

**TOWNSHIP OF MILLBURN
ORDINANCE NO. 2672-24
AN ORDINANCE TO AMEND AND SUPPLEMENT THE REVISED GENERAL ORDINANCES
OF THE TOWNSHIP OF MILLBURN, CHAPTER BH4 “RETAIL FOOD ESTABLISHMENTS”**

STATEMENT OF PURPOSE: *the purpose of this Ordinance is to make permanent a change to Chapter BH4 “Retail Food Establishments” to establish a re-inspection fee. The New Jersey State Retail Code (N.J.A.C 8:24) requires that the local health authority inspect every retail food establishment as often as it deems necessary. In order to ensure compliance with health and safety standards of the State of New Jersey, this ordinance will establish a re-inspection fee of \$150.00. A new section BH4-2.11 will be established under Chapter BH4 for this purpose. The existing license fees for retail food establishments will remain in effect.*

WHEREAS, the Township Committee of the Township of Millburn wishes to ensure the safety and quality of food establishments to protect public health; and

WHEREAS, the New Jersey State Retail Food Code requires that the local health authority inspect every retail food establishment as often as it deems necessary; and

WHEREAS, periodic inspections of food establishments are necessary to verify compliance with health and safety standards; and

WHEREAS, it is necessary to establish a fee structure for re-inspections to cover the costs of incurred by the Township’s Health Department; and

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Millburn in the County of Essex and State of New Jersey as follows:

Section 1. Article BH4 “Retail Food Establishments”, Subsection BH4-2.8 “Inspections” is hereby amended and supplemented by deleting existing text as per the ~~striketroughs~~ and adding new text as underlined below

Section 2. Article BH4 “Retail Food Establishments”, Subsection BH4-2.11 “Re-inspection Fees for Retail Food Establishments” is hereby added to Article 8 as described with new text as underlined below

Section 3. All other subsection of Article BH4 “Retail Food Establishments” will remain unchanged.

§ BH4-2.8

Inspections and Re-inspections.

The Health Officer or Registered Environmental Health Specialist shall make inspection of food establishments in the Township to determine compliance with the New Jersey State Sanitary Code, Chapter XII Sanitation in Retail Food Establishments and Food and Beverage Vending Machines and shall report thereon. A copy of such inspection shall be posted upon the inside wall of such food establishment by the Health Officer or other representative of the Board of Health at the time of each inspection of such establishment. Such inspection ~~report~~ placard shall not be defaced or removed except by the Health Officer or other representative of the Board.

ADD:

§ BH4-2.11

Re-inspection Fees for Retail Food Establishments

The fee for re-inspection of retail food establishments is hereby fixed at one hundred fifty dollars (150.00). Such fees are in addition to the annual license fee and shall not be considered penalties, but such fees shall be paid to offset the costs and expenses of such reinspection by the Board of Health.

Ordinance 2672-24

Introduced: 4/16/2024

Published: 4/25/2024

Public Hearing/Adopted: 5/21/2024

Published: 5/30/2024

ATTEST:

MILLBURN TOWNSHIP

Christine A. Gatti, Municipal Clerk

By: _____
Annette Romano, Mayor

CERTIFICATION

I, Christine A. Gatti, Clerk of the Township of Millburn, in the County of Essex, State of New Jersey, do hereby certify that the foregoing is a true and correct copy of an Ordinance duly adopted by the Township Committee at a regular meeting held on the 21st day of May, 2024.

Christine A. Gatti, RMC
Municipal Clerk