



ORDINANCE OF JERSEY CITY, N.J.

COUNCIL AS A WHOLE
offered and moved adoption of the following ordinance:

CITY ORDINANCE 14.042

TITLE: **AN ORDINANCE INCREASING FEES FOR ANIMAL LICENSING, (CHAPTER 160, SECTION E, ANIMALS) FOOD-HANDLING, (CHAPTER 160, SECTION P, FOOD-HANDLING ESTABLISHMENTS) HEALTH AND SANITATION, (CHAPTER 160, SECTION Q, HEALTH AND SANITATION) AND VENDING MACHINES (CHAPTER 160, SECTION RR, VENDING MACHINES)**

COUNCIL

offered and moved adoption of the following
Ordinance:

WHEREAS, in order to effectuate the City's responsibility to provide for the health, safety and welfare of the City's population, the Municipal government, through its various executive branch departments, issues licenses to allow for the ownership of certain types of animals and for the licensure of certain types of businesses; and

WHEREAS, the respective executive branch departments charge fees for the issuance of these licenses and for inspections pursuant to these licenses; and

WHEREAS, the City has established a fee schedule which sets the cost of these fees at a rate commensurate with the cost of administering these licenses and ensuring that business using them are acting in compliance with all local laws; and

WHEREAS, this fee schedule is found in Chapter 160 of the Municipal Code of Jersey City; and

WHEREAS, Chapter 160, Section E, establishes the fees for animal licensure pursuant to Chapter 90 of the Municipal Code, Chapter 160, Section P, establishes fees for Food-Handling Establishments pursuant to Chapter 175 of the Municipal Code, Chapter 160, Section Q, establishes fees for inspections for health and sanitation pursuant to Chapter 182 of the Municipal Code, and Chapter 160, Section RR, establishes the fees for the licensure of vending machines pursuant to Chapter 329 of the Municipal Code; and

WHEREAS, these fees were last amended in 1995; and

WHEREAS, the cost of administering these licenses and ensuring that business using them are compliant with all local laws has increased over the last 19 years; and

WHEREAS, it is in the City's best interest that these aforementioned licensing fees be increased so that the cost of these fees can return to being commensurate with the cost of administration.

NOW, THEREFORE, BE IT ORDAINED by the Municipal Council of the City of Jersey City that the following Sections of Chapter 160 be amended to read:

E. Chapter 90, Animals.

(1) License to keep pigeons, chickens or other poultry: ~~\$25~~ \$50.00.

(2) Dog license fees shall be as follows

a. Annual licenses:

Neutered dogs, \$8.00 per dog

Unneutered dogs, \$12.00 per dog

b. Three-year licenses

Neutered dogs \$20.00 per dog

Unneutered dogs \$30.00 per dog

c. Late Fee - 30 days over May 1, \$5.00

d. Annual License Fees - Kennel/Dog Day Care

10 dogs or less, \$10.00

More than 10 dogs, \$25.00

e. Annual License Fee - Pet Shop, \$10.00 plus any state fees

f. Shelter or Pound, no fee

(3) Registration fee: \$1.

(4) Animal Population Control Fund fee: \$3 per license.

(5) Pilot Clinic Fund fee: \$0.20 per license.

(6) Registration fee for exotic, nongame or potentially dangerous species of wildlife: ~~\$25~~ \$50.00.

P. Ch. 175, Food-Handling Establishments.

(2) Article II, Mobile Food Vendors.

(a) The license fee for mobile food vendors in 2014 is \$500.

(b) The License fee for mobile food vendors beginning January 1, 2015 is \$600.

(3) Article III, Food Establishments.

(a) License fees shall be as follows. Such license fee shall not be refundable in whole or in part. Such license is not transferable. Such license shall be displayed in a conspicuous place in the establishment.

[1] Class A food licenses: ~~\$300~~ \$600. Class A includes supermarket, restaurant/cafeteria (more than 20 persons)/institutional kitchen, caterer/commissary/kitchen and mini-market/minimart.

[2] Class B food licenses: ~~\$200~~ \$400. Class B includes grocery/delicatessen, restaurant/luncheonette/cafe (not more than 20 persons), tavern, and confectionery, and itinerant eating and drinking establishment.

[3] Class C food licenses: ~~\$100~~ \$250. Class C includes bakery, butcher, fish market, agricultural market, frozen dairy and grocery.

[4] Class D food licenses: ~~\$35~~ \$125. Class D includes bar/liquor store, newsstand, pharmacy/drugstore and flavored ice.

[5] ~~Delivery vehicles (retail and wholesale): \$100.~~

[6] [5] Miscellaneous.

[a] Temporary retail food establishments.

(i) Organizer/sponsor fee.

