



UNION COUNTY BOARD OF CHOSEN FREEHOLDERS

ORDINANCE NUMBER: 738-2012
 DATE OF INTRODUCTION: 7/19/2012
 DATE OF ADOPTION: 8/16/2012

7/19/2012

AN ORDINANCE TO AMEND "THE LAWS OF UNION COUNTY: ADMINISTRATIVE CODE AND POLICIES AND GENERAL LEGISLATION" BY AMENDING PART I, ADMINISTRATIVE CODE, CHAPTER 1, UNION COUNTY GOVERNMENT STRUCTURE- ARTICLE XXI, DEPARTMENT OF PUBLIC SAFETY; AND, PART II, POLICIES AND GENERAL LEGISLATION- CHAPTER 107, RECREATION AND PARKS- ARTICLE IV FEES FOR RECREATION FACILITIES.

BE IT ORDAINED by the Board of Chosen Freeholders of the County of Union that the "Laws of Union County" are hereby amended as follows:

CONTINUED...

(See attached)

NO SUFFICIENCY OF FUNDS REQUIRED
Frank W. Pedusney
 7-8-2012

INTRODUCTION				RECORD OF VOTE				FINAL ADOPTION							
FREEHOLDER	Aye	Nay	Abs	Pass	Ord.	Sec	NP	FREEHOLDER	Aye	Nay	Abs	Pass	Ord.	Sec	NP
ESTRADA	X							ESTRADA	X						
HUDAK	X					X		HUDAK	X						
JALLOH	X				X			JALLOH	X						
KOWALSKI							X	KOWALSKI	X					X	
SCANLON							X	SCANLON							X
SULLIVAN	X							SULLIVAN	X						
WRIGHT	X							WRIGHT	X						
CARTER VICE CHAIRMAN	X							CARTER VICE CHAIRMAN	X						
MIRABELLA CHAIRMAN							X	MIRABELLA CHAIRMAN	X						

APPROVED AS TO FORM

 COUNTY ATTORNEY

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

CLERK

I hereby certify this is a true copy of a ordinance adopted by the Board of Chosen Freeholders of the County of Union on the aforementioned date.

 CLERK

PART I
ADMINISTRATIVE CODE

Chapter 1: UNION COUNTY GOVERNMENT STRUCTURE

[HISTORY: Adopted by the Board of Chosen Freeholders of the County of Union 4-28-1976 by Ord. No. 1; amended in its entirety by Ord. No. 9-1984. Subsequent amendments noted where applicable.]

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; Amended X-XX-2012 by Ord No.]

§ 1-123. General purpose; departmental organization.

[Amended 11-12-1992 by Ord. No. 370; 4-14-1994 by Ord. No. 390; 8-21-1997 by Ord. No. 454; 12-11-1997 by Ord. No. 458; 9-14-2006 by Ord. No. 636]

A. There shall be a Department of Public Safety for the purpose of planning and coordinating an effective administration of County safety and security operations. The Director of Public Safety shall be the head of the Department and shall be responsible to the County Manager for its operation. The office staff of the Director shall include, , criminal justice planning personnel.

[Added 9-14-2006 by Ord. No. 636; Amended X-X-2012 by Ord. No. XXX]

C. The County of Union does hereby, pursuant to the provisions of *N.J.S.A. 26:3A2-35*, establish an Environmental Quality and Enforcement Fund (EQE Fund) to serve as a depository for any fees, fines or penalties collected pursuant to *N.J.S.A. 26:3A2-21 et seq.* The EQE Fund shall be dedicated to use in environmental enforcement, as specified under the CEHA. The Director of the Department of Public Safety shall be responsible for the management of the EQE Fund, to include all sub-accounts that are established.
[Added 9-14-2006 by Ord. No. 636]

D. The Department of Public Safety shall include the following divisions:

- (1) The Division of Police.
- (2) The Division of Medical Examiner.
- (3) The Division of Weights and Measures.
- (4) The Division of Emergency Services.

§ 1-124. Division of Police.

[Amended 7-22-1999 by Ord. No. 503]

A. Under the direction and supervision of the Director of Public Safety, the Division of Police functions and responsibilities shall include preserving order in County parks, facilities, parkways, and recreational places under its control and providing, pursuant to appropriate statutory authorization and approved requests, logistical support to the County Courts, County Prosecutor, County Sheriff and other law enforcement agencies throughout the County.

B. The Division of Police's functions shall include:

- (1) Acting as the County law enforcement agency for all County parks and providing security for all County-owned property and having all the powers conferred by law on police officers or constables in the enforcement of laws in this state and the apprehension of violators thereof.

(2) Arresting on view and without warrant and conducting before the municipal court of the municipality in which the arrest is made, or the municipal court of a neighboring municipality, any person found violating County rules and regulations enacted for the protection, preservation, regulation and control of park, parkways, playgrounds, and recreation places and all property therein.

