

CUMBERLAND COUNTY BOARD OF HEALTH

ORDINANCE NO. 11

AN ORDINANCE OF THE CUMBERLAND COUNTY BOARD OF HEALTH ESTABLISHING INSPECTION, RE-INSPECTION, APPLICATION AND REVIEW, AND CLINIC SERVICE FEES PAYABLE TO THE CUMBERLAND COUNTY HEALTH DEPARTMENT FOR SERVICES PROVIDED WITHIN THE JURISDICTION OF THE CUMBERLAND COUNTY BOARD OF HEALTH AND ESTABLISHING PENALTIES FOR THE VIOLATION THEREOF

BE IT ORDAINED BY THE CUMBERLAND COUNTY BOARD OF HEALTH, COUNTY OF CUMBERLAND, STATE OF NEW JERSEY, AS FOLLOWS:

Section 1. Short Title:

This Ordinance shall be known as "Cumberland County Board of Health Fee Ordinance".

Section 2. Definitions:

This Ordinance incorporates the definitions contained in the Definition Subchapters of the New Jersey Administrative Code (N.J.A.C.) Title 7 Department of Environmental Protection and Title 8 Department of Health and Senior Services as if specifically set forth herein. In addition to the definitions contained in the New Jersey Administrative Code, Title 7 and Title 8, the following additional definitions are adopted as part of this ordinance:

Alternate/Advanced Technology Sewage Disposal System: a sewage disposal system which uses non-traditional, active or mechanical technology as approved for use by New Jersey Department of Environmental Protection.

Animal: any animal subject to rabies or other diseases of dogs.

Facility: means any kennel, pet shop, shelter or pound subject to N.J.S.A. 4:19-15.1 et seq. and N.J.A.C. 8:23A-1.1 et seq.

Food: Retail Food Establishment

Mobile Food Establishments: any movable restaurant, truck, van, trailer, cart, bicycle, watercraft, or other movable unit including hand carried, portable containers in or on which food or beverage is transported, stored, or prepared for retail sale or given away at temporary locations.

Non – Potable Supply Well: Any water supply system not used or intended to be used for a potable water supply, permanently identified as such and disconnected from the building plumbing system.

Pool/Bathing Area: Public Recreational Bathing Facility

Potable Supply Well: Any water supply system used or intended to be used for drinking, bathing, culinary, or other personal contact purposes.

Re-Inspection: an inspection performed by the Cumberland County Health Department because the conditions found during an initial or routine first inspection did not meet applicable standards.

Real Estate Septic Inspection Report Review and Determination: a review of a septic contractor report for determination of compliance with the New Jersey Technical Guidance Document requirements for Inspections of Existing Subsurface Sewage Disposal systems and N.J.A.C 7:9A. A determination letter will be issued by the Cumberland County Health Department indicating that the existing sewage disposal system is not malfunctioning; is malfunctioning and needs additional repair or alteration work; contains non-compliant components; or more information is needed.

Replacement Well: a new Non-Community Water Supply System that is being installed to replace an existing Non-Community Water Supply System that is no longer functioning properly.

Risk Type 1: serves, heats or sells only pre-packaged, commercially processed, non-potentially hazardous foods, such as convenience stores, hot dog carts, and coffee shops.

Risk Type 2: prepares limited menu, cooks, and serves most products immediately with hot and cold holding of potentially hazardous foods, such as retail food store operations, schools that do not serve a highly susceptible population, and quick service operations.

Risk Type 3: extensive menu using raw ingredients, cooking, cooling and reheating at least three or more potentially hazardous foods, complex preparation of menu items and/or whose primary service population is a highly susceptible population such as full service restaurants, diners, commissaries, catering operations, hospitals, nursing homes, and pre-schools.

Risk Type 4: involves specialized processes such as smoking, curing, canning, bottling, acidification designed to control pathogen proliferation, or any reduced oxygen packaging intended for extended shelf-life where such activities may require the assistance of a trained food technologist, including establishments conducting specialized processing at retail.

Septic Plan: Application for an Individual Subsurface Sewage Disposal System Permit.

Water Certification: a certification issued by the Cumberland County Health Department indicating that the Non Community Water Supply System water sample results meet applicable standards.

Well: a Non-Community or Private Water Supply System.

Section 3. Purpose:

The Purpose of this Ordinance is to provide for the establishment of a Fee Schedule for payment of fees for services provided by the Cumberland County Health Department.

Section 4. Fees:

The Cumberland County Health Department establishes the following fees for the services rendered:

Service Provided	Current Fee	Effective 6/26/2014
<u>Septic Program</u>		
Septic Plan Review / Permit/ Final Cert (Standard design, new or alteration)	200.00	250.00
Septic Plan Review / Permit / Final Cert (Advanced Tech, new or alteration)	300.00	450.00
Septic Plan Revisions	100.00	100.00
Septic Repair Plan Review / Permit / Final Cert	100.00	200.00
Septic System Re-Inspection	75.00	100.00
Septic Permit Renewal	100.00	50.00
Septic System inspection for any other requested purpose (no permit)	N/A	100.00
Real Estate Septic Inspection Report Review and Determination	100.00	100.00
Review and Certification for Use of Existing Septic System /Act of God	N/A	200.00
Advanced Tech Initial License to Operate if System was TWA approval	100.00	100.00
Advanced Tech Renewal of License to Operate	75.00	75.00
<u>Food Plan / Application Review (New Establishment)*</u>		
Risk Type 1	25.00	50.00
Risk Type 2	50.00	100.00
Risk Type 3	175.00	200.00
Risk Type 4	250.00	300.00
<u>Food Plan Revisions for Denied Applications or Renovations to Existing Facility*</u>		
Risk Type 1	25.00	25.00
Risk Type 2	25.00	50.00
Risk Type 3	100.00	100.00
Risk Type 4	100.00	100.00
<u>Food Inspection Fees*</u>		
Risk Type 1	50.00	75.00
Risk Type 2	75.00	100.00
Risk Type 3	150.00	150.00
Risk Type 4	250.00	250.00

