

ORDINANCE #19-24
BOROUGH OF SAYREVILLE
COUNTY OF MIDDLESEX
AN ORDINANCE ADOPTING THE PUBLIC HEALTH
NUISANCE CODE OF NEW JERSEY FOR THE BOROUGH OF SAYREVILLE,
COUNTY OF MIDDLESEX, STATE OF NEW JERSEY

WHEREAS, the Board of Health of the Borough of Sayreville (“Borough”) has recommended the Borough Council adopt the Public Health Nuisance Code of New Jersey into the Borough’s code; and

WHEREAS, the Public Health Nuisance Code was created as a model ordinance for municipalities by the New Jersey Department of Health and Human Services to define and prohibit certain acts, conditions, matters or things as a nuisance; and

WHEREAS, the Borough seeks to adopt the Public Health Nuisance Code of New Jersey for the Borough.

NOW, THEREFORE, BE IT ORDAINED by the Borough Council of the Borough of Sayreville in the County of Middlesex, State of New Jersey, as follows:

SECTION 1. State Standards Adopted. 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 Chapter 188, Laws of 1950. A copy of said code is annexed hereto and made a part hereof without the inclusion of the text thereof herein.

SECTION 2. Title. The said code established and adopted by this Ordinance is described and commonly known as the “Public Health Nuisance Code of New Jersey (1953).”

SECTION 3. Copies on File. Copies of the 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 Sayreville, and in the office of the Borough Clerk of the Borough of Sayreville, and will remain on file there for use and examination by the public.

SECTION 4. Violations and Penalties. Any person who violates or neglects to comply with any provision of this Ordinance or the code established herein or notice issued pursuant thereto shall, upon conviction thereof, be subject to a penalty of not less than ten dollars (\$10), nor more than one thousand dollars (\$1,000), for each violation.

SECTION 5. Conflicts. All Ordinances of the Board of Health or the Borough of Sayreville or parts thereof in conflict or inconsistent with this Ordinance are hereby repealed, but only to the extent of such conflict or inconsistency, it being legislative intent that all Ordinances or parts of Ordinances now existing or in effect, unless the

same be in conflict or inconsistent with any provisions of this Ordinance, shall remain in effect.

SECTION 6. Severability. The provisions of this Ordinance are declared to be severable and if any section, sub-section, sentence, clause, or phrase thereof shall, for any reason, be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sib-sections, sentences, clauses and phrases of this Ordinance, but shall remain in effect; it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

SECTION 7. Effective Date. This Ordinance shall take effect upon passage and publication as provided by law.

INTRODUCED/APPROVED ON FIRST READING

DATED: April 8, 2024

Jessica Morelos, R.M.C.
Clerk of the Borough of Sayreville

Christian Onuoha, Councilman
(Public Works Committee)
Borough of Sayreville

ADOPTED ON SECOND READING

DATED: April 29, 2024

Jessica Morelos, R.M.C.
Clerk of the Borough of Sayreville

Christian Onuoha, Councilman
(Public Works Committee)
Borough of Sayreville

APPROVAL BY THE MAYOR ON THIS _____ DAY OF _____, 2024.

Kennedy O'Brien, Mayor
Borough of Sayreville

APPROVED AS TO FORM:

Borough Attorney