(3) Maintaining the Union County Fire Investigation Task Force. The Union County Fire Investigation Task Force will provide assistance to local police and fire departments in determining the origin and cause of suspicious fires. The Union County Fire Investigation Task Force will consist of municipal police and firefighters assigned to the unit. [Added 4-13-2000 by Ord. No. 512; Amended 2-15-2001 by Ord. No 526; 9-14-2006 by Ord. No. 636.]

C. Division head. The Chief of Police shall be the head of the Division and shall be responsible to the Director of Public Safety for its operation.

§ 1-126. Division of Weights and Measures and Consumer Affairs.

[Amended 9-23-1999 by Ord. No. 507; Amended X-X-2012 by Ord. No XXX]

A. Under the direction and supervision of the Director of Public Safety, the Division of Weights and Measures and Consumer Affairs functions and responsibilities shall include:

(1) Protecting the consumer through:

- (a) Calibration of commercial weighing and measuring devices.
- (b) Weighing commodities in transit or exposed for sale.

(2) Investigating complaints.

(3) Enforcing Title 51, Chapter 1 of the Laws of the State of New Jersey.

(4) The Office of Consumer Affairs functions shall include:

- (a) Investigating complaints of fraud in the marketplace on behalf of County residents.
- (b) Mediating and resolving complaints and direct consumer complaints to the appropriate state and/or federal agencies.
- (c) Monitoring and enforcing legislation to prevent fraud and insure consumer safety and satisfaction in the purchase and use of any product or service.
- (d) Performing all functions relating to implementing a program design and suggested by the Division of Consumer Affairs of the State of New Jersey to provide aid and assistance to residents of the County of Union with respect to obtaining relief from fraudulent, deceptive or false business and/or commercial transactions.
- (e) Providing a location for the public to contact to obtain advice and aid in matters relating to consumer fraud and other unlawful and/or unethical business or commercial practice.
- (f) Maintaining liaison with various municipal offices and citizen groups within the County of Union for the purpose of disseminating all available information and material relating to the reduction and elimination of fraudulent, deceptive or false business and/or commercial transactions committed against residents of the County of Union.

B. Division head. The Superintendent of Weights and Measures and Consumer Affairs shall be the head of the Division and shall be responsible to the Director of Public Safety for its operation.

C. There shall be such Assistant Superintendents of Weights and Measures and Consumer Affairs as shall be appointed by the County Manager and authorized by resolution of the Board.

§ 1-127. Division of Emergency Services.

[Amended 8-21-1997 by Ord. No. 454; 7-23-1998 by Ord. No. 479; 1-21-1999 by Ord. No. 490; 9-23-1999 by Ord. No. 507; 9-14-2006 by Ord. No. 636; Amended X-X-2012 by Ord. No XXX.

A. There is hereby established the Division of Emergency Services whose functions and responsibilities shall include:

(1) Under the direction and supervision of the Director of Public Safety, the Division of Emergency Services functions and responsibilities shall include:

(a) Planning, developing, coordinating and activating County-wide mutual aid and emergency management operations, to include preparedness and mitigation efforts and the integration of preparedness and response elements of the County Division of Health and Department of Human Services into the County Emergency Operations Plan.

(b) Making available to the County and activating such emergency management facilities and services as are available from the resources of County government.

(c) Keeping the County advised of current and potential disaster situations.

(d) Coordinating and implementing all necessary response, assistance, training and related services for the identification of hazardous materials and appropriate cleanup and disposal of hazardous materials caused by accident or otherwise.

(e) Providing for the appropriate training of fire personnel from the municipalities of the County of Union, continuing education in the field of fire science and such other assistance in fire-science-related matters that may be deemed appropriate through the Fire Service Training Academy.

(f) Maintaining a fully certified and operable hazardous materials response team to serve as agents of the New Jersey Department of Environmental Protection for the purposes of investigating, mitigating and preventing releases, spills or other discharges into the air, water or soils within Union County. These procedures will be implemented according to the Union County Emergency Operations Plan and as required by CEHA performance standards, *N.J.A.C. 7:1H-3 et seq.*

(g) (h) 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 (EQE Fund) under the CEHA, *N.J.S.A. 26:3A2-21 et seq.* [Added 9-14-2006 by Ord. No. 636]

(i) Performing the duties and the functions and responsibilities of the office in accordance with the rules and regulations promulgated by the Governor.

(2) Deputy Coordinator of Emergency Management. There shall be a Deputy Coordinator of Emergency Management appointed by the County Manager, subject to the approval of the State Director of Emergency Management and subject to his orders, as required by law.

