



UNION COUNTY BOARD OF COUNTY COMMISSIONERS

ORDINANCE NUMBER: *833-2021*
 DATE OF INTRODUCTION: *11/4/2021*
 DATE OF ADOPTION: *12/2/2021*

11/4/2021

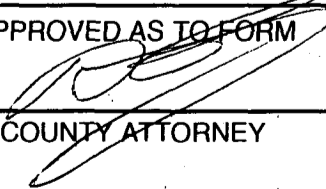
AN ORDINANCE TO AMEND "THE LAWS OF UNION COUNTY: ADMINISTRATIVE CODE AND POLICIES AND GENERAL LEGISLATION" BY AMENDING: PART 1- UNION COUNTY ADMINISTRATIVE CODE, CHAPTER 1, UNION COUNTY GOVERNMENT STRUCTURE, ARTICLE V – DEPUTY COUNTY MANAGER, AND ARTICLE XXI – DEPARTMENT OF PUBLIC SAFETY, §1-128. OFFICE OF HEALTH MANAGEMENT.

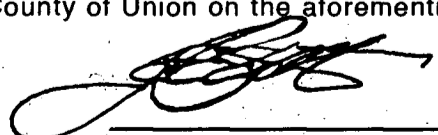
BE IT ORDAINED by the Board of County Commissioners of the County of Union that the "Laws of Union County" are hereby amended as outlined in the attached Schedule A:

**NO SUFFICIENCY
 OF FUNDS REQUIRED**

Encl. Motion 11/4/2021

| INTRODUCTION | | | | RECORD OF VOTE | | | | FINAL ADOPTION | | | | | | | |
|------------------------|-----|-----|-----|----------------|------|-----|----|------------------------|-----|-----|-----|------|------|-----|----|
| COMMISSIONER | Aye | Nay | Abs | Pass | Ord. | Sec | NP | COMMISSIONER | Aye | Nay | Abs | Pass | Ord. | Sec | NP |
| GARRETSON | ✓ | | | | | | | GARRETSON | ✓ | | | | | | |
| GRANADOS | ✓ | | | | | | | GRANADOS | ✓ | | | | | | |
| HUDAK | ✓ | | | | | | | HUDAK | ✓ | | | | | | |
| KOWALSKI | ✓ | | | | ✓ | | | KOWALSKI | ✓ | | | | ✓ | | |
| LEON | ✓ | | | | | | | LEON | ✓ | | | | | ✓ | |
| PALMIER-MOUCED | ✓ | | | | | | | PALMIER-MOUCED | ✓ | | | | | | |
| STATEN | ✓ | | | | | | | STATEN | ✓ | | | | | | |
| WILLIAMS VICE CHAIR | | | | | | | ✓ | WILLIAMS VICE CHAIR | | | | | | | ✓ |
| MIRABELLA CHAIRMAN | ✓ | | | | | ✓ | | MIRABELLA CHAIRMAN | ✓ | | | | | | |

APPROVED AS TO FORM

 COUNTY ATTORNEY

I hereby certify the above is an original ordinance adopted by the Board of County Commissioners of the County of Union on the aforementioned date.

 CLERK

I hereby certify the above is an original ordinance adopted by the Board of County Commissioners of the County of Union on the aforementioned date.

 CLERK

SCHEDULE A

PART II - ADMINISTRATIVE CODE

ARTICLE V, Deputy County Manager

[Added 6-26-1997 by Ord. No. 452; Amended 6-20-2002 by Ord. No. 553; Amended 9-14-2006 by Ord. No. 636; Amended 12-19-2013 by Ord. 2013-755; Amended 12-2-2021 by Ord. 2021-]

§ 1-32. Qualifications; appointment; term.

[unchanged]

§ 1-33. Duties.

The Deputy Manager:

- A. [unchanged]
- B. [unchanged]
- C. [unchanged]
- D. Within the office of the Deputy County Manager, there shall be the Bureau of ADA Compliance, under the direction and supervision of the Deputy County Manager.

