

**COIN-OPERATED DRY CLEANING
ESTABLISHMENT CODE OF
NEW JERSEY (1962)**



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**NEW JERSEY STATE DEPARTMENT OF HEALTH
TRENTON 25, NEW JERSEY**

COIN-OPERATED DRY CLEANING ESTABLISHMENT CODE OF NEW JERSEY (1962)

The New Jersey State Department of Health recommends that local boards of health adopt this code in accordance with the Public Health and Sanitation Codes adoption by Reference Act, which is reproduced in these pages.

In the opinion of the State Department of Health, local boards of health do not have authority to prescribe permit fees. Therefore, if permit fees are to be charged for operation of coin-operated dry cleaning establishments, an ordinance establishing such fees must be adopted by the governing body of the municipality. A suggested ordinance to accomplish this purpose appears in these pages.

A sample ordinance for adoption by reference also appears in these pages, followed by the text of the Code itself.

This code was approved by the State Commissioner of Health on March 13, 1962.

COMMITTEE THAT WROTE CODE

The Coin-Operated Dry Cleaning Establishment Code of New Jersey (1962) was prepared by the following committee:

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PUBLIC HEALTH AND SANITATION CODES ADOPTION BY REFERENCE ACT

Chapter 188 P.L. 1950 (R.S. 26:3-69.1 to 69.6)

26:3-69.1 Definitions.

As used in this act, unless the context otherwise requires:

(1) "Local board of health" shall mean a county or municipal board of health, or the board of health of any regional, local or special health district, having power to regulate, by ordinance, public health or sanitation.

(2) "Code" means printed code regulations or set of regulations, standards or set of standards concerning, affecting or relating to the subject matter of any such ordinance of substantially uniform character, approved by the State Department of Health.

(3) "Related document" means any printed document or part thereof adopted by reference in a code directly, or by successive adoptions by reference through other printed documents.

(4) "Printed" includes lithographing and any other method of duplicating.

26:3-69.2 Adopting certain codes and related documents by reference.

Any local board of health may enact, amend or supplement ordinances establishing, amending or supplementing a code or any parts thereof by reference to such code in any such ordinance and without inclusion of the text thereof in such ordinance if the code to be adopted and any related documents are printed in book form and a copy of such printed code and related documents so marked as to indicate plainly what portion thereof, if less than the whole, is intended to be adopted, is annexed to such ordinance and if such code and related documents or such portion thereof as is intended to be adopted is so described in said ordinance as to identify them and there is indicated in said description the common or trade name, if any, of such code and related documents and it is stated in the ordinance that three copies of said code and said related documents, similarly marked, have been placed on file in the office of the secretary, clerk or other

similar officer of said local board of health, upon the introduction of said ordinance and will remain on file there until final action is taken on said ordinance, for the use and examination of the public.

26:3-69.3 Publication of adopted codes or related documents unnecessary.

It shall not be necessary to publish any such code or related documents, so to be adopted, as part of any such ordinance notwithstanding that printed copies thereof are annexed thereto, either before or after the final passage of such ordinance, if said printed copies are filed as aforesaid.

26:3-69.4 Copies of adopted code and related ordinances to remain on file.

In event that any such ordinance is adopted, the said copies of said code and related documents shall remain on file in said office, so long as said ordinance is in effect, and three copies shall be placed on file and shall remain on file in the office of any board, body or officer having in charge the enforcement of said ordinance, for the use and examination of the public so long as said ordinance is in effect and printed copies of said ordinance and said code and related documents shall be made available to citizens on request and for which a nominal fee may be charged.

26:3-69.5 Copy of adopted code and related documents construed as part of ordinance.

For the purpose of proof of any such ordinance or receipt thereof in evidence in all courts and places, such copy of such code and related documents, so marked and annexed to such ordinance, shall be construed to be part of said ordinance, as fully as though it had been set forth at length therein.

26:3-69.6 Short title.

This act may be cited as the Public Health and Sanitation Codes Adoption by Reference Act.

REGULATING AND FIXING PERMIT FEES OF COIN-OPERATED DRY CLEANING ESTABLISHMENTS

This suggested ordinance, indicating the manner in which permit fees may be set for the "Coin-Operated Dry Cleaning Establishment Code of New Jersey (1962)," should be reviewed by counsel for the municipality for possible changes he or the governing body may desire to make.

