

ORDINANCE 2026-13

AN ORDINANCE AMENDING § 363-5 OF THE CODE OF THE BOROUGH OF SOUTH RIVER TO ADD A FARMERS' MARKET VENDOR ANNUAL PERMIT FEE

WHEREAS, the Code of the Borough of South River presently establishes fee requirements for retail and wholesale food establishments, including a fee for a temporary retail food establishment of \$25 for a one-day permit and \$10 for each consecutive day thereafter; and

WHEREAS, the Governing Body has determined that vendors participating in duly authorized farmers' markets within the Borough should be subject to a permit structure tailored specifically to farmers' market operations, rather than the existing temporary retail food establishment fee structure; and

WHEREAS, the Governing Body desires to create a new annual permit fee specifically for farmers' market vendors so that such vendors may operate at duly authorized farmers' markets within the Borough during the calendar year under a single annual permit; and

WHEREAS, the Governing Body further finds that establishing an annual farmers' market vendor permit will create a clearer and more predictable fee structure for farmers' market participation; and

WHEREAS, the Governing Body also desires to make clear that this annual farmers' market vendor permit applies only to farmers' market vendors operating stands at a farmers' market and does not apply to food trucks;

NOW, THEREFORE, BE IT ORDAINED by the governing body of the Borough of South River, County of Middlesex, State of New Jersey, as follows:

Section 1. Amendment to Code.

Section 363-5 of the Code of the Borough of South River, titled "Fees," is hereby amended to read as follows:

§ 363-5. Fees.

The fees for licenses for retail and wholesale food establishments, such licenses to be effective from January 1 until December 31 of the current year, are hereby amended as follows:

- A. Retail and wholesale food establishments, permanent locale: \$100.
- B. Any retail food establishment engaged in the sale of packaged food products: \$50.
- C. Temporary retail food establishment: \$25 for a one-day permit and \$10 additional for each consecutive day thereafter.
- D. Farmers' market vendor annual permit: \$50. This annual permit shall be valid for the calendar year commencing January 1 and ending December 31 of the same year and shall entitle the permit holder to set up and operate a stand at a duly authorized farmers' market within the Borough for the entirety of that calendar year without payment of any additional daily temporary retail food establishment fee. This annual permit shall apply only to farmers' market vendors operating stands at a farmers' market and shall not apply to food trucks.
- E. Late fee of \$20 after January 31 of the current year for retail and wholesale food establishments.
- F. Late fee of \$10 after January 31 of current year for sale of packaged food products.

Section 2. Repealer.

All ordinances or parts of ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

Section 3. Severability.

If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be unconstitutional or invalid by a court of competent jurisdiction, such decision shall not affect the remaining portions of this Ordinance.

Section 4. Codification.

This Ordinance shall be codified in the Code of the Borough of South River as amended herein.

Section 5. Effective Date.

This Ordinance shall take effect upon final passage, approval, and publication according to law.

NOTICE

NOTICE IS HEREBY GIVEN that the foregoing ordinance was introduced and passed on first reading at a regular meeting of the Borough Council of the Borough of South River, in the County of Middlesex, State of New Jersey, held on May 11th, 2026, and will be considered for second reading and final passage at the regular meeting of said Governing Body to be held on the 8th day of June, 2026, at 7:00 p.m., or as soon thereafter as this matter can be reached, at the Council Chamber of the Criminal Justice Building located at 61 Main Street, South River, New Jersey, and/or virtually via Zoom meeting code 826 6082 9597: password: 000000 at which time all persons interested shall be given an opportunity to be heard concerning this ordinance.

Introduced 5-11-26

COUNCIL	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
<i>Councilwoman DaSilva</i>			X			
<i>Councilman Donato</i>			X			
<i>Councilman Dziemian</i>		X	X			
<i>Councilman Giannakopoulos</i>						X
<i>Councilman Gurchensky</i>			X			
<i>Council President DeSantis</i>	X		X			

Alyssa Hager, RMC
Municipal Clerk
Borough of South River