

ORDINANCE #2023-27

ORDINANCE OF THE TOWNSHIP OF MANSFIELD, COUNTY OF WARREN, STATE OF NEW JERSEY REPEALING ORDINANCE #2023-18, AN ORDINANCE PERMITTING THE LICENSING OF FOOD TRUCKS WITHIN THE TOWNSHIP AND ESTABLISHING A TEMPORARY FOOD LICENSE FOR MOBILE FOOD TRUCKS WITHIN THE TOWNSHIP

STATEMENT OF PURPOSE

The purpose of this Ordinance is to repeal Ordinance #2023-18 and to establish a temporary food license fee and requirements for mobile food trucks within the Township.

WHEREAS, the Township of Mansfield adopted Ordinance #2023-18, an Ordinance of the Township of Mansfield permitting the licensing of food trucks within the Township on July 26, 2023, and

WHEREAS, the aforementioned Ordinance lacked certain requiring factors and the Township has deemed it is in the best interest of the Township to repeal such Ordinance and establish a temporary food license for mobile food trucks within the Township; and

WHEREAS, the Township of Mansfield, for the health and safety of its residents, wishes to regulate and license food trucks operating at temporary events within the Township's borders; and

WHEREAS, the Township has determined the inclusion of a temporary food license for food trucks wishing to participate in any temporary single event within the Township; and

WHEREAS, the Township wishes to establish a fee and license requirements for such temporary food license for food trucks.

NOW, THEREFORE BE IT ORDAINED, by the Township Committee of the Township of Mansfield, County of Warren, State of New Jersey that the Township Ordinance shall include:

SECTION 1

Purpose:

The Township Committee do hereby deem it necessary for the full protection of the health and safety of the Township that the licensing of mobile food vendors and/or vehicles be restricted in the Township of Mansfield.

SECTION 2

Definitions

As used in this chapter, the following terms shall have the meanings indicated:

Mobile Food Vendor

Any automobile, truck or motor-powered vehicle engaged in the business of selling cooked or prepared food to persons.

Mobile Food Vendor Licensee

Any license issued under this chapter for either a mobile food truck or a vehicular vehicle.

Temporary Event shall mean a singular event or celebration lasting no more than two (2) consecutive days.

Vehicular Vehicles

Any and all other types of vehicles engaged in the selling of cooked or prepared foods.

SECTION 3

License Required

No mobile food vendor or other vehicle engaged in the business of selling cooked or prepared foods in the Township

shall operate within the Township without first having obtained a temporary food license. Such temporary food license shall be issued by the Township Clerk for a temporary single event in which they are seeking a temporary food license. Each temporary food license is valid for a single event only in which it was issued unless sooner revoked by the Township Committee and shall be good as to only one vehicle. The license fee shall be set at twenty-five dollars (\$25.00) for each temporary food license application.

SECTION 4

Form of Application

All applications for the issuance of a license shall be made to the Township Clerk on the official forms designed to elicit information regarding the vehicle to be so used and the identification, responsibility, and law-abiding habits of the owner of the vehicle.

SECTION 5

Application Verified; Insurance

Each applicant for a license shall supply the information requested on the application in full and verify its correctness and file the completed application with the Office of the Township Clerk together with the full amount of the fees as hereinafter set forth. In addition, the applicant shall submit a drawing of the proposed location(s) of the food truck; a signed letter of approval by the current property owner; the applicant shall be fingerprinted by a Township approved facility; the applicant shall exhibit public liability insurance to the Township Clerk covering the vehicle to be licensed and for the term of the license applied for; the applicant shall submit proof of approvals and/or inspections from the Warren County Board of Health and the Township Fire Official.

SECTION 6

License Fee

The application fee for a temporary food license issued, shall be under the charge and control of the applicant applying therefore, and the applicant shall be responsible for the operation of the licensed vehicle. The application fee for each temporary food license shall be set at twenty-five dollars (\$25.00).

