

ORDINANCE 15-2020

BOROUGH OF EATONTOWN  
COUNTY OF MONMOUTH, STATE OF NEW JERSEY

AN ORDINANCE AMENDING CHAPTER 7, ARTICLE I AND OTHER RELEVANT SECTIONS OF THE BOROUGH CODE TO DISBAND  
THE LOCAL BOARD OF HEALTH

**WHEREAS**, the Borough of Eatontown ("Borough") has entered into an agreement with the Monmouth County Board of Health to provide services to the Borough and pursuant to that agreement many of the powers and responsibilities previously assigned to the Borough's Board of Health have been assumed by the Monmouth County Board of Health; and

**WHEREAS**, as a result, the Mayor and the Borough Council wish to disband the local Board of Health and have all relevant matters referred to the Monmouth County Board of Health and other local officials.

**NOW, THEREFORE, BE IT ORDAINED**, by the BOROUGH COUNCIL OF THE BOROUGH OF EATONTOWN, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY that Borough Code is hereby amended as follows:

**SECTION 1**

Chapter 7, Article I titled "Board of Health," sections 7-1 to 7-4 of the Code of the Borough of Eatontown ("Borough Code") is stricken in its entirety and reserved for future ordinances.

**SECTION 2**

Chapter 19, Section 19-3 titled "Powers and Duties", is hereby amended to add subsection (S) as follows:

S. The Administrator shall appoint a local Registry of Vital Statistics. The term of office of such local Registrar shall be three years and until his or her successor has been appointed and qualified; and any vacancy occurring in such office shall be filled for the unexpired term only.

**SECTION 3**

Chapter 258, titled "Retail Food Establishments and Vending Machines," Section 258-7 shall be amended as follows (additions are underlined; deletions are [bracketed]):

**258-7 Application for license for retail food and beverage sales or vending machines.**

Applications for licenses shall be made to the Borough Clerk [local Board of Health office in the Borough of Eatontown] in accordance with the provisions of N.J.S.A. 26:3-69.1 to 69.6, 26:3-92 and 26:3-93 and Chapter 24 - Sanitation in Retail Food Establishments and Food and Beverage Vending Machines. Applicants shall submit an application on the form provided by the Borough [local Board of Health office] along with the appropriate fees set forth above. Any person, firm or corporation intending to conduct or engage in the operation of retail food and beverage sales or in food and beverage vending machines must submit the license application and the proper fee prior to the beginning of operation.

**SECTION 4**

Chapter 289, titled "Swimming Pools," Section 289-12 shall be amended as follows (additions are underlined; deletions are [bracketed]):

**289-12 Public swimming pools.**

Public swimming pools as defined by the Monmouth County Board of Health and the New Jersey State Statute and Regulations shall be required to be subject to an annual [Board of] Health permit to be obtained through the Office of the Borough Clerk [Eatontown Board of Health] or the Monmouth County Board of Health for a term commencing April 1 of each year and ending April 30 of the following year. The fee for such a permit, payable no later than March 31 for the following year term, shall be \$200 per year payable to the Borough of Eatontown to cover the cost of pool inspection performed by the Monmouth County Board of Health. A late fee of \$25 will be charged if the application fees are received after April 30.

**SECTION 5**

Chapter 333 titled "Boarding Homes for Children," Sections 333-1 to -5 is stricken in its entirety and reserved for future ordinances.

**SECTION 6**

Chapter 350 of the Borough Code entitled "Solid Waste" Sections 350-1 to -5 is stricken in its entirety and reserved for future ordinances.

**SECTION 7**

Chapter 281 of the Borough Code titled "Solid Waste," Section 281-7 shall be amended as follows (additions are underlined; deletions are [bracketed]):

**§ 281-7 [Permits] Hours; vehicles.**

A. [The business of refuse collection shall not be conducted in any manner on any public or private place, street or other premises without a permit heretofore having been issued by the Board of Health.] Persons engaged in the business of collecting solid waste and/or recyclable materials from dumpster receptacles shall only collect those items between the hours of 7:00 a.m. and 7:00 p.m. This section shall not apply to Borough employees or collectors who are collecting under authority of a contract with the Borough of Eatontown which provides for different hours of operation.

B. Vehicles used for the purpose of collecting refuse from receptacles as prescribed by the provisions of this code shall be loaded in such fashion that no part of the contents shall fall, leak or spill therefrom. Each such vehicle shall be adequately and tightly covered, [as may be directed by the Board of Health.]

**SECTION 8**

Chapter 89 titled "Land Use," Section 89-73 titled "Sewage Disposal," subsection 89-73 (C)(4) shall be amended as follows (additions are underlined; deletions are [bracketed]):

(4) If any existing land drainage structures, such as french drains, are encountered during the course of construction of any site, no septic system or any part thereof shall be installed on any lot within 400 feet thereof without the prior approval of the [Eatontown Borough] Monmouth County Board of Health. Such approval shall only be granted if new percolation tests, taken at least two months after such drainage structures are removed, show that satisfactory soil conditions exist and that installation of such septic system in the area affected by the removal of the drainage structures will not be detrimental to the health of the Borough residents or cause pollution of any of its waters.

**SECTION 9**

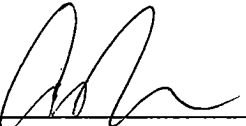
Chapter 89 titled "Land Use," Section 89-92 titled "Guarantees and improvement procedures," subsection 89-92(E)(2)(j) shall be amended as follows (additions are underlined; deletions are [bracketed]):

(j) On-site wells. All on-site wells have been installed, tested and approved by the Monmouth County [Borough] Board of Health.

DATE INTRODUCED: September 9, 2020

DATE ADOPTED: October 14, 2020

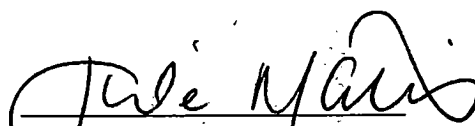
APPROVED:



Anthony Talerico, Jr. Mayor

Date: 10/16/2020

ATTEST:



Julie Martin, Municipal Clerk

Date: 10/16/2020