

CITY OF PASSAIC
ORDINANCE NO. 2454-24

ORDINANCE AMENDING CHAPTER 149, ARTICLE X OF THE CODE OF THE CITY OF PASSAIC, ENTITLED "FOOD ESTABLISHMENTS" TO PROVIDE FOR THE TOWING OF UNLICENSED MOBILE FOOD ESTABLISHMENTS

WHEREAS, the City of Passaic requires all mobile food establishments operating within the City to obtain a valid license from the Division of Health; and

WHEREAS, the Mayor and City Council find that the operation of unlicensed mobile food establishments poses a threat to public health and safety; and

WHEREAS, the Mayor and City Council seek to require the towing of unlicensed mobile food establishments;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Passaic, in the County of Passaic, and State of New Jersey, as follows:

Section 45, Chapter 149, Article X of the Code of the City of Passaic, entitled "Violations and Penalties", is hereby amended as follows:

SECTION 1

§ 149-45.

A. The general penalty provisions of the Code of the City of Passaic shall govern violations of this chapter.

B. Towing unlicensed Mobile Food Establishments.

1. Any mobile food establishment found to be operating within the City of Passaic without a valid mobile food establishment license issued by the Division of Health shall be subject to towing and impoundment.
2. The City of Passaic Police Department and/or other authorized municipal officials shall have the authority to have any mobile food establishment found in violation of § 149-12(A) of this Article towed and impounded.
3. The owner of the towed vehicle shall be responsible for all towing and storage fees, as well as any unpaid fines or penalties related to the unlicensed operation of the mobile food establishment.
4. If a towed vehicle remains unclaimed for more than 30 days, it may be deemed abandoned and disposed of in accordance with state law and municipal ordinances regarding abandoned vehicles.

SECTION 2. All ordinances or parts of ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

SECTION 3. If any section, subsection, paragraph, sentence, clause, or phrase of this Ordinance shall be declared invalid for any reason whatsoever, such decision shall not affect the remaining portions of this Ordinance, which shall continue in full force and effect, and to this end the provisions of this Ordinance are hereby declared to be severable.

SECTION 4. This ordinance shall take effect upon final passage and publication as provided by law.

INTRODUCED BY COUNCILPERSON: Terrence Love

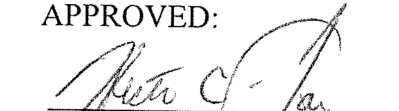
SECONDED BY COUNCILPERSON: Thania Melo

Record of Council Vote on Final Passage	Aye	Nay	Abstain	Absent
COLON-MONTANEZ, M.	X			
GARCIA, J.	X			
MELO, T.	X			
LOVE, T.	X			
MUNK, C.	X			
SCHAER, G.	X			
SCHWARTZ, D.	X			

Adoption of first reading at a meeting of the Council of the City of Passaic, NJ on June 18, 2024

Adopted on the second and final reading after the hearing on July 16, 2024.


APPROVED:




 Hector C. Lora, Mayor

7/18/2024

 Date



 Gary S. Schaer, Council President



 Weatherly Frias, City Clerk