

**BOROUGH OF TINTON FALLS  
MONMOUTH COUNTY  
NEW JERSEY**

**ORDINANCE NO. 2026-1544**

**AN ORDINANCE AMENDING CHAPTER 20 OF THE BOROUGH CODE,  
ENTITLED "HEALTH REGULATIONS" TO BE CONSISTENT WITH THE FEE  
SCHEDULE OF THE FREEHOLD BOARD OF HEALTH**

**BE IT ORDAINED** by the Borough Council of the Borough of Tinton Falls as follows:

**SECTION 1.** Chapter 20 of the Borough Code, entitled "Health Regulations" is hereby amended in the various sections listed below, to read as follows (underlined portions to added; ~~strikethroughs~~ to be deleted):

**§ 20-1. RETAIL FOOD ESTABLISHMENT CODE.**

**§ 20-1.1. Adoption of Standards.**

A code regulating retail food establishments and fixing penalties for violations is hereby established pursuant to N.J.S.A. 26:3-69.1 to 69.6. A copy of this code is annexed hereto and made a part hereof without the inclusion of the text thereof herein.

**§ 20-1.2. Title.**

The code established and adopted by this chapter is described and commonly known as the "Retail Food Establishment Code of New Jersey (1965)."

**§ 20-1.3. Copies on File.**

Three copies of the Retail Food Establishment Code of New Jersey (1965) have been placed on file in the office of the Director of the Department of Health and Welfare for use and examination by the public.

**§ 20-1.4. Fees and Charges**

A. The following fees shall be paid for inspections and issuance of a food handler's license:

(1) Temporary food establishment to be open less than seven days: \$35.00

(2) Mobile food vendors (i.e. ice cream, seasonal food vendors, etc.): \$100

(3) One to 50 seats or less than 3,000 square feet: \$150

(4) Fifty-one to 200 seats or 3,001 square feet to 10,000 square feet: \$250

(5) Two hundred one seats or more than 10,000 square feet: \$400

B. Late fees. Every licensed personnel who fails to complete his/her renewal application as of January 31 of the licensing year shall be assessed a late fee equaling 50% of the license fee. The late fees are set forth as follows:

(1) One to fifty seats: \$60 late fee.

(2) Fifty-one to 200 seats: \$125 late fee.

(3) Two hundred plus seats: \$200 late fee.

C. Food inspection: included in cost of annual permit.

D. Food reinspection:

a. 1<sup>st</sup> offense annually: \$100

b. 2<sup>nd</sup> offense annually: \$200

c. 3<sup>rd</sup> offense annually: \$300

d. 4<sup>th</sup> ore more annually: \$500

E. Food Establishment Plan Review

a. Establishments other than restaurants:

(1) Between 0 and 4,000 square feet: \$275/plan

(2) Between 4,001 and 10,000 square feet: \$500/plan

(3) Over 10, 000 square feet: \$825/plan

b. Restaurants

(1) Seating capacity up to 100: \$275/plan

(2) Seating capacity over 100: \$550/plan

c. Minor Alterations to Existing Restaurant/Establishment: \$150/plan

F. Well Drilling

a. The fee for the filing of an application and plans and issuance of a permit to drill, construct, install or redesignate the use of any well shall be \$50.

#### **§ ~~20-1.5~~ 20-1.4. Violations and Penalties.**

Any person who violates any provision of or order promulgated under this chapter or Code established herein shall, upon conviction, be liable to a penalty established in Chapter 1, Section 1-5. Each day a particular violation continues shall constitute a separate offense.

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## **§ 20-3. SEPTIC TANKS.**

### **§ 20-3.1. Permit Required.**

No person shall hereafter alter, construct or maintain within the Borough any privy, septic tank, cesspool, vault or other place used for the reception or storage of human excrement without first obtaining a permit therefor from the Construction Official, except that no cesspool shall hereafter be constructed.

