

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

ORDINANCE #17/22

**AN ORDINANCE TO AMEND CHAPTER 254 OF THE CODE OF THE TOWN OF
WEST NEW YORK ENTITLED “MOBILE OR STREET FOOD VENDORS”**

WHEREAS, the Town of West New York (the “Town”) Health Department has established the authority to regulate and enforce rules related to mobile food vendor licensing within the Town pursuant to N.J.A.C. 8:24 et seq.; and

WHEREAS, the Mayor and the Board of Commissioners of the Town of West New York (the “Town”) seek to amend the number of licenses available for issuance for Mobile or Street Food Vendors set forth within Chapter 254 of the Code of the Town of West New York.

NOW THEREFORE, BE IT ORDAINED by the Mayor and the Board of Commissioners of the Town of West New York, County of Hudson hereby authorize Chapter 254 entitled “Mobile or Street Food Vendors” to be amended as follows:

SECTION ONE

Section 254-2(A) entitled “Permit required” of the Revised General Ordinances of the Town of West New York is hereby replaced with the following:

No person shall be allowed to operate, sell or place upon the streets, parks or public lands of the Town of West New York any mobile or street food entity without first having received a permit and approval of the location of such vehicle, and in accordance with the provisions of this chapter. No more than twenty-five permits will be available for mobile or street food entities within the Town. All mobile or street food entities, which currently have a valid permit will be allowed to keep said permit active on a year-by-year basis through renewal; however, if the permit is not renewed timely (by the last business day of the month of November of each year), it will be necessary for the former permit holder to begin the permit application process anew, and the permit shall be subject to the same twenty-five -available-permit limit that is permissible within the Town. Accordingly, if a permit is not renewed in a timely manner, it shall be treated as all other first-time applicants. No preference will be given to applicants who held licenses and those licenses have lapsed or become inactive.

SECTION TWO

Severability. If any term or provision of this Ordinance is held to be illegal, invalid, or unenforceable by a court of competent jurisdiction, in whole or in part, such determination shall not affect the validity of the remaining terms and provisions of this Ordinance.

SECTION THREE

Repealer. To the extent that any provision of the Code of the Town of West New York is found to conflict with this Ordinance, in whole or in part, this Ordinance shall control.

SECTION FOUR

In order to avoid accidental repeal of existing provisions, the Town Clerk and the Corporation Counsel are hereby authorized to change any chapter numbers, article numbers and/or section numbers in the event that the codification of this Ordinance reveals that there is a conflict between those numbers and the existing Code.

SECTION FIVE

Codification. The Town Clerk and/or Corporation Counsel shall have this Ordinance incorporated in the official copies of the Code of the Town of West New York. The Town Clerk and/or the Corporation Counsel be and are hereby authorized and directed to correct any typographical error in this Ordinance and change any heading, chapter numbers, article numbers and section numbers in the event that the codification of this Ordinance reveals that there is a conflict between those headings and numbers and existing provisions of the Code of the Town, or as they may otherwise deem appropriate, even if the headings, chapter numbers, article numbers and section numbers thus modified are otherwise provided for in this Ordinance.

SECTION SIX

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

SUMMARY OF ORDINANCE

This Ordinance amends the Town of West New York Code in relation to expanding the availability of mobile food vendor permits issued annually and establishes an increased maximum number of permits allowed.

Introduced: July 13, 2022

Adopted: July 27, 2022

Statement

The foregoing ordinance having been previously adopted for first reading and published was further considered by the Mayor and Board of Commissioners of the Town of West New York on **July 27, 2022** and at said date was duly and finally adopted after public hearing thereon.

Adelinny Plaza, RMC
Town Clerk

Commissioner Victor M. Barrera

Commissioner Cosmo A. Cirillo, PhD.

Commissioner Margarita A. Guzman

Commissioner Yoleisy Yanez

Mayor Gabriel Rodriguez
BOARD OF COMMISSIONERS

Attest: _____
Adelinny Plaza, RMC
Town Clerk