

**LAFAYETTE TOWNSHIP  
SUSSEX COUNTY, NEW JERSEY**

ORDINANCE 2019-04

AN ORDINANCE AMENDING SECTION 4-1.1, SECTION 4-1.5, SECTION 4-1.7  
AND SECTION 13-6.11(f), OF THE LAFAYETTE TOWNSHIP CODE REGARDING  
SALES FROM MOTOR VEHICLES OR WHEELED VEHICLE OF FOOD ITEMS  
AND BEVERAGES

WHEREAS, the Township of Lafayette has considered requests for food trucks to be permitted within a certain portion of the Township; and

WHEREAS, the Township Land Use Board and Township Committee have considered such requests and determined that two (2) food trucks per property, for a maximum of twenty-four (24) days in a calendar year shall be permitted, subject to certain requirements as set forth in this Ordinance.

NOW, THEREFORE, BE IT ORDAINED, that Section 4-1.1, Section 4-1.5, Section 4-1.7 and Section 13-6.11(f) of the Lafayette Township Code are amended as follows:

Section 1. Section 4-1.1, Public Gatherings: Commercial, shall be revised by the addition of the following:

.....Sales from motor vehicles or wheeled vehicle of food items and beverages on private property are permitted only in conjunction with a public gathering, with only two (2) such vehicles permitted on a property at any time, and for a maximum of twenty-four (24) days each calendar year on any property, subject to the conditions and requirements of Township Code Section 4-1.5.

Section 2. Section 4-1.5, License Requirements; Factors, shall be revised by the adoption of a new subparagraph i:

- i. Sales from motor vehicles or wheeled vehicle of food items and beverages on private property are permitted only in conjunction with a commercial public gathering (a maximum of two (2) vehicles at a time, twenty-four (24) times per year), and during such public gathering hours, provided the following conditions are met:
  1. Such property shall be commercially zoned, and shall be at least five (5) acres in size;
  2. The property shall have at least 25 delineated parking spaces;

3. The vehicle shall be located at least ten (10') feet from the nearest building;
4. No seating shall be provided;
5. Adequate waste and recycling receptacles shall be provided; and
6. The vehicle shall obtain all necessary licenses, including from the Lafayette Township Fire Official, Sussex County Division of Health and the Lafayette Township Board of Health.

Section 3. Section 4-1.7, License Required; Fee; Nontransferable, shall be revised by the addition of the following:

.....The application fee for sales from motor vehicles or wheeled vehicle of food items and beverages, per Section 4-1.5(i) above, shall be \$25.00 per day per vehicle.

Section 4. Section 13-6.11(f) shall be revised by deletion of the existing Section 13-6.11(f) and replacing it as follows:

f. Sales from motor vehicles or wheeled vehicle of food items, beverages, or any other merchandise either within the right-of-way of any public road or any private property, unless a permit is obtained for vehicle sales of food items and beverages, on private property only, in accordance with Township Code Section 4-1.1, et seq., related to public gatherings.

Section 5. Should any section, paragraph, sentence, clause or phrase of this Ordinance be declared unconstitutional or invalid for any reason by any Court of competent jurisdiction, such provision(s) shall be deemed severable and the remaining portions of this Ordinance shall remain in full force and effect.

Section 6. All ordinances or parts of ordinances or resolutions that are inconsistent with the provisions of this Ordinance are repealed to the extent of such inconsistency.

Section 7. This Ordinance shall take effect after publication and passage according to law.

#### NOTICE

The above entitled Ordinance was introduced and passed at first reading by the Lafayette Township Committee at a meeting on February 19, 2019 and after publication and a public hearing was finally adopted by the Lafayette Township Committee at a meeting held on March 5, 2019.

Mayor:

Municipal Clerk: