

**AN ORDINANCE AMENDING CHAPTER 5, SECTIONS 8.1, and 8.3 OF THE
REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF WEST ORANGE
(Food Truck Licensing)**

BE IT ORDAINED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF WEST ORANGE, NEW JERSEY that Chapter 5 of the Revised General Ordinances of the Township of West Orange be and are hereby amended as follows:

I. PURPOSE

The purpose of this ordinance is to revise the municipal code section governing licensing for retail food establishments to incorporate licensing provisions for the operation of food trucks within the Township of West Orange.

II. CHAPTER 5, SECTION 8.1 SHALL BE AND HEREBY IS AMENDED AND SUPPLEMENTED TO INCORPORATE THE FOLLOWING:

5-8.1 License Required.

It shall be unlawful for any person or any body to conduct a retail food establishment as defined and governed by Chapter XII 24 of the State Sanitary Code of New Jersey without having first obtained a license from the Department of Health and Welfare or without complying with all of the provisions concerning operation and maintenance of the establishment as contained in the Code.

III. CHAPTER 5, SECTION 8.3 SHALL BE AND HEREBY IS AMENDED AND SUPPLEMENTED TO INCORPORATE THE FOLLOWING:

5-8.3 Fees.

The yearly license fees for retail food establishments shall be as follows:

- a. Bakery, Specialty: seventy-five (\$75.00) dollars.
Bakery, Full Service: one hundred (\$100.00) dollars.
- b. Candy Counters: twenty-five (\$25.00) dollars each counter.
- c. Catering, Off Premises Only: one hundred twenty-five (\$125.00) dollars.
- d. Delicatessen, Grocery, No Seating: fifty (\$50.00) dollars.
Delicatessen, with Seating or Catering: seventy-five (\$75.00) dollars.
- e. Frozen Dessert, No Seating: fifty (\$50.00) dollars.
Frozen Dessert, Seating: seventy-five (\$75.00) dollars.

- f. Health Care Facility, with Bed Capacity up to 40: one hundred twenty-five (\$125.00) dollars.
Health Care Facility, with Bed Capacity over 40: three hundred (\$300.00) dollars.
Health Care Facility Nonprofit: two hundred fifty (\$250.00) dollars.
- g. Itinerant Restaurant, Carnival or Fair with Food: twenty-five (\$25.00) dollars for the first day and additional twenty-five (\$25.00) dollars for each day thereafter up to five (5) additional days.
- h. Meat or Fish Market: seventy-five (\$75.00) dollars.
- i. Mobile Retail Food Establishment – Itinerant Restaurant Only: fifty (\$50.00) for first day and additional twenty-five (\$25.00) dollars for up five (5) additional days.
- j. Mobile Truck, Packaged Goods Only: one hundred twenty-five (\$125.00) dollars.
- kj. Packaged Goods Store: fifty (\$50.00) dollars.
- lk. Plant and Commercial Cafeterias: one hundred twenty-five (\$125.00) dollars.
- ml. Restaurant, Luncheonette, Hotel, Country Club or Banquet House with a Seating Capacity of 0 to 25 persons: seventy-five (\$75.00) dollars.
- nm. Restaurant, Luncheonette, Hotel, Country Club or Banquet House with a Seating Capacity of 26 to 50 Persons: one hundred (\$100.00) dollars.
- on. Restaurant, Luncheonette, Hotel, Country Club or Banquet House with a Seating Capacity of 51 to 100 persons: one hundred seventy-five (\$175.00) dollars.
- po. Restaurant, Luncheonette, Hotel, Country Club or Banquet House with a Seating Capacity of 101 to 200 Persons: two hundred seventy-five (\$275.00) dollars.
- qp. Restaurant, Luncheonette, Hotel, Country Club or Banquet House with a Seating Capacity of Over 200 Persons: four hundred (\$400.00) dollars.
- rq. Schools and Nursery Schools with Food: Profit: seventy-five (\$75.00) dollars. Nonprofit: fifty (\$50.00) dollars.
- sr. Snack Bar: fifty (\$50.00) dollars.
- ts. Supermarket with up to 20,000 square feet: one hundred fifty (\$150.00) dollars.
Supermarket with over 20,000 square feet: two hundred fifty (\$250.00) dollars.
- ut. Tavern or Liquor Store without Food Service: fifty (\$50.00) dollars.

IV. REPEAL OF CONFLICTING ORDINANCES

Any Ordinances of the Township which are in conflict with this Ordinance are hereby repealed to the extent of such conflict.

V. SEVERABILITY

If any part of this Ordinance shall be deemed invalid, such parts shall be severed and the invalidity thereof shall not affect the remaining parts of this Ordinance.

VI. EFFECTIVE DATE

This Ordinance shall take effect upon final passage and publication in accordance with the law.

Victor Cirilo, Council President

Karen J. Carnevale, Municipal Clerk

Robert D. Parisi, Mayor

Introduced: May 3, 2016

Adopted: May 24, 2016

Legislative History

This ordinance is drafted to expand the provisions of the Municipal Code that govern licensing for retail food establishment to incorporate licensing for food trucks operating within the Township.

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