### **§ 20-3.2. Application for Permit; Fee.**

Any person who may desire to construct or alter a privy, septic tank, cesspool, vault or other place for the reception or storage of human excrement shall make written application to the Construction Official for a permit therefor, which application shall be accompanied by written plans in sufficient detail as the Construction Official may desire, showing the location of such proposed place, the materials of which the same is proposed to be constructed and the dimensions thereof, together with permit fees as follows: ~~together with a permit fee of \$5.~~

- A. New construction/alteration: \$350
- B. Repair with engineer: \$350
- C. Repair without engineer: \$100

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## **§ 20-11. PUBLIC RECREATION BATHING.**

### **§ 20-11.1. Adoption by Reference.**

Title 8, Chapter 26, Public Recreational Bathing Code, is hereby adopted.

### **~~§ 20-11.2. Fees and Charges Established.~~**

~~The following fees/charges are hereby established:~~

- ~~a. Issuance or renewal of a permit to operate a public swimming pool, \$50 annually.~~
- ~~b. All alterations, construction and installation regulations are set forth in the Borough of Tinton Falls Development Regulations and the B.O.C.A. Code which has been adopted by the Borough of Tinton Falls.~~

### **§ 20-11.2 Fees and Charges Established**

The following fees/charges are hereby established:

- a. Issuance of a permit to locate and construct a public swimming pool: \$200
- b. Issuance of a permit to alter a public swimming pool: \$150

- c. Issuance or renewal of a permit to operate a public swimming pool: \$500
- d. Facility plan review: \$200
- e. Facility inspection: included in cost of annual permit
- f. Facility reinspection: \$75
- g. All alterations, construction and installation regulations are set forth in the Borough of Tinton Falls Development Regulations and the B.O.C.A. Code which has been adopted by the Borough of Tinton Falls.

**§ 20-11.3. Compliance Required.**

It shall be unlawful for any person, persons, firm or corporation to maintain a public swimming pool without first complying with the provisions of this chapter as provided herein.

**§ 20-11.4. Termination Date.**

All permits to operate a public swimming pool shall terminate on December 31 and shall be renewable no later than January 31.

**§ 20-11.5. Payment of Fees.**

All fees/charges for public swimming pools as set forth in this section shall be paid in advance of the issuance of the permit.

**§ 20-11.6. Enforcement.**

The Health Officer is hereby authorized and directed to enforce the terms and conditions of this chapter.

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**§ 20-14 FACILITIES USED BY THE PUBLIC [new section]**

Schedule of Inspection Fees. The following fees shall be paid to the Township's Board of Health for plan reviews, inspections and reinspections of facilities used by the public:

**Schedule of Inspection Fees**

<u>Activity</u>	<u>Fee</u>
<u>Animal facility operations</u>	
<u>Plan review</u>	<u>\$175</u>
<u>Inspection</u>	<u>\$100</u>

<u>Facility reinspection</u>	<u>\$75</u>
<u>Body art/tattoo establishments</u>	
<u>Plan review</u>	<u>\$300</u>
<u>Inspection/annual license fee</u>	<u>\$200</u>
<u>Day-care facilities/preschool</u>	
<u>New facility/pre-operational inspection</u>	<u>\$125</u>
<u>Facility audit</u>	<u>\$100</u>
<u>Facility re-audit</u>	<u>\$75</u>
<u>Youth camps</u>	
<u>Plan review</u>	<u>\$250</u>
<u>Pre-operational inspection</u>	<u>\$125</u>
<u>Facility reinspection</u>	<u>\$75</u>

Kennel – application and license to be issued by the Freehold Board of Health

**SECTION 2.** Repealer.

All ordinances or parts of ordinances which are inconsistent with the provisions of this Ordinance are, to the extent of such inconsistency, hereby repealed.

**SECTION 3.** Severability.

Each section, subsection, sentence, clause and phrase of this Ordinance is declared to be an independent section, subsection, sentence, clause and phrase, and the finding or holding of any such portion of this Ordinance to be unconstitutional, void, or ineffective for any cause, or reason, shall not affect any other portion of this Ordinance.

**SECTION 4.** Effective Date.

This Ordinance shall take effect upon final passage, adoption and publication in the manner prescribed by law.

Introduced:

Adopted:

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MICHAEL J. NESCI  
COUNCIL PRESIDENT

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RISA CLAY  
MAYOR

ATTEST:

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MICHELLE HUTCHINSON  
BOROUGH CLERK

APPROVED AS TO FORM:

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KEVIN N. STARKEY, ESQ.  
DIRECTOR OF LAW