

**AN ORDINANCE AMENDING CHAPTER 5, SECTION 8.3 OF THE REVISED
GENERAL ORDINANCES OF THE TOWNSHIP OF WEST ORANGE
(RETAIL FOOD ESTABLISHMENTS-FEES)**

BE IT ORDAINED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF WEST ORANGE, NEW JERSEY that Chapter 5, Section 8.3 of the Revised General Ordinances of the Township of West Orange be and are hereby amended as follows:

I. PURPOSE

The purpose of this ordinance is to modify the fines set forth in Chapter 5, Section 8.3 of the Revised General Ordinances of the Township of West Orange to be amendable by Resolution such that it is amendable in the future by approval of the Township Council, a necessity in an everchanging socioeconomic climate.

II. CHAPTER 5, SECTION 8.3 SHALL BE AND HEREBY IS AMENDED AND SUPPLEMENTED TO INCORPORATE THE FOLLOWING:

§5-8.3 BE AND HEREBY AMENDED AS FOLLOWS:

- The portion entitled “Fees” which specifies the yearly fee to be paid in accordance with retail food establishments located within the Township of West Orange shall be repealed and replaced by the following language:

The yearly license fees for retail food establishments shall be ~~as follows: prescribed by Resolution and shall vary depending on the type of retail food establishment that seeks a permit.~~

~~a. Bakery, Specialty: \$75. Bakery, Full Service: \$100.~~

~~b. Candy Counters: \$25 each counter.~~

~~c. Catering, Off Premises Only: \$125.~~

~~d. Delicatessen, Grocery, No Seating: \$50. Delicatessen, with Seating or Catering: \$75.~~

~~e. Frozen Dessert, No Seating: \$50. Frozen Dessert, Seating: \$75.~~

~~f. Health Care Facility, with Bed Capacity up to 40: \$125. Health Care Facility, with Bed Capacity over 40: \$300. Health Care Facility Nonprofit: \$250.~~

~~g. Itinerant Restaurant, Carnival or Fair with Food: \$50 for the first day and additional \$25 for up to five additional days.~~

~~h. Meat or Fish Market: \$75.~~

~~i. Mobile Retail Food Establishment—Itinerant Restaurant Only: \$50 for first day and additional \$25 for up five additional days.~~

~~j. Mobile Truck, Packaged Goods Only: \$125.~~

~~k. Packaged Goods Store: \$50.~~

~~l. Plant and Commercial Cafeterias: \$125.~~

~~m. Restaurant, Luncheonette, Hotel, Country Club or Banquet House with a Seating Capacity of zero to 25 persons: \$75.~~

- ~~n. Restaurant, Luncheonette, Hotel, Country Club or Banquet House with a Seating Capacity of 26 to 50 Persons: \$100.~~
- ~~o. Restaurant, Luncheonette, Hotel, Country Club or Banquet House with a Seating Capacity of 51 to 100 persons: \$175.~~
- ~~p. Restaurant, Luncheonette, Hotel, Country Club or Banquet House with a Seating Capacity of 101 to 200 Persons: \$275.~~
- ~~q. Restaurant, Luncheonette, Hotel, Country Club or Banquet House with a Seating Capacity of Over 200 Persons: \$400.~~
- ~~r. Schools and Nursery Schools with Food: Profit: \$75. Nonprofit: \$50.~~
- ~~s. Snack Bar: \$50.~~
- ~~t. Supermarket with up to 20,000 square feet: \$150. Supermarket with over 20,000 square feet: \$250.~~
- ~~u. Tavern or Liquor Store without Food Service: \$50.~~

III. REPEAL OF CONFLICTING ORDINANCES

Any Ordinances of the Township which are in conflict with this Ordinance are hereby repealed to the extent of such conflict.

IV. SEVERABILITY

If any part of this Ordinance shall be deemed invalid, such parts shall be severed and the invalidity thereof shall not affect the remaining parts of this Ordinance.

V. EFFECTIVE DATE

This Ordinance shall take effect upon final passage and publication in accordance with the law.

SUSAN MCCARTNEY, MAYOR

TAMMY WILLIAMS,
COUNCIL PRESIDENT

KAREN J. CARNEVALE, R.M.C.
MUNICIPAL CLERK

INTRODUCED: May 2, 2023

ADOPTED: May 16, 2023

Legislative History

2753-23

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The purpose of this ordinance is to modify the fines set forth in Chapter 5 of the Revised General Ordinances of the Township of West Orange to be subject to adjustment by Resolution.