

Chapter 75

FOOD ESTABLISHMENTS, MOBILE

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[HISTORY: Adopted by the Board of Health of the Township of Barnegat 7-13-77 as Ord. No. 1977-2. Amendments noted where applicable.]

GENERAL REFERENCES Food handling

establishment — See Ch. 76.

Be it ordained by the Board of Health of the Township of Barnegat, in the County of Ocean and State of New Jersey:

§ 75-1. Purpose.

The purpose of this ordinance is to protect and preserve the public health, safety and general well-being of the citizens of the Township of Barnegat by requiring certain minimum sanitary standards in the operation of mobile retail food establishments in the township.

§ 75-2. Definitions.

As used in this ordinance, the following terms shall have the meanings indicated:

BOARD — The Board of Health of the Township of Barnegat.

ENFORCING OFFICIAL — The duly qualified individual approved by the Board of Health for the enforcement of this ordinance or such other qualified person or persons as the Board may appoint.

MOBILE RETAIL FOOD ESTABLISHMENT — Includes any movable restaurant, truck, van, trailer, cart or other movable unit, including hand-carried portable containers, in or on which food or beverage, excluding prepackaged foods or beverages, is transported, stored or prepared for retail sale or given away at temporary locations.

PERSON — Any individual, individuals, corporation, association, organization, firm or partnership, or any agent, employee or representative thereof.

§ 75-3. Specifications for mobile units.

- A. A potable water supply tank with a minimum capacity of thirty (30) gallons, heated electrically or otherwise, and tilted toward a capped drain cock shall be provided. The water inlet pipe shall be of removable flexible copper or other tubing approved by the Board of Health of Barnegat Township, with the nozzle for hose connection capped when not being used. A hose for connection to the potable water supply shall be provided and shall be equipped with an approved vacuum breaker and check valve.
- B. A seamless three-compartment sink supplied with running hot and cold water, which shall have a swivel faucet, shall be provided, and it shall be large enough to accommodate the largest piece of equipment to be cleansed therein.

- C. A hand-wash sink, seamless, with running hot and cold water, soap and single-service individual towels or a mechanical hand dryer shall be provided.
- D. A suitable waste tank with an adequate method of gauging the contents and having a capacity at least equal to the capacity of the water supply tank shall be provided and shall be tilted toward a drain cock. It shall be emptied and flushed into a sanitary sewer or septic system as often as necessary and in a sanitary manner in order to maintain sanitary conditions.
- E. A mechanical refrigerated box that shall maintain a temperature of forty-five degrees Fahrenheit (45° F.) or below and equipped with indicating thermometer shall be provided for various ingredients carried, with metal racks or platforms provided to store ingredients.
- F. The floors shall be of metal or other impervious material. Junctures of floor, wall and adjoining fixtures shall be watertight and covered.
- G. A refuse container with cover must be available for the deposit of papers and other solid wastes by customers and operators and must be constructed, designed and placed so that it can be readily used, cleansed and kept clean and located where it will not create a nuisance.
- H. Mobile units operating after dark shall be well-lighted with at least thirty (30) footcandles of light intensity on all working surfaces.
- I. Notice shall be posted in the service area of the mobile unit with instructions as to the proper handling of food materials and containers, proper cleansing of equipment, utensils and appurtenances and proper waste disposal.
- J. Persons handling food shall be clothed in clean, washable uniforms, preferably white.
- K. Serving windows shall be glassed or screened and shall be kept closed at all times except when being used to serve customers.

- L. A hose and hose connection equipped with a vacuum breaker shall be provided for supplying water to the mobile unit as well as a method of handling the hose for draining to prevent contamination.
- M. Suitable covered storage facilities or containers shall be provided for all refuse and waste which must be removed daily.
- N. Every mobile unit shall be constructed of such acceptable material as to enable it to be readily cleaned, and equipment shall be installed in such a manner that the unit can be kept clean and food will not become contaminated. The unit or equipment shall be provided with a close-fitting cover where required.
- O. The water supply shall be adequate, of a safe sanitary quality and derived from an approved source. Cold water, and hot water of a temperature not less than one hundred forty degrees Fahrenheit (140° F.) under pressure, shall be provided in all processing and washing areas.
- P. All residues shall be removed from equipment after use each day and produce-contact surfaces shall be sanitized just prior to use each day. Interior surfaces contacted by foods shall be completely disassembled daily for cleaning; however, installations and methods used for cleaning equipment without disassembling same may be utilized by approval of the Board of Health of Barnegat Township.
- Q. After cleaning and sanitizing, all produce-contact surfaces of equipment and all utensils shall be so stored and handled as to be protected from contamination.

§ 75-4. License requirements.

- A. It shall be unlawful for any person to operate any mobile retail food establishment in the Township of Barnegat without having obtained an annual license from the Board of Health. The application for such licenses shall be on forms provided by the Board.

- B. The annual license fee for the full year or any portion thereof shall be at the rate of twenty-five dollars (\$25.). All licenses shall expire on December 31 of the year in which they are issued. [Amended 10-7-81 by Ord. No. 1981-6]
- C. Any license granted hereunder may be suspended or revoked at any time by the Board upon conviction of the holder thereof of a violation of any provisions of this ordinance.

§ 75-5. Violations and penalties.

- A. Any person violating or failing to comply with any provisions of this ordinance shall, upon conviction thereof, be subject to a fine of not less than five dollars (\$5.) nor more than one hundred dollars (\$100.) for each offense.
- B. Each violation of any of the provisions of this ordinance, and each day the same is violated, shall be deemed and taken to be a separate and distinct offense.

§ 75-6. Severability.

If any section, clause, sentence or provision of this ordinance shall be found to be invalid, the remaining portions shall not be affected thereby.

§ 75-7. Repealer.

All ordinances or parts of ordinances of the Board inconsistent with this ordinance are hereby repealed.

§ 75-8. When effective.

This ordinance shall take effect upon final passage and publication as required by law.