

**BOROUGH OF RARITAN
BOARD OF HEALTH**

ORDINANCE NO. BH: 2015-01

AN ORDINANCE OF THE BOARD OF HEALTH OF THE BOROUGH OF RARITAN, COUNTY OF SOMERSET, STATE OF NEW JERSEY, DELETING AND REPLACING CHAPTER 180 “FOOD ESTABLISHMENTS” OF THE CODE OF THE BOROUGH OF RARITAN AND ESTABLISHING A FEE SCHEDULE FOR HEALTH DEPARTMENT SERVICES

BE IT ORDAINED by the Board of Health of Raritan Borough, County of Somerset and State of New Jersey that Chapter 180 “ Food Establishments” of the Code of the Borough of Raritan is hereby deleted in its entirety and in its place and stead be replaced with the following:

SECTION I.

§180-1. Food Establishments Required compliance

All retail food establishments operating within the Borough of Raritan shall operate in compliance with Title 24, Chapter XII, of the New Jersey State Sanitary Code and all other applicable State and Local codes.

§180-2. Physical Examinations

Any employee, manager or managing proprietor of a retail food establishment may be required by the Board of Health or its authorized representative to submit to a physical examination by a physician duly licensed to practice medicine in the State of New Jersey, for the purpose of ascertaining whether he or she is affected by any communicable disease or other condition which may pose a threat to the health of the patrons or other employees of the establishments, whenever, in the judgment of the enforcing official, such examination may be necessary.

§180-3. Licenses and Permits

- A. No person or organization shall operate a retail food-handling establishment unless a retail food license shall have been issued by the Board of Health. Such license shall be posted in a conspicuous place near the public entrance of the establishment.

- B. All applications for retail food establishment licenses shall be made, in writing, by the applicant on a form to be approved by the Board of Health. An application for a new retail food establishment may be made at any

time of the year. In the event that the license is not granted, all fees submitted will be retained by the Board of Health.

- C. Retail food license issued pursuant to the provisions of this chapter shall expire annually on the 31st day of August. Applications for renewal of an existing license shall be on the same approved form as for the original application for a new license and shall be submitted to the Board of Health office on or before the 31st day of August of each year.
- D. No person or organization shall operate or conduct a temporary retail food sale unless a temporary food sale permit shall have been issued by the Board of Health.
- E. All applications for temporary food sales shall be made on a form approved by the Board of Health. The temporary permit shall only be valid for the time period specified thereon. The application shall be completely filled out and returned with the appropriate fee to the Board of Health at least seven working days prior to the sale date.

§180-4. Fee Schedule

The following fees shall be paid before service is rendered.

A. Food and Drink Licenses

- | | |
|--|--------------------|
| 1. Retail food establishment (annual fee): | \$150.00 |
| 2. Employees:
employee | \$ 2.00/per |
| 3. Reinspection following a conditional
Or unsatisfactory rating: | \$100.00 |
| 4. Food establishment late fee (after October 1) | \$100.00 |
| 5. Plans reviewed for a new food establishment | \$ 50.00 |
| 6. Plans reviewed for an alteration to an existing
food establishment: | \$ 50.00 |
| 7. Vending machines permit: Limited Service:
permit/unit | \$ 20.00 + \$ 5.00 |
| Full Service License
permit/unit | \$ 20.00 + \$10.00 |
| 8. On-day permit for vendors or establishments
currently holding a valid retail food license in
Raritan Borough: | Fee Waived |
| 9 One-day permit for nonprofit or service
organizations: | Fee Waived |
| 10. Temporary food sale permit for vendors not
currently holding a valid Raritan Borough retail | |

- food License: \$ 50.00
 - A. Each consecutive day \$ 5.00
 - B. In no case shall a temporary food permit be issued for events lasting longer than six consecutive days.

