

ORDINANCE NO. 2017-06 (1166)

**ORDINANCE OF THE BOROUGH OF LAVALLETTE, COUNTY OF OCEAN,
STATE OF NEW JERSEY, AMENDING, REVISING AND SUPPLEMENTING
CHAPTER 7, ENTITLED “FEES FOR USE OF BEACHES AND FACILITIES”
TO CREATE A NEW § 7-9(F)(6) ENTITLED “ONE (1) DAY FOOD TRUCK
EVENTS PERMITS.”**

WHEREAS, the Mayor and Borough Council wish to amend, revise and supplement the Borough Code of the Borough of Lavallette to allow for one (1) day food truck events permits in the borough under certain limited circumstances as established by the Borough:

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Borough Council of the Borough of Lavallette, County of Ocean, State of New Jersey that Chapter 7, entitled “Fee for Use of Beaches and Facilities” be amended, revised and supplemented by adding a new § 7-9(F)(6) to allow applicants for use of facilities to apply for one (1) day event food truck vendor permits from the Borough. The new section shall read in its entirety as follows:

§ 7-9(F)(6) One (1) Day Food Truck Events Permits.

(6) (A) An applicant for use of a facility for an event may apply for a permit to allow one (1) or more food trucks to participate in the event. The applicant shall list all food trucks intended to be located at the event in the facilities use application. The applicant must provide the following information on a separate sheet attached to the facilities use application for each food truck:

- (1) Name of food truck;
- (2) Make, model, and license plate number of vending unit;
- (3) Owner’s contact information;
- (4) Operator’s contact information;
- (5) Signature by applicant and food truck indicating agreement to the listed requirements for operation of a food truck at the planned event;
- (6) Proof of valid insurance policy that provides liability coverage against any claims or damages of any kind at the event and names the Borough as an additional insured and provide a copy of such policy to the Borough at the time of the application.

(B) Participation by one (1) or more food trucks at the applicant’s event is subject to the following requirements.

- (1) Food trucks must have a current certificate of inspection from the County or municipal Board of Health wherein the food truck is principally located.

- (2) Food trucks shall be located at least ten (10) feet away from the nearest building, provided that a mobile vending unit may be located closer than ten (10) feet to a building if the location has been approved in writing in advance by the Borough Fire Chief.
 - (3) Food trucks shall be located a minimum distance of fifteen (15) feet in all directions of a fire hydrant.
 - (4) Food trucks shall only serve walk-up customers, not customers at customer seating.
 - (5) Food trucks shall not broadcast music or loud advertisements.
 - (6) Food trucks shall not provide customer seating.
 - (7) No signage is allowed except signage affixed to the mobile vending unit identifying the food trucks and menu/price information.
 - (8) Food trucks must provide for adequate waste collection from their customers and remove waste from the site without using public waste receptacles.
 - (9) Food trucks must operate in a safe, sanitary, and non-offensive manner.
 - (10) The food truck operator or his/her designee must be present at all times except in cases of an emergency.
 - (11) No liquid waste or grease is to be disposed in tree pits, storm drains or onto the sidewalks, streets, or other public space. Under no circumstances shall grease be released or disposed of in the Borough's sanitary sewer system.
- (C) There shall be a fee for each food truck provided at the applicant's event in the amount of \$100.00.

Underlining indicates additions; [brackets] indicate deletions.

SECTION 2. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

SECTION 3. All ordinances or parts of ordinances inconsistent with this Ordinance are hereby repealed.