

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
ORDINANCE NO.: 3144**

AN ORDINANCE TO AMEND CHAPTER 260 (SANITATION) ARTICLE VII (PERMITS, LICENSES AND FEES) OF THE CITY CODE OF THE CITY OF GARFIELD

WHEREAS, N.J.S.A. 40:52-1 allows municipalities to regulate business operations specifically relating to licensing, stating “[t]he governing body may make, amend, repeal and enforce ordinances to license and regulate... lumber and coal yards, stores for the sale of meats, groceries and provisions, dry goods and merchandise, and goods and chattels of every kind, and all other kinds of business conducted in the municipality other than herein mentioned, and the places and premises in or at which the business is conducted and carried on; street stands for the sale or distribution of newspapers, magazines, periodicals, books, and goods and merchandise or other articles”; and

WHEREAS, regulatory fees imposed by a municipal body are limited as they must be reasonable and connected to the regulatory costs the municipality incurs, according to Gilbert v. Town of Irvington 20 N.J. 432 (1956); and

WHEREAS, Gilbert v. Town of Irvington 20 N.J. 432 (1956) held “[a] municipality may not prohibit lawful business, trades or occupations, and [lawful businesses] may not be subjected to suppression by way of regulation. The power to regulate does not embrace the power to prohibit in the guise of a confiscatory tax”; and

WHEREAS, the Health Department requested several updates to the fee table below based on factors particular to each business type and feature; and

WHEREAS, several fees were added to the ordinance in order to make them consistent with the current operations in the Health Department, as regulatory fees on pools, day cares, coffee shops, smoke shops, butcher and meat processing facilities, liquor stores, produce businesses, luncheonettes, and massage spa parlors are already in effect but not reflected in the ordinance; and

WHEREAS, the Mayor and Council of the City Garfield believe it is in the best interest of the City to Amend Chapter 260 (Sanitation), Article VII (Permits, Licenses and Fees) of the City Code to increase the below fees because the regulatory costs are reasonable and generally related to the costs expended by the City;

THEREFORE, BE IT ORDAINED by the Mayor and Council of City of Garfield, County of Bergen, State of New Jersey, Chapter 260 (Sanitation), Article VII (Permits, Licenses and Fees) of the City Code is amended as follows: [additions]/~~deletions~~

§ 260-36 Fees.

The annual fees for permits and licenses required under the provisions of this chapter, amendments and supplements thereto are hereby declared to be as follows:

Type	Fee
Poultry market where poultry is prepared for public sales	\$100
<u>[Pool]</u>	<u>[\$350]</u>
<u>[Additional Pools]</u>	<u>[\$200]</u>
<u>[Day Care (with over 50 children)]</u>	<u>[\$500]</u>
<u>[Day Care (50 or less children)]</u>	<u>[\$200]</u>

[Coffee Shops]	[\$400]
[Smoke Shops]	[\$2000]
[Butcher/Meat Processing]	[\$500]
[Liquor Store]	[\$350]
[Produce]	[\$200]
[Prepackaged]	[\$200]
[Luncheonette]	[\$200]
[Massage Spa Parlor]	[\$200]
Fish market	\$100
Tavern	[\$150] [\$400]
Groceries	[\$100] [\$200]
Milk distributor	\$100
Processing	[\$150] [\$200]
Hot dogs	\$150
Cater[er][ing Kitchen]	\$350
[Catering Venue]	[\$1000]
Vending trucks	\$150
Supermarkets	[\$350] [\$1000]
Itinerant peddler	\$150
Restaurant	[\$250] [\$400]
Ice manufacturing plant	\$250
Vehicle delivering or selling ice cubes or bulk ice	\$150
Junkyards	[\$150] [\$1,250]
Junk trucks	\$100
Barbershop	[\$100] [\$200]
Beauty shop	[\$100] [\$200]
Dog kennels, commercial purposes	\$250
Pet shops	[\$150] [\$300]
Keeping or raising animals for private use, excess of 5 animals	\$100
Lodging rooms	\$100
Coin-operated dry-cleaning establishment	\$150
Garbage, refuse and waste collectors, each vehicle	\$150
Vending machines	\$100
Delicatessen	[\$100] [\$200]
Bakery	[\$200] [\$400]

This Ordinance shall take effect upon final adoption and publication in accordance with Law.

ATTEST: _____

Erin Delaney, MPA, RMC, CMC

City Manager/City Clerk

Introduced: April 28, 2026

Adopted: May 12, 2026

APPROVED: _____

Everett E. Garnto Jr., Mayor

