

**BOARD OF HEALTH
BOROUGH OF NEW PROVIDENCE
ORDINANCE NO. 2020-01**

**AN ORDINANCE OF THE BOARD OF HEALTH OF THE BOROUGH OF
NEW PROVIDENCE, COUNTY OF UNION, STATE OF NEW JERSEY
AMENDING CHAPTER 333-10 OF THE CODE OF THE BOROUGH OF
NEW PROVIDENCE ENTITLED "SANITARY STANDARDS".**

WHEREAS, repeated "conditionally satisfactory" or "unsatisfactory" ratings represent a hazard to public health and repeat inspections impose additional costs to taxpayers;

NOW, THEREFORE, BE IT ORDAINED by the Board of Health of the Borough of New Providence, County of Union, State of New Jersey as follows:

SECTION 1. Section 333-10 of Article 11 of the sanitary Standards Code of the Borough of New Providence entitled "Violation, Revocation; Prosecution" is amended as follows:

- D. In the event of a second inspection rating for any food establishment deemed other than satisfactory within a single 12-month period, there shall be a mandatory Board of Health hearing concerning the findings and circumstances causing such rating. Reimbursement of fees and costs for repeat inspections shall be charged to the food establishment and shall be in addition to any legal action, fines or other penalties regarding violations and the correction of such violations. Such fees shall also be in addition to the annual license fee and shall not be considered a penalty, but shall be charged and paid to offset costs and expenses for reinspection by the Board of Health. The Board of Health shall determine the amount to be charged.

SECTION 2. If any section, paragraph, subparagraph, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the specific section, paragraph, clause or provision so adjudged and the remainder of the Ordinance shall be deemed valid and effective immediately after publication in the manner provided by law.

The Ordinance shall become effective immediately after publication in the manner provided by law.

Approved

Wendi B. Barry, Clerk
Borough of New Providence

Allen Morgan, Mayor
Borough of New Providence