



MONMOUTH COUNTY REGIONAL HEALTH COMMISSION NO. 1

CHAPTER 3

Nuisances, Public Health

3-1 Public Health Nuisance Code

Editor's note: Prior ordinances codified herein include versions of Ordinance No. 2, original version published July 1983, beginning 12-02 adopted and edited through 14-02.

3-1.1 Definitions

- a. *Public Health Nuisance.* The term “Public Health Nuisance” shall mean any activity or failure to act that adversely affects the health of the inhabitants of these municipalities. For example, the existence or presence of any accumulation of garbage.
- b. *Repeal.* The term “repeal” shall mean the act of annulling or revoking a law.
- c. *Code.* The term “code” shall mean printed regulations or set of regulations, standards or set of standards concerning, affecting or relating to the subject matter of any such ordinance of substantially uniform character, approved by the State Department of Health.

3-1.2 Title of Code

The said Code hereby established and adopted by this Ordinance is commonly known as the “New Jersey Public Health Nuisance Code (1953)”, Sections I through X, excluding Sections 2.1 (a) and (b).

3-2 **Enforcing Officials**

The said Regional Commission, and its agents, or employees, including but not limited to, its Health Officer, shall have the right of entry, at any reasonable hour, into and upon any public, or private building or premises for the purpose of enforcing the provisions of such Code and of this Ordinance, or determining whether such provisions or the rules and regulations of this Regional Commission are being complied with and obeyed. No person shall oppose such entry, or hinder, or interfere with this Regional commission or any of its agents, or employees, or Health Officer, all as aforesaid, in the performance of their duties.

Based on the conditions observed by the agents or employees, including the Health Officer, and the potentially injurious impact on public health, a notice of violation may require abatement within a specific time limit. Such time limit shall be not less than twenty-four (24) hours and shall be specifically noted on all notices of violation.

3-3 **Violations and Penalties**

Any person who violates any provision of this Ordinance or Code established and adopted herein, shall, upon conviction thereof, be liable to a penalty of not less than Fifty Dollars (\$50.00) nor more than One Thousand Dollars (\$1,000.00) for each violation, and each day a particular violation continues shall constitute a separate offense. Upon refusal or neglect, upon and after conviction, to pay the amount of said penalty or fine, the person so convicted shall be subject to be committed to the County Jail for a period not exceeding ninety (90) days, all in the discretion of the Municipal Magistrate or other officer before whom the complaint shall be brought.

3-4 **Repealer**

All Ordinances, Codes or parts of same inconsistent with any of the provisions of this Ordinance and the Code hereby established and adopted hereunder are hereby repealed to extent of such inconsistency.

3-5 Severability

In the event that any section, sentence or clause of this Ordinance or Code shall be declared unconstitutional by a court of competent jurisdiction, such declaration shall not in any manner prejudice the enforcement of the remaining provisions.

3-6 Effective Date

This Ordinance and the Code herein established and adopted shall take effect thirty (30) days after the date of the first publication hereof.

Ordinance History	Date Adopted
12-02 (Considered 2/15/12)	Note: Proposed Town Name Changes – No Action Necessary per B. Birdsall, Esq. (3/21/12)
14-02	April 22, 2014
Chapter 3. Nuisances, Public Health	June 25, 2019