

[SECOND OFFICIAL COPY REPRINT]

COMMITTEE SUBSTITUTE FOR

SENATE, No. 105

STATE OF NEW JERSEY

ADOPTED MARCH 15, 1950

AN ACT authorizing boards of health to adopt certain codes and related documents relating to health and sanitation standards, by reference, in ordinances adopted for that purpose, providing procedure therefor, and supplementing chapter three of Title 26 of the Revised Statutes.

1 BE IT ENACTED *by the Senate and General Assembly of the State of New*
2 *Jersey:*

1 1. As used in this act, unless the context otherwise requires:

2 (1) "Local board of health" shall mean a county or municipal board of
3 health, or the board of health of any regional local or special health district,
4 having power to regulate, by ordinance, public health or sanitation.

5 (2) "Code" means printed code regulations or set of regulations,
6 standards or set of standards concerning, affecting or relating to the sub-
7 ject matter of any such ordinance of substantially uniform character,
8-10 approved by the State Department of Health.

11 (3) "Related document" means any printed document or part thereof
12 adopted by reference in a code directly, or by successive adoptions by refer-
13 ence through other printed documents.

14 (4) "Printed" includes lithographing and any other method of dup-
15 licating.

1 2. Any local board of health may enact, amend or supplement ordi-
2 nances establishing, amending or supplementing a code or any parts thereof
3 by reference to such code in any such ordinance and without inclusion of
4 the text thereof in such ordinance if the code to be adopted and any related

5 documents are printed in book form and a copy of such printed code and
6 related documents so marked as to indicate plainly what portion thereof, if
7 less than the whole, is intended to be adopted, is annexed to such ordinance
8 and if such code and related documents or such portion thereof as is in-
9 tended to be adopted is so described in said ordinance as to identify them
10 and there is indicated in said description the common or trade name, if any,
11 of such code and related documents and it is stated in the ordinance that three
12 copies of said code and said related documents, similarly marked, have been
13 placed on file in the office of the secretary, clerk or other similar officer of
14 said local board of health, upon the introduction of said ordinance and will
15 remain on file there until final action is taken on said ordinance, for the use
16 and examination of the public.

1 3. It shall not be necessary to publish any such code or related docu-
2 ments, so to be adopted, as part of any such ordinance notwithstanding that
3 printed copies thereof are annexed thereto, either before or after the final
4 passage of such ordinance, if said printed copies are filed as aforesaid.

1 4. In event that any such ordinance is adopted, the said copies of said
2 code and related documents shall remain on file in said office, so long as
3 said ordinance is in effect, and three copies shall be placed on file and shall
4 remain on file in the office of any board, body or officer having in charge
5 the enforcement of said ordinance, for the use and examination of the public
6 so long as said ordinance is in effect and printed copies of said ordinance
7 and said code and related documents shall be made available to citizens on
8 request and for which a nominal fee may be charged.

1 5. For the purpose of proof of any such ordinance or receipt thereof in
2 evidence in all courts and places, such copy of such code and related docu-
3 ments, so marked and annexed to such ordinance, shall be construed to be
4 part of said ordinance, as fully as though it had been set forth at length
5 therein.

1 6. This act may be cited as the Public Health and Sanitation Codes
2 Adoption by Reference Act.

1 7. This act shall take effect immediately.

SENATE, No. 105

STATE OF NEW JERSEY

INTRODUCED FEBRUARY 13, 1950

By Mr. LITTELL

Referred to Committee on Public Health

AN ACT concerning the adoption of ordinances to establish codes dealing with health and sanitation standards, providing procedure therefor, and supplementing chapter three of Title 26 of the Revised Statutes.

1 BE IT ENACTED *by the Senate and General Assembly of the State of New*
2 *Jersey:*

1 1. Local boards of health may enact, amend or supplement ordinances to
2 establish, amend or supplement rules and regulations affecting public health
3 or sanitation within its jurisdiction and within its powers as otherwise de-
4 limited by statute, by reference to such rules and regulations in any such or-
5 dinance and without the inclusion of the text thereof therein, if the rules and
6 regulations to be adopted are printed or otherwise reproduced in book form
7 as a code or as a part of a code of such rules and regulations; *provided*, that
8 a copy of the printed code, so marked as to indicate plainly what portion
9 thereof, if less than the whole, is intended to be adopted, is annexed to such
10 ordinance; that said code or such portion thereof as is intended to be adopted
11 is so described in said ordinance as to identify it and there is indicated in such
12 description the common or trade name, if any, of such code of rules and reg-
13 ulations and that it is stated in the ordinance that three copies of said code,
14 similarly marked, have been placed on file in the office of the municipal clerk,
15 upon the introduction of said ordinance and will remain on file there until
16 final action is taken on said ordinance, for the use and examination of the
17 public.

