

Board of Health
ORDINANCE 2024-01

**AN ORDINANCE BY THE TOWNSHIP OF LITTLE
EGG HARBOR BOARD OF HEALTH, COUNTY
OF OCEAN, STATE OF NEW JERSEY,
AMENDING AND SUPPLEMENTING THE
TOWNSHIP CODE SO AS TO AMEND CHAPTER
352, FOOD ESTABLISHMENTS, RETAIL**

NOW, THEREFORE, BE IT ORDAINED, by the Board of Health of the Township of Little Egg Harbor, County of Ocean, State of New Little Egg Harbor, as follows:

SECTION 1. That the Board of Health hereby amends Chapter 352, entitled “Food Establishments, Retail” so as to amend and supplement §352-1, entitled “License required” so as to replace the section as follows:

**§352-1 License required; compliance with
Retail Food Establishment Code**

No retail food establishment may operate or otherwise conduct business in the Township of Little Egg Harbor without having first procured a license to operate from either the County Board of Health or the Township Board of Health. All retail food establishments in the Township must also comply with the N.J.A.C. 8:24-1.1 to -10.2, Retail Food Establishment Code, and any amendments thereto, as and any retail food establishment in violation of the Retail Food Establishment Code shall be declared a nuisance and hazardous to health.

SECTION 2. That the Board of Health hereby amends Chapter 352, entitled “Food Establishments, Retail” so as to amend §352-5, entitled “Conspicuous posting of license” in its entirety as follows:

§352-5 Conspicuous posting of license

Any license issued hereunder shall be posted in a conspicuous place in such establishment.

SECTION 3. That the Board of Health hereby amends Chapter 352, entitled “Food Establishments, Retail” so as to amend §352-6, entitled “Application for yearly or seasonal license; renewal; expiration” so as to amend Subsection A to add the following



98 East Water Street
Toms River, NJ 08753

o: 732.363.0777

f: 732.905.6555

sentence to the end of the Paragraph:

“Failure to comply with the requirements for submitting a certificate of insurance evidencing minimum liability insurance as required under P.L. 2022, c. 92, may subject the owner of a retail food establishment to a summary proceeding pursuant to N.J.S.A. 2A:58-10 et seq. whereby the Township may collect a fine of not less than \$500, but no more than \$5,000, against an owner failing to comply with the law.”

SECTION 4. That the Board of Health hereby amends Chapter 352, entitled “Food Establishments, Retail” so as to omit **§352-7**, entitled “Food Handler’s certificate required” in its entirety and replace it with “Reserved.”

SECTION 5. That the Board of Health hereby amends Chapter 352, entitled “Food Establishments, Retail” so as to omit **§352-8**, entitled “Application of chapter shall not impose burden” in its entirety and replace it with “Reserved.”

SECTION 6. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

SECTION 7. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

SECTION 8. This ordinance shall take effect after second reading and publication as required by law.

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Rothstein, Mandell, Strohm,
Halm & Cipriani, P.A.
ATTORNEYS AT LAW

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Toms River, NJ 08753

o: 732.363.0777

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NOTICE

NOTICE IS HEREBY GIVEN that the foregoing ordinance was introduced and passed by the Little Egg Harbor Township Board of Health on first reading at a meeting of the Board of Health held on the **26th** day of **March, 2024**, and will be considered for second and final passage at a meeting of the Board of Health to be held on the **25th** day of **June, 2024**, at 7:00pm. at the Little Egg Harbor Township Municipal Building at 665 Radio Road, at such time and place any persons desiring to be heard upon the same will be given the opportunity to be so heard.

DONNA SHAY, Secretary
Board of Health
Township of Little Egg Harbor

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