(3) State Director to exercise supervision and control. The State Director of Emergency Management shall exercise supervision and control of the Coordinator of Emergency Management and Deputy, who may be removed by the State Director for cause. The Coordinator of Emergency Management and Deputy shall perform their duties in accordance with the provisions of Title App. A: Ch. 9, and rules and regulations promulgated by the Governor.

B. Division head. The Coordinator of Emergency Management shall be the head of the Division and shall be responsible to the Director of Public Safety for its operation, subject to the approval of the State Emergency Management Director and subject to his orders, as required by law.

C. Division organization. Within the Division there shall be the following Bureaus:

(1) The Bureau of Operations.

(2) The Bureau of Logistics.

(3) The Bureau of Support.

[Added 9-14-2006 by Ord. No. 636]

D. The Bureau of Operations. Under the direction and supervision of the Director of Emergency Management, the Bureau of Operations functions and responsibilities shall include:

(1) Hazardous Materials

- a. Maintaining a fully certified and operable hazardous materials response team to serve as agents of the New Jersey Department of Environmental Protection for the purposes of investigating, mitigating and preventing releases, spills or other discharges into the air, water or soils within Union County. These procedures will be implemented according to the Union County Emergency Operations Plan and in compliance with CEHA performance standards, *N.J.A.C. 7:1H-3 et seq.*
- b. Coordinating and implementing all necessary response, assistance, training and related services for the identification of hazardous materials and appropriate cleanup and disposal of hazardous materials caused by an accident or otherwise.
- c. (3) Operating with federal, state and local authorities using a unified command structure, under the Incident Command System / National Incident Management System (ICS / NIMS).
- d. Maintaining capabilities as a Type 1 hazardous materials team as delineated by the U.S. Department of Homeland Security.
- e. Complying with the New Jersey State Police Hazardous Materials Response Unit Standards for Operations and Training.
- f. Preparing and Disseminating all mandated statistical programmatic reports to appropriate agencies and officials

(2) Emergency Medical Services

- a. Provide ambulance services throughout the county as needed or requested.
- b. Shall not fail to respond to an emergency call or refuse to provide emergency treatment and transportation to any person because of that person's race, sex, creed, national origin, sexual preference, age, disability, medical condition, or ability to pay.
- c. Adhere to all of the NJ Department of Health's licensing standards for Basic Life Support services.
- d. The day-to-day operation and management of Emergency Medical Services shall be under the supervision of the Division head or his or her designee
- e. Emergency Medical Services use rates shall be established on an annual basis in accordance with industry standards in similar service areas and in line with other service providers in the County's geographic location as determined between the County Manager, Director, Division of Emergency Services and the third party billing consultant retained for such purposes.

(3) Emergency Management

- a. Planning, developing, coordinating and activating County-wide mutual aid and emergency management operations, to include preparedness and mitigation efforts and the integration of preparedness and response elements of the County Division of Health and Department of Human Services into the County Emergency Operations Plan.

- d. Performing the duties and the functions and responsibilities of the office in accordance with the rules and regulations promulgated by the Governor

[Added 9-14-2006 by Ord. No. 636; Amended X-XX-2012 by Ord. No]

- E. The Bureau Chief shall be a Certified Hazardous Materials Specialist pursuant to OSHA Regulations, 29 *C.F.R.* 1910.120-120.6(iii) – “Training”; and shall have a certification as a Hazardous Materials On Scene Incident Commander pursuant to OSHA Regulations, 29 *C.F.R.* 1910.120-120.6 – “Training”; and shall be a certified New Jersey Emergency Medical Services technician. The Bureau Chief shall be the head of the Bureau and shall be responsible to the Director of the Division of Emergency Management for its operation.

[Added 9-14-2006 by Ord. No. 636]

- F. Bureau of Logistics. Under the direction and supervision of the Director of the Division of Emergency Management, the Bureau of Domestic Preparedness' functions and responsibilities shall include:

- (1) Management of the County's Homeland Security Grant Program, Urban Area Security Initiative, Critical Infrastructure and other similar homeland security and domestic preparedness programs.
- (2) Staffing and assisting the Freeholder Committee on Homeland Security on domestic preparedness issues.
- (3) Providing technical assistance to the County Working Group, Urban Area Security Initiative Regional Working Group and other agencies/municipalities on applications and grant management pertaining to homeland security and domestic preparedness.
- (4) Providing support and assistance to all Departments and agencies concerning current Federal and State Homeland Security and Domestic Preparedness programs and regulations.
- (5) Maintaining a close liaison with the New Jersey Office of Homeland Security and Domestic Preparedness, State Police Office of Emergency Management and Domestic Preparedness and the Office of the Attorney General on issues relevant to homeland security and domestic preparedness grants and initiatives.
- (6) Monitoring Federal and State legislation relative to Homeland Security and Domestic Preparedness and recommending policies and procedures for compliance.

