**BOROUGH OF HALEDON**

**ORDINANCE # 04-25-2019**

**AN ORDINANCE REGULATING LICENSING OF FOOD TRUCKS**

[§ 195-1 **Purpose.**](https://ecode360.com/10068257#10068258)

The Mayor and Council of the Borough of Haledon hereby deem it beneficial to allow mobile food trucks to operate in Belmont Town Square. The purpose of this section is to regulate mobile food trucks in Belmont Town Square in order to protect the health and safety of the public.

[§ 195-2 **Definitions.**](https://ecode360.com/10068257#10068259)

As used in this chapter, the following terms shall have the meanings indicated:

**BELMONT TOWN SQUARE**

The public land bordered by Belmont Avenue, Tilt Street and Morrissee Avenue.

[**MOBILE FOOD TRUCK**](https://ecode360.com/10068260#10068260)

Any automobile, truck, cart or other mobile operation engaged in the business of selling cooked or prepared food to persons.

[**MOBILE RESTAURANT LICENSE**](https://ecode360.com/10068261#10068261)

Any license issued under this chapter for a mobile food truck.

[§ 195-3 **License required.**](https://ecode360.com/10068257#10068263)

No mobile food truck or other vehicle engaged in the business of selling cooked or prepared foods shall operate within 200 feet of Belmont Town Square without first having obtained a license to do so. Such license shall be issued by the Borough Clerk as of the Monday prior to Memorial Day and expire on the Monday after Labor Day of each year of the year in which issued unless sooner revoked by the Council and shall be good as to only one vehicle. The Borough of Haledon reserves the right to temporarily suspend any such license for special events, maintenance, etc.

[§ 195-4 **Form of application.**](https://ecode360.com/10068257#10068264)

All applications for the issuance or renewal of a license shall be made to the Borough Administrator on forms to be adopted by the Mayor and Council and designed to elicit information respecting the vehicle to be so used and the identification, responsibility and law-abiding habits of the owner of the vehicle.

[§ 195-5 **Application verified; insurance.**](https://ecode360.com/10068257#10068265)

Each applicant for a license shall supply the information requested on the application in full and verify its correctness by his oath or affirmation and thereafter file the completed application with the Borough Administrator together with the full amount of the fee as hereinafter set forth. In addition, the applicant shall exhibit public liability insurance to the Borough Administrator covering the vehicle to be licensed for the term of the license applied for.

[§ 195-6 **License fee.**](https://ecode360.com/10068257#10068266)

The annual seasonal fee for a mobile restaurant license issued or renewed shall be $1,250 or a prorated amount of $100 per week for each remaining week in the license period for any license issued after Memorial Day. All licenses shall be under the charge and control of the applicant applying therefor and the applicant shall be responsible for the operation of any and all vehicles, carts and equipment used by the applicant. The Borough Administrator is authorized to issue licenses on a one week basis at his discretion for a fee of $150.

[§ 195-7 **Regulations covering operations.**](https://ecode360.com/10068257#10068267)

[**A.**](https://ecode360.com/10068268#10068268)

Food trucks may operate between the hours of 11:00 a.m. and 9:00 p.m.

**B.**

Food trucks shall be allowed to park only in the locations designated and assigned by the Borough.

[**C.**](https://ecode360.com/10068269#10068269)

The licensee shall see to it that any and all premises used by the vehicle shall be left in a clean and orderly state and that no waste or garbage from its operation be deposited or left remaining on any property or street located within the Borough.

**D.**

The Borough shall issue a maximum of 5 licenses per year on a first come, first served basis. Applications shall be accepted from applicants who currently operate a retail establishment selling food in the Borough of Haledon on or after January 2 of the license year. Applications shall be accepted from all other applicants on or after March 1 of the license year. This license process is separate and apart from any permits needed from the County of Passaic, State of New Jersey or local board of health and fire department.

The following is applicable for the 2019 license period only:

Applications shall be accepted immediately from applicants who currently operate a retail establishment selling food in the Borough of Haledon. Applications shall be accepted from all other applicants on or after June 3. This license process is separate and apart from any permits needed from the County of Passaic, State of New Jersey or local board of health and fire department.

**E.**

Applicants and any employees working under an applicant’s license are subject to a criminal background check.

[§ 195-8 **Revocation of license and Penalties.**](https://ecode360.com/10068257#10068270)

The Mayor and Council may in its discretion refuse to issue or renew or may after notice and hearing revoke or suspend any license if the applicant has been once convicted of a crime in this or any other jurisdiction, or convicted of being a disorderly person or of a violation of Title 39, Motor Vehicles and Traffic Regulations of the Revised Statutes of New Jersey, or who has been dishonorably discharged from the Armed Forces of the United States of America, or who violates any provision of this chapter, or who has any judgment unsatisfied of record against him arising out of an automobile accident, or who is an alien citizen of any nation between whom and the United States of America a state of war exists or who has made false answers in the application for such license, or any renewal thereof, or who has not fully complied with all the requirements of this chapter, or if the vehicle licensed or to be licensed by reason of unsafe or unsanitary conditions is dangerous to the health or safety of the people, or if the policy of insurance required to be exhibited under the terms of this chapter is not in full effect and force during the licensed period or the applicant has failed to comply with any and all other laws of this municipality, county or state.

Penalties for any violation of this chapter may include suspension or revocation of license and/or a fine of up to $250.

[§ 195-9 **Disposition of license fee.**](https://ecode360.com/10068257#10068271)

The Borough Clerk, upon the Council's approval of an application, pay the fees received therefor over to the Borough Treasurer.

[§ 195-10 **Display of license.**](https://ecode360.com/10068257#10068272)

Each vehicle licensed under the terms of this chapter shall have displayed in a conspicuous place fully visible to the public the license issued.

[§ 195-11 **Approval by Mayor and Council.**](https://ecode360.com/10068257#10068273)

Upon approval by the Mayor and Council of the form of an application, the Borough Clerk shall issue and sign the license.

[§ 195-12 **Renewals and transfers.**](https://ecode360.com/10068257#10068274)

Any such license renewal thereof or transfer thereof may only be authorized by action of the Mayor and Council in compliance with the provisions of this chapter as to any such issuance, renewal or transfer.

[§ 195-13 **Allowable areas.**](https://ecode360.com/10068257#10068275)

Licensees are allowed to operate only in the area designated by the Borough Administrator. Licensees are responsible to maintain the cleanliness of the designated area and remove all trash and debris at the end of each day.