

**TOWN OF WEST NEW YORK
COUNTY OF HUDSON, STATE OF NEW JERSEY**

ORDINANCE #15/19

**AN ORDINANCE AMENDING CHAPTER 127 OF THE CODE OF THE
TOWN OF WEST NEW YORK ENTITLED “BARBERSHOPS”**

WHEREAS, Chapter 127 of the Code of the Town of West New York (“Town”) created oversight over Barbershops, Beauty Salons, and Nail Salons in the Town of West New York; and,

WHEREAS, Chapter 127 outlines specific rules and application processes over Barbershops, Beauty Salons, and Nail Salons in the Town of West New York; and,

WHEREAS, it is in the best interest of the Town of West New York to amend Chapter 127 to better serve the residents of the Town of West New York; and,

WHEREAS, the Mayor and Board of Commissioners of the Town of West New York, in order to ensure the public health and safety of the residents of the Town and the economic viability of our small businesses, wish to amend Chapter 127 in the manner prescribed forthwith; and,

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Board of Commissioners of the Town of West New York, that

Section One

The Title for Chapter 127 of the Code of the Town of West New York shall be deleted and replaced as follows: “Barbershops, Beauty Salons, and Nail Salons”

Section Two

Chapter 127-11 of the Code of the Town of West New York shall be deleted and replaced as follows:

It shall be unlawful for any barbershop, beauty and/or nail salon in the Town of West New York to be operated or to be kept open except on Monday through Friday, from 9:00AM to 8:00PM, and on Saturday and Sunday, from 9:00AM to 7:00PM. However, if a patron has entered before the closing hour to receive services in said barbershop, beauty and/or nail salon, it may be permissible to conclude such service beyond closing time, but in any event, the barbershop, beauty and/or nail salon shall cease operation and be closed during the week by 9:00PM and on Saturday and Sunday by 8:00PM.

Extended Hours for barbershops, beauty and/or nail salons may be permitted in the Town of West New York upon application to the Licensing Department (application to be provided by the Licensing Department) along with the payment of a \$50.00 application fee (see Chapter 186) to operate or be kept open on Monday through Thursday, from 9:00AM to 8:00PM, and on Friday, Saturday and Sunday, from 9:00AM to 9:00PM. The Licensing Department shall consider any history of complaints made to the Town and/or violations of Town Ordinances against the establishment. If the Extended Hours application is granted, a special permit (the Extended Hours Permit) will be provided and the establishment must exhibit the permit at all times where they would also exhibit their other necessary permits for operation. However, if a patron has entered before the closing hour to receive services in said barbershop, beauty and/or nail salon, it may be permissible to conclude such service beyond closing time, but in any event,

the barbershop, beauty and/or nail salon shall cease operation and be closed during the week (Monday through Thursday) at 9:00PM and on Friday, Saturday, and Sunday at 10:00PM.

The Town may revoke the Extended Hours Permit upon written notification to the establishment owner stating the reason for same.

An application for the Extended Hours Permit may be applied for at any time in the permitting year, and shall be valid only during that licensing year. Renewal applications must be made, and will be considered, every year.

Section Three

Severability. The provisions of this Ordinance are declared to be severable and if any section, subsection, sentence, clause or phrase thereof for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, subsections, sentences, clauses and phrases of this Ordinance, but shall remaining in effect; it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

Section Four

Repealer. All ordinances or portions thereof in conflict or inconsistent with this Ordinance are hereby repealed, but only however, or the extent of such conflict or inconsistency, it being the legislative intent that all ordinances or portions of ordinances now existing now existing or in effect shall remain in effect unless they are in conflict or inconsistent with any provision of this Ordinance.

Section Five

When Effective. This ordinance shall take effect upon passage and publications as required by law.

SUMMARY OF ORDINANCE

This Ordinance amends Chapter 127 of the Code of the Town of West New York by making the Ordinance title consistent with the entities the chapter regulates and permitting extended hours of operation with a permit.

Introduced: 8/7/2019

Adopted:

Notice

The foregoing Ordinance was adopted for first reading by the Mayor and Board of Commissioners of the Town of West New York, New Jersey, on **August 7, 2019** and ordered published, and will be further considered before final passage at a public hearing on **September 4, 2019 at 6:30 p.m.** at the Commission Chambers, Municipal Building, West New York, NJ. A copy of this Ordinance has been posted on the bulletin board upon which public notices are customarily posted on in the Town Hall of the Town of West New York, and a copy (at no charge) is available up to and including the time of such meeting to the members of the public of the Town who shall request such copies, at the Office of the Town Clerk in said Town Hall in West New York, N.J.

Carmela Riccie, RMC
Town Clerk