[Added 9-14-2006 by Ord. No. 636]

- G. The Bureau of Logistics will have as its Bureau Chief the Domestic Preparedness Planner. The Bureau Chief shall head the Bureau and shall be responsible to the Director of the Division of Emergency Management for its operation.

[Added 9-14-2006 by Ord. No. 636]

H. The Bureau of Support

- a. Fire Science Training Academy. Providing for the appropriate training of fire personnel from the municipalities of the County of Union, continuing education in the field of fire science and such other assistance in fire-science-related matters that may be deemed appropriate through the Fire Service Training Academy.
- b. Communications. Maintain the radio communication capabilities for the County of Union.

[Added X-XX-2012 by Ord. No. XXX]

§ 1-128. Office of Health Management.

[Added 9-9-2007 by Ord. No. 655-2007]

- 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 seq.*, 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. 17:29-1.1 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.

B. Office head. The Director of the Office of Health Management, will 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.

C. Office organization. Within the Office there shall be the following Offices:

- 1) The Office of Environmental Health.
- 2) The Office of Public Health.

D. The Office of Environmental Health. Under the direction and supervision of the Director of the Office of Health Management, the Office 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.*
- E. The head of the Office of Environmental Health shall be responsible to the Director of the Office of Health Management for its operation.
- F. The Office of Public Health. Under the direction and supervision of the Director of the Office of Health Management, the Office of Public Health'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).

G. The Office of Public Health will have as its Head the LINCS Coordinator. The Coordinator shall be the head of the Office and shall be responsible to the Director of the Office of Health Management for its operation.

§ 1-129. Prohibition of Unauthorized or Unpermitted Discharge of Hazardous Substances

[Added 12-17-2009 by Ord. No. 697]

- A. Authority; This Ordinance is enacted pursuant to and consistent with the County Environmental Health Act, N.J.S.A. 26:3A2-21 *et seq.*, and The Spill Compensation and Control Act N.J.S.A. 58:10-23.11 *et seq.*, and the rules and regulations adopted thereunder.
- B. Purpose; This Ordinance serves to prohibit the unauthorized and/or unpermitted discharge of a hazardous substance within the jurisdiction of the County of Union. This Ordinance also authorizes the UCDES to conduct emergency response actions and establish procedures and protocols for such actions. This Ordinance further provides for the recovery of cost incurred by UCDES and/or its Agents in an emergency response action.
- C. Definitions; The words and terms used in this Ordinance shall have the following meanings:
 - “Accidental Discharge” shall mean those incidents which occurred unexpectedly and unintentionally, by chance or by an act of God.
 - “Agent’s of Certified Local Health Agency” shall include, for the purpose of this Ordinance, any Municipality or Public Health Entity which executes a Shared Service Agreement with the County of Union; pursuant to the Uniform Shared Services and Consolidation Act N.J.S.A. 40A:65-1 *et seq.*, or subcontracting units who agree to provide emergency response services within the geographical boundaries of the Municipality or geographical jurisdictional boundaries of the Local Certified Health Agency, provided such an Agreement is incorporated into the Union County CEHA (County Environmental Health Act) Work Plan pursuant to N.J.S.A. 26:3A2-33.
 - “Certified Local Health Agency” means the Union County, Office of Health Management (UCOHM), or when appropriate, its designee.
 - “County” means the County of Union, its employees, its Agents, its Officers, and its Officials.
 - “Department” means the New Jersey Department of Environmental Protection.
 - “Discharge” means any intentional or unintentional act or omission, unless pursuant to, and in compliance with, a valid, State or Federal permit therefore, resulting in the releasing, spilling, pumping, pouring, emitting, emptying, or dumping of any amount of hazardous

substance into the waters, or onto the land or into the air of the County, or into the waters, land or in the air outside the jurisdiction of the County when damage may result to the people, land, waters, air or natural resources within the jurisdiction of the County of Union. This definition does not include any "leak".

"Leak" or "Leakage" means any escape of a hazardous substance from the ordinary container employed in the normal course of storage, transfer, processing, or use, into secondary containment or diversion system or onto a surface from which it is cleaned up and removed prior to its escape into the waters or onto the lands of the State.

"Emergency Response Action" means any action taken by the Certified Local Health Agency, its Employees, Agents, Contractors, or Municipal Agencies in response to a discharge or a threatened discharge of a hazardous substance for the purpose of:

- (1) Investigating its cause, source or affect.
- (2) Initiating any action to prevent or mitigate any risk or threat to public health, safety, or welfare arising out of the discharge. Preventing or mitigating any damage or injury to public or private property or natural resources, and
- (3) Conducting or overseeing a remedial action.