Number of Days of Operation	Fee
1 to 4	\$35.00 <u>\$100.00</u>
5 or more	\$75.00 <u>\$150.00</u>

(ii) In addition to the above organizer/sponsor fee, the following fee shall be charged to each food vendor:

[i] For foods that are readily perishable or require heating or refrigeration:

Number of Days of Operation	Fee
1 to 3	\$15.00 <u>\$25.00</u>
3 to 5	\$25.00 <u>\$50.00</u>
5 to 7	\$35.00 <u>\$75.00</u>
7 or more	\$50.00 <u>\$150.00</u>

[ii] For foods that are not readily perishable and do not require heating or refrigeration:

Number of Days of Operation	Fee
1 to 5	\$10.00 <u>\$20.00</u>
5 or more	\$15.00 <u>\$30.00</u>

(iii) There shall be no food vendor fee charged to any person already possessing a food establishment license from the City of Jersey City.

[b] Flea markets.

(i) Seasonal license.

[i] May 1 through September 30: ~~\$60~~ \$125 per location.

[ii] October 1 through April 30: ~~\$35~~ \$75 per location.

(ii) In addition to the seasonal license fee, the following fee shall be charged to each food vendor:

[i] For foods that are readily perishable or require heating or refrigeration:

Number of Days of Operation	Fee
1 to 3	\$15.00 <u>\$25.00</u>
3 to 5	\$25.00 <u>\$50.00</u>

5 to 7	\$35.00 <u>\$75.00</u>
7 or more	\$50.00 <u>\$150.00</u>

[ii] For foods that are not readily perishable and do not require heating or refrigeration:

Number of Days of Operation	Fee
1 to 5	\$10.00 <u>\$20.00</u>
5 or more	\$15.00 <u>\$30.00</u>

(iii) Charitable institutions sponsoring temporary retail food establishments and/or flea markets shall be exempted from paying the organizer/sponsor fee, provided that no more than three food vendors are present at such event; however, individual food vendor fees shall not be so waived.

(iv) There shall be no food vendor fee charged to any person already possessing a food establishment license from the City of Jersey City.

(b) Food handler's course: \$25.

(4) Annual license fees for nonfood establishments. License fees shall be as follows:

- (a) Class A nonfood licenses: ~~\$100~~ \$250. Class A includes beauty/nail shop/salon, dry cleaner (on premises; includes coin-operated) and laundromat.
- (b) Class B nonfood licenses: ~~\$50~~ \$150. Class B includes barbershop, tanning booth (per unit), dry cleaner (off premises), beauty shop/salon (without nails) and laundry service vehicle.

Q. Chapter 182, Health and Sanitation.

- (1) Milk license fee: \$15 for each wagon, automobile or other vehicle from which milk or milk products are sold or delivered at wholesale.
- (2) Ice cream license: \$25 for each wagon, automobile or other vehicle from which ice cream or other frozen confections are distributed or sold in Jersey City, whether wholesale or retail.
- (3) Inspection and review of plans for initial licensing: \$50.
- (4) Re-inspection fee for conditional or unsatisfactory posting.
 - (a) First re-inspection: ~~\$50~~ \$100.
 - (b) Second re-inspection: ~~\$100~~ \$200.
 - (c) Third re-inspection or thereafter: ~~\$150~~ \$300.
- (5) Water analysis fee: \$20.
- (6) Copy of inspection report: ~~\$1~~ \$5.00.
- (7) Copy of Sanitary Code: ~~\$1~~ \$5.00.

- (8) Copy of form letters: ~~\$1~~ \$5.00.
- (9) Miscellaneous photocopies: \$0.50 per page.
- (10) Child-care center license fee: ~~\$50~~ \$200.
- (11) Tattooing. The annual license fee for tattooing shall be ~~two hundred fifty dollars (\$250.00)~~ eight hundred dollars (\$800). The fee shall not be prorated for less than a full year.

RR. Chapter 329. Vending Machines.

Operator's license fee, each vending machine.

- (a) Class A machine: \$40 \$100.00 per year or part thereof.
 - (b) Class B machine: ~~\$25~~ \$75.00 per year or part thereof.
 - (c) Class C machine: \$20 \$50.00 per year or part thereof.
 - (d) Class D machine: ~~\$15~~ \$30.00 per year or part thereof.
- I. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.
- II. The City Clerk shall have this ordinance codified and incorporated in the official copies of the Jersey City Code.
- III. This Ordinance shall take effect at the time and in the manner as provided by law.
- IV. The City Clerk and the Corporation Counsel may change any chapter numbers, article numbers and section numbers if codification of the ordinance reveals a conflict between those numbers and the existing code, in order to avoid confusion and possible accidental repealers of existing provisions.

Note: All new material is underlined; words ~~struck through~~ are omitted. For purposes of advertising only, new matter is **boldface** and repealed by *italics*.

APPROVED AS TO LEGAL FORM

Joanne Monahan
Corporation Counsel

APPROVED: _____

APPROVED: _____

[Signature]
Business Administrator

Certification Required ☐
Not Required ☒



**CITY OF JERSEY CITY
DEPARTMENT OF HEALTH AND HUMAN SERVICES
Division of Health**

199 – 201 Summit Avenue Jersey City, New Jersey 07304
P: 201 547-6800 F: 547-5168

Steven M. Fulop
Mayor

Stacey Lea Flanagan
Director

MEMORANDUM

DATE: April 2, 2014

TO: The Hon. Rolando Lavarro, President, Jersey City Municipal Council
Municipal Council Members

FROM: Vera Smith, Assistant Health Officer

SUBJECT: *Ordinance to Increase License Fees*

While looking for avenues to properly fund our programs, we discovered that our license fees have not been adjusted in over twenty two years!

