

**TOWNSHIP OF WALL**

**ORDINANCE NO. 21-2010**

**ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL AMENDING CHAPTER 119 OF THE CODE OF THE TOWNSHIP OF WALL ENTITLED FOOD ESTABLISHMENTS**

**WHEREAS**, the Township of Wall presently charges a fees for annual licensing of retail food establishments under Chapter 113 of the Code of the Township of Wall entitled Board of Health License Requirements; and

**WHEREAS**, the Township of Wall is desirous of increasing the fees for licensing of retail food establishments; and

**NOW, THEREFORE, BE IT ORDAINED** by the Township Committee of the Township of Wall as follows:

**SECTION ONE**

Chapter 119 of the Code of the Township of Wall is hereby amended by the deletion of all and replaced as follows:

**Section 119-2 Fees for annual licensing of retail Food Establishments are hereby fixed as follows:**

		CURRENT FEE	REVISED FEE
119-2a	Mobile Vehicles	Not applicable	\$ 40.00 per year
119-2b	Special Events Lasting One Week in Duration or Less	\$25.00 per event	\$ 50.00 per event
119-2c	Establishments Other than Licensed Restaurants:		
	(1) Minimum Fee All Establishments	Not applicable	\$65.00 per year
	(2) Between 4,000 and 10,000 Square Feet	Not applicable	\$175.00 per year
	(3) Over 10,000 square feet	Not applicable	\$325.00 per year
119-2d	Restaurants:		

(1)	Seating Capacity Up to 50	\$25.00 per year	\$65.00 per year
(2)	Seating Capacity From 51 to 100	\$25.00 per year	\$115.00 per year
(3)	Seating Capacity Over 100	\$25.00 per year	\$185.00 per year

119.2e **Food License Late Fee:**

A late fee charge will be levied by the licensing municipality on those food establishment owner(s) and/or operator(s) who do not renew their license on the anniversary date. The late fee charge will be in addition to the cost of the establishment's annual food licensing fee. The late fee charge is set as follows: the late fee equals 20% of the food establishment's annual licensing fee except that the minimum late fee charge shall be set no lower than \$20.00.

If upon re-inspection, the establishment is rated conditional or below for the same or similar violation, there will be a re-inspection fee of \$100.00. Establishments are still subject to additional penalties upon inspector's discretion.

119.2f All public primary, elementary and secondary schools shall be exempt from the fees set forth herein.

**SECTION TWO**

If any part of this Ordinance shall be deemed invalid by an administrative agency or court of competent jurisdiction, such decision shall not affect the legality and enforceability of any other provision hereof.

**SECTION THREE**

All ordinances, policies and or procedures or parts thereof in conflict or inconsistent with this Ordinance are hereby repealed, but only however, to the extent of such conflict or inconsistency.

**SECTION FOUR**

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

Motion made by Committee person \_\_\_\_\_, seconded by Committee person \_\_\_\_\_ and adopted on roll call by the following vote:

MEMBER	YES	NO	ABSTAIN	ABSENT
Mayor George K. Newberry				
Deputy Mayor Ann Marie Conte				
Committeeman Jeffrey W. Foster				
Committeeman Clinton C. Hoffman				
Committeeman Todd W. Luttman				

**NOTICE AND SUMMARY OF ORDINANCE 21-2010**

**ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL AMENDING CHAPTER 119 OF THE CODE OF THE TOWNSHIP OF WALL ENTITLED FOOD ESTABLISHMENTS**

This Ordinance amends Chapter 119 of the Code of the Township of Wall entitled Food Establishments to increase the fees for licensure.

Notice is hereby given that the foregoing Ordinance was introduced and passed on first reading by the Township Committee of the Township of Wall on October 13, 2010, and further be considered for final passage and adoption at the Wall Township Municipal Building, 2700 Allaire Road, Wall, New Jersey on November 23, 2010, at 7:30 o'clock p.m., or as soon thereafter as the matter can be reached on the agenda, at which time and place all persons interested therein shall be given an opportunity to be heard, and during the week prior to and up to and including the date of such meeting, copies of said Ordinance will be made available at the Clerk's Office in the Township of Wall, Town Hall, to members of the general public who shall request the same or may be viewed in full on the Township's website [www.wallnj.com](http://www.wallnj.com).

LORRAINE KUBACZ, RMC  
Township Clerk