AN ORDINANCE governing, regulating and fixing permit fees for operation and maintenance of coin-operated dry cleaning establishments in the

of _____
The _____ of _____ of
the _____ of _____ do
ordain that:

Section 1 Permits

It shall be unlawful for any person, whether as principal or agent, clerk or employee, either for himself or any other person, or for any body corporate, or as an officer of any corporation, or otherwise to engage in the operation of an establishment where one or more machines or devices offered for public use which, upon insertion of a coin, coins or token, or by other means, provide self-service dry cleaning facilities without first having applied to and procured a permit from the Board of Health of this municipality so to do, or without complying with any and all of the provisions of the Coin-operated Dry Cleaning Establishments Code of New Jersey (1962) as adopted or amended by said Board.

Section 2 Permit Fees

(a) The fees for permits as required by Section 1 above, for the purpose of raising revenue, for regulation and control to be paid annually to this municipality is hereby fixed at \$ _____ per year.

(b) All permits issued under authority of this ordinance shall expire on the _____ day of _____ each year.

Permit fees shall be paid to the Board of Health.

Section 3

Application for and Issuance of Permits

Application for an issuance of the permits referred to in Section 1 above shall be made in conformity with the provisions of the Coin-operated Dry Cleaning Establishment Code of New Jersey (1962) as adopted or amended by the Board of Health of this municipality. Such permits are not transferable.

Section 4

Suspension, Revocation or Reinstatement of Permits

Permits issued under authority of this ordinance may be suspended, revoked, or reinstated by the Board of Health of this municipality.

Section 5

Interstate Commerce

No provision of this ordinance shall be applied so as to impose any unlawful burden on either interstate commerce or any activity of the State or Federal Government.

Section 5

Penalty

Any person, firm or corporation who shall violate any of the provisions of this ordinance shall, upon conviction, be punished by a fine of not to exceed two hundred dollars (\$200.00) or by imprisonment in the county jail for a period of not to exceed ninety (90) days, or by both such fine and imprisonment, and each violation of any of the provisions of this ordinance, and each day the same is violated shall be deemed and taken to be a separate and distinct offense.

Section 7
Severance Clause

The provisions of this ordinance are declared to be severable, and if any section, subsection, sentence, clause, or phrase hereof shall, for any reason, be held to be invalid or unconstitutional,

such decision shall not affect the validity of the remaining sections, subsections, sentences, clauses and phrases of this ordinance, but they shall remain in effect; it being the legislative intent that this ordinance shall stand notwithstanding the invalidity of any part.

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SUGGESTED ORDINANCE FOR ADOPTION OF COIN-OPERATED DRY CLEANING ESTABLISHMENT CODE OF NEW JERSEY (1962)

This suggested ordinance, indicating the manner in which the "Coin-Operated Dry Cleaning Establishment Code of New Jersey (1962)" may be adopted by the local board of health, should be reviewed by counsel for the local board of health for possible changes that he or the board may desire to make.

AN ORDINANCE establishing a code regulating the use, operation and maintenance of coin-operated dry cleaning establishments and licensure thereof; authorizing inspection of dry cleaning establishments and operations connected therewith; and providing for the enforcement of this ordinance and the fixing of penalties.

BE IT ORDAINED BY THE BOARD OF HEALTH OF THE Municipality of _____ as follows:

Section 1. A code regulating the use, operation and maintenance of coin-operated dry cleaning establishments, authorizing inspection of and operations connected therewith; and fixing penalties for violations is hereby established pursuant to Revised Statutes 26:3-69.1 to 69.6. A copy of said code is annexed and made a part hereof without the inclusion of the text thereof herein.

Section 2. The said code established and adopted by this ordinance is described and commonly known as the "Coin-operated Dry Cleaning Establishment Code of New Jersey (1962)."

Section 3. Three copies of the said "Coin-operated Dry Cleaning Establishment Code of New Jersey (1962)" have been placed on file in the office of the

(Health Officer) (secretary) (clerk) (or other similar officer) of this local board of health upon the introduction of this ordinance and will remain on file there for the use and examination of the public until final action is taken on this ordinance.

