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New Jersey State Sanitary Code

Chapter I

Local Boards of Health and Personnel,

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New Jersey, (State) Department of Health,

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FOREWORD

The New Jersey State Sanitary Code is composed of regulations organized into appropriate chapters. The chapters have been promulgated by the Public Health Council of the State Department of Health after public hearing, pursuant to statute. (New Jersey Statutes Annotated 26:1A-7).

The provisions of the State Sanitary Code have the force and effect of law. They are enforceable by the State Department of Health, local boards of health, local police authorities, and other enforcement agencies.

New Jersey Statutes Annotated 26:1A-10 provide that each violation of any provision of the State Sanitary Code shall constitute a separate offense and each such violation shall be punishable by a penalty of not less than twenty-five dollars (\$25.00) nor more than one hundred dollars (\$100.00).

The names of persons on the Public Health Council will be given to any person on request. Members of the Council receive no remuneration for their services.

Many persons have primary need for specific chapters of the Code rather than the Code in its entirety. Separate chapters of the Code have been printed to meet such requests and to preclude the necessity of reprinting the entire Code when individual chapters are revised.

*New Jersey State Department of Health
P.O. Box 1540
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CHAPTER I

LOCAL BOARDS OF HEALTH AND PERSONNEL

(Promulgated 1917, latest revision 1953)

Regulation 1 - Local board of health

As used in this Code, the term "local board of health" shall mean and include the board of health of a municipality or such boards, bodies or officers as may exercise the functions of a board of health according to law; Regional Health Commission, or a consolidated local board of health of a consolidated local health district; or a county local board of health of a county local health district. (R.S. 26:3-1, 84, 26:33A1-1)

Regulation 2 - Local health district

As used in this Code, the term "local health district" shall mean and include that area under the jurisdiction of a local board of health as defined in Regulation 1.

Regulation 3 - Secretary

Every local board of health shall appoint a Secretary, preferably the health officer, unless such appointment is otherwise provided for by statute, who shall keep an accurate record of all official actions of said board and perform such other duties as may be assigned him by that board. (R.S. 26:3-8.1, 17; 26:3A1-15)

Regulation 4 - Registrar of vital statistics

Every local board of health shall appoint a Registrar of Vital Statistics, preferably the health officer, unless such appointment is otherwise provided for by statute. Said Registrar shall forward original birth, marriage and death certificates to the State Department of Health and perform other duties as required of him by law and perform those duties which may be assigned him by the board. (R.S. 26:8-11, 26:3A1-19, 20)

Regulation 5 - Health Officer

(a) Every local board of health shall employ a person, not a member of said board, who is duly licensed as a health officer in this State as the executive officer of said board and designate him as "Health Officer." Said official shall in conformity with the law, enforce the laws of the State relating to the public health, the provisions of the State Sanitary Code, the ordinances adopted by said local board and perform the duties assigned him by said board. The Health Officer shall be the person to whom all reports required by law or by this code shall be made, in the absence of statutory provisions to the contrary. Prior to appointment a Health Officer shall be licensed as Health Officer by the State Department of Health. (R.S. 26:3-19,20,21; 26:3A1-13,14)

(b) Pursuant to the provisions of Chapter 3, Article 6, Title 26 of the Revised Statutes, boards of health of two or more municipalities may form an association to furnish such boards with public health services by the employment of a duly licensed Health Officer.

(c) A local board of health or regional health commission responsible for the public health of a municipality or municipalities having a population less than 10,000 may employ a licensed sanitary inspector of the first class as its executive officer until such time as the services of a licensed health officer may be secured or the population of such municipality or municipalities equals or

exceeds 10,000, provided that such sanitary inspector of the first class shall not be employed or designated as a "Health Officer."

Regulation 6 - Employment of laboratories and use of test results by health officers and local boards of health

(a) A health officer or local board of health shall only employ or utilize the facilities of a laboratory which complies with the provisions for certification and standards for laboratories contained in Chapter IV of the State Sanitary Code for laboratory services required to be performed in a laboratory approved by the State Department of Health under the provisions of New Jersey Statutes and Chapters II and VII of the State Sanitary Code.

(b) A health officer or local board of health shall not utilize any laboratory tests report or reports in connection with the performance of duties required of him or it after being advised by the State Department of Health that the laboratory in which such test or tests were made is unacceptable for performing such tests, provided that any laboratory report indicating the existence of disease may be accepted subject to confirmation by an approved laboratory.

Regulation 7 - Licensure of public health employees

Employees of a local board of health, or agency performing the functions of a local board of health, shall be licensed as may be required by law. (R.S. 26:3-20)