condition that would tend to cause such food or drink to be poisoned, unwholesome or unfit for human consumption.

³ Editor's Note: See Ch. 126, Construction Codes, Uniform; and Ch. 194, Plumbing.

§ 266-20. Rules and regulations governing barbershops and beauty parlors.

Rules and regulations governing barbershops and beauty parlors in the Borough of Wood-Ridge are as follows:

- A. The walls, ceilings, furniture and other fixtures and all other exposed surfaces in every barbershop, hairdressing establishment, manicuring parlor and beauty parlor shall be clean and free from dirt and dust.
- B. The floors of every such establishment shall be thoroughly swept and mopped each day. All hair falling to the floor shall be removed therefrom as soon thereafter as is practicable.
- C. All attendants shall thoroughly wash their hands with soap and hot water before commencing work on each client and likewise immediately after urinating or defecating and before resuming work.
- D. No person affected with any infectious disease in a communicable form shall be attended in any such establishment.
- E. No towel shall be used for more than one (1) person without being laundered. Towels shall be laundered in clean water at a temperature of at least two hundred degrees Fahrenheit (200° F.); provided, however, that this latter requirement shall not apply to towels which are subjected on the premises where washed to a temperature of at least two hundred degrees Fahrenheit (200° F.) in the process of drying or ironing.
- F. No astringent in stick form shall be used in any such establishment.
- G. The use of soap in common or for more than one (1) person is prohibited in any such establishment.
- H. Every owner of a barbershop shall cause all combs, hairbrushes, hair dusters and like articles to be washed thoroughly at frequent intervals (at least once a day) and to be kept clean at all times and shall cause all mugs, shaving brushes, razors, scissors, clippers, pincers, needles and other instruments to be sterilized either by immersion in boiling water or

in alcohol of at least sixty percent (60%) strength, after each separate use.⁴

§ 266-21. Rules and regulations governing milk and other dairy products.

Rules and regulations of the Board of Health of the Borough of Wood-Ridge governing the production and distribution of milk in the Borough of Wood-Ridge are as follows:

- A. No person, firm, partnership or corporation shall, either as principal or agent, engage in the production, bottling, packaging or wholesale of milk, cream, cheese or other milk and/or dairy products within the Borough of Wood-Ridge without first obtaining a license from the Board for that purpose. The fee for each such license shall be the sum of twenty-five dollars (\$25.) for each location at which such hereinbefore-described business or operation shall be conducted. No person, firm, partnership or corporation shall, either as principal or agent, sell, deliver, dispense or vend any of the items aforementioned without first obtaining a license from the Board for that purpose. The license fee for each wagon, motor truck, place, store, station, premises, automatic milk or ice cream vendor or other vending and/or mechanical device from which milk, cream, cheese or other milk and/or dairy products are sold, delivered, dispensed or vended shall be five dollars (\$5.). [Amended 1-6-77 by Ord. No. 1-76]
- B. Each license issued hereunder shall be valid from January 1 through December 31 in each year unless sooner suspended or revoked, and application for renewal thereof shall be submitted together with the required fee prior to December 1 of each year. No license issued hereunder shall be assignable or transferable by the licensee without the consent of the Board.
- C. Upon the granting of each such license, the Board shall provide the licensee with an identification card, which card shall bear the words "MILK LICENSE, Board of Health, Wood-

⁴ Editor's Note: Original Section XLVII, which immediately followed this section and pertained to the physical examination of persons engaged in certain businesses within the borough, was repealed 11-7-68 by Ord. No. 1-68.

Ridge, New Jersey" and the number of the license, together with such additional material, if any, as the Board shall prescribe. Each such identification card shall be posted by the licensee in a conspicuous place in the licensed premises, and in all cases where a license applies to a wagon, motor truck or other vehicle or an automatic milk vendor of a type approved by the Board, such identification card shall be attached to such wagon, motor truck or other vehicle or automatic milk vendor in some conspicuous place thereon or therein and in such a manner and position as to protect said identification card from injury by the elements. No milk or cream shall be sold or distributed unless such identification card is exhibited.

- D. Any person applying for a license to sell milk or cream shall set forth in his application therefor the locality from which all milk or cream to be distributed by him is to be procured and the names and addresses of each person from whom such milk or cream is to be obtained. All applications shall be signed by the prospective licensee.
- E. Every licensee shall immediately notify the Board in writing of any change in the source of his supply of milk or cream. Each such notice shall state the name and address of each and every person supplying milk or cream at the time the notice is given and the locality from which such milk or cream is procured.
- F. No milk or cream shall be delivered, stored before delivery or transported at a temperature higher than fifty degrees Fahrenheit (50° F.).
- G. No milk or cream shall be delivered in the Borough of Wood-Ridge unless the container is provided with a cap or enclosure that protects the pouring lip.
- H. All milk or cream shall be delivered or dispensed to the consumer only from sealed bottles or sealed sanitary containers not exceeding two (2) quarts in volume. The sale of loose milk, the use of milk scoops, milk dippers, milk pumps and all types of suction devices are hereby prohibited, except that the dispensing of individual portions of milk from Norris or Norris-type refrigerated milk dispensors, in quantities not ex-

ceeding one (1) pint, shall be allowed, provided that such dispensers are clean, in proper working order and at all times open to inspection by the Health Agent.