Section 4. Any person who violates any provision of, or order promulgated under this ordinance or code established herein shall, upon conviction thereof, be liable to a penalty of not less than two dollars (\$2.00) nor more than one hundred dollars (\$100.00) for each violation. Each day a particular violation continues shall constitute a separate offense.

Section 5. All ordinances, codes or parts of same inconsistent with any of the provisions of this ordinance and the code established hereunder are hereby repealed to the extent of such inconsistency.

Section 6. In the event that any section, sentence or clause of this ordinance or code shall be declared unconstitutional by a court of competent jurisdiction such declaration shall not in any manner prejudice the enforcement of the remaining provisions.

Section 7. This ordinance and the code herein established shall take effect 30 days after first publication.

COIN-OPERATED DRY CLEANING ESTABLISHMENT CODE OF NEW JERSEY (1962)

The Code entitled "Coin-Operated Dry Cleaning Establishment Code of New Jersey (1962)," set forth below, was approved March 18, 1962 by the State Department of Health for adoption by reference by any local board of health. It may be adopted without alteration or, if so desired, any numbered section or paragraph may be deleted therefrom, but no substitute section or paragraph may be added as part of the Code being adopted by reference under Chapter 188, P.L. 1950 (R.S. 26:69.1 to 69.5). It is recommended that this Code be adopted in full.

SECTION I

Definitions

1.1 The words, terms or phrases listed below for the purposes of this Code and Ordinance shall be defined and interpreted as follows:

A. COIN OPERATED OR SELF SERVICE DRY CLEANING ESTABLISHMENT:

The term "coin operated or self service dry cleaning establishment" or "establishment" shall mean and include those premises wherein devices for the cleaning of textiles, fabrics, garments or other articles by the use of any solvent, other than water, are installed for and used by the general public.

B. CUSTOMER AREA: The term "customer area" is that portion of the establishment to which the general public is permitted access.

C. MAINTENANCE AREA: The term "maintenance area" is that portion of the establishment to which the customer is not permitted access and used for general maintenance and storage purposes.

D. HEALTH AUTHORITY: The term "health authority" shall mean the Board of Health as prescribed by Title 26, Chapter 3 Section 1 of the Revised Statutes of New Jersey, or an authorized representative thereof.

E. SOLVENT: The term "solvent" shall mean any cleaning fluid which is free of additives to

mask the odor, classified by the National Board of Fire Underwriters as non-flammable at ordinary temperatures, and not more toxic than the generally accepted threshold limit value for perchlorethylene as promulgated by the American Conference of Governmental Industrial Hygienist.

F. PERSON: The term "person" shall mean and include any individual, partnership, corporation, company, firm or any public or private entity.

SECTION II

Administration

2.1 Any person desiring to operate a coin operated or self service dry cleaning establishment shall make application therefor in writing to the Board of Health.

Such application shall include the following information:

(a) The applicant's full name, residence, telephone number, and post office address, and whether such applicant is an individual, firm or corporation. If a partnership, the names and addresses of the partners shall be included. If a corporation, the names and addresses of the officers of the corporation shall be included.

(b) The proposed location of the establishment, a floor plan showing the building outline and location of the equipment.

(c) The manufacturer of the machine, the trade name and manufacturers agent.

(d) The name, address and author-

ized officer of the person engaged to install the equipment.

(e) Name or names of maintenance personnel and their telephone numbers.

(f) The signature of the applicant or its authorized officer.

2.2 Upon receipt of such application, the health authority shall make such investigation as may be necessary of maintenance and storage facilities, as well as machines and their locations in and about the premises, to determine compliance with the provisions of this Code. Upon approval of the application, a numbered operator's permit shall be issued.

