

**CITY OF HACKENSACK
ORDINANCE NO. 31-2024**

**AN ORDINANCE AMENDING CHAPTER 90 OF THE CODE OF THE
CITY OF HACKENSACK, “FOOD AND DRINK,” SECTION 69 “FIRE
PERMITS REQUIRED FOR CERTAIN OPERATIONS”**

WHEREAS, Chapter 90 of the Code of the City of Hackensack (“City Code”) establishes regulations governing retail food establishments within the City of Hackensack; and,

WHEREAS, the Fire Official wishes to amend the regulations for the fire permit needed for mobile food vendors.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HACKENSACK, as follows:

Section 1:

Chapter 90, Section 69 of the City Code is hereby amended with the underlined addition:

§90-69 Fire permits required for certain operations.

All mobile food vendors shall comply with any requirements established by the Fire Department and as set forth by the New Jersey Uniform Fire Code to ensure that the operations of the mobile food vendor do not present a fire hazard. Any mobile food vendor using any flame in its operations or utilizing a tent or canopy thirty (30) or more feet in length must pay the applicable fee (as established by New Jersey Department of Community Affairs) and obtain a Type I permit at least 5 days prior to the event, issued by the Hackensack Fire Department, Bureau of Fire Prevention before commencing operations. If an inspection is required during non-business hours of the Bureau of Fire Prevention, the mobile food vendor shall pay a \$100.00 surcharge in addition to the applicable fee. The Fire Department is empowered to conduct safety checks of any mobile food vendor to ensure compliance with the New Jersey Uniform Fire Code.

Section 3:

All other provisions of Chapter 90 of the City Code shall remain unchanged.

Section 4:

Repeal of Inconsistent Provisions. All ordinances or parts thereof in conflict or inconsistent with this Ordinance are hereby repealed, but only however, to the extent of such conflict or inconsistency, it being the legislative intent that all ordinances or part of ordinances now existing or in effect unless the same being conflict or inconsistent with any provision of this Ordinance shall remain in effect.

Section 5:

Severability. The provisions of this Ordinance are declared to be severable and if any section, subsection, sentence, clause or phrase thereof for any reason is held to be invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of

the remaining sections, subsections, sentences, clauses and phrases of this Ordinance, but shall remain in effect; it being the legislative intent this Ordinance shall stand notwithstanding the invalidity of any part.

Section 6:

Codification. This Ordinance shall be a part of the Code of the City of Hackensack as though codified and fully set forth therein. The City Clerk shall have this ordinance codified and incorporated in the official copies of the City Code. The City Clerk and the City Attorney are authorized and directed to change any Chapter, Article and/or Section number of the Code of the City of Hackensack in the event that the codification of this Ordinance reveals that there is a conflict between the numbers and the existing City Code, and in order to avoid confusion and possible accidental repealers of existing provisions not intended to be repealed.

Section 7:

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

Introduced: August 12, 2024
Adopted: September 10, 2024

ATTEST:

CITY OF HACKENSACK

By: _____
Deborah Karlsson, City Clerk

By: _____
John P. Labrosse, Jr., Mayor