

**ORDINANCE 2016-32**

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

**AN ORDINANCE TO AMEND CHAPTER 210 OF THE CODE OF THE  
BOROUGH OF METUCHEN CHANGING THE EXPIRATION DATE OF THE  
TERM OF THE RETAIL FOOD-HANDLING ESTABLISHMENT LICENSES**

**WHEREAS**, the Board of Health of the Borough of Metuchen has reviewed the expiration date of the term of the licenses for Retail Food-Handling Establishments within the Borough; and

**WHEREAS**, the Board of Health has recommended and requested the Mayor and Borough Council amend the expiration of the term of the Retail Food-Handling Establishment Licenses from November 30<sup>th</sup> to December 31<sup>st</sup>; and

**WHEREAS**, the Council of the Borough of Metuchen deems it in the best interest of the Borough to accept the Board of Health's recommendation and request to amend the expiration of the term for Retail Food-Handling Establishments within the Borough from November 30<sup>th</sup> to December 31<sup>st</sup>.

**NOW THEREFORE BE IT ORDAINED** by the Council of the Borough of Metuchen that it hereby amends Chapter 210 of the Code of the Borough of Metuchen, entitled, "Food-Handling Establishments", specifically § 210-2, entitled "Fees" and § 210-6, entitled, "Expiration; renewal" to state as follows:

**§ 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, i.e., July 1 through December 31st, 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 December 31<sup>st</sup> of each year, and applications for renewal thereof shall be submitted, together with the required fee, prior to December 1 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** that the remaining sections and subparts of Chapter 210 not referenced above shall remain in full force and effect; and

**BE IT FURTHER ORDAINED** that if any part of this Ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this Ordinance; and

**BE IT FURTHER ORDAINED** that all ordinances or parts of ordinances inconsistent with this Ordinance are hereby repealed or amended to the extent of such inconsistency; and

**BE IT FURTHER ORDAINED** by the Council of the Borough of Metuchen that this ordinance shall take effect after passage and publication as required by law.

Introduction: December 5, 2016  
 Date of Publication: December 8, 2016

COUNCILMEMBER	YES	NO	NV	AB	COUNCILMEMBER	YES	NO	NV	AB
LEIBFRIED	X				MULDOON	X			
GRAYZEL	X				RASMUSSEN	X			
INSERRO	X								
MOTION	<b>GRAYZEL</b>					<b>RASMUSSEN</b>			
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 December 5, 2016

\_\_\_\_\_  
 Susan D. Jackson, RMC  
 Borough Clerk

Adopted: December 19, 2016  
 Date of Publication: December 22, 2016

COUNCILMEMBER	YES	NO	NV	AB	COUNCILMEMBER	YES	NO	NV	AB
LEIBFRIED	X				MULDOON				X
GRAYZEL	X				RASMUSSEN	X			
INSERRO	X								
MOTION	GRAYZEL				RASMUSSEN				
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 19, 2016

\_\_\_\_\_  
 Susan D. Jackson, RMC  
 Borough Clerk

ATTEST:

BOROUGH OF METUCHEN

\_\_\_\_\_  
 Susan D. Jackson, RMC  
 Borough Clerk

By: \_\_\_\_\_  
 Peter Cammarano  
 Mayor