§ 1-34. Bureau of ADA Compliance

A. The Bureau of ADA Compliance shall ensure compliance with federal and state disability rights laws by the County and will assist municipalities and school districts within the County with training and guidance concerning same.

B. There shall be an ADA Coordinator as required by federal law, who shall be responsible for coordination of ADA compliance within the County, and shall investigate complaints regarding noncompliance.

C. The functions and responsibilities of the Bureau of ADA Compliance and the ADA Coordinator shall include:

- (1) Evaluate and assess County existing facilities, parking lots, programs and services, as well construction and modification of County facilities to assess ADA compliance.
- (2) Develop policies to ensure programmatic and communication accessibility, and to assess reasonable accommodations for all persons with disabilities.
- (3) Integrate on-going training on disability access issues.
- (4) Monitor and assist implementation of the County ADA Transition Plan.
- (5) Implement and monitor the County's Access and Inclusion Solution Process procedure for disability complaints.

D. Bureau Head. There may be a Bureau Head of the Bureau of ADA Compliance who serves as the head of the Bureau and shall be responsible to the Deputy County Manager for its operation, who may be the ADA Coordinator.

ARTICLE XXI, Department of Public Safety

[Amended 10-30-1985 by Ord. No. 232; 9-10-1987 by Ord. No. 275; 8-2-1988 by Ord. No. 300; 7-18-1991 by Ord. No. 337; 7-22-1999 by Ord. No. 503; 6-20-2002 by Ord. No. 553; 2-5-2004 by Ord. No. 587; 9-14-2006 by Ord. No. 636; 3-27-08 by Ord. No. 667; 7-19-2012 by Ord. 738; Amended 12-19-2013 by Ord. 2013-755; Amended 12-7-2017 by Ord. 2017-789; Amended 12-7-2017 by Ord. 2017-789]

§ 1-128. Office of Health Management.

[Added 9-9-2007 by Ord. No. 655-2007; Amended by Ord. 2017-78; Amended 12-2-2021 by Ord. 2021-]

A. There is hereby established the Office of Health Management, a certified local health agency pursuant to *N.J.S.A. 26:3A2-6(b)* for the purposes of serving as the certified local health agency that will receive delegated authority under the County Environmental Health Act (CEHA), *N.J.S.A. 26:3A2-21 et seq.*, the New Jersey Department of Environmental Protection (NJDEP) and the New Jersey Department of Health and Senior Services (NJDHSS).

- (1) Under the direction and supervision of the Director of Public Safety, the Office of Health Management's functions and responsibilities shall include:
 - (a) Overseeing the administration of the Office of Health Management in carrying out its duties as the environmental health department receiving delegated authority under the CEHA, *N.J.S.A. 26:3A2-21 et seq.*, the NJDEP and the NJDHSS.
 - (b) Implement an air program concentrating on citizen's complaints and ensuring compliance with governing laws by all point source dischargers pursuant to the Air Pollution Control Act, *N.J.S.A. 26:2C-1 et seq.*
 - (c) Execute an effective Solid Waste Enforcement Program, including illegal dumping. Union County's Solid Waste Control Program is established pursuant to the provisions of the Solid Waste Management Act, *N.J.S.A. 13:1E-1 et c.*, the County Environmental Health Act, *N.J.S.A. 26:3A2-21 et seq.*, and the County Environmental Health Standards and Performance, *N.J.A.C. 7:1H-1.1 et seq.* The purpose of this enforcement program is to monitor compliance with the rules and regulations of the NJDEP concerning the operation of solid waste facilities and the activities of solid waste collectors and haulers in Union County. All enforcement efforts shall be done in cooperation with the NJDEP - Solid Waste Inspections and Compliance agency to obtain consistent enforcement and to preclude duplication of effort.
 - (d) Oversee investigation of all water pollution complaints and assist the New Jersey Department of Environmental Protection with compliance monitoring of all point source discharges. Under the auspices of the Environmental Health Performance Standards for Potable Water Supply, *N.J.A.C. 7:1H-3.6*, Groundwater Pollution Control, *N.J.A.C. 7:1H-3.7*, and Surface Water Pollution Control, *N.J.A.C. 7:1H-3.8*, implement a comprehensive Water Pollution Control Program.
 - (e) Work in conjunction with the County Bureau of GIS to develop and maintain geographic information systems (GIS) data relative to CEHA initiatives. The goal is to develop and implement a comprehensive County-wide geographic information system (GIS) database and mapping program incorporating information from local, County, state and federal agencies to serve local municipalities, agencies and the County in making decisions which impact the environment of the area.
 - (f) Ensure compliance and enforcement of applicable Recycling provisions under Union County's Solid Waste Control Program.
 - (g) Ensure compliance with Noise Control Regulations pursuant to the Noise Pollution Control Act, *N.J.S.A. 13:1G-1 et seq.*; *N.J.A.C. 7:29-1.1 et seq.* The Union County Office of Health Management, Office of Environmental Health

