

ORDINANCE NO. 08-2025

**AN ORDINANCE OF THE TOWNSHIP OF EAST HANOVER AMENDING CHAPTER 201
“SANITATION” OF THE TOWNSHIP CODE.**

WHEREAS, due to the elimination of the East Hanover Board of Health and establishment of the East Hanover Department of Health it is necessary to repeal, replace, amend and/or supplement certain provisions of the Township of East Hanover Municipal Code to reflect such change in structure

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Township of East Hanover, County of Morris, State of New Jersey as follows:

Section 1. Chapter 201 “Sanitation” of the Code of the Township of East Hanover is hereby deleted in its entity and replaced with the following:

Chapter 201. Sanitation

§ 201-1. Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

DEPARTMENT OF HEALTH, LOCAL DEPARTMENT OF HEALTH or DEPARTMENT: The Department of Health of the Township of East Hanover.

HEALTH OFFICIAL: The Health Official of the Township of East Hanover appointed by the governing body of the Township of East Hanover.

NUISANCE: Anything which is detrimental or damaging to health, or which is potentially detrimental or damaging to health, or impacts the general well-being of the public’s health as determined by governing body of the Township of East Hanover.

PERSON: Includes an individual, firm, corporation, association, society, partnership and their agents or employees.

TOWNSHIP, THE TOWNSHIP, SAID TOWNSHIP, THIS TOWNSHIP or MUNICIPALITY: The Township of East Hanover, New Jersey.

§ 201-2. Specific Nuisances.

- A. The following specific acts, conditions and things are each and all of them declared to constitute public health nuisances and are prohibited:
1. Maintaining or permitting to be maintained any pool, pond, ditch, stream or other body of water, or any cistern, privy vault, cesspool, rain barrel or other receptacle containing liquid, or permitting the accumulation of any water or liquid in which mosquito larvae or pupae breed or do exist.
 2. The existence or presence of any accumulation of garbage, refuse, manure or animal or vegetable matter in which fly larvae or pupae exist or which attracts flies and other insects or wherein they breed.
 3. Constructing, maintaining or using any well, or permitting the use of any well or other supply of water for drinking or household purposes, which is polluted or which is so situated or constructed that it may become polluted.
 4. Polluting or causing or permitting the existence of any condition or conditions which pollute or cause or threaten the pollution of any source of potable waters or any water supply.
 5. Permitting ragweed in a flowering state or poison ivy to exist or to grow upon any public or private property.
 6. Permitting the existence of any imperfect, defective, leaking, unclean or filthy sink, water closet, toilet, urinal, sump pit, slop basin or other plumbing fixture in any building used or occupied by human beings.
 7. Depositing, maintaining or permitting the maintenance or accumulation of any household refuse, wastewater, sewage, garbage, tin cans, offal or excrement; any decaying fruit, vegetable, fish, meat, animal carcass or bones; any oyster or clam shell; or any other matter, material, substance or thing which serves as food for

- animals, insects or rodents and to which they may have access, or which serves as or constitutes a breeding place or harborage for insects, rats or other rodents.
8. Causing or permitting to be created or to exist on any property any foul or obnoxious odors, gases or vapors.
 9. Depositing or storing or permitting the deposit, storage or accumulation on any property of any foul, putrid, corrosive or otherwise obnoxious liquid or substance.
 10. Depositing or storing or permitting the deposit, storage or accumulation on any property of any chemical or other waste or flammable, explosive, corrosive or otherwise dangerous liquid, material or substance, except in a manner and under such conditions and restrictions as are prescribed by law.
 11. Permitting any garbage, offal, scraps, waste food or other putrescible material to be held in a container which is not watertight or which is uncovered, in any store or factory, outside of any building, on any public or private property or in any building of multiple occupancy.
 12. Spitting by any person upon any public sidewalk or crossing or upon the floor of any public building, bus or other public conveyance.
 13. The keeping of horses, cows, goats, rabbits, guinea pigs, dogs, cats or other animals under unsanitary conditions.
 14. The keeping of swine, cows, horses or chickens except by special written permission of the Department of Health.
 15. Permitting any human or animal excrement or material containing human or animal excrement to remain or flow upon the surface of the ground or to remain or flow in any open ditch or stream; or burying, plowing under or otherwise disposing of such excrement or permitting the same to be done near any stream, well, lake, spring or other source of water used for drinking or domestic purposes; or depositing or permitting to be deposited any such material in any place where it is likely to gain access to such water or appear again above the surface of the ground.
 16. Urinating or defecating on any public street, sidewalk or in any other public place or in any other place open to and used by the public or outdoors on any property.
 17. Sweeping, throwing, placing or otherwise depositing in or upon any sidewalk, street, gutter, public alley, park or parking area or any other public place any dirt, rubbish, paper, garbage, filth, ashes, glass, rubbish or refuse of any kind, or suffer or permit the same to be done.
 18. Throwing, depositing or otherwise placing upon any sidewalk, crosswalk or other public place used for pedestrian travel any fruit, vegetable or other substance which, when stepped upon, is liable to cause or does cause any person to slip or fall.
 19. Direct, discharging or otherwise draining, or causing or permitting the direction, discharge, flow or drainage, into any gutter or upon or across any sidewalk, street, public alley, park or parking area or any other public or private place, of any:
 - (a) Refuse or wastewater from any sink, stable, toilet, septic tank, cesspool, sewer lateral or sewage disposal unit.
 - (b) Waste or washwater from any laundry, automobile filling station, garage or car-washing establishment.
 - (c) Stormwater from a cellar drain or sump pump or from any storm drain, brook, spring, pond, marsh or lowland or from any swimming pool.
 20. Depositing, emptying, draining or discharging any gasoline, fuel or lubricating oil or other petroleum product or derivatives; or any solvent, thinner, lacquer, paint, paint remover, varnish, cleaning fluid or other cleansing preparation; or anything of a corrosive, explosive or flammable nature, or any effluent containing any of the same, into any storm sewer, catch basin, ditch, stormwater drain, gutter, street or other public place.