- I. All bottles used for the distribution of milk or cream shall be used for that purpose only and for no other. All bottles shall be thoroughly cleansed by the consumer before the same are returned. No bottles used for the distribution of milk or cream shall be taken from any premises where any person shall be, or shall have been, infected with any communicable disease until said bottles have been sterilized by immersion in boiling water for at least three (3) minutes.
- J. No bottle or container containing milk or cream shall be opened, nor shall it be tampered with, from the time it leaves the place where capped or sealed, to the time when it is delivered to the consumer.

§ 266-22. Rules and regulations governing water supply.

Rules and regulations of the Board of Health of the Borough of Wood-Ridge governing the water supply, are as follows:

- A. No person shall use for drinking or domestic purposes any water taken from any spring, well, reservoir, pond or other source of water which has been declared by the Board of Health to be unfit for such use. Any spring, well, reservoir, pond or other source of water may, in the discretion of the Board, be posted with placards forbidding the use of its waters for either or both of the purposes aforesaid. No person shall hinder, delay or obstruct the posting of any such placard, nor shall any person use, or permit the use of the waters of any such placarded well, spring, reservoir, pond or other source of water for drinking or domestic purposes.
- B. The Board may, in all cases where there is any reason to believe that the waters of any well are polluted or detrimental to the public health, notify the owner or occupant of the lands upon which such well is located to close said well within the time specified in said notice. If any person fails to comply with any such notice within the time mentioned therein, the

Board may physically close said well and, if it sees fit, recover the expenses of such closing by an action at law.

- C. No premises shall be rented or occupied as a place of business or as a tenement house or place for human occupancy, unless such premises shall have a plentiful supply of pure water suitable for domestic purposes, furnished in one (1) or more places in the building upon such premises or in the yard adjacent thereto reasonably convenient for the use of the occupants thereof.

§ 266-23. Rules and regulations governing sanitary conditions of buildings.

Rules and regulations of the Board of Health of the Borough of Wood-Ridge governing the sanitary conditions of buildings are as follows:

- A. Every building used for dwelling, industrial or mercantile purposes and all yards, courts, passages, areas and alleys connected therewith shall be kept clean and free from any accumulation of dirt, filth, garbage, refuse and other offensive material, and the owner or occupant of every such building shall thoroughly cleanse all rooms, passages, stairs, halls, floors, windows, doors, cellars, walls, ceilings and plumbing equipment as often as shall be required by the Board and shall, when notified to do so, well and sufficiently whitewash or paint any parts of the same specified by the Board.
- B. The Board, in all cases where it finds that a building is unfit for human occupation, either by reason of the same being infected with disease or in some way dangerous to the life or health of any person who resides or is employed or occupied therein, may serve upon the owner or occupant of such building an order directing that such building or any part thereof, be vacated within the time specified in such order. In all cases where such order cannot be served upon such owner or occupant, a copy thereof affixed to the main entrance or to some other conspicuous part of said building shall suffice.

- C. No owner or agent shall paper the walls or ceilings of any room in any building rented by him to be used for dwelling purposes without having first removed all the old papers from said walls and ceilings and having thoroughly cleansed said walls and ceilings.
- D. Every room used for dwelling purposes shall be lighted and ventilated by means of at least one window opening to the outer air.
- E. No room shall be used for sleeping purposes which affords less than 400 cubic feet of air space for each adult and 250 cubic feet of air space for each child under 12 years of age.
- F. Every building which is occupied as a residence of two or more families living independently of each other shall be provided with at least one water closet for the exclusive use of each family.
- G. Every general contractor engaged in any enterprise or work requiring the services of a number of artisans and employees, shall provide adequate temporary toilet facilities for the use of such artisans and employees during the progress and until the completion of such enterprise or work. Such facilities shall afford privacy to the persons using the same and shall be so designed and maintained as not to be offensive to the public or any member thereof.
- H. The owners or occupants of all buildings occupied either in whole or in part for dwelling purposes, shall keep the cellars thereof free from water, dampness and moisture.
- I. All chimneys and flues in all buildings shall be maintained in a clean and tight condition. No person shall operate or maintain any heating system, including water heaters, in such a manner that it may emit coal gas or other noxious or harmful substances formed by incomplete combustion into the interior of any building.

