

Chapter 101

RETAIL FOOD ESTABLISHMENT CODE

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[HISTORY: Adopted by the Board of Health of the City of Gloucester City 8-19-1968. Amendments noted where applicable.]

GENERAL REFERENCES

Board of Health — See Ch. 4, Administrative Code, Article VIII.
Alcoholic beverages — See Ch. 15.
Coin-controlled devices — See Ch. 36.
Garbage collection — See Ch. 50.
Licenses, permits and certificates — See Ch. 59.
Sewer connections — See Ch. 71.
Water — See Ch. 90.
Zoning — See Ch. 93.
Public Health Nuisance Code — See Ch. 99.

§ 101-1. Code adopted.

A code regulating retail food establishments and fixing penalties for violations is hereby established pursuant to N.J.S.A. 26:3-69.1 to 26:3-69.6. A copy of said code is annexed hereto and made a part hereof without the inclusion of the text thereof herein.

§ 101-1.1. License requirements; fees. [Added 2-1-1996 by Ord. No. 5-1996]

- A. It shall be unlawful for any person, firm, corporation or other business entity to conduct a retail food establishment as defined in and covered by this code without first having procured a license or renewal of an existing certificate, permit or license from the City Department of Health. The license shall be posted in a conspicuous place within the retail food establishment.
- B. All licenses issued or approved pursuant to this ordinance shall expire on the first day of March of the year following the date of issuance.
- C. The application fee schedule established for each location or vehicle or single specified occasion is \$15.00.
- D. All applicants seeking licensure shall supply a completed application form along with the application fee to the office of the City Clerk no later than February 15 of each year. No license shall be issued to any establishment or entity not having completed the appropriate application form or not providing the application fee.
- E. Any applicant for licensure who does not provide the completed application form or the application fee by March 15 of the year for which the license is sought shall be assessed a late fee in the amount of \$5.

§ 101-2. Title.

The code established and adopted by this ordinance is commonly known as the "Retail Food Establishment Code of New Jersey (1965)."

§ 101-3. Copies on file.

Three copies of the Retail Food Establishment Code of New Jersey (1965) have been placed on file in the office of the Secretary of this local Board of Health upon the introduction of

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this ordinance and will remain on file there until final action is taken on this ordinance for the use and examination of the public.

§ 101-4. Violations and penalties. [Amended 2-1-1996 by Ord. No. 5-1996]

Any person, firm or corporation who or which shall violate any of the provisions of or orders promulgated under this ordinance or code established herein shall, upon conviction, be punished by a fine not to exceed \$1,000 or by imprisonment in the county jail for a period not exceeding 90 days or a period of community service not exceeding 90 days, or by both such fine and imprisonment, and each violation of any of the provisions of this ordinance and each day the same is violated shall be deemed and taken to be a separate and distinct offense.

§ 101-5. Repealer.

All ordinances, codes or parts of the same inconsistent with any of the provisions of this ordinance and the code established hereunder are hereby repealed to the extent of such inconsistency.

§ 101-6. Severability.

In the event that any section, sentence or clause of this ordinance or code shall be declared unconstitutional by a court of competent jurisdiction, such declaration shall not in any manner prejudice the enforcement of the remaining provisions.

§ 101-7. When effective.

This ordinance and the code herein established shall take effect 30 days after first publication.