

Borough of Fair Lawn



ORDINANCE NO. 2657-2023

AN ORDINANCE TO AMEND CHAPTER 111, FOOD HANDLING, ARTICLE II, SPECIAL FOOD VENDORS PERMIT OF THE CODE OF THE BOROUGH OF FAIR LAWN 2000

NOW THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Fair Lawn as follows:

SECTION 1. Chapter 111, Food Handling, Article II, Special Food Vendors Permit, is hereby amended and supplemented by inserting the text **underlined and marked in bold** and deleting the text shown in **~~bold strikethrough~~** as follows:

Chapter 111. Food Handling

Article II. ~~Special~~ Temporary Food Vendor's Permit

§111-13 Permit required.

No person shall engage in or be employed within the borough in the business of or service of preparing, selling or processing food or drink or beverage intended for human consumption to be sold at **special temporary** events in the borough without having first obtained a **special temporary** food vendor's permit from the Department of Health and Human Services.

§111-14 Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

SPECIAL TEMPORARY EVENTS

Events ~~sponsored by the Borough of Fair Lawn~~ where food vendors operate at a fixed location for a temporary period of time in connection with **a licensed Fair Lawn food establishment**, fair, carnival, circus, public exhibition, parades, fireworks, **farmers market** or similar transitory gathering whereby food is served, handled or provided to the public with or without charge for the food.

§111-15 Permit application.

Applications for this permit shall include the following:

- A. ~~Name, address and telephone number of applicant as well as reasonable proof of identification.~~ **Name, address, email address, and telephone number of the applicant;**

- B. Name, address, and telephone number of food establishment base of operations;
- C. Copy of a New Jersey Certificate of Authority;
- D. If applicable for vendors serving any open potentially hazardous food; a copy of a current, approved Food Protection Manager Certificate for the person in charge at the event;
- E. If applicable for vendors using mobile food vending vehicles; a copy of the vehicle registration and a copy of the driver's license of the driver at the event;
- F. Date that the **special temporary** food vendor's permit is being used.
- G. ~~General description of goods to be sold.~~ A full copy of the menu of all foods that will be served at the event.

§111-16 Fees.

The fee for the **special temporary** food vendor's permit ~~for each day that it is to be used is as~~ is set forth in § 94-12G(2) of the Borough Code.

§111-17 Date to obtain permit.

The **special temporary** food vendor's permit must be obtained at least (14) fourteen days ~~three days~~ before the event.

§111-18 Display of permit.

Every person holding a permit shall be required to carry the permit with them while engaged in the business licensed. They shall produce the permit at the request of any person solicited, a police officer or other official of the borough. To every person granted a permit, the Department of Health and Human Services shall issue a permit bearing the words "**Special Temporary** Food Vendor's Permit," together with the number of the permit and the date the permit is valid. All automobiles, wagons, carts or other vehicles used for peddling shall have the permit affixed thereon.

SECTION 2: If any section, paragraph, clause, or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to this section, paragraph, clause or provision so adjudged and the remainder of the Ordinance shall be deemed valid and effective.

SECTION 3. All ordinances inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

SECTION 4. This Ordinance shall take effect upon passage and publication according to law.

Introduced: March 21, 2023

	Motion	Second	Aye	Nay	Abstain	Absent
Reinitz		X	X			
Rottenstrich			X			
Cutrone				X		
Krause	X		X			
Peluso			X			

Adopted: April 25, 2023

	Motion	Second	Aye	Nay	Abstain	Absent
Reinitz		X	X			
Rottenstrich			X			
Cutrone			X			
Krause	X		X			
Peluso			X			

Attest:

Approved:

 Nicholas J. Magarelli, RMC
 Municipal Clerk

 Kurt Peluso
 Mayor

I, **Nicholas J. Magarelli**, Municipal Clerk of the Borough of Fair Lawn, do hereby certify that the within Ordinance is a true and exact copy, duly adopted by the Borough Council at their meeting of April 25, 2023.

 Nicholas J. Magarelli, RMC
Municipal Clerk

Date: 4/26/2023