- J. Any place of business where one or more persons are employed shall be equipped with at least one water closet with separate facilities for each sex.
- K. For every building which is occupied as a residence of two or more families living independently of each other which has one heating system controlled by the owner, the owner shall provide heat for inhabited residences from the first day of October to the first day of May, so that the temperature may be kept at 70° F. between the hours of 6:00 a.m. and 10:00 p.m. and 60° F. between the hours of 10:00 p.m. and 6:00 a.m. **[Added 11-7-1968 by Ord. No. 1-68]**

§ 266-24. Rules and regulations governing animals and fowl. [Amended 5-5-1960 by Ord. No. 1-60]

The rules and regulations of the Board of Health of the Borough of Wood-Ridge governing animals and fowl are as follows:

- A. No person shall keep within the Borough of Wood-Ridge any cattle, chinchilla, guinea hens, guinea pigs, hamsters, hogs, horses, ocelots, pigs, pigeons, rabbits, sheep, swine, monkeys, chimpanzees, ponies, skunks, bees, squirrels, fowl, chickens, ducks, geese, snakes, raccoons, goats or any other animal that can be dangerous to humans if such animal escapes from captivity. **[Amended 11-7-1968 by Ord. No. 1-68; 1-5-1979 by Ord. No. 1-79]**
- B. (Reserved)¹
- C. No slaughterhouse or any market or store where live animals or fowl are kept for sale or slaughtered on the premises shall be conducted or maintained in the Borough of Wood-Ridge.

¹ Editor's Note: Former Subsection B, regarding the keeping of horses, pigeons, chickens or other fowl, was repealed 2-3-2005 by Ord. No. 1-2005.

- D. Every owner, agent, lessee or tenant of any place in which any horses, pigeons, chickens or other fowl are kept shall at all times keep or cause to be kept such place, yard and appurtenances thereof in a clean, healthy, wholesome condition, and no offensive smell shall be allowed to escape therefrom.
- E. (Reserved)²
- F. No horse or horses shall be kept or maintained within the confines of the Borough of Wood-Ridge, except on property not less than 1½ acres in area, and the place where the horse or horses are stabled shall be not less than 50 feet from any boundary line of said plot on which said horse or horses is maintained.

§ 266-25. Rules and regulations governing sewage disposal systems and scavengers.

Rules and regulations of the Board of Health of the Borough of Wood-Ridge governing septic tanks, cesspools, privies, sewer connections and scavengers are as follows:

- A. Within 10 days after any sewer connection is established, all septic tanks and cesspools in or upon the property so connected shall be filled in with stones, earth, ashes, cinders or other appropriate materials, and all privy vaults in or upon such property shall be cleaned out and permanently sealed with some proper airtight material.
- B. The owner, occupier or tenant of any premises in or on which there exists a septic tank, cesspool or privy vault shall cleanse the same and remove the contents therefrom within four days after being ordered to do so by the Board or its representatives.

² Editor's Note: Former Subsection E, regarding buildings or structures for horses, chickens, pigeons and other animals, was repealed 2-3-2005 by Ord. No. 1-2005.

- C. No septic tank, cesspool or privy vault shall hereafter be constructed in the Borough.
- D. No septic tank, cesspool or privy vault shall be cleansed or emptied without the special permission of the Board having been first obtained, and then only by a duly licensed scavenger.
- E. Application for all scavenger's licenses shall be made to the Board in writing and shall be accompanied by an affidavit of the licensee setting forth the number of vehicles or conveyances which he proposes to employ in the Borough. A fee of \$2 shall be charged for each vehicle or conveyance used in the Borough for the purpose aforesaid. All licenses shall be valid for a period of one year from the date of issuance, unless sooner revoked.
- F. Any scavenger who shall commence to clean or empty any septic tank, cesspool or privy vault shall without interruption or delay proceed with said work until it is completed and until the contents of such septic tank, cesspool or privy vault are carried away.
- G. All vehicles and conveyances used for the transportation of the contents of septic tanks, cesspools or privy vaults shall be equipped with watertight bodies with tight-fitting covers or shall be equipped with watertight vessels or containers with tight-fitting covers. All vehicles and conveyances used for the purpose aforesaid shall be approved by the Board before they are placed in use. No vehicle or conveyance shall be approved unless it is constructed and equipped in such a manner as to insure the transportation of the substances aforesaid without leakage of offensive odors.

§ 266-26. Pending actions.

Nothing in this chapter or in the code hereby adopted shall be construed to affect any suit or proceeding now pending in any court or any right acquired or liability incurred nor any cause or causes of action accrued or existing under any act or ordinance

repealed hereby; nor shall any right or remedy of any character be lost, impaired or affected by this chapter.

§ 266-27. More stringent requirement to prevail in cases of conflict.

Any inconsistency between this chapter, the codes adopted herein by reference and the State Sanitary Code, as revised and enacted by the Public Health Council of the State of New Jersey under date of June 22, 1953, and any supplements thereto, shall be so construed as to result in the enforcement of the most stringent requirement of the inconsistent provisions, rules or regulations.

§ 266-28. Civil actions.

The civil action for the penalty, as authorized by N.J.S.A. 26:1A-10, and the penalties, as provided herein, for the violation of any of the provisions of this chapter or any of the codes adopted herein by reference, shall not be considered as inconsistent, but shall be interpreted as alternate actions which may be taken by the Board.

§ 286-29. Violations and penalties. [Amended 11-6-1986 by Ord. No. 1-86]

Any person who violates or neglects to comply with any provision of this chapter or the codes adopted herein by reference or notice issued pursuant to this chapter or said codes, shall, upon conviction thereof, be liable to a penalty of not less than \$2 nor more than \$500 for each violation. Each day a particular violation continues shall constitute a separate offense.