"Emergency Response Action Costs" means all costs incurred by Certified Local Health Agency, its Employees, its Agents, Contractors, or Municipal Agencies in connection with any emergency response action, including overtime costs for deployed emergency response personnel, medical, and hospital treatment for injuries incurred, expendable items, and all reasonable expenses associated with cost recovery process, including but not limited to, reasonable attorney fees, court costs, litigation costs, expert fees, investigation costs, depositions, tests, copying and all out of pocket costs, as well as cost of towing, rigging company, and technical assistance by the County. Excluded are costs to pay volunteer responders and costs associated with Class "A" fire fighting.

"Expendable Items" means any items used to prevent, mitigate, suppress, or contain any discharge or threatened discharge, which cannot be reused or replenished or replaced without cost after use or deployed in an emergency response action.

"Expendable Items" shall include: but are not limited to, chemical extinguishing agents, adsorbents and adsorbent materials; sand; drums; containers; protective equipment and clothing; including chemical protective suits; gloves; boots; and goggles.

"Hazardous Substances" means for the purpose of this Ordinance all substances included within the definition of "hazardous substance" under N.J.A.C.7:1E-1.7, including all amendments and supplements, thereto, all substances considered hazardous materials under 49 CFR 105 and all substances considered hazardous waste under N.J.A.C. 7:26-1.1 *et seq.*

"Municipal Agency" shall mean any Municipality which has a written Shared Service Agreement with the Certified Local Health Agency for cost recovery.

"Municipality" means any of the incorporated Municipalities within the County of Union, including their Employees, Officers, and Officials.

"Owner or Operator" means with respect to a vessel, any person owning or operating or chartering by demise such vessel; with respect to any facility or vehicle, any person owning or operating such facility or vehicle, whether by lease, contract or any other form of Agreement; with respect to abandoned facilities or vehicles, the person who owned or operated the facility or vehicle immediately prior to such abandonment; the owner or operator at the time of the discharge.

"Person" means any entity or natural person, including without limitation of the following: Public or Private Corporations, Officers, Directors, Shareholders of a Corporation/Company, Companies, Associations, Societies, Firms, Partnerships, Joint Stock Companies, Individuals, Interstate Subdivisions or Agents, the State of New Jersey and any of its Political Subdivisions or Agents; and any other State and any of its Political Sub-Divisions or Agents.

"Responsible Party" means a person who is in any way deemed responsible for a discharge of a hazardous substance, including each owner and operator and any other person obligated, without regard to fault, by law to clean up and remove a discharged hazardous substance.

- D. Regulations; The discharge of a hazardous substance is prohibited, except this prohibition shall not apply to discharges conducted in compliance with the conditions of a valid Federal or State permit or otherwise authorized by Law.
- E. Notification; Any person who is in any way responsible for, or has knowledge of a discharge of a hazardous substance which occurs after the effective date of this Ordinance shall immediately notify the Department of Environmental Protection "Hot Line" at (877) WARN DEP (927-6337) pursuant to N.J.A.C. 7:1E-5.3. **Notification not required for exempted hazardous substances pursuant to NJAC 7:1E-5.3(e).**
- F. Any Municipality having knowledge of a discharge for a hazardous substance shall in addition to notifying the Department "Hot Line" at (609) 292-7172 pursuant N.J.A.C. 7:1-5.3 shall notify the Union County Division of Emergency Management Dispatcher at (908) 654-9800.
- G. Liability Except as provided in Section D, any person who is in any way deemed responsible for the discharge of a hazardous substance shall be liable strictly, jointly, and severally for all emergency response actions costs as defined in Section C, incurred by the County, as Certified Local Health Agency, their Agents, Employees, Contractors, or Municipal Agency, and any personal or property damage incurred by the County, the Certified Local Agency, their Agents, Employees, Contractors, and Municipal Agency.
- H. Emergency Response; The Certified Local Health Agency (UCOHM) may initiate and conduct an emergency response action in response to a discharge of a hazardous substance that has occurred, is occurring, or threatens to occur within the jurisdictional boundaries of the County of Union pursuant to N.J.S.A. 26:3A2-27.
- I. The Certified Local Health Agency shall be the lead Agency in conducting emergency response actions and at the scene of a Hazardous Materials Incident, unless otherwise provided for in an Shared Service Agreement incorporated into the County's CEHA Work Program.
- J. Inspection, Right of Entry Authorized representatives of the Certified Local Health Agency shall have the same right as an authorized representative of the Department to enter and inspect any premises, facility, site, tank, vessel, vehicle, structure, container, pipe, hose, or building for the purpose of ascertaining compliance or non-compliance with the provisions of this Ordinance and the provisions set forth in N.J.A.C.7:1E-1.1 *et seq.*
- K. When a discharge of a hazardous substance has occurred, is occurring, or appears imminent from a facility, site, premise, vessel, vehicle, building, tank, structure, pipe, hose, or container at which no one is present, the Certified Health Agency shall take responsible steps to gain access to the facility in order to protect human health, safety, welfare, and the environment.
- L. Cost of Recovery; This Certified Local Health Agency may recover all costs as defined above incurred by it, the county, its Employees, Agents, Contractors, and Municipal Agencies in connection with an emergency response action. Cost reimbursement shall be in accordance with the currently approved reimbursement rates as established by the Federal Emergency Management Agency (FEMA) and as set forth in Schedule "A" annexed hereto and made a part hereof, for costs not otherwise established by FEMA.
- 1) Whenever the Certified Local Health Agency seeks to recover costs the Certified Health Agency shall send, by certified mail, return receipt, a demand letter to the responsible party or parties, which shall contain:
- (a) The inclusive date(s) and time(s) of the discharge, if known;
 - (b) The basis for the charges/liability to the extent known and as may be duly amended upon investigation, discovery and verification;
 - (c) An itemization of the costs incurred by the Certified Local Health Agency, the County, their Employees, Agents, Contractors, and authorized Municipal Agencies in responding to the discharge;
 - (d) A calculation sheet including hours and personnel charged, salary rates and any overhead rates; and