1 2. It shall not be necessary to publish any such rules and regulations, so
2 to be adopted, as part of said ordinance, notwithstanding that a printed copy
3 thereof is annexed thereto, either before or after the final passage of such
4 ordinance; *provided*, that said printed copies are filed as aforesaid, and, if
5 said ordinance is adopted, the said copies shall remain on file in said office so
6 long as said ordinance is in effect, and three copies shall be placed on file, and
7 shall so remain on file, in the office of the body or department having charge
8 of the enforcement of said ordinance, so long as said ordinance is in effect,
9 for the use and examination of the public.

1 3. For the purpose of proof of any such ordinance or the receipt thereof
2 in evidence in all courts and places, such copy of said code, so marked and so
3 annexed to such ordinance, shall be construed to be part of said ordinance as
4 fully as though it had been set forth at length therein.

1 4. This act shall take effect immediately.

COMMITTEE SUBSTITUTE FOR

SENATE, No. 105

STATE OF NEW JERSEY

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4 having power to regulate, by ordinance, public health or sanitation.

5 (2) "Code" means printed code regulations or set of regulations,
6 standards or set of standards concerning, affecting or relating to the sub-
7 ject matter of any such ordinance of substantially uniform character,
8-10 approved by the State Department of Health.

11 (3) "Related document" means any printed document or part thereof
12 adopted by reference in a code directly, or by successive adoptions by refer-
13 ence through other printed documents.

14 (4) "Printed" includes lithographing and any other method of dup-
15 licating.

1 2. Any local board of health may enact, amend or supplement ordi-
2 nances establishing, amending or supplementing a code or any parts thereof
3 by reference to such code in any such ordinance and without inclusion of
4 the text thereof in such ordinance if the code to be adopted and any related

5 documents are printed in book form and a copy of such printed code and
6 related documents so marked as to indicate plainly what portion thereof, if
7 less than the whole, is intended to be adopted, is annexed to such ordinance
8 and if such code and related documents or such portion thereof as is in-
9 tended to be adopted is so described in said ordinance as to identify them
10 and there is indicated in said description the common or trade name, if any,
11 of such code and related documents and it is stated in the ordinance that three
12 copies of said code and said related documents, similarly marked, have been
13 placed on file in the office of the secretary, clerk or other similar officer of
14 said local board of health, upon the introduction of said ordinance and will
15 remain on file there until final action is taken on said ordinance, for the use
16 and examination of the public.

1 3. It shall not be necessary to publish any such code or related docu-
2 ments, so to be adopted, as part of any such ordinance notwithstanding that
3 printed copies thereof are annexed thereto, either before or after the final
4 passage of such ordinance, if said printed copies are filed as aforesaid.

1 4. In event that any such ordinance is adopted, the said copies of said
2 code and related documents shall remain on file in said office, so long as
3 said ordinance is in effect, and three copies shall be placed on file and shall
4 remain on file in the office of any board, body or officer having in charge
5 the enforcement of said ordinance, for the use and examination of the public
6 so long as said ordinance is in effect.

1 5. For the purpose of proof of any such ordinance or receipt thereof in
2 evidence in all courts and places, such copy of such code and related docu-
3 ments, so marked and annexed to such ordinance, shall be construed to be
4 part of said ordinance, as fully as though it had been set forth at length
5 therein.

1 6. This act may be cited as the Public Health and Sanitation Codes
2 Adoption by Reference Act.

1 7. This act shall take effect immediately.

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14 said local board of health, upon the introduction of said ordinance and will
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3 printed copies thereof are annexed thereto, either before or after the final
4 passage of such ordinance, if said printed copies are filed as aforesaid.

1 4. In event that any such ordinance is adopted, the said copies of said
2 code and related documents shall remain on file in said office, so long as
3 said ordinance is in effect, and three copies shall be placed on file and shall
4 remain on file in the office of any board, body or officer having in charge
5 the enforcement of said ordinance, for the use and examination of the public
6 so long as said ordinance is in effect.

1 5. For the purpose of proof of any such ordinance or receipt thereof in
2 evidence in all courts and places, such copy of such code and related docu-
3 ments, so marked and annexed to such ordinance, shall be construed to be
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1 6. This act may be cited as the Public Health and Sanitation Codes
2 Adoption by Reference Act.

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ASSEMBLY AMENDMENT TO
COMMITTEE SUBSTITUTE FOR
SENATE, No. 105

STATE OF NEW JERSEY

ADOPTED APRIL 12, 1950

Amend page 2, section 4, line 6, at end insert "and printed copies of said ordinance and said code and related documents shall be made available to citizens" before the period.