

BOARD OF HEALTH, BOROUGH OF HARRINGTON PARK
HEALTH CODE CHAPTER 380 FOOD TRUCK VENDOR

LICENSING 380 - 1 DEFINITION
FOOD TRUCK VENDOR

Any retail food establishment that is located upon a movable, motorized vehicle where food, ice cream, beverage is stored, cooked, prepared, and served for individual portion service and retail sale. Such food truck vendor shall comply with this chapter and all requirements as otherwise provided in applicable sections of the Borough Code, Borough of Harrington Park.

380 - 2 LICENSE REQUIRED

It shall be unlawful for any person to engage in the activity defined as Food Truck Vendor herein without first obtaining and holding a valid license issued by the Borough of Harrington Park. Any violation of this chapter shall be considered an ordinance violation subject to the general municipal ordinance sanctions provided in Borough Code Chapter 237, Peddling and Soliciting, and Health Code Chapter 352 Article III, Enforcement and Penalties.

380 - 3 APPLICATION FOR LICENSE

- A. All applications for licenses and renewal of licenses shall be completed when presented to the Borough Clerk and shall contain all of the documentation and fees required in accordance with Borough Code Chapter 237 - 3, Application for License, Chapter 237 - 4 Investigation; Records Required, Chapter 237 - 5, Fees; Expiration Date, and the fee to be charged for each food truck vendor license shall be set by Health Code Chapter 373, Fees. Pursuant to 379-4: Fee shall not be prorated from the date of issuance on annual license.
- B. All applications for licenses and renewal of licenses shall be processed by the Borough Clerk's office for completeness and review of food vendor application. Application forms shall be available at the Borough Clerk's office.

380 - 4 Issuance of License; Limitations

- A. A license shall only be issued to a food truck vendor for permitted activities.
- B. A license shall be issued only to the vendor whose name appears on the sales tax certificate of authority pursuant to N.J.S.A. 40:52-1.3
- C. Each license shall be issued on a certificate.
- D. The food truck vendor license is not transferable, Borough Code 237 - 7, Non-transferability.
- E. Food truck vendor license shall permit the operation of food and ice cream trucks in areas pre-designated and approved by the Borough of Harrington Park, and licensee must abide by Borough Code 237 - 9, Use of Streets.
- F. After an application for food truck vendor has been approved by the Borough Clerk, and prior to the delivery of the license to the licensee, the licensee shall secure and provide copies to the Borough Clerk proof of:
 - 1. Harrington Park Health Department inspection
 - 2. Food handlers permit
 - 3. New Jersey State vehicle inspection
 - 4. Certificate of Insurance

380 - 5 License Term, Expiration, and Renewal

Except as otherwise provided in this chapter, all license shall expire on December 31 of the year issued.

380 - 6 Revocation of License

See Borough Code 237 - 11, Revocation.

380 - 7 Regulation

- A. License Displayed: All issued licenses shall be clearly displayed on the food truck.
- B. Background Investigation: In addition to Borough Code 237- 4, Investigation; Records Required, the standard pertains to the applicant, operators, and employees involved in sales, or in operating the food truck. Proof of fingerprinting and background check performed by a neighboring borough conducted within 12 months of application for a license to operate in Harrington Park is acceptable.
- C. Trash: Each food truck vendor shall maintain adequate trash receptacles in or upon the vehicle and shall be responsible for the collection and disposal of paper wrappers and other product generated debris.
- D. Permitted Items For Sale: Food truck vendors shall be permitted to prepare, peddle, sell or otherwise market any prepared food or food item. Food truck vendor shall not sell or market pre-packaged ice cream.
- E. Permitted Items For Sale: Ice cream truck vendor shall be permitted to prepare, peddle, sell or otherwise market pre-packed ice cream, pre-packed candy, bottled or canned beverages. Ice cream vendors shall not sell or market any prepared food or food items.
- F. Refrigeration: All vending vehicles, motorized or not, shall be equipped with appropriate refrigeration equipment and maintain temperature control. Such equipment shall be inspected by the Board of Health prior to the license being issued.
- G. Noise; Sound Solicitation: The use of sound by the vendor to alert potential customers to the vendor's presence shall be limited and subject to Borough Code 219, Noise. No sound device, mechanical bells, mechanical music, mechanical noises of any type or sound, nor speakers, amplifiers, or sound device of any kind shall be permitted which exceed the sound levels permitted in Borough Code 219, Noise.
- H. Hours of Operation: The hours of operation of a food truck vendor is supplemental to Borough Code 237 - 6, Hours Restricted, Conduct, Exhibition of Permit, with the exception of that which is stated herein. A food truck vendor shall be permitted to operate everyday from 10am until sunset during the months of May, June, July, August, September, and October, only.
- I. Power to Make Rules and Regulation: The Board of Health of Harrington Park may, by resolution, make rules and regulations which interpret or amplify any provisions of this chapter or for the purpose of administering the provision of this chapter, and may from time to time, by resolution, limit the number of licenses issued as may be necessary to avoid undue crowding, littering, traffic congestion and the like.
- J. Enforcement: This chapter shall be enforced by the Health Department of the Borough of Harrington Park, and the Police Department of Harrington Park.
- K. Food Truck Vendor Restrictions: In addition to the restrictions set forth in this chapter, food truck vendors shall not provide or allow any dining area, including but not limited to tables, chairs, booths, bar stools, and benches.

- L. Any food truck vendor operating without a valid food vendor license or permit, or are not in compliance with this chapter shall be deemed a public safety hazard, and may be ticketed, and their vehicles may be impounded.
- M. All vendors shall comply with all applicable state statutes, all applicable Harrington Park ordinances, and any other laws or regulation that may be applicable under the given circumstances.