When we reviewed our license fee schedule and compared it to similar local municipalities we found our fees were the lowest in the Hudson and Essex County area. Additionally we found our license fees are for the most part, half of what other municipalities are charging in the same licensing categories.

When we looked at the cost of operating the licensing bureau with equipment and clerks and conducting the inspections and food complaint investigations with equipment and inspectors we found the current license fees are not sufficient to support the services the department must provide. It should also be noted that during this same period of time the number of establishments have proliferated making bigger demands on the department without adequate compensation.

It is clearly time to adjust the license fees from the 1992 level into present day realities. In order for our programs and services to operate effectively the establishment license fees must be adjusted to more closely mirror the cost for providing the licensing, routine inspection and complaint inspection services to these establishments. The new fee schedule that we have submitted for your approval, hopes to do just that.

C: Stacey L. Flanagan, Director
Nilda Guivas, Health Officer
H. James Boor, Chief Inspector

ORDINANCE FACT SHEET – NON-CONTRACTUAL

This summary sheet is to be attached to the front of any resolution that is submitted for Council consideration. Incomplete or vague fact sheets will be returned with the resolution.

Full Title of Ordinance/Resolution

AN ORDINANCE INCREASING FEES FOR ANIMAL LICENSING, (CHAPTER 160, SECTION E, ANIMALS) FOOD-HANDLING, (CHAPTER 160, SECTION P, FOOD-HANDLING ESTABLISHMENTS) HEALTH AND SANITATION, (CHAPTER 160, SECTION Q, HEALTH AND SANITATION) AND VENDING MACHINES (CHAPTER 160, SECTION RR, VENDING MACHINES)

Initiator

Department/Division	Health & Human Services	
Name/Title	Vera Smith	Assistant Health Officer
Phone/email	(201) 547-6800	smithv@icnj.org

Note: Initiator must be available by phone during agenda meeting (Wednesday prior to council meeting @ 4:00 p.m.)

Ordinance Purpose

Upon reviewing the cost of operating the Licensing Bureau we found that the current license fees are not sufficient to support the services of the Bureau. Accordingly we seek the Council's approval to raise fees to offset the costs of inspections and issuance of licenses.

I certify that all the facts presented herein are accurate.


Signature of Department Director

4/9/14
Date

Ordinance of the City of Jersey City, N.J.



ORDINANCE NO. Ord. 14.042

TITLE:

3.B APR 09 2014 4.B

APR 23 2014

An ordinance increasing fees for Animal Licensing (Chapter 160, Section E, Animal) Food-Handling, (Chapter 160, Section P, Food-Handling establishments) Health and Sanitation, (Chapter 160, Section Q, Health and Sanitation) and Vending Machines (Chapter 160, Section RR, Vending Machines).

RECORD OF COUNCIL VOTE ON INTRODUCTION APR 09 2014 9-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	✓			YUN	✓			RIVERA	✓		
RAMCHAL	✓			OSBORNE	✓			WATTERMANN	✓		
BOGGIANO	✓			COLEMAN	✓			LAVARRO, PRES.	✓		

RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING APR 23 2014 9-0											
Councilperson <u>COLEMAN</u> moved, seconded by Councilperson <u>RAMCHAL</u> to close P.H.											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	✓			YUN	✓			RIVERA	✓		
RAMCHAL	✓			OSBORNE	✓			WATTERMANN	✓		
BOGGIANO	✓			COLEMAN	✓			LAVARRO, PRES.	✓		

✓ Indicates Vote

N.V.--Not Voting (Abstain)

SPEAKERS:

LAVERN WASHINGTON

RECORD OF COUNCIL VOTE ON AMENDMENTS, IF ANY											
Councilperson _____ moved to amend* Ordinance, seconded by Councilperson _____ & adopted											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI				YUN				RIVERA			
RAMCHAL				OSBORNE				WATTERMANN			
BOGGIANO				COLEMAN				LAVARRO, PRES.			

RECORD OF FINAL COUNCIL VOTE APR 23 2014 9-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	✓			YUN	✓			RIVERA	✓		
RAMCHAL	✓			OSBORNE	✓			WATTERMANN	✓		
BOGGIANO	✓			COLEMAN	✓			LAVARRO, PRES.	✓		

✓ Indicates Vote

N.V.--Not Voting (Abstain)

Adopted on first reading of the Council of Jersey City, N.J. on APR 09 2014

Adopted on second and final reading after hearing on APR 23 2014

This is to certify that the foregoing Ordinance was adopted by the Municipal Council at its meeting on APR 23 2014

Robert Byrne
Robert Byrne, City Clerk

*Amendment(s):

APPROVED:

Rolando R. Lavarro, Jr.

Rolando R. Lavarro, Jr., Council President

Date APR 23 2014

APPROVED:

Steven M. Filop
Steven M. Filop, Mayor

Date APR 28 2014

Date to Mayor APR 24 2014