

ORDINANCE 12 - 2021

**AN ORDINANCE OF THE BOROUGH OF MOUNT ARLINGTON,
IN THE COUNTY OF MORRIS, STATE OF NEW JERSEY, AUTHORIZING
ADOPTION OF REVISED CHAPTER 191, FOOD HANDLING FEES**

WHEREAS, the Borough wishes to adopt the revised Chapter 191 Food Handling Code, as recommended by the Board of Health, to address the Food Handler's License Fees, a copy of which is attached hereto as **Exhibit A**, and which, upon adoption, shall replace Borough Code Chapter 191 in its entirety.

NOW THEREFORE, BE IT ORDAINED by the Borough Council of the Borough of Mount Arlington, in the County of Morris, New Jersey, as follows:

1. The aforementioned Recitals hereof are incorporated herein as though set forth at length herein.
2. The revised Chapter 191 Food Handling Code, as filed in the Office of the Borough Clerk and attached hereto as **Exhibit A**, is hereby approved and adopted, and shall replace Borough Code Chapter 191 in its entirety.
3. If any part of this Ordinance shall be deemed invalid, such parts shall be severed and the invalidity thereby shall not affect the remaining parts of this Ordinance.
4. A copy of this Ordinance and the Borough Code Chapter 191, Food Handling, shall be available for public inspection at the office of the Borough Clerk during regular business hours.
5. This Ordinance shall take effect as provided by law.


I HEREBY CERTIFY this to be a true and correct Ordinance of the Mayor and Borough Council of the Borough of Mount Arlington, introduced on October 5, 2021 and will be further considered after a Public Hearing held on November 9, 2021 at the Municipal Building at 7:00 p.m.

INTRODUCED: October 5, 2021

ADOPTED: November 9, 2021

ATTEST:

BOROUGH OF MOUNT ARLINGTON
COUNTY OF MORRIS
STATE OF NEW JERSEY



Matthew N. Bansch
Borough Clerk



Michael Stanzilis, Mayor
Borough of Mount Arlington

Exhibit A

Chapter 191

FOOD HANDLING

§ 191-1. Food handler's license.

No person shall be permitted to serve food and drink to the public without first obtaining a food handlers' license. No food handlers' license will be issued until the Board of Health or its designee has inspected the food handlers' establishment or mobile unit and has approved its operation as being in compliance with the provisions of state regulations, at N.J.A.C. 8:24, Sanitation Retail Food Establishments and Food and Vending Machines, and the ordinances of the Board of Health of the Borough of Mount Arlington. A license may be revoked for failure of a licensee to comply with the provisions of the state regulations or any ordinance of the Board of Health of the Borough of Mount Arlington.

§ 191-2. License fees.

The annual fees for food handlers' licenses issued by the Board of Health shall be as follows:

- A. All establishments: \$150.
- B. Mobile units: \$100.
- C. Temporary food vendors: \$50.

(1) Temporary food vendor licenses shall not exceed three (3) consecutive days.

§ 191-3. Adoption of state standards by reference; supplemental regulations; title.

A code regulating retail food establishments and fixing penalties for violations is hereby established pursuant to N.J.S.A. 26:3-69 to 26:3-69.6. A copy of said code is annexed hereto and made a part hereof without inclusion of the text thereof herein. Said code established and adopted by this chapter is described and commonly known as "Chapter 24, Sanitation Retail Food Establishment and Food and Beverage Vending Machines."

§ 191-4. Copies on file.

Three copies of Chapter 24, Sanitation to Retail Food Establishment and Food and Beverage Vending Machines, have been placed on file in the office of the Municipal Clerk for the Borough of Mount Arlington upon the introduction of this chapter and will remain on file there, until final action is taken on this chapter, for use and examination by the public.

§ 191-5. Violations and penalties.

Any person who violates any provision of or order promulgated under this chapter or code established herein shall, upon conviction thereof, be liable to a penalty of not less than \$250 nor more than \$500 for each violation. Each day a particular violation continues shall constitute a separate offense.