

REQUIREMENTS FOR MOBILE RETAIL FOOD ESTABLISHMENTS

- (1) Any person, entity, organization, or business seeking to operate a mobile retail food establishment, as defined in §45-12, on private or public property in the Borough of Washington, shall first obtain a zoning permit from the Zoning Officer. Said zoning permit shall be in addition to any and all licenses and/or permits as required from the Warren County Health Department, and/or as required by the State of New Jersey.
- (2) Zoning permits shall be required for mobile retail food establishments on an annual basis for year-round vendors or a Special Event basis for individual events as determined to be applicable prior to commencing operation within the Borough. Permits shall specify the nature, location, and extent of the operation. Permits issued pursuant to the provisions of this chapter shall be valid as follows:
 - (a) Year-round permits shall be valid for a one-year period beginning January 1 and shall not be prorated if obtained after January 1.
 - (b) Special Event permits shall be valid for not more than the days of the event.
- (3) General Operational Requirements.
 - a) No more than two Mobile Food Facilities may operate at any location at the same time unless authorized, by Resolution, by the Borough's Mayor and Council.
 - b) Mobile Food Facilities may commence operations at 7:00 a.m. and end all operations no later than 10:00 p.m. Upon request by a licensed Mobile Food Facility operator, the Borough's Mayor and Council may permit, by Resolution, extended hours of operation on a case-by-case basis.
 - c) No Mobile Food Facility shall occupy the same location more than 90 days per calendar year. No Mobile Food Facility shall occupy the same location more than seven consecutive days. Mobile Food Facilities may not occupy a location overnight.
 - d) No Mobile Food Facility shall occupy Borough property, without prior approval, by Resolution, of the Borough's Mayor and Council. No Mobile Food Facility shall occupy any portion of the public street, the right-of-way, or the sidewalk without prior approval, by Resolution, of the Borough's Mayor and Council.
 - e) Nothing in this chapter shall limit the Borough or any of its entities from hiring of Mobile Food Facilities for special events in any quantity as they deem fit. The Borough may in its discretion, utilize public property, public recreation facilities, streets and/or sidewalks for such events.
 - f) No Mobile Food Facility shall set up within 50 feet of any Retail Food Establishment without written approval of said Retail Food Establishment and the approval, by Resolution, of Borough's Mayor and Council.
 - g) No Mobile Food Facility shall be permitted to operate at any Borough of Washington or Wahington Business Improvement District sanctioned event without an Event License.
 - h) Mobile Food Facilities must be specifically designed, constructed and operated for the sole purpose of the storage, preparation, cooking and retail sale of food and beverages in conformance with all applicable governmental laws, regulations and code.
 - i) Mobile Food Facilities, which are motorized vehicles, must have up to date registration and inspections and be properly maintained in accordance with all applicable motor vehicle and transportation laws, regulations and ordinances.
 - j) Mobile Food Facilities shall be situated in the Mobile Food Facility Space as follows:
 1. In a Space with a minimum size of 12 feet by 40 feet ("Mobile Food Facility Space").
 2. Minimum setback from the right-of-way shall be 3 feet.

3. Minimum setback from the bumper of another Mobile Food Facility shall be 20 feet.
 4. Minimum setback from property lines shall be 15 feet from a commercial property and 50 feet from a residential property.
 5. Shall not interfere with the safe flow of traffic or pedestrian movement and provide sufficient space to comply with all American with Disability requirements.
 6. All signage shall be within the designated Mobile Food Facility Space.
 7. The Mobile Food Facility shall be situated so that the service of food does not face a road open to vehicle traffic.
 8. No Mobile Food Facility Space shall be within 50 feet of any fire hydrants or Fire Department connections.
- k) The Mobile Food Facility Space shall be kept in a neat and orderly condition at all times. The Mobile Food Facility licensee shall provide sufficient trash and recycling receptacles within Mobile Food Facility Space. Trash and recycling receptacles must be emptied when full and all trash and recycling must be removed prior to closing or departure of a Mobile Food Facility vehicle from the Mobile Food Facility Space. Collected trash and recycling shall be properly disposed of by the Motor Food Facility licensee and shall not be deposited in any Borough or private trash or recycling receptacles.
 - l) To the greatest extent feasible, mobile food facilities shall utilize existing lighting to avoid creating additional lighting and glare conditions onto adjacent properties. Additional lighting may be permitted when needed to maintain a safe space for the general public. All lighting shall be adequately shielded and directed towards the ground to eliminate light spillage onto adjacent streets, travel ways, properties and uses.
 - m) No power cord, cable, water hose or equipment of the Mobile Food Facility shall be extended across any public street, sidewalk or other public property.
 - n) Grills, generators, or other items related to the Mobile Food Facility's operation shall be physically attached to the Mobile Food Facility.
 - o) No Mobile Food Facility shall operate a generator that has an operational decibel rating exceeding 70 decibels.
 - p) While stationary, no Mobile Food Facility shall use any audio device or use any device to amplify sound that has a decibel rating in excess of 70 decibels.

WASHINGTON BOROUGH CHECKLIST OF ITEMS REQUIRED

For approval, the following requirements below must be submitted to the Zoning Department:

1. Proof of ownership or lease of the Mobile Food Facility.
2. Proof of general liability insurance with a minimum liability coverage of one million dollars.
3. If the Mobile Facility is a motorized vehicle or attached to a motorized vehicle, proof current registration motor vehicle and proof of motor vehicle insurance with a minimum coverage of one million dollars.
4. Your Mobile Retail Food Establishment business shall provide:
 - (a) A copy of the current food license
 - (b) The most recent inspection placard
5. We require the following documentation from your Base of Operation/Commissary.
 - (a) A copy of the current food license **or** most recent inspection placard is needed.
6. A list of the food menu items you will offer for the Temporary Event(s).

Accepted documents:

 - (a) Photo of food menu.
 - (b) Handwritten or typed list of food being offered.
7. Diagram of Setup.

Accepted documents:

 - (a) Photo of the inside of the Mobile Retail Food Establishment or a basic sketch, which must also indicate the location of the 3-compartment sink/handwash area.
8. *Food Manager Certification.
**If applicable for Risk-3 Mobile Vendors or advanced food preparation.*

NOTE:

- A \$25 Special Event Food and Drink License requires the **repeated** submission of documents listed above, for each event.
- A \$125 Annual Mobile Retail Food Establishments License requires a **1-time submission** of the documents listed above.
- An Annual Mobile Retail Food Establishment License expires annually on **December 31st**.
- Renewal Applications for Annual Mobile Retail Food Establishment **are not automatically sent out**. They must be requested by the applicant.
- If you have questions, contact the Washington Borough Zoning Department.

