

ORDINANCE NO. HO 18-02

**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 DEPARTMENT OF HEALTH, MOST NOTABLY CHAPTER XXVI, “BOARD OF HEALTH.”

WHEREAS, N.J.S.A. 26:3-64 provides the Borough of North Plainfield Board of Health with the authority to enact and amend health ordinances and make and alter necessary rules and regulations to abate nuisances; and,

WHEREAS, N.J.S.A. 26:3-66 provides the procedure for enactment of ordinances by the Borough’s Board of Health; and,

WHEREAS, certain amendments, revisions and supplements to the current North Plainfield Borough Code are necessary in order to collect additional fees should a retail food establishment require a “re-inspection” due to the failure to meet the applicable health standards during a routine and/or initial and/or any other inspection which results in a non-passing situation and another inspection(s).

NOW, THEREFORE, BE IT ORDAINED by the Board of Health of the Borough of North Plainfield, County of Somerset, State of New Jersey that the Borough Code of the Borough of North Plainfield, Chapter XXVI, entitled “Board of Health,” is hereby amended, revised and/or supplemented as to the following sections:

1. Supplement with the addition of Section 26-2.12, Re-inspection of Food Establishment, as follows:

26-2.12 Re-inspection of Food Establishment.

- A. In the event a retail food establishment receives a “Conditionally Satisfactory” rating, a fee for re-inspection will be charged as follows:
 - a. First re-inspection: \$200.00;

- b. Second re-inspection: \$300.00; and,
 - c. Third or subsequent re-inspection: \$400.00.
- B. In the event a retail food establishment receives an “Unsatisfactory” rating, a fee for re-inspection will be charged as follows: \$500.00
- C. Re-inspection must be completed within a specified time set by the Registered Environmental Health Specialist at the time of the initial inspection.
- D. In the event a licensee shall have received two (2) consecutive “C” Conditionally Satisfactory ratings in the preceding year, the license fee shall be doubled.

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 All ordinances or portions of ordinances that are inconsistent with this Ordinance shall be repealed as to their inconsistencies only.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

3. 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.

Date of Introduction: April 23, 2018
Date of Passage: April 23, 2018
Date of Publication: April 26, 2018
Date of Adoption: May 14, 2018

Roll Call

Ayes: Merrill, Miller, Schaefer, Singleterry, La Ronde

Nays: None

Abstain: None

Absent: Righetti, Stabile

BOARD OF HEALTH OF THE
BOROUGH OF NORTH PLAINFIELD

Richard K. Phoenix, RMC
Secretary, Board of Health
Borough of North Plainfield

Lawrence La Ronde
Chairman, Board of Health

Approved by the Mayor:

Yes xxx No _____

Hon. Michael Giordano, Jr., Mayor

The above is a true copy of the Ordinance adopted by the Board of Health of the Borough of North Plainfield adopted at a regular meeting on 14 May 2018.

BOARD OF HEALTH OF THE
BOROUGH OF NORTH PLAINFIELD

By: _____
Richard K. Phoenix, RMC
Board of Health Secretary