

BOROUGH OF WANAQUE
COUNTY OF PASSAIC
STATE OF NEW JERSEY

ORDINANCE #3-0-19

AN ORDINANCE AMENDING CHAPTER 87 OF THE CODE OF THE
BOROUGH OF WANAQUE, TO:

AUTHORIZE AND REGULATE THE SALE OF MOBILE ICE CREAM AND ICE CREAM
PRODUCTS VENDORS

ORDINANCE 87-1 et seq., is hereby amended as follows:

ARTICLE II- ICE CREAM AND ICE CREAM PRODUCT VENDORS

§ 87.16. **Definitions.** For the purposes of this article, the terms herein are defined as follows:

MOBILE ICE CREAM AND ICE CREAM PRODUCT VENDOR. Any person, firm, partnership, or corporation who sells ice cream and ice cream products from any vehicle, motorized or otherwise, wherein ice cream and ice cream products are carried on or attached by a contraption to the vehicle itself.

§ 87.17. **Permit required; annual fee.** No mobile ice cream and ice cream products vendor shall operate in the Borough of Wanaque without a permit to do so. For each mobile vendor of ice cream and ice cream products, the annual permit fee shall be \$200 per vehicle.

§ 87.18. **Application for permit.** Permits may only be obtained by an application in writing to the Chief of Police setting forth:

- A. Age of applicant.
- B. Address of applicant.
- C. Proof of having food handler's certificate issued by the Wanaque Board of Health.
- D. Type of vehicle used.
- E. Proof of having sufficient automobile liability insurance on vehicle used in vending.
- F. Any vehicle to be used for vending shall be inspected by the Police Department and where warranted as hazardous materials are determined to be on the vehicle, a further inspection and approval shall be made by the Borough's Fire Prevention Bureau Chief. Said inspection shall ascertain compliance with the moto vehicle laws of the State of New Jersey and/or safe handling practices of hazardous materials.

§ 87.19. **Permitted hours of operation.**

- A. All holders of mobile ice cream and ice cream products vending licenses under this Article shall sell their products in the Borough of Wanaque only between the hours of 9:00 a.m. and 9:00 p.m., prevailing time.
- B. No vendor licensed under Subsection A shall use any loud noise making devices to call attention to his wares, and any bells, chimes, rattles, or other similar devices shall not be operated while said vending vehicle is in a stopped position.

§ 87.20. **Limitations.** The number of licensed for mobile vendors of ice cream and ice cream products shall be three, and each licensee shall have the privilege of operating two vehicles under the license. The licensee shall pay the license fee as set forth in § 87.17 of this article.

§ 87.21. **Time in effect.** Each license issued under this article shall be in effect from January 1 through December 31 of the year of issue.

§ 87.22. **Violations and penalties.** Any person who violates any of the provisions of this article shall be subject to a fine of not more than \$500 or may be committed to the county jail for a period not exceeding 90 days, or both.

Dated: May 13, 2019


Katherine J. Falone, RMC, CMC
Municipal Clerk

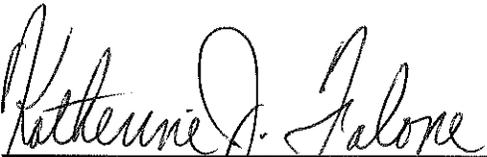
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NOTICE IS HEREBY GIVEN that the foregoing Ordinance was Introduced at a Regular Meeting of the Mayor and Council of the Borough of Wanaque, Passaic County, New Jersey, held on the 13th day of May 2019, and passed on first reading, and the same was then ordered to be published according to law; and that such Ordinance will be further considered for final passage at a meeting of said Mayor and Council to be held in the Municipal Building, 579 Ringwood Avenue, Wanaque, New Jersey, on June 10, 2019, at 8:00 P.M., at which time and place or at any time and place to which said meeting shall be from time to time adjourned, all persons interested will be given an opportunity to be heard concerning said Ordinance.

BY ORDER OF THE MAYOR AND COUNCIL OF THE BOROUGH OF
WANAQUE.

Dated: May 13, 2019


Katherine J. Falone, RMC, CMC
Municipal Clerk

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COUNTY OF PASSAIC
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BE IT RESOLVED that an Ordinance entitled

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pass first reading, and that said Ordinance be further considered for final passage and adoption at a Regular meeting of the Borough Council to be held on the 10th day of June 2019, at the Municipal Building in the Borough of Wanaque, at 8:00 P.M., and that at such time and place all persons interested be given an opportunity to be heard concerning said Ordinance.

AND BE IT FURTHER RESOLVED that the Borough Clerk be instructed to publish in the manner provided by law a copy of said Ordinance, together with introduction thereof and notice when same will be considered for final passage and adoption.

Passed: 5/13/19

Filed: 5/13/19

Approved: 5/13/19


Katherine J. Falone, RMC, CMC
Municipal Clerk