

Ordinance BH2019-01

*BOROUGH OF HIGHTSTOWN
BOARD OF HEALTH
COUNTY OF MERCER
STATE OF NEW JERSEY*

**AN ORDINANCE AMENDING AND SUPPLEMENTING BOARD OF HEALTH
CHAPTER IV, ENTITLED “RETAIL FOOD ESTABLISHMENT AND FOOD
AND BEVERAGE VENDING MACHINE CODE”, SECTION BH:4-2.4 ,
ENTITLED “FEES FOR LICENSING RETAIL FOOD ESTABLISHMENTS” OF
THE BOARD OF HEALTH CODE OF THE BOROUGH OF HIGHTSTOWN,
NEW JERSEY**

WHEREAS, the Hightstown Board of Health recognizes that from time to time food insecurities issues are faced by members of the community; and

WHEREAS, the Hightstown Board of Health has observed that several non-profit organizations have established services to help residents in need access packaged food products and prepared meals through the provision of food pantries, mobile food pantries, food banks, community dinners and similar functions; and;

WHEREAS, the Hightstown Board of Health further recognizes a retail food license is required for these services under Board of Health Code, BH 4-2.1; and,

WHEREAS, the Board of Health has determined that the licensing fees for providing such services shall be waived for non-profit organizations in order to remove barriers for organizations seeking to aid residents of the Borough.

NOW, THEREFORE, BE IT ORDAINED, by the Hightstown Board of Health, County of Mercer, State of New Jersey that the Board of Health Code be amended and supplemented as follows:

Section 1. That Chapter IV, entitled “Retail Food Establishment and Food and Beverage Machine Code”, Section BH:4-2.4, entitled “Fees for Licensing Retail Food Establishments” is hereby amended to read as follows (underline for additions, strikethroughs for deletions):

BH: 4-2.4

h. Fees shall not be required for licensure or plan review for any food bank, food pantry, mobile food pantry, community dinner or other similar service intended to address food insecurity of individuals within the community; when owned and operated by any public school, church or other religious organization, or any other nonprofit corporation or association operating within the Borough of Hightstown. Proof of nonprofit (i.e., proof of federal designation as a 501 (c)(3) organization) status may be required prior to issuance of a license and permit.

Section 2. This Ordinance shall become effective immediately upon final passage and publication in accordance with the law.



Section 3. All other Ordinances or parts of Ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

Section 4. In the event that any portion of this Ordinance is found to be invalid for any reason by any Court of competent jurisdiction, such judgment shall be limited in its effect only to that portion of the Ordinance actually adjudged to be invalid, and the remaining portions of this Ordinance shall be deemed severable therefrom and shall not be affected.

Introduction: November 13, 2019

Adoption:

ATTEST:

JILL SWANSON
HEALTH OFFICER

NANCY DISTELCAMP
PRESIDENT