

**MINUTES  
BOARD OF HEALTH  
TOWNSHIP OF CHATHAM  
APRIL 23, 2010  
SPECIAL MEETING**

Mr. Jim Brown called the regular meeting of the Board of Health to order at 8:00 PM.

Answering present to the roll call were Dr. Marano, Mr. Newby, Mr. Tubbs, Mr. Nachtigal, and Mr. Brown.

**Adequate notice** of this meeting of the Board of Health was given as required by the Open Public Meetings Act as follows: Notice was given to both the Chatham Courier and the Morris County Daily Record on April 19, 2010; notice was posted on the bulletin board in the main hallway of the Municipal Building on April 19, 2010; and notice was filed with the Township Clerk on April 19, 2010.

**Public Hearing/Final Adoption of Ordinances**

**ORDINANCE BH-1-10**

**AN ORDINANCE FURTHER AMENDING THE REGULATIONS OF THE BOARD OF HEALTH OF THE TOWNSHIP OF CHATHAM, IN THE COUNTY OF MORRIS, NEW JERSEY, RESPECTING RETAIL FOOD ESTABLISHMENTS WITHIN THE TOWNSHIP AND THE FEES PERTAINING THERETO**

**BE IT ORDAINED** by the Board of Health of the Township of Chatham, in the County of Morris, State of New Jersey, as follows:

1. Section 4, Fees for Licenses, of Ordinance BH-1-97 adopted May 13, 1997 by the Board of Health of the Township of Chatham, in the County of Morris, State of New Jersey for the purpose of establishing certain regulations with respects to retail food establishments within the Township, as amended by Ordinance BH-5-01 adopted on November 13, 2001, Ordinance BH-1-02 adopted on October 8, 2002, as amended by Ordinance BH-1-04 adopted on June 8, 2004 is hereby further amended so that said section shall read in its entirety, as follows:

Section 4. FEES FOR LICENSES.

The fees for regular retail food establishment licenses shall be as follows:

**Store/Food Establishment**

Up to and including 10,000 square feet	\$ 100.00 per annum
More than 10,000 square feet	\$ 200.00 per annum

**Deli/Restaurant**

1 to 25 seats	\$ 50.00 per annum
26 to 50 seats	\$ 100.00 per annum
More than 50 seats	\$ 150.00 per annum

**Long Term or Assisted Care Facility having a maximum available capacity of**

1 to 25 residents	\$ 75.00 per annum
26 to 50 residents	\$ 150.00 per annum
51 to 100 residents	\$ 225.00 per annum
More that 100 residents	\$ 300.00 per annum

Vendors purveying individual servings of ice cream or other frozen confections, hot or cold drinks, candies, popcorn, fruit or other edible products

\$ 50.00 per annum

Vendors delivering dairy products to dwellings or dwelling Units

\$ 10.00 per annum per vehicle

**Farm Stands**

\$ 25.00 per annum

Swim Club Snack Bars

\$ 50.00 per annum

Packaged Goods only

\$ 50.00 per annum

A temporary license for up to 3 days for a special event or celebration at which food will be served to the public by other than a school, church or non-profit organization

\$ 25.00 per event

There shall be no fee for a school, church or non-profit organization having permanent or temporary kitchen facilities, provided that a license shall be obtained for any permanent kitchen facilities and further provided that the Township Board of Health may at any time inspect the operation of any temporary kitchen facilities.

The annual fee for a regular license shall not be prorated by reason of the date upon which the license may be issued.

All required license fees shall be due and payable on the first business day of January of each year. Effective May 1, 2010 and February 1 every year thereafter, an additional late fee of \$50.00 will be charged to those retail food establishments who have not obtained a license.

The fee for a retail food establishment license shall cover an initial inspection and one reinspection if the establishment is not given a "satisfactory" rating on the basis of the initial inspection. There shall be a charge of \$ 50.00 each for a third and any further inspections required prior to the issuance of a license.

No license issued pursuant to this ordinance shall be transferable in any manner.

2. This Ordinance shall take effect thirty (30) days after the publication of notice of final adoption as provided by law.

Mr. Brown opened the Public Hearing on Ordinance BH-1-10.

1. Matthew Tubbs, Fairmount Avenue Resident, asked why the Township collects fees for Retail Food Licenses. Mr. Kevin Tubbs explained that the fees offset the cost of the inspections performed the Health Inspector.

Seeing no further comment, Mr. Brown closed the Public Hearing.

Mr. Brown moved to adopt Ordinance BH-1-10. Mr. Newby seconded the motion.

**Roll call:** Dr. Marano, Aye; Mr. Tubbs, Aye; Mr. Newby, Aye; Mr. Nachtigal, Aye; Mr. Brown, Aye.

Mr. Newby moved to adjourn at 8:06 PM. Mr. Nachtigal seconded the motion, and it carried unanimously.

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Gregory J. LaConte  
Board of Health Secretary