

BOROUGH OF FANWOOD

BOARD OF HEALTH

ORDINANCE 2022-09-02

**AN ORDINANCE AMENDING CHAPTER 354, SANITARY REGULATIONS, ARTICLE V, FOOD AND DRINK,
SECTION 354-13C, LICENSING; FEES**

**BE IT ORDAINED BY THE BOARD OF HEALTH OF THE BOROUGH OF FANWOOD, COUNTY OF
UNION AND STATE OF NEW JERSEY AS FOLLOWS:**

Section 1. Chapter 354, Sanitary Regulations, Article V, Food and Drink, Section 354-13C, Licensing; Fees, of the Code of the Borough of Fanwood, County of Union, State of New Jersey (the "Borough Code") is hereby amended as follows:

C. There is hereby established a fee for reinspection of any retail food establishment receiving a posting of conditional satisfactory or unsatisfactory in the amount of \$200 (first conditional or unsatisfactory posting); \$500 (second conditional or unsatisfactory within 12 months); and written notification that an additional Conditionally Satisfactory or Unsatisfactory within the 12 month period would result in a two day suspension of the food license. If during the 12 month period a third rating of Conditionally Satisfactory or Unsatisfactory is issued then a two day suspension of the retail food license immediately after the rating is given.; and a four day suspension of the retail food license immediately after the fourth conditional or unsatisfactory within 12 months. This is in recognition of the fact that repeated conditionally satisfactory, and unsatisfactory ratings represent a hazard to the public health and repeat inspections are costly. The repeat inspections and cost reimbursement fees shall not in any way preclude, preempt, interfere with or be a substitute for legal action in the courts or before the Board of Health to assure correction of the violations. Such fees are in addition to the annual license fee and shall not be considered penalties, but such fees shall be charged and shall be paid to offset the costs and expenses of such reinspection by the Board of Health.

Section 2. All other provisions of Chapter 354 shall remain in full force and effect.

Section 3. This Ordinance shall take effect as provided by law.

Margaret Lewis, President

Colleen M. Huehn, Secretary

Introduced: October 6, 2022

Adopted: December 1, 2022