SECTION 7

Regulations Covering Parking

- A. No person shall stop, stand or park for the purpose of selling cooked or prepared foods in a public place or prohibited area within the Township unless authorized by the Township for a special or seasonal event. Mobile food truck operators shall provide written consent of the property owner/s submitted at the time of the application.
- B. The licensee shall see to it that all premises used by the vehicle shall be left in a clean and orderly state and that no waste or garbage from its operation be deposited or left remaining on any property or street located within the Township.

SECTION 8

Revocation of License

The Township Committee, or its designee, in its discretion, may refuse to issue or renew, or, after notice and hearing, may revoke or suspend any license if the applicant has been convicted of a crime in this or any other jurisdiction, or convicted of being a disorderly person or of a violation of Title 39, Motor Vehicles and Traffic Regulations of the Revised Statutes of New Jersey, or who has been dishonorably discharged from the Armed Forces of the United States of America, or who violates provision of this Chapter, or who has any judgement unsatisfied against him arising out of an automobile accident, or who is an alien citizen of any nation between whom and the United States of America a state of war exists, or who has made false answers in the application for such license, or who has not fully complied with all the requirements of this chapter, or if the vehicle licensed or to be licensed by any reason of unsafe or unsanitary conditions is dangerous to the health and safety of the people, or if the policy of insurance required to be exhibited under the terms of this chapter is not in full effect and force during the licensed period, or the applicant has failed to comply with any and all other laws of this Municipality, County or State.

SECTION 9

Display of License

Each vehicle licensed under the terms of this chapter shall have displayed the license issued in a conspicuous place fully visible to the public.

SECTION 10

Approval by Township Committee

Upon approval by the Township Committee by resolution, the Township Clerk shall issue and sign the license in the official form.

SECTION 11

Prohibited Areas:

Mobile food vendors are prohibited in all commercial and retail zones.

SEVERABILITY:

If any section, paragraph or provision of this Ordinance is declared to be invalid by a court of competent jurisdiction, such finding shall not affect the remaining provisions hereof which shall remain in full force and effect.

REPEALER:

All ordinances inconsistent with the provisions of this Ordinance are repealed to the extent of such inconsistency.

EFFECTIVE DATE:

This Ordinance shall take effect upon final passage and publication as provided by law.

ATTEST:

Wendy Barras
Wendy Barras
Township Municipal Clerk

Joseph Watters
Joseph Watters
Mayor

INTRODUCED/PASSED ON FIRST READING:

Roll Call Vote

Introduced	Seconded	Committee Member	Yes	No	Abstain	Absent
		Mr. Farino	✓			
		Mr. Hayes				✓
✓	✓	Mr. McGuinness	✓			
		Mrs. Mora Dillon	✓			
		Mayor Watters	✓			

PUBLISHED:

ADOPTED:

Roll Call Vote

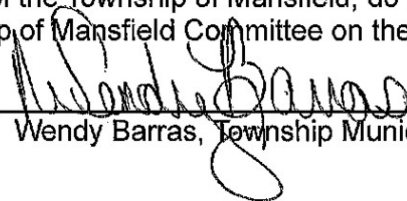
Introduced	Seconded	Committee Member	Yes	No	Abstain	Absent
✓		Mr. Farino	✓			
		Mr. Hayes	✓			
		Mr. McGuinness	✓			
	✓	Mrs. Mora Dillon	✓			
		Mayor Watters	✓			

NOTICE

NOTICE IS HEREBY GIVEN that the foregoing Ordinance was introduced to pass on the first reading meeting of the Township Committee of the Township of Mansfield held on November 21 , 2023 and ordered published in accordance with the law. Said Ordinance will be considered for final reading and adoption at a regular meeting of the Township Committee to be held on December 13, 2023, at 7:30 p.m. or as soon thereafter as the Township Committee may hear this Ordinance at the Municipal Building, Mansfield Township, 100 Port Murray Road, Port Murray, New Jersey at which time all persons interested may appear for or against the passage of said Ordinance.

CERTIFICATION

I, Wendy Barras, Township Municipal Clerk of the Township of Mansfield, do hereby certify that the foregoing Ordinance was duly adopted by the Township of Mansfield Committee on the 13th of December, 2023



Wendy Barras, Township Municipal Clerk