

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

**ORDINANCE #8/18**

**AN ORDINANCE AMENDING CHAPTER 186, CHAPTER 254 AND CHAPTER 207 OF  
THE CODE OF THE TOWN OF WEST NEW YORK**

**WHEREAS**, Chapter 186 of the Code of the Town of West New York (“Town”) regulates all the fees imposed on the Town; and

**WHEREAS**, Chapter 186, Article II provides for the Health Department related fees; and

**WHEREAS**, Chapter 254 of the Code of the Town of West New York (“Town”) regulates mobile or street food vendors within the Town; and

**WHEREAS**, Chapter 254 provides for certain Health Department related fees; and

**WHEREAS**, Chapter 207 of the Code of the Town of West New York (“Town”) regulates food handling establishments and food handlers within the Town; and

**WHEREAS**, Chapter 207 provides for certain Health Department related fees; and

**WHEREAS**, the Board would like to impose an additional fee for the reinspection of food establishments by the health department.

**NOW, THEREFORE, BE IT ORDAINED** by the Mayor and Board of Commissioners of the Town of West New York that Chapter 186-10H(2), entitled “Health Department Fees”, Chapter 254, entitled “Mobile or Street Food Vendors” and Chapter 207, Article I entitled “Food Handling Establishments” and Article II entitled “Food Handlers” shall be amended as follows:

Section One

**Chapter 186-10H(2)** “Health Department” is amended to add a section entitled “Reinspection fees”:

Reinspection fees: \$150

**Chapter 254** is amended to add a section entitled “Reinspection fees”:

Reinspection fees.

- A. Whenever, upon inspection, any licensee, facility or entity licensed under Chapter 254 of the Code of the Town of West New York or any licensee, facility or establishment defined in N.J.A.C. 8:24 (Retail Food Establishments) is issued an unsatisfactory or a conditional satisfactory rating by the local health authority which requires a reinspection, a reinspection fee of \$150 shall be paid directly to the local health authority.
- B. Said fee shall be paid by the owner, owners, managers, management agency or operator of any aforementioned licensee, facility or entity listed above directly to the local health authority within thirty (30) business days of notice of an unsatisfactory or conditional satisfactory rating.

**Chapter 207 Article I and Article II** are both amended to add a section in each Article entitled “Reinspection fees”:

Reinspection fees.

- A. Whenever, upon inspection, any licensee, facility or entity licensed under Chapter 207 of the Code of the Town of West New York or any licensee, facility or establishment defined in N.J.A.C. 8:24 (Retail Food Establishments) is issued an unsatisfactory or a conditional satisfactory rating by the local health authority which requires a reinspection, a reinspection fee of \$150 shall be paid directly to the local health authority.
- B. Said fee shall be paid by the owner, owners, managers, management agency or operator of any aforementioned licensee, facility or entity listed above directly to the local health authority within thirty (30) business days of notice of an unsatisfactory or conditional satisfactory rating.

**Section Two**

**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 Three**

**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 legislative intent that all ordinances or portions of ordinances now existing or in effect shall

remain in effect unless they are in conflict or inconsistent with any provision of this Ordinance.

#### **Section Four**

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

#### **SUMMARY OF ORDINANCE**

This Ordinance amends Chapter 186, Chapter 254 and Chapter 207 to add an additional fee for Health Department reinspections for food establishments.

**Introduced: 3/15/18**

#### **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 **March 15, 2018** and ordered published, and will be further considered before final passage at a public hearing on **April 19, 2018 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 Riccio, RMC  
Town Clerk