SECTION III

Construction, Operation and Maintenance Requirements

- 3.1 The public shall only be permitted access to that portion of coin operated or self service dry cleaning machines which is necessary for use of those machines. The remaining portion of each machine shall be separated from the customer area by a partition in which there are grills or similar ventilation devices. This partitioned off area shall be called the maintenance area. The access door to the maintenance area shall be self-closing and locked to prevent access by the public.
- 3.2 No person other than the permit holder or his representative shall enter the maintenance area.
- 3.3 The maintenance area shall not be interconnected with that of heating devices requiring air for combustion such as gas dryers, water heaters and comfort heating devices.
- 3.4 Heating devices requiring air for combustion shall be installed in such fashion as to obtain air for combustion from the outside atmosphere.
- 3.5 Ventilation of establishments shall be effected by the drawing of air from the customer area through grills or other openings in the partition by means of an exhaust fan or fans operating in the mainten-

ance area. Exhaust fans shall have a rated capacity of 400 cubic feet per minute (c.f.m.) per machine for normal use and 1,000 c.f.m. per machine, for use in emergencies. The rated capacities of exhaust fans shall appear on this equipment or its name plate.

If air is being constantly exhausted as a built-in feature of the equipment, the rated capacity of the fan can be reduced by this amount.

- 3.6 Air shall be replenished at a temperature not less than 60° F. as quickly as it is exhausted from the customer area.
- 3.7 Each coin operated or self service dry cleaning machine shall be equipped with an exhaust system that maintains a minimum of 100 feet per minute velocity through the loading door whenever the door is open. The duct work connections to this system shall be sealed (soldered or taped) and the discharge outlet extended to a minimum height of five feet above the roof line and shall be located so that the effluent may not re-enter the premises.
- 3.8 A concrete dyke or metal pan or similar facility shall be installed at the location of each machine to collect and contain spillage. This facility shall be constructed of a material impervious to the solvent used.
- 3.9 The floor covering in the customer area shall be made of a material resistant to the solvents used in such machines.
- 3.10 All establishments shall meet the requirements of all established state and local laws, codes, and regulations, including but not limited to air pollution, electrical wiring, plumbing, fire prevention, waste disposal, sanitation, solvent storage, food or beverage vending, hours of operation, presence of an attendant.

SECTION IV

Personnel and Customer Safety

- 4.1 A respirator, approved by the U. S. Bureau of Mines as affording pro-

- tection against organic solvent vapors, shall be provided for and used by maintenance personnel during correction of leakages, cleaning of the system, removal of lint and muck bags and at all times when the odor of solvent is noticeable.
- 4.2 The customer area shall be equipped with a fire extinguisher, approved for use against electrical or oil fires by the National Board of Fire Underwriters.
- 4.3 A step by step, readily legible, instruction list for operation of machines, shall be posted in a conspicuous location near the machine in the customer area. These instructions shall include a list of items not to be dry cleaned in coin operated or self service dry cleaning machines, such as those made in part or completely of plastic, rubber, leather, paper, fur, angora, urethane.
- 4.4 Each establishment shall post in a conspicuous location, readily visible from the outside of these premises, the telephone number or numbers to be called in the event of an emergency.
- 4.5 Each machine shall be provided with an interlock system to prevent the loading door from being opened during the normal cycle or in the event of a power failure. This system may be either electrical and/or mechanical.
- 4.6 No machine shall be permitted to be operated in a coin operated or self service dry cleaning establishment which in normal operation fails to eliminate all vapors from the cleaned items upon completion of the dry cleaning cycle.
- 4.7 Immediate action shall be taken to eliminate solvent odor in the customer area. Failure to take such action shall be just cause for closing the establishment. Vapors or odors from establishments shall be exhausted in such manner as not to constitute air pollution, as defined by statute (Chapter 212, P.L. 1964).
- 4.8 No person shall use spotting equipment containing flammable material in a coin operated or self service dry cleaning establishment.
- 4.9 Each machine shall be inspected each day it is in operation and kept in good repair by maintenance personnel. A record shall be kept in the maintenance area of all inspections and repairs made.
- 4.10 Solvents shall be kept in closed airtight containers and handled in such manner as to prevent the escape of odors.

SECTION V Inspection

- 5.1 The health authority shall inspect establishments as often as he deems it necessary. The permit holder or his representative shall permit access to any portion of the establishment for the purpose of making such an inspection.

SECTION VI Nuisance

- 6.1 Any coin operated or self service dry cleaning establishment constructed, operated or maintained in violation of the provisions of this Code is hereby declared to be a nuisance and detrimental to public health.