will enforce the State Noise Control Regulations following the guidelines outlined in this section and the CEHA Work Program to control noise from commercial and industrial sources.

- (h) Providing administrative support and assistance to all Union County departments and agencies concerning the implementation of current federal and state environmental regulations.
- (i) Promoting environmental health and safety programs within the County, including but not limited to the provisions of the "New Jersey Worker and Community Right-to-Know Act", *N.J.S.A. 34:5A-1 et seq.*, hazardous waste, OSHA compliance and recycling regulations as specified in the Union County Solid Waste Management Plan.
- (j) Administer an effective Local Information Network Communications System (LINCS) operation to respond to public health threats and emergencies and provide central planning, coordination and delivery of specialized services within the County in partnership with all municipal health departments. Responsibilities will include establishing a public health surveillance and response network to ensure rapid detection and containment of conditions which threaten the public's health and safety, providing communications to key health and health-related participants, forming public-private partnerships for addressing health issues, and coordinating all relevant entities which support and contribute to the public's health, local and state health departments, managed care, medical providers, laboratories, and emergency responders.
- (k) Act as lead public health official under the provisions of the Emergency Health Powers Act.
- (l) Enhance and integrate local public health agencies' state of preparedness for, response to, and recovery from acts of terrorism and other public health emergencies by minimizing, to the fullest extent possible, the human health consequences associated with the emergence of a novel strain of influenza virus (Flu Pandemic Planning), and expanding capacity to expeditiously and efficiently distribute/administer antibiotics and/or vaccines to our entire population at community-based points of distribution or through other supplemental delivery modalities.
- (m) Work in conjunction with Union County OEM to enhance the existing Public Health Annex of the Emergency Operation Plan.
- (n) Participate as a member of the Local Emergency Planning Council (LEPC) in the periodic review of updates and modifications to the County Emergency Operation Plan.
- (o) Coordinate with representatives from all local health departments and acute-care facilities in Union County to establish and review protocols to ensure the mutual investigation of diseases of public health importance, including potential bioterrorism incidents.
- (p) Participate in increasing the availability of worker crisis counseling and mental health and substance abuse behavioral health support, in conjunction with the County OEM and the County Mental Health Administrator, and in collaboration with the New Jersey Division of Mental Health Services Disaster and Terrorism Branch as well as the New Jersey State Police's Disaster Critical Incident Response Program.
- (q) Participate, in conjunction with NJDHSS, County OEM and the Local Health Departments, in the development of a business continuity-planning element as a component of a county-level all-hazards preparedness plan.
- (r) Exercise plans to test horizontal and vertical integration with response partners at the State, County and Local level.
- (s) Perform duties as assigned by the Director of Public Safety in the enforcement, collection and management of fees, fines or penalties pursuant to

Environmental Quality and Enforcement Fund (EQEF), under the CEHA, *N.J.S.A. 26:3A2-21 et seq.*, including the conduct of compliance hearings.

