

**BOROUGH OF NEW MILFORD
BERGEN COUNTY, NEW JERSEY
ORDINANCE NO. 2019:12**

**AN ORDINANCE TO AMEND CHAPTER BH:II OF THE REVISED GENERAL
ORDINANCES OF THE BOARD OF HEALTH OF THE BOROUGH OF NEW
MILFORD ENTITLED "RETAIL FOOD ESTABLISHMENTS", THEREBY
AMENDING SUBSECTION BH:2-2 ENTITLED "LICENSING"**

WHEREAS, the Mayor and Council of the Borough of New Milford have been advised by the Board of Health that the present ordinance does not adequately protect the residents of New Milford; and

WHEREAS, the Mayor and Council of the Borough of New Milford wish to amend Chapter BH:II, Section BH:2-2, entitled “Licensing” to address the concerns that affect the needs of residents.

NOW THEREFORE BE IT ORDAINED by the Mayor and Council of the Borough of New Milford, County of Bergen, State of New Jersey, that Chapter BH:II, Section BH:2-2, entitled “Licensing”, of the Revised General Ordinances of the Board of Health of the Borough of New Milford is hereby amended as follows:

Section BH:2-2.1 is repealed and replaced in its entirety as follows:

BH:2-1.1 License Required. It shall be unlawful for any person or any body corporate to conduct a retail food establishment as defined in and governed by Chapter 24 (N.J.A.C. 8:24) “Sanitation in Retail Food Establishments and Food and Beverage Vending Machines” (Jan. 2, 2007), established by ordinance of the Borough Board of Health, without first having procured a license from the Health Department to do so or without complying with any or all of the provisions concerning operation and maintenance of the same as contained in the aforementioned Chapter 24 (N.J.A.C. 8:24).

Every establishment must post the most current evaluation placard issued by the Health Department according to the following requirements:

1. The evaluation placard must be posted conspicuously in one of the following prominent locations, clearly visible to the patron entering the establishment:
 - a. The main entrance door, from four to six feet off the ground or floor.
 - b. A front window within three feet of the main entrance.
 - c. If there is no main entrance to the street, the Health Inspector shall determine an appropriate posting location in prominent public viewing.

2. The placard shall not be removed, defaced, marred, camouflaged, or hidden from public view.

And the following is to be added to BH:2-2.2 Fees

- n. Reinspection for a Conditionally Satisfactory Inspection
 1. \$100 for 1st reinspection.
 2. \$250 for 2nd reinspection with mandatory appearance before the Board of Health and issuance of summons.
 3. \$400 for 3rd reinspection

BE IT FURTHER ORDAINED that the remainder of this ordinance remains unchanged and that this amendment shall become effective upon passage and publication in accordance with law.