

**ANDOVER