

**TOWNSHIP OF MILLBURN
ORDINANCE NO. 2506-18
AN ORDINANCE OF THE TOWNSHIP OF MILLBURN, COUNTY OF ESSEX,
STATE OF NEW JERSEY,
ESTABLISHING A TEMPORARY FOOD LICENSE FEE FOR FOOD VENDORS AT
TEMPORARY EVENTS WITHIN THE TOWNSHIP**

Statement of Purpose: The purpose of this ordinance is to establish a temporary food license fee for food vendors participating in temporary events within the Township. The license fee is to apply to Farmers' Market vendors as well; only one license fee will be required from Farmers' Market vendors per year.

WHEREAS, The Township of Millburn, for the health and safety of its residents, wishes to inspect food vendors operating at temporary events held within the Township's borders; and

WHEREAS, the Township Health Officer has recommended the inclusion of a temporary food license fee for vendors wishing to participate in any temporary event within the Millburn Township Board of Health Code; and

WHEREAS, the Township wishes to establish such a fee requirement.

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

SECTION 1. The Millburn Township Board of Health Code is hereby amended by the addition of a new Section BH:4-2.10 entitled "Temporary Food License Fee for Food Vendors at Temporary Events" as follows:

All food vendors or food retailers wishing to sell or give away food at a Temporary Event within the Township of Millburn must obtain a license from the Board of Health and pay a fifty-dollar (\$50) Temporary Event license fee, unless the food vendor or food retailer is a licensed Retail Food Establishment of the Township of Millburn.

Defined. For the purposes of this section Temporary Event shall mean a singular event or celebration lasting no more than five (5) consecutive days, or no more than five (5) intermittent days during a calendar year. For licensing purposes however, a Farmers' Market shall be considered a Temporary Event.

Defined. For the purposes of this section Farmers' Market shall mean an established area where several farmers/growers gather on a regular, recurring basis to sell a variety of fresh fruits and vegetables as well as other farm products directly to the consumer.

SECTION 2. 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 3. This ordinance shall take effect after final passage and publication as provided by law.

ATTEST:

MILLBURN TOWNSHIP

Christine A. Gatti, RMC
Township Clerk

By: _____
Cheryl H. Burstein, Mayor

Introduced: June 19, 2018
Published: June 28, 2018
Public Hearing/Adopted: 7/17/2018
Published: 7/26/2018

CERTIFICATION

I, CHRISTINE A. GATTI, Clerk of the Township of Millburn, in the County of Essex, New Jersey, do hereby certify that the foregoing is a true and correct copy of an ordinance duly adopted by the Township Committee of said Township at a regular meeting held on the 17th day of July, 2018.

IN WITNESS WHEREOF I have hereunto set my hand and affixed the seal of said Township this _____ day of _____, 2018.

Christine A. Gatti, RMC
Township Clerk