(e) An explanation of the procedure to be followed to pay the costs demanded and the process to appeal the demand. Failure to appeal will be interpreted as an acceptance of the cost recovery expenses. Payments shall be remitted within forty-five (45) of receipt of the demand letter.

- 2) Whenever this Certified Local Health Agency issues a demand letter to a party deemed responsible and the responsible party fails to appeal or remit payment within forty-five (45) as prescribed herein, the Certified Local Health Agency may bring an action in a court of competent jurisdiction to recover the costs incurred in the emergency response action, as prescribed in Section C, under Emergency Response Action cost.
- 3) The County Manager or his designee may compromise the costs to be recovered in an amount not to exceed 25% of the original demanded costs to be recovered.
- 4) Failure to remit payment beyond the forty-sixth (46th) day shall also result in a late penalty fee of 8% per year of the outstanding amount due.
- 5) In the event that the collecting Agency is not able to collect all or partial cost from the responsible party or the New Jersey State Spill Fund, the County or Certified Local Health Agency shall not be responsible to its Agents or political sub-divisions for the balance due of same.

M. Penalties Pursuant to N.J.S.A. 26:3A2-25, N.J.S.A. 40:49-1 *et seq.* and N.J.S.A. 26:3-70, the State approved, Certified Local Health Agency Director or his/her designee, shall initiate legal proceedings for any violation of this Ordinance.

- 1) It shall be a violation of this Ordinance for any person to:
 - (a) Obstruct, hinder, delay or interfere by force or otherwise the Certified Local Health Agency, any authorized governmental unit, their Employees, Agents, or Contractors, in the exercise of any power, function, or duty under the provisions of this Ordinance.
 - (b) Prepare, utter, or render any false statement, pertaining to investigations, reports, documents, plans or specifications permitted or required under the provisions of this Ordinance.
 - (c) Render, ineffective or inoperative, or fail to properly maintain any protective equipment or system installed, or intended to be installed in any building, premise, facility, structure, site, tank, vessel, vehicle, pipe, hose, container, or system which was intended to detect, sense, alarm, contain, prevent, suppress or control a discharge.
 - (d) Fail to properly maintain any equipment, vehicle, site, premise, facility, building, vessel, structure, storage container, cylinder, pipe, hose tank, or system which contains hazardous substance.
 - (e) Violate or cause to be violated any provisions of this Ordinance.
- 2) A person who violates or causes to be violated a provision of this Ordinance shall be subject to a penalty of not less than two hundred (\$200.00) or more than five hundred (\$500.00) for each violation. If a violation is of a continuous nature, each day during which the violation remains shall constitute an additional and separate violation and penalty.
- 3) A person who violates or causes to be violated a provision of this Ordinance shall also be subject to payment of reasonable litigation expenses, including but not limited to, court costs, attorney fees, investigation costs, expert expenses, depositions, tests, copying, and all out of pocket expenses.

N. Construction and Severability; This Ordinance is to be liberally construed to effectuate the purpose, herein, described. Nothing herein, is to be construed as repealing or abridging the emergency powers of any agency of government except to the extent expressly set forth within.

- 1) If any Section, Subsection, Paragraph, Sentence, Clause, Phrase, or Work contained in this Ordinance shall be declared invalid for any reason whatsoever, such decision

shall not affect the remaining portions of this Ordinance which shall remain in full force and effect.

O. Repealer; Any Ordinance or portion, thereof, enacted by the County of Union, any Municipality, Board of Health, or other public entity within the County of Union that is inconsistent with or stands as an obstacle to the effective implementation of this Ordinance shall be superseded by this Ordinance and, hereby, repealed.