- (t) To administer and enforce the Local Health Services Act, *N.J.S.A. 26:3A2-1 et seq.* and *N.J.A.C. 8:24 et seq.*, the Sanitation in Retail Food Establishments and Food and Beverage Vending Machines regulations on County properties and within any municipality covered under a Shared Services Agreement with the County, including performing inspections and issuing permits to allow for retail food establishments.
- (u) Investigate incidents of communicable and reportable diseases to determine if cases are isolated events or present a threat to public health.

B. Inspections and Permits Fees.

1) The Union County Board of County Commissioners annually adopts a fee schedule for inspections and permits, performed by the Department of Public Safety, for all retail food establishments on County properties. The Clerk of the Board will publish the required notice in the appropriate newspaper of such introduction and public hearing for the Schedule of Fees. A copy of the currently effective Schedule of Fees ordinance is on file in the Clerk of the Board's office and is available for examination during office hours.

2) The Director of the Department of Public Safety is hereby authorized to set fees and one time charges not specifically included in the Schedule of Fees. Subject to the written approval of the County Manager, the Director of the Department of Public Safety is hereby further authorized to amend or modify any fee set forth in the Schedule of Fees for special promotions and events up to twelve (12) times a year. In the event that the Director shall assess, amend or modify any fee he shall file a notice of said assessment, amendment or modification with the Clerk of the Board and the Director of the Department of Finance, no less than five (5) days prior to the effective date of the assessment, amendment or modification.

C. Office head. The Director of the Office of Health Management, who may be a licensed full-time health officer, shall be the head of the Office and shall be responsible to the Director of Public Safety for its operation.

D. Office organization. Within the Office of Health Management, there shall be the following divisions:

- 1) The Bureau of Environmental Health.
- 2) The Bureau Local of Public Health.
- 3) The Bureau of Public Health Nursing.
- 4) The Bureau of Emergency Preparedness and Response.

E. The Bureau of Environmental Health. Under the direction and supervision of the Director of the Office of Health Management, the Bureau of Environmental Health's functions and responsibilities shall include:

- 1) Investigating all water pollution complaints and assist the NJDEP with compliance monitoring of all point source discharges. Under the auspices of the Environmental Health Performance Standards for Potable Water Supply, *N.J.A.C. 7:1H-3.6*, Groundwater Pollution Control, *N.J.A.C. 7:1H-3.7*, and Surface Water Pollution Control, *N.J.A.C. 7:1H-3.8*, implementing a comprehensive Water Pollution Control Program.
- 2) Responding to noise complaints and enforce State Noise Control Regulations pursuant to the Noise Pollution Control Act, *N.J.S.A. 13:1G-1 et seq*; *N.J.A.C. 7:29-1.1 et seq.* The Union County Office of Health Management will enforce the State Noise Control Regulations following the guidelines outlined in this section and the CEHA Work Program to control noise from commercial and industrial sources.
- 3) Providing information and technical assistance to municipalities, individuals and various agencies on environmental issues.
- 4) Promoting environmental health and safety programs within the County, including but not limited to the "Right-to-Know" law, safety, hazardous waste and OSHA compliance.

- 5) Implementing the provisions of the "New Jersey Worker and Community Right to Know Act", *N.J.S.A. 34:5A-1 et seq.*
- 6) Ensuring compliance with Recycling Regulations as stated in the Solid Waste Management Act.
- 7) Implementing an air program concentrating on citizens complaints and ensuring compliance with governing laws by all point source dischargers pursuant to the Air Pollution Control Act, *N.J.S.A. 26:2C-1 et seq.*

F. The Bureau of Local Public Health. Under the direction and supervision of the Director of the Office of Health Management, the Bureau of Local Public Health's functions and responsibilities shall include:

- 1) Ensure compliance with state and local regulation by inspecting food establishments, schools, churches, day care centers, body art shops, gyms, nursing homes, pet shops, youth camps, recreational bathing facilities and mobile food establishments. The department shall conduct plan reviews and pre-operational inspections for new or renovated establishments.