21. Burning any substance in any public street or burning or permitting to be burned any garbage, animal remains or offal, or burn any other substance in such a manner that creates noxious, nauseating or annoying smoke, fumes or odors.
22. Burying or permitting to be buried the body of any dead animal, and the owner or person in charge of any animal having died in the Township shall remove and dispose of the body according to the directions of the Health Officer.
23. Maintaining or permitting to be maintained any building, house, store, room or place within the Township, in any state of uncleanness or filthiness or in any unsanitary condition by any owner, tenant, lessee or person in charge of any building, house, store, room or place within the Township.
24. Failure, by the owner, lessee or other person in charge of any barn, stable or shed in which any horse, goat or other domestic animal is kept, to keep such barn, stable or shed and the premises thereof in a clean and sanitary condition at all times.
25. Maintaining or permitting to be maintained any accumulation of manure.
26. Maintaining any shed, coop, pen or runway for fowl or rabbits nearer than 100 feet from the doors or windows of any building, or maintaining any such shed, coop, pen or runway in any unclean or unsanitary condition.

§ 201-3. Prohibited noises or sounds.

It shall be unlawful for any person to make or cause or to suffer or permit to be made or caused upon any premises owned, occupied or controlled by him or it, or upon any public street, alley or thoroughfare in the Township, any unnecessary noises or sounds by means of the human voice or by any other means or methods which are physically annoying to persons or which are so harsh or so prolonged or unnatural or unusual in their use, time and place as to occasion physical discomfort, or which are injurious to the lives, health, peace and comfort of the inhabitants of the Township.

§ 201-4. Inspection of premises.

All places and premises in the Township shall be subject to inspection by the Department of Health, the Health Officer or his/her designee.

§ 201-5. Abatement of nuisances.

- A. Whenever a nuisance, as declared by this chapter, is found on any plot of land, lot, right-of-way or any other private premises or place, notice in writing shall be given to the owner thereof to remove or abate the same within such time as shall be specified therein but not less than five days from the date of service thereof. A duplicate of the notice shall be left with one or more of the tenants or occupants of the premises or place.
- B. If the owner resides out of the state or cannot be so notified speedily, such notice shall be left at that place or premises with the tenant or occupant thereof or be posted on the premises, and such action shall be considered proper notification to the owner, tenant or occupant thereof.
- C. Whenever a nuisance, as declared by this chapter, is found on any public property or on any highway or any other public premises or place, notice in writing shall be given to the person in charge thereof to remove or abate the same within such time as shall be specified therein. If such person fails to comply with such notice within the time specified therein, the Department of Health may remove or abate such nuisance in the manner as hereinafter provided in the case of a like condition existing on a private premises or place.
- D. If the owner, tenant or occupant who is notified as provided by this section shall not comply with such notice within the time specified therein and fails to remove or abate such nuisance, the Department of Health shall proceed to abate the nuisance or may cause it to be removed or abated in a summary manner by such means as said Department shall deem proper in accordance with law.

§ 201-6. Recovery of costs.

The Department of Health may institute an action at law to recover costs incurred by it in the removal or abatement of any nuisance, as declared by this chapter, from any person who shall have caused or allowed

such nuisance to exist or from any owner, tenant or occupant of premises who, after notice and notification as herein provided, shall fail to remove and abate the same within the time specified in such notice.

§ 201-7. Violations and penalties.

- A. Any person who violates or who fails or refuses to comply with this Chapter shall, upon conviction thereof, be punishable by a fine of not less than \$5.00 nor more than \$500.00 for each violation.
- B. The continuation of such violations for each successive day shall constitute a separate offense, and the person or persons allowing or permitting the continuation of the violation may be punished as provided above for each separate offense.

Section 2. If any section, paragraph, sub-section, clause or provision of this ordinance shall be declared invalid by a court of competent jurisdiction, such decision shall not affect the validity of this ordinance as a whole or any part thereof.

Section 3. All ordinances or parts of ordinances of the Township heretofore adopted that are inconsistent with any of the terms and provisions of this ordinance are hereby repealed to the extent of such inconsistency.

Section 4. This Ordinance shall take effect upon final publication as provided by law.

Attest:

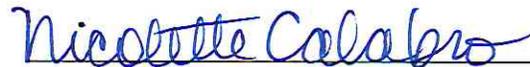
TOWNSHIP OF EAST HANOVER


Nicolette J. Calabro, RMC, Township Clerk


Joseph Pannullo, Mayor

Introduced: March 3, 2025
Adopted: April 7, 2025

I, Nicolette J. Calabro, RMC, Township Clerk of the Township of East Hanover, County of Morris, do hereby certify the foregoing to be a true copy of an Ordinance adopted by the Township Council at a duly convened meeting held on April 7, 2025


Nicolette J. Calabro, RMC, Township Clerk