1) To the extent that any Municipality has adopted an Ordinance duly approved by the N.J.D.E.P. that provides for cost recovery of their own, this Ordinance does not supersede or obligate the Municipality/Political Sub-Division to utilize the County to obtain cost recovery.

P. Disposition of Monies; The collection of all emergency response cost and cost recovery expenses, fund monies, penalties, late fee(s), interest, , and expenses, shall be deposited within the established Environmental Quality and Enforcement Trust Fund of the Union County Division of Emergency Management. Said monies shall be dedicated to the use of the County or Certified Local Health Agency in carrying out its responsibilities under this Ordinance and the County Environmental Health Act.

Multi Rae	\$100.00		Radiation Dosimeter	\$50.00
Mini Rae PPB	\$100.00		Isotope Identifier	\$300.00
Area Rae Sytems	\$450.00		Draeger IMS	\$300.00
Wireless System for Meters	\$25.00	per meter	Industrial Gas Detector	\$100.00
Ammonia Detector	\$25.00		AP4C WMD Detector	\$100.00
Chlorine detector	\$25.00		Sabre 2000	\$300.00
Portable Entry Camera System	\$750.00		APD 2000	\$300.00
Thermal Imager	\$100.00		CAM	\$300.00
Sensir IR/Hazmat ID	\$1,000.00		Computer w/Wireless Internet	\$125.00
GAS ID	\$1,000.00		Digital Camera	\$10.00
Ahura	\$1,000.00		Haz-cat Field Identification Kit	\$250.00
Draeger Kit (not including tubes**)	\$50.00		Haz-cat White Powder Kit	\$125.00
Draeger tubes @ actual cost				

**PART II -
POLICIES AND GENERAL LEGISLATION**

Chapter 107 RECREATION AND PARKS

ARTICLE IV, FEES FOR RECREATION FACILITIES

[amended 3-10-2005 by Ord. No. 611; amended 2-16-2006 by Ord. No. 623-06; amended 5-10-2007 by Ord. No. 649-2007; amended 3-27-2008 by Ord. No. 666-2008; amended 5-29-2008 by Ord. 668-2008; amended 4-16-2009 by Ord. 683-2009; amended 8-20-2009 by Ord. 689-2009; amended 12-17-2009 by Ord. 697-2009; amended 2-11-2010 by Ord. 701-2010; Amended 6-10-2010 by Ord. 704-2010; Amended 2-10-2011 by Ord. 716-2011; Amended 7-28-2011 by Ord. 722-2011; Amended 2-9-2012 by Ord. 727-2012]

The Director of the Department of Parks and Community Renewal is hereby authorized to set fees and one time charges not specifically included in the fee schedule. The Director of the Department of Parks and Community Renewal is hereby further authorized to amend or modify any fee set forth in the fee schedule for special promotions and events. 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 days prior to the effective date of the assessment, amendment or modification.

PARK FEES:

ARCHERY

Intermediate Archery Lessons	\$100 per person
Private/individual and small group Archery Safety Lessons	\$25 person

MISCELLANEOUS

Rental of Tents	
10 X 10	\$150.00 (plus tax)
(plus insurance holding County of Union harmless)	

20 x 20	\$200.00 (plus tax)
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(plus insurance holding County of Union harmless)

Does not include setup or takedown and is for a period of three days from pickup.

12x18 signs (name and an arrow pointing to where picnic is)	\$15 – first sign
	\$10 – each add'l

18x24 signs (name and an arrow pointing to where picnic is)	\$20.00 – first sign
	\$12 – each add'l

POOLS

Swim Team pool use:	\$3.00/person per day
Swim Meet Pool Use:	\$50.00 hr.

WATCHUNG STABLE

Special non-riding Equine Medical Clinics	\$25/person
Promotional ride (buy 1 – get one ½ off):	\$14.00 IC /\$19.50 OC

TRAILSIDE

	<u>Program Length</u>	<u>Fee IC</u>	<u>Fee OC</u>
Lectures	per hour +/-	\$10	\$12
Nature Walks	per hour +/-	\$10	\$12
Teacher Training	6 +/- hours		
Project Wet			\$25
Project Wild			\$15
Project Learning Tree			\$10
Project WOW			\$25
Wild School Sites			\$20
Healthy Water, Healthy People			\$10
Aquatic Wild			\$10
Photography		\$45	\$55
Trail Rides	1.5 hrs	\$38	\$50
	2 – 3 hrs	\$60	\$70
Yoga/Meditation	per hr. +/-	\$15	\$20
Musical Performance Admission			\$15
Participatory Event i.e. Dance (swing, dance, ballroom, square, etc.)			\$25
Primitive Practices/Survival	per hr. +/-	\$10	\$12
	**Plus additional fee for materials		
Crafts	per 2 hrs. +/-	\$15	\$20
	**Plus additional fee for materials		
Cooking	1.5hr +/-	\$15	\$20
	**Plus additional fee for materials		

*All adult programs may have additional fees added to cover the cost of supplies & materials.

