

**CITY OF SEA ISLE CITY
NEW JERSEY**

ORDINANCE NO. 1708 (2023)

AN ORDINANCE OF THE REVISED GENERAL ORDINANCES OF THE CITY OF SEA ISLE CITY TO UPDATE CHAPTER 20 ENTITLED “PARKS AND RECREATIONAL FACILITIES” TO CREATE CHAPTER 20-7 ENTITLED “VENDOR LICENSES FOR THE SALE OF FOOD AND MERCHANDISE AT PUBLIC FESTIVALS” TO ESTABLISH A LICENSING POLICY FOR THE SALE OF FOOD AND MERCHANDISE VENDORS AT PUBLIC FESTIVALS AND TO UPDATE RECREATION FEES

WHEREAS, the Council of the City of Sea Isle City, continues to review and update its programs and ordinances; and

WHEREAS, the City has an interest in ensuring that the public recreation program be appropriately developed, maintained, and managed with the least expenditure of public funds and that the facilities and programs be utilized by the public to the maximum extent possible; and

WHEREAS, the City has found this ordinance to be in the best interest of the health, safety, and welfare of the citizens and visitors of the City; and

WHEREAS, the City seeks to establish vendor licenses for the sale of food and merchandise at public festivals; and

WHEREAS, the Revised General Ordinances of the City of Sea Isle City does not currently contain a section devoted to the policies related to procedure and fee for licensing vendors at public festivals.

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Sea Isle City, County of Cape May, and State of New Jersey as follows:

SECTION I. Chapter 20 Section 6.2 of the Revised General Ordinances of the City of Sea Isle City, entitled “Registration of Kayaks” is hereby amended to delete the following letter “h” only in its entirety and replace same as follows:

DELETED SECTION:

20-6.2 Registration of Kayaks

- h. There shall be no fee for the issuance of a registration tag.

REPLACEMENT SECTION:

20-6.2 Registration of Kayaks

- h. There shall be an annual fee of \$75.00 for each registration tag (lottery winner(s) as defined in this Chapter) for the use of each storage berth at Dealy Field.

SECTION II. Chapter 20 Section 7 of the Revised General Ordinances of the City of Sea Isle City, entitled “Vendor Licenses for the Sale of Food and Merchandise at Public Festivals” is hereby amended to add the following Section in its entirety as follows:

ADDED SECTION:

20-7 Vendor Licenses for the Sale of Food and Merchandise at Public Festivals

SECTION III. Chapter 20 Section 7.1 of the Revised General Ordinances of the City of Sea Isle City, entitled “License Required” is hereby amended to add the following Section in its entirety as follows:

ADDED SECTION:

20-7.1 License Required

No person shall set up, keep, maintain, operate or permit to be set up, kept, maintained or operated any booth, stand, cart, vehicle or other structure for the vending of food and

merchandise at a public festival in or upon any street or sidewalk without first obtaining a festival vendor license from the Director of the Division of Recreation and/or her/his designee.

SECTION IV. Chapter 20 Section 7.2 of the Revised General Ordinances of the City of Sea Isle City, entitled “Qualified License Holder” is hereby amended to add the following Section in its entirety as follows:

ADDED SECTION:

20-7.2 Qualified License Holder

A festival vendor license shall be issued only to bona fide institutions, organizations or associations.

SECTION V. Chapter 20 Section 7.3 of the Revised General Ordinances of the City of Sea Isle City, entitled “Rules and Regulations” is hereby amended to add the following Section in its entirety as follows:

ADDED SECTION:

20-7.3 Rules and Regulations

The Director of the Division of Recreation shall promulgate such rules and regulations with respect to the granting of a festival vendor license as she deems necessary to protect the public welfare.

SECTION VI. Chapter 20 Section 7.4 of the Revised General Ordinances of the City of Sea Isle City, entitled “Fee” is hereby amended to add the following Section in its entirety as follows:

ADDED SECTION:

20-7.4 Fee

The fee for a festival vendor license shall be \$125 per festival. The license fee shall be payable upon the presentation of the application and shall be returned less the sum of \$50 in the event such license is not granted.

SECTION VII. Chapter 20 Section 7.5 of the Revised General Ordinances of the City of Sea Isle City, entitled “Penalty” is hereby amended to add the following Section in its entirety as follows:

ADDED SECTION:

20-7.5 Penalty

Any person who violates the provisions of this chapter shall, upon conviction thereof, be punished by a fine not exceeding \$1,000 or by imprisonment for a term not exceeding 90 days or both. A separate offense shall be deemed committed on each day during or on which a violation occurs or continues.

SECTION VIII. Severability. If for any reason, any section of this Ordinance shall be declared illegal by any Court of competent jurisdiction, the remaining section of the Ordinance shall remain in full force and effect, notwithstanding.

SECTION IX. Repealer. Any Ordinance or provision thereof inconsistent with this Ordinance is hereby repealed to the extent of such inconsistency.

SECTION X. Publication. This Ordinance shall take effect immediately upon the adoption and publication in accordance with the law.

J.B. Feeley, Council President

Mayor Leonard C. Desiderio

I HEREBY CERTIFY THAT the foregoing ordinance was duly passed by the City Council of the City of Sea Isle City, New Jersey on first reading at the regular meeting of said Council held on the 28th day of November, 2023 and was taken up for second reading, public hearing and final passage at the regular meeting of said Council held on the 26th day of December, 2023, in City Hall, 3rd Floor Council Chambers, 233 JFK Blvd., Sea Isle City, New Jersey at 10:00 a.m

Shannon D. Romano, Municipal Clerk