- 2) Review and approve temporary food applications and inspect food vendors for county and municipal sponsored festivals and events.

- 3) Investigate health hazards and preventable injuries and disease exposure in work and community settings. Inspectors conduct timely inspections and investigate nuisance complaints (if warranted) to enforce abatement.

- 4) Inspect grease traps and emphasize the importance of maintaining them.

- 5) Provide relevant technical support to local, state and federal agencies.

- 6) Lead-based paint/environmental dwelling inspections. These may lead to violation notices, and abatement orders.

G. The Bureau of Public Health Nursing. Under the direction and supervision of the Director of the Office of Health Management, the Bureau of Public Health Nursing's functions and responsibilities shall include:

- 1) Coordinate services and programs throughout the community in conjunction with community partners.

- 2) Nurses shall conduct lead risk assessments, screening and case management, health screenings, communicable disease investigation/surveillance and immunization audits.

- 3) Collect and analyze communicable disease data from available surveillance systems to monitor disease trends and communicate any significant findings to NJDOH and local public health partners within their jurisdiction.

H. The Bureau of Emergency Preparedness and Response. Under the direction and supervision of the Director of the Office of Health Management, the Bureau of Emergency Preparedness and Response's functions and responsibilities shall include:

- 1) Providing guidance and support for the development of an "All Hazards Public Health Plan" for all local health agencies within their jurisdiction, in accordance with a NJDHSS template.

- 2) Maintaining 24/7/365 communications capabilities in order to respond to infectious disease outbreaks and public health threats due to acts of terrorism and/or natural emergencies.

- 3) Providing local and regionally generated disease data, such as the number of emergency department visits and admissions, sources and volume of influenza-like illness and other information that may be indicative of potential public health threats and/or emergencies to the NJDHSS.

- 4) Conducting Hazard and Vulnerability Analysis and initiate a review and update of the county/municipal hazard vulnerability assessment, specific to chemical plants

(SARA/TCPA), hazardous waste plants, retail establishments/businesses with chemical and pesticide supplies and sewer treatment plants.

- 5) Collecting and analyzing communicable disease data from available surveillance systems to monitor disease trends and communicate any significant findings to NJDHSS and local public health partners within their jurisdiction.
- 6) Establishing and reviewing protocols to ensure the investigation of diseases of public health importance, including potential bioterrorism incidents.
- 7) Managing and operating the Public Health Emergency Communication System to ensure the timely dissemination and exchange of public health information to all key stakeholders within the LINCS agency region on a 24/7/365 basis.
- 8) Developing and delivering risk communication resources for local public health agencies and elected officials.
- 9) Reviewing procedures, protocols, statutes and regulations and other directives related to the Emergency Health Powers Act, in particular, as related to Isolation and Quarantine (Sections 14, 15 and 16 of the Act).
- 10) Expanding the mass prophylaxis plan to include alternative methods of medication delivery based on NJDHSS guidelines (when available) and provide training, as required.
- 11) Identify, recruit and train a pool of volunteers and staff to assist with any public health threat/emergency, including but not limited to, conducting epidemiologic investigations and supporting mass prophylaxis activities.
- 12) Conducting a business continuity-planning element as a component of a county-level all-hazards preparedness plan; develop protocols to expedite the implementation of recovery risk communication plans; develop protocols to expedite the implementation of recovery risk communication plans.
- 13) Developing plans for the rapid distribution of medications for first responders, fixed facilities, and the public within 48 hours; develop a local SNS assessment tool and review and update SNS plans to ensure that the grantee can receive and distribute medications for all Union County jurisdictions.
- 14) Operating with federal, state and local authorities using a unified command structure, under the Incident Command System / National Incident Management System (ICS / NIMS).