- 11. Mobile food vendor (annual Fee) \$ 50.00
- 12. If a food establishment has been closed for 21 consecutive days or more, a reinspection is required prior to reopening.
- 11. No person shall conduct, maintain or operate a public eating establishment in the Borough of Raritan who does not successfully complete a course in food handling acceptable to Health Officer or other designated agent of the Board of Health. Training must be completed at a frequency consistent with the following:
 - A. At least (1) establishment manager must be certified in an acceptable course in food sanitation at least once every (5) years.
 - B. Any proposed establishment which files an application to Operate a public eating establishment must complete an acceptable course within one (1) year of operation.
 - C. Any establishment which receives a below satisfactory inspection Rating must register for the next available session of training course acceptable to the Health Officer or other designated agent of the Board of Health.
 - D. At each establishment where food is handled at all times when such establishment is open for business, there shall be on duty at least one person who shall have successfully completed a food handlers training course given by the Somerset County Health Department or a similar course offered within the State of New Jersey.

B. Registrar's Services

- 1. First Certified copy of Birth Certificate \$ 25.00
 - Each additional Certified Copy \$ 2.00
- 2. First Certified copy of Death Certificate \$ 25.00
 - Each additional Certified Copy \$ 2.00
- 3. First Certified copy of Marriage License/
Civil Union Certificate \$ 25.00
 - Each additional Certified Copy 2.00
- 4. Vital Statistic Record Search \$ 1.00/year

C. Environmental Health Services

- 1. Inspection of Underground Storage Tank: \$ 100.00
- 2. Radon testing (charcoal canister): \$ 20.00

3. Abatement of public health nuisance ordered by the Health Department: Up to three(3) times the actual cost. As determined at a hearing held by the Board of Health.
4. Annual Tanning Parlor License: \$ 150.00
5. Annual Permit for Public Pool: \$ 50.00
6. Annual Permit for Public Whirlpool/Spa: \$ 50.00
7. Annual Permit for non-profit or governmentally Run Public Pool, Whirlpool/Spa: Fee Waived
8. Tattoo Parlor and/or Body Piercing: \$ 150.00

§180-5. Revocation of License or Permits.

Any retail food establishment license or temporary permit may be suspended or revoked for any violation of applicable State or Local Board of Health regulations governing the sale or distribution of food or for any violation of this chapter. Sanitary inspections by the Board of Health or its designated representatives shall be conducted to determine the degree of compliance with applicable regulations.

§180-6. Non-transferability of Licenses or Permits

A retail food establishment license and a temporary retail food permit are both non-transferable. Retail food establishment owners or proprietors shall notify the Board of Health at least 30 days prior to the sale of any food or beverage related business operating within the Board of Raritan.

§180-7. Violations and Penalties

Any person, firm or corporation who shall violate any of the provisions of this chapter shall, upon conviction, be punished by penalty of not less than five dollars (\$5.00) nor to exceed five hundred dollars (\$500.00) or by imprisonment in the county jail for a period not to exceed ninety (90) days, or by both such fine and imprisonment. Each violation of any of the provisions of this chapter and each day the same is violated shall be deemed and taken to be a separate and distinct offense. Action may be brought in Municipal Court or any other court with jurisdiction.

§180-8. Recovery of Costs

The Board of Health may institute an action at law to recover costs incurred by it in enforcing this chapter from any person, owner, corporation, tenant or occupant who after notice and notification as herein provided, fails to comply with this chapter. The amount so charged shall forthwith become a lien upon such lands and shall be added to and become and form part of the taxes to be assessed and levied upon such lands, the same officers and in the same manner as taxes.

SECTION II.

All ordinances or parts of ordinances inconsistent with this ordinance are hereby repealed to the extent of such inconsistencies.

SECTION III.

If any section, subsection, paragraph, phrase or sentence of this ordinance is, for any reason, declared to be unconstitutional or invalid, such section, subsection paragraph, phrase or sentence shall be deemed severable.

SECTION IV

This ordinance shall take effect immediately upon final publication as provided by law.

ATTEST:

Paula Machala, Board President

Constance M. Del Rocco, Secretary

INTRODUCTION: December 9, 2015

MOTION	SECOND	NAME	YEAS	NAYS	ABSTAIN	ABSENT
		Bongiovi				X
		Brown	X			
X		DelRocco	X			
		Faccone	X			
		Lella	X			
		Machala	X			
	X	Mastice	X			

ADOPTION: January 13, 2016

MOTION	SECOND	NAME	YEAS	NAYS	ABSTAIN	ABSENT
	X	Bongiovi	X			
X		Brown	X			
		Ciufo			X	
		Lella	X			
		Machala	X			
		Mastice				X