

BOARD OF HEALTH
CITY OF ENGLEWOOD
ORDINANCE NO. 15-08

An ordinance to amend Chapter 13 of the Health Code of the City of Englewood, entitled "Retail Food Service Establishments", to establish fees and inspection requirements for Temporary Retail Food Establishments.

Whereas there are certain events and commercial premises that permit temporary food vendors to sell their food products to the public, and,

Whereas there is a need to establish fees, rules and regulations to ensure that temporary food vendors are properly regulated and inspected,

Now therefore be it ordained by the Board of Health of the City of Englewood as follows:

Section 1.

Chapter 13 of the Health Code of the City of Englewood is hereby amended to add Article 6, "Temporary Retail Food Establishments," as follows:

Article 6. TEMPORARY RETAIL FOOD ESTABLISHMENTS

13-17. Definitions.

(a) Temporary Retail Food Establishment

A temporary retail food establishment means a retail food establishment that operates for a period of no more than ten (10) consecutive days in conjunction with a single event or celebration. Fairs, festivals, cookouts or similar celebrations, as well other events sponsored by organizations, serving food and open to the public, are all examples of temporary events.

(b) Public Event

A public event requires an inspection regardless if food is sold or given away for free. Private events do not require an inspection.

(c) Retail Food Vendor

A retail food vendor sells or offers free food to the public. An application must be submitted at least (3) days before the event start date.

(d) Special Event Coordinator

A special event coordinator recruits five (5) or more retail food vendors for a temporary

event and is responsible for submitting a retail food vendor list to the Department of Health at least twenty (20) days prior to the event. The Department of Health shall pre-screen the application(s) for potential issues or deficiencies. The Event Coordinator is responsible for ensuring all the paperwork and applications have been submitted to the Department of Health at least ten (10) days before the event date.

13-18. Application.

An application for a temporary event license must be made at the Department of Health and the statutory fee paid in advance of the projected event date. No additional fee will be required for retail food establishments that have a current (annual) Retail Food License. However, submission of the temporary event application is still required for a temporary event license and inspection.

13-19. Fees.

(a) Fee Schedule

| | |
|-------------------------------|------------------------------|
| Farmers Market/Seasonal Event | \$50.00 (season) |
| Up to 3 consecutive days | \$75.00 |
| Up to 10 consecutive days | \$125.00 |
| Set-up Deposit | \$60.00 (for all applicants) |
| Late Application Fee | \$25.00 |

(b) A set-up deposit fee will apply to all temporary event licenses to ensure that the food vendor is set up to vend two (2) hours prior to the event start time and provided the vendor is not in violation of any Health Code regulations during the term of the temporary licensed event. The set up deposit fee will be returned within 48 hours after the close of the event and only if the food vendor was set up on time and was in compliance with health code regulations.

(c) A late application fee shall apply, in addition to the temporary license fee, if the application is received by the Department of Health less than three (3) business days prior to the event start date.

13-20. Inspection.

(a) Opening day requirements

- (1) Retail food vendors must be set up to vend at least two (2) hours before the event start time.
- (2) Retail food vendors without a Temporary Event License will be required to leave the event area. Inspectors will not accept applications on the day of the event.
- (3) Retail food vendors who lack required equipment, who attempt to vend unsafe foods, who vend a menu they were not pre-approved for, or vend foods from an unapproved source shall be required to leave the event area.

(b) Approval (or denial) will be given after a Health Department inspection is made on the first day of the event. Approved licenses must be posted in a conspicuous place on the vendor's equipment. No food service operation shall take place until an approval is granted by the Englewood Health Department.

Section 2. Each section of this ordinance and every subsection hereof shall be deemed independent, separate and distinct from all other sections, and the holding of any section or part hereof to be unconstitutional, void or ineffective for any cause shall not be deemed to affect the validity or constitutionality of any other section or part hereof.

Section 3. All ordinances, codes, or parts thereof that are inconsistent with this ordinance are repealed or otherwise modified.

Section 4. This ordinance shall take effect upon passage and publication according to law.

James M. Fedorko
Secretary to the Board

Introduced: October 14, 2015

Published: October 19, 2015

Adopted: November 10, 2015

Published: November 17, 2015

NOTICE

Notice is hereby given that the following Ordinance was introduced at a meeting of the Board of Health of the City of Englewood, Bergen County, New Jersey, conducted on October 14, 2015 and will be further considered for final passage and adoption at a meeting of said Board to take place on November 10, 2015 at 8:00 p.m. or as soon thereafter as the matter can be heard at the Englewood Department of Health, 73 South Van Brunt Street, Englewood, New Jersey, at which time any interested party may comment thereon.

BOARD OF HEALTH CITY OF ENGLEWOOD ORDINANCE NO. 15-08

An Ordinance to amend Chapter 13, "Retail Food Service Establishments", of the Health Code of the City of Englewood, New Jersey to establish regulations relating to Temporary Retail Food Licenses.

I hereby certify that the foregoing is a true copy of the Title of an Ordinance introduced by the Board of Health of the City of Englewood, Bergen County, New Jersey on October 14, 2015.

Attest:

James M. Fedorko

Secretary to the Board

NOTICE OF ADOPTION

Notice is hereby given that the following Ordinance was adopted at a meeting of the Board of Health of the City of Englewood, Bergen County, New Jersey, on November 10, 2015 in the Englewood Department of Health, 73 S. Van Brunt Street, at which time an opportunity for public comment on the matter was provided.

**BOARD OF HEALTH
CITY OF ENGLEWOOD
ORDINANCE NO. 15-08**

An Ordinance to amend Chapter 13, "Retail Food Service Establishments", of the Health Code of the City of Englewood, New Jersey to establish regulations relating to Temporary Retail Food Licenses .

I hereby certify that the foregoing is a true copy of the Title of an Ordinance adopted by the Board of Health of the City of Englewood, Bergen County, New Jersey on November 10, 2015.

Attest:

James M. Fedorko

Secretary to the Board