Mineral Show Table & Chair Rental fee: (per table & 2 chairs) \$30.00

VEHICLE

Haz-Mat 10	\$90.00	per hr	HM-7 (F350 Pick Up)	\$35.00	per hr
Haz-Mat 11	\$75.00	per hr	HM-8 (Suburban)	\$20.00	per hr
HM-2 (Suburban)	\$20.00	per hr	Decon Trailer	\$14.00	per hr
HM-3 (Suburban)	\$20.00	per hr	Spill Trailer	\$14.00	per hr
HM-4 (Utility)	\$46.00	per hr	WMD Trailer	\$10.00	per hr
HM-5 (Utility)	\$46.00	per hr	Support Trailer	\$10.00	per hr
HM-6 (Utility)	\$46.00	per hr	Gray Trailer	\$10.00	per hr
HM-9 (Utility)	\$46.00	per hr	Command Post	\$105.00	per hr

PERSONAL PROTECTIVE EQUIPMENT

Level A ensemble	\$740.20	Level B ensemble (Tk165)	\$166.20
Level A ensemble w/ NFPA	\$2,240.20	Level B ensemble (Tyvek F)	\$62.35
Level C ensemble	\$37.35	Lanx Suits	\$125.00
Turn Out ensemble	\$55.00	Turn Out Gear (Replacement cost)	\$1,200.00
Turn out (no SCBA)	\$30.00	Haz-Mat Boots (replacement)	\$66.95
SCBA extra bottle refill fee	\$18.00		
Silver Shield Gloves (pair)	\$4.75	Disposable Booties (pair)	\$3.50
Nitrile Gloves (pair)	\$7.25	Inner Nitrile gloves	6.50/box
Butyl Over Boot	\$15.00	Butyl Gloves (pair)	\$20.30
		Neoprene Gloves (pair)	\$6.85

* Do not bill for these items if you used the ensemble price *

Steel Drum open head (55 gallon)	\$72.00	Vetter Bag Sealing Pad Replacement	\$2,000.00
Gap Seal	\$15.00	Drum Belly Patch (Strap & Pad)	\$139.00
Plug & Patch kit	\$228.00	Grounding & Bonding Equipment	\$150.00
Spill X (21/2 lb bottle)	\$10.83	Generator (Small)	\$1.20 per hr
Fuel Solidifier	\$15.30	Generator (Large)	\$4.10 per hr
Neutralizer, Acid (5 gal pail)	\$146.00	Generator (Light Tower)	\$10.25 per hr
Neutralizer, Caustic (5 gal pail)	\$238.00	Dome Clamp/Clamps	\$250.00 each
Klor-n-Oil Kit	\$17.00	Plastic Sheeting	\$36.95
Epoxy Repair Putty (per tube)	\$4.92	Throat Mics	\$50.00
Unmanned Monitor	\$250.00	Hard Hat (Replacement Only)	\$8.95

MONITORING

Micro-Max Meter	\$65.00	Gieger Counter	\$50.00
Mini Rae 2000	\$100.00	Radiation Meter 40 GL	\$100.00

EQUIPMENT

Lite Dri (per bag)	\$12.45	Duct Tape	\$5.35
Speedy Dri (per Bag)	\$5.50	Chemical Resistant Tape	\$17.00
Street sweeper	\$14.00 per hr	Barracade Tape (1 roll)	\$15.95
Hand held sweeper	\$6.50 per hr	Decon Pool	\$125.00
Brooms, replacement	\$15.00	Decon Brush	\$36.00
Manhole Hook	\$25.00	Siphon Pump	\$17.00
Skimming Sweep	\$39.00	PAPR w/ Filters	\$75.00
Absorbant Pillows (per pillow)	\$10.70	APR w/ Filters	\$50.00
Absorbant Pads (bag of 100)	\$59.00	Rehab Supplies	\$35.00
Boom (per bag, 4 boom per bag)	\$150.00	Hazmat Sked	\$50.00
Hard Containment Boom/100ft	\$1,242.00	Guzzler Pump	\$85.65
Plastic Shovel (replacement)	\$46.00	Rope	\$14.85
Trash Bags (roll)	\$9.15	Coli-wasa Tubes (Per Tube)	\$15.20
Trash Bags (box)	\$25.00	Chemical Classifier Strips	\$7.36
Poly Drum	\$49.00	Sample Jars	\$5.00
Overpack Drum (65 gallon)	\$139.00	66 Gallon Spill Pool	\$85.70
Salvage Drum (85 gallon)	\$118.00	Ph Paper (per 100)	\$15.95