Mobile Food Establishments Shall apply annually for approval to operate		
<u>Food Re-Inspection Fees*</u>		
Risk Type 1	25.00	50.00
Risk Type 2	50.00	75.00
Risk Type 3	100.00	100.00
Risk Type 4	100.00	100.00
<u>Well Plan Review / Permit</u>		
Non-potable	N/A	No Charge
Potable New	125.00	125.00
Potable Replacement	100.00	100.00
<u>Well Plan Revisions</u>		
Potable New	50.00	50.00
Potable Replacement	50.00	50.00
<u>Public Recreational Bathing</u>		
Public Recreational Bathing Plan Review (new & alteration)	100.00	250.00
Public Recreational Bathing Annual Permit to Operate (1 st inspection of yr)	N/A	100.00
Public Recreational Bathing Operational Inspection (2 nd inspection of yr)	100.00	100.00
Public Recreational Bathing Re-inspection	N/A	75.00
<u>Animal Facility Operations (kennels, pet shops, shelters, etc.)</u>		
Animal Facility Operation Plan Review	50.00	125.00
Animal Facility Operation Plan Revision	50.00	75.00
Animal Facility Operation Inspection	N/A	100.00
Animal Facility Operation Re-inspection	N/A	50.00
Water Test Certification	50.00	50.00
<u>Body Art Facilities</u>		
New Facility Plan Review and Permit (includes initial plan review, pre and operational inspection)	300.00	300.00
Temporary (Festival) Plan Review and Permit (per vendor)	300.00	300.00
Plan Revision	300.00	150.00
Permit Revision (required when change in staff/owner/facility)	75.00	50.00
Artist Portfolio Review and Classification	75.00	75.00
Annual Inspection and Permit Renewal	100.00	100.00
Re-Inspection	75.00	75.00

<u>Campgrounds</u>	N/A	150.00
Campground Plan Review	N/A	50.00
Campground Plan Revision	N/A	75.00 per
Campground Inspection		10 sites
Campground Re-inspection	N/A	50.00 per
		10 sites
<u>Clinic Service Fees</u>		
Rabies Vaccinations (for individuals living outside of our service area)	N/A	\$10.00
Flu Vaccinations	N/A	
TB Testing	N/A	
<u>Late Fee (surcharge for fees received later than 30 days of due date)</u>	N/A	\$5.00/day
*Food establishments with dual-functions will be inspected based on highest risk factor		

Section 5. Exemptions:

Government agencies, religious organizations and non-profit organizations are exempt from fees upon production of their appropriate New Jersey Division of Taxation, exempt classification number.

Section 6. Payment of Fees:

All required fees established by this Ordinance shall be paid upon submission of an application or report for review by the Cumberland County Health Department or within thirty (30) days of receipt of a statement for field services provided by Cumberland County Health Department. Payments shall be delivered or mailed to the Cumberland County Health Department. Checks shall be made payable to the Cumberland County Health Department. Fee payments received 30 days after their due date shall be subject to a late fee of \$5.00 per day.

Section 7. Failure to Pay Fees:

Failure to pay the fees required by this Ordinance to the Cumberland County Health Department shall be considered a violation of this Ordinance and may result in the cancellation of any permit, approval or certification given or the withholding of any pending permit, approval or certification required by this Ordinance.

Section 8. Severability:

In the event that any section, sentence or clause of this Ordinance shall be deemed unconstitutional or invalid by a court of competent jurisdiction, such declaration shall not in any matter render void or prejudice the enforcement of the remaining sections of this Ordinance.

Section 9. Violation and Penalties:

In addition to any other liability or penalty imposed by law, any person violating any provision of this Ordinance shall be subject to a penalty of not less than One Hundred (\$100.00) Dollars nor more than Five Hundred (\$500.00) Dollars for each offence.

Section 11. Inconsistent Ordinances Repealed:

All Ordinances or parts of Ordinances which are inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency. Pursuant to N.J.S.A. 26:3 A2-27, this Ordinance supersedes all inconsistent Municipal and Local Board of Health Ordinances regulating the same subject matter.

Section 12. Effective Date:

This Ordinance shall take effect after public hearing and 90 days after final adoption by the Cumberland County Board of Health unless disapproved by the Commissioner of the Department of Environmental Protection within said period pursuant to N.J.S.A. 26:3A2-27.

- A. A public hearing on this Ordinance shall be held at the Cumberland County Board of Health Meeting on January 15, 2014 and February 26, 2014.
- B. The Secretary of the Board is hereby directed to publish and distribute this ordinance in accordance with law.
- C. Copies of this Ordinance upon adoption shall be forwarded to:
 - 1. New Jersey Department of Environmental Protection, Bureau of Local Environmental Management
 - 2. All Municipalities within the Jurisdiction of the Cumberland County Health Department