

VENDING MACHINES

Chapter 272

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[HISTORY: Adopted by the Board of Health of the Borough of Wood-Ridge: Art. I, 10-6-77 as Ord. No. 1-77; Art. II, 10-6-77 as Ord. No. 2-77. Sections 272-4 and 272-10 amended at time of adoption of Code; see Ch. 250, General Provisions, Art. I. Other amendments noted where applicable.]

GENERAL REFERENCES

Fees and applications — See Ch. 256.

ARTICLE I
Adoption of Standards
[Adopted 10-6-77 as Ord. No. 1-77]

§ 272-1. Standards adopted.

A code regulating the use, operation and maintenance of food and beverage vending machines and licensure thereof; prohibiting the sale or possession with intent to sell through vending machines of adulterated or misbranded foods or drinks; authorizing inspection of vending machines and operations connected therewith; and fixing penalties for violations is hereby established pursuant to N.J.S.A. 26:3-69.1 to 3-69.6. A copy of said code is annexed hereto and made a part hereof without the inclusion of the text thereof herein.

§ 272-2. Title of standards.

The said code established and adopted by this Article is described and commonly known as the "Food and Beverage Vending Machine Code of New Jersey (1961)."

§ 272-3. Copies on file.

Three (3) copies of the said "Food and Beverage Vending Machine Code of New Jersey (1961)" have been placed on file in the office of the Secretary of the Board of Health upon the introduction of this Article and will remain on file there until final action is taken on this Article for the use and examination of the public.

§ 272-4. Violations and penalties.¹

Any person who violates any provision of, or order promulgated under this Article or code established herein shall, upon conviction thereof, be liable to a penalty of not less than five dollars (\$5.) nor more than five hundred dollars (\$500.) for each violation. Each day a particular violation continues shall constitute a separate offense.

¹ Editor's Note: Amended at time of adoption of Code; see Ch. 250, General Provisions, Board of Health, Art. I.

ARTICLE II
Permits and Licenses
[Adopted 10-6-77 as Ord. No. 2-77]

§ 272-5. Permit required; license required.

It shall be unlawful for any person, whether as principal or agent, clerk or employee, either for himself or any other person, or for any body corporate, or as an officer of any corporation, or otherwise to:

- A. Engage in the operation of one (1) or more machines or devices offered for public use which, upon insertion of a coin, coins or token, or by other means dispense unit servings of food or beverages, either in bulk or package, without the necessity of replenishing the devices between each vending operation, without first having applied to and procured a permit from the Board of Health of this municipality so to do, or without complying with any and all of the provisions of the Food and Beverage Vending Machine Code of New Jersey (1961), as adopted or amended by said Board.
- B. Maintain or permit to be maintained on or in any location in this municipality, one (1) or more machines or devices offered for public use which, upon insertion of a coin, coins or token, or by other means dispenses unit servings of food or beverages, either in bulk or package, without the necessity of replenishing the devices between each vending operation, without first having applied to and procured a license for each such machine or device from the Board of Health of this municipality or without complying with any and all of the provisions of the Food and Beverage Vending Code of New Jersey (1961), as adopted or amended by said Board.

§ 272-6. Fees; expiration date.

- A. The fees for permits and licenses as required by § 272-5 above, for the purpose of raising revenue, for regulation and control to be paid annually to this municipality, are hereby fixed as follows:
 - (1) Permit fee: ten dollars (\$10.) per year.

(2) License fee: ten dollars (\$10.) per machine, per year.

B. All permits and licenses issued under authority of this Article shall expire on the 31st day of December each year. Permit and license fees shall be paid to the Board of Health.

§ 272-7. Applications; nontransferability.

Application for and issuance of the permits and licenses referred to in § 272-5 above shall be made in conformity with the provisions of the Food and Beverage Vending Code of New Jersey (1961) as adopted or amended by the Board of Health of this municipality. Such permits and licenses are not transferable.

§ 272-8. Suspension, revocation or reinstatement.

Permits and licenses issued under authority of this Article may be suspended, revoked or reinstated by the Board of Health of this municipality pursuant to the provisions of the Food and Beverage Vending Code of New Jersey (1961) as adopted or amended by said Board of Health.

§ 272-9. Construal of provisions.

No provision of this Article shall be applied so as to impose any unlawful burden on either interstate commerce or any activity of the state or federal government.

§ 272-10. Violations and penalties.²

Any person, firm or corporation who shall violate any of the provisions of this Article shall, upon conviction, be punished by a fine of not less than five dollars (\$5.) nor more than five hundred dollars (\$500.). Each violation of any of the provisions of this Article and each day the same is violated shall be deemed and taken to be a separate and distinct offense.

² Editor's Note: Amended at time of adoption of Code; see Ch. 250, General Provisions, Board of Health, Art. I.