

ORDINANCE NO. 2016 – 10

AN ORDINANCE OF THE TOWNSHIP OF LITTLE EGG HARBOR, COUNTY OF OCEAN, STATE OF NEW JERSEY, CREATING CHAPTER 272 OF THE TOWNSHIP CODE OF THE TOWNSHIP OF LITTLE EGG HARBOR, ENTITLED “PORTABLE TOILETS”

BE IT ORDAINED, by the governing body of the Township of Little Egg Harbor, County of Ocean, State of New Jersey, as follows:

SECTION 1. The Township Code of the Township of Little Egg Harbor is hereby amended and supplemented so as to create Chapter 272, which shall be entitled “Portable Toilets,” and which shall read as follows:

§272-1 Portable toilets required.

- A. Any construction site at which work will be performed for more than one (1) day where water or sewer service has not yet been connected or where use of the bathroom facilities inside the structure is not available to the contractor or its employees shall be equipped with at least one (1) portable toilet per every ten (10) workers.
- B. Any portable toilet on a construction site that has a stop work order or an expired building permit must be removed within 48 hours.

§272-2 Location of portable toilets.

- A. Whenever one or more portable toilets are to be placed upon a construction site, they shall be located on the construction site and are prohibited from being located on a sidewalk, area designated for a sidewalk, street or public right of way. Portable toilets shall be located a minimum of 15 feet from all curb lines and at such locations as to minimize adverse aesthetic conditions and the doors thereof shall not face any street or any neighboring property.
- B. In waterfront areas or properties within a designated flood hazard area, portable toilets shall be removed when the National Weather Service issues a watch or warning for a major storm event with coastal flooding.

§272-3 Servicing and Maintenance

- A. Portable toilets required herein shall be serviced at regular intervals so as to prevent overloading or the escape of materials and/or noxious odors contained therein.
- B. All portable toilets shall be monitored and serviced by a person, firm or corporation engaged in the business of cleaning or emptying portable toilets and

recharged at a sufficient frequency to prevent the escape of offensive odors or spillage.

- C. Portable toilets shall be kept in good working condition without any broken surfaces or leaks. Doors must be kept in good working condition and must be able to be securely latched while in use.

§272-4 Enforcement.

This chapter shall be enforced by the Police Department, the Code Enforcement Official and the Construction Official of the Township of Little Egg Harbor.

§272-5 Violations and penalties.

- A. Any person, corporation, occupant, or entity who or which violates or fails to comply with any provision of this article or any of the rules and regulations promulgated hereunder shall, upon conviction thereof, be punishable by a fine not less than \$250, nor more than \$2,000.
- B. Separate violations. Each and every day in which a violation of the provisions of this chapter exists shall constitute a separate violation.

SECTION 2. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

SECTION 3. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

SECTION 4. This ordinance shall take effect after second reading and publication as required by law.

NOTICE

NOTICE IS HEREBY GIVEN that the foregoing ordinance was introduced and passed by the Township Committee on first reading at a meeting of the Township Committee of the Township of Little Egg Harbor held on the 22nd day of September, **2016**, and will be considered for second and final passage at a meeting of the Township Committee to be held on the 13th day of October, **2016**, at 7:30 p.m. at the Municipal Building located at 665 Radio Road, Little Egg Harbor, New Jersey, at which time and place any persons desiring to be heard upon the same will be given the opportunity to be so heard.

Diana K. McCracken RMC
DIANA K. MCCRACKEN, RMC, Clerk
Township of Little Egg Harbor

Introduction

<u>yes</u>	Gormley	<u>Absent</u>	Kehm	<u>yes</u>	Kobryn
<u>yes</u>	Schlick	<u>yes</u>	Stevens		

Second Reading & Adoption

<u>yes</u>	Gormley	<u>yes</u>	Kehm	<u>yes</u>	Kobryn
<u>yes</u>	Schlick	<u>yes</u>	Stevens		