

**TOWNSHIP OF MAPLE SHADE**  
**ORDINANCE NO. 2022-12**

**ORDINANCE OF THE TOWNSHIP OF MAPLE SHADE, COUNTY OF BURLINGTON, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER 114 ENTITLED “LICENSES AND PERMITS” TO INCLUDE A NEW SECTION INVOLVING MOBILE FOOD VENDORS**

**WHEREAS**, the Township Council of the Township of Maple Shade, County of Burlington, State of New Jersey (hereinafter referred to as “Township”) has received input and recommendations from the Township Manager concerning fire safety involving food trucks, trailers and carts; and

**WHEREAS**, the Township believes it is appropriate and necessary to ensure fire safety for these vehicles; and

**NOW, THEREFORE, BE IT ORDAINED**, by the Mayor and Council of the Township of Maple Shade, County of Burlington, State of New Jersey that Chapter 114 Article IV of the codified ordinances of the Township of Maple Shade entitled “Licenses and Permits” be amended include new Section 31 to 36 entitled “Food Truck, Trailer and Cart Fire Safety” which shall read as follows:

**SECTION I. Definitions**

Food Truck – A motorized vehicle registered and is able to be operated on the public streets of the State of New Jersey, in which ready to eat food is cooked, wrapped, packaged, processed or portioned for sale or distribution.

Food Vendor – The owner or operator of a Food Truck, Food Trailer or Food Cart or the owner’s agent: hereinafter referred to as “Vendor”.

Food Cart – A Cart or other movable device used on the public sidewalks or in public places, in which ready to eat food is cooked, wrapped, packaged, processed or portioned for sale or distribution, and which is not licensed as a food truck or food trailer.

Food Vehicle – Collectively, a Food Truck Food Trailer and a Food Cart.

## **SECTION II. Inspection required**

- (a) No Food Truck, Trailer, Cart or Vehicle shall operate within the borders of the Township of Maple Shade without first having been inspected by the Fire Official. Food Vehicles shall also require inspection and approval of the Burlington County Board of Health prior to applying to the Township.
- (b) Inspection is required for all mobile food vendors operating within the Township of Maple Shade whether for a private event or public gathering.
- (c) No Food Truck, Trailer, Cart or Vehicle using propane or **any other open flame cooking apparatus** shall operate within the borders of the Township of Maple Shade without first having been inspected and approved by the Fire Official.

## **SECTION III. Annual Inspection; Certificate of Approval**

- (a) At least 2 weeks prior to the event, a vendor shall apply for inspection with the Maple Shade Fire Official. Food Vehicle vendors shall also apply to the Burlington County Health Department for inspection. Applications made less than two weeks before the event may be accepted up to the day of the event at the discretion of the Fire Official. A late service fee may be charged. In no case may a Food Vehicle operate without approval by the Fire Official.
- (b) The Township inspection fee of \$54.00 shall be paid at the time of the application and is nonrefundable.
- (c) The Fire Official shall prepare a checklist for the inspection specifically detailing the requirements needed and the standards which must be complied with for approval. The checklist shall be publicly available. Nothing in this subparagraph shall be construed as limiting the authority of the Fire Official to supplement the requirements of the checklist in a particular case in the interest of public safety.
- (d) A food truck is only authorized on a public property or roadway when approved by the Township of Maple Shade for such use.

**SECTION IV. Violations**

Any person who violates any provision of this article shall, upon conviction thereof, be punished by fine not exceeding \$2,000.00 imprisonment in the County/Municipal Jail for a term not exceeding 90 days, or a period of community service not exceeding 90 days, or any combination thereof as determined by the Municipal Court Judge. Each day on which a violation of an ordinance exists shall be considered a separate and distinct violation and shall be subject to imposition of a separate penalty for each day of the violation as the Municipal Court Judge may determine.

**SECTION V.** If any section, paragraph, subdivision, clause or provision of this ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision so adjudged and the remainder of the Ordinance shall be deemed valid and effective.

**SECTION VI.** All ordinances or parts of ordinances inconsistent with or in conflict with the Ordinance are hereby repealed to the extent of such inconsistency.

**SECTION IV.** This Ordinance shall take effect 20 days after final passage, adoption and publication according to law.

Introduction: November 10, 2022

COUNCIL	MOTION	SECOND	AYES	NAYS	ABSTAIN	ABSENT
Kauffman		x	x			
Schmidt	x		x			
Volpe			x			
Wiest						x
Nunes			x			

CERTIFICATION

I hereby certify the foregoing to be a true copy of an Ordinance adopted by the Maple Shade Township Council at a meeting held on December 8, 2022.

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 Andrea T. McVeigh, Township Clerk

Adopted: December 8, 2022

COUNCIL	MOTION	SECOND	AYES	NAYS	ABSTAIN	ABSENT
Kauffman	x		x			
Schmidt		x	x			
Volpe			x			
Wiest			x			
Nunes			x			