

ORDINANCE 2024-27

*Borough of Metuchen
County of Middlesex
State of New Jersey*

**ORDINANCE AMENDING THE CODE OF THE BOROUGH OF METUCHEN,
CHAPTER 87 “FEES”, SPECIFICALLY, SECTION 87-2, “SCHEDULE”
AND CHAPTER 210, ENTITLED “FOOD-HANDLING ESTABLISHMENTS”,
SPECIFICALLY, SECTION 210-2, “FEES” AND SECTION 210-6,
“EXPIRATION; RENEWAL”**

WHEREAS, the Mayor and Council have determined that it is in the best interest of the Borough to update the Code of the Borough of Metuchen and its Fee and Expiration Schedules.

NOW THEREFORE BE IT ORDAINED by the Borough of Metuchen, County of Middlesex, New Jersey, that Chapter 87 of the Code of the Borough of Metuchen, entitled “Fees”, specifically §87-2 “Schedule”, and Chapter 210, entitled “Food-Handling Establishments”, specifically, §210-2 “Fees”; and §210-6, “Expiration; renewal” are hereby amended and supplemented to state the following:

CHAPTER 87

FEES

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§87-2 Schedule

A. All applications for permits for annual renewal as encompassed herein shall be accompanied by the payment of the fees prescribed in the following table. Permits shall expire and shall be subject to renewal in accordance with the expiration date as prescribed. A late charge of \$50.00 per month for each month from the day immediately following the expiration date shall be assessed for all licenses, which are not renewed prior to the expiration date. The monthly late charge shall be assessed on the day following the due date and for each month thereafter. The late charge will not be prorated.

Description of Activity	Fee	Expiration Date
Food Establishments		
Pharmacies and Confectioneries, permit to carry prepackaged foods	\$50	January 31
Food Establishments		
1 to 2,500 square feet	\$60	January 31
2,501 to 5,000 square feet	\$115	January 31
5,001 to 10,000 square feet	\$225	January 31
10,000 square feet and over	\$375	January 31

Restaurants		
Counter service only	\$60	January 31
1 to 25 seating capacity	\$85	January 31
26 to 50 seating capacity	\$115	January 31
51 to 75 seating capacity	\$190	January 31
76 and over	\$285	January 31
Vending Machines		
Food and Beverage	\$20	January 31
Ice	\$20	January 31
Itinerant food vehicles, each vehicle	\$70	January 31
Milk delivery vehicle		
First truck	\$10	January 31
Each additional truck	\$5	January 31
Temporary event food license for an Annual License holder referenced above – per event	\$10	January 31
Temporary event food license per diem	\$25	N/A
Laundry, self-service, permit to operate, each machine (washer, dryer or dry cleaning)	\$10	January 31
Pet shop		
Permit to operate	\$60	January 31
Motor hotel, tourist lodge, permit to operate	\$10	January 31

CHAPTER 210

FOOD-HANDLING ESTABLISHMENTS

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§210-2 Fees

- A. There shall be a charge as set forth in Chapter 87, Fees, for the license, as required by § 210-1.
- B. If there is any change in ownership of a food establishment during the licensing period, immediate application must be made for a new food license. Anyone applying for a food license during the last six months of the licensing period, due to a change of ownership or new establishment, except seasonal trucks and seasonal establishments, the food license fee will be prorated to the nearest month.

§210-6 Expiration; renewal

Licenses issued or approved under the provisions of this chapter shall expire annually on January 31st of each year, and applications for renewal thereof shall be submitted, together with the required fee, prior to January 15th of each year. In the event that the Board of Health shall sponsor a food-handlers education program during any year, notice of the same shall be given to each retail food establishment licensee or itinerant retail food establishment licensee. No license shall be renewed unless the licensee, proprietor, manager, assistant manager or other persons in charge of a retail food establishment or itinerant retail food establishment shall attend such program or a comparable program approved by the Board of Health. In the event that the food establishment employs 20 or more persons, then at least two supervisory personnel of such food establishment shall be required to attend the aforesaid programs. Based on inspection records made by the Board of Health, the Board shall have the right to waive the above attendance requirement for not more than two successive years.

BE IT FURTHER ORDAINED by the Mayor and Council that all remaining sections of Chapters 87 and 210 not specifically amended herein shall not be affected by the within amendments and shall remain in full force and effect; and

BE IT FURTHER ORDAINED that should any section, paragraph, sentence, clause, or phase of this ordinance be declared unconstitutional or invalid for any reason, the remaining portion of this ordinance shall not be affected thereby and shall remain in full force and effect, and to that end the provisions of this ordinance are hereby declared to be severable; and

BE IT FURTHER ORDAINED that all ordinances or parts of ordinances inconsistent with this amending ordinance are hereby repealed to the extent of their inconsistencies only; and

BE IT FURTHER ORDAINED by the Mayor and Borough Council of the Borough of Metuchen authorize that that all Borough employees and officials shall take all necessary actions to in order to effectuate the within Ordinance.

Introduction: November 18, 2024

Date of Publication: November 22, 2024

COUNCILMEMBER	YES	NO	NV	AB	COUNCILMEMBER	YES	NO	NV	AB
BRANCH	X				HYMAN	X			
DELIA	X				JETHWANI	X			
GIAMBOI	X				KANDEL	X			
MOTION	DELIA			SECOND		GIAMBOI			
X – INDICATES VOTE		AB- ABSENT			NV- NOT VOTING				

I hereby certify the foregoing to be a true copy of an ordinance introduced by the Borough Council of the Borough of Metuchen, Middlesex County, New Jersey at a regular meeting held on November 18, 2024.

Deborah Zupan, RMC, Borough Clerk

Adopted: December 9, 2024
Date of Publication: December 13, 2024

COUNCILMEMBER	YES	NO	NV	AB	COUNCILMEMBER	YES	NO	NV	AB
BRANCH	X				HYMAN	X			
DELIA	X				JETHWANI	X			
GIAMBOI				X	KANDEL				X
MOTION	DELIA				SECOND	HYMAN			
X – INDICATES VOTE AB- ABSENT NV- NOT VOTING									

I hereby certify the foregoing to be a true copy of an ordinance adopted by the Borough Council of the Borough of Metuchen, Middlesex County, New Jersey at a regular meeting held on December 9, 2024.

Deborah Zupan, RMC
Borough Clerk

ATTEST:

BOROUGH OF METUCHEN

Deborah Zupan, RMC
Borough Clerk

By: _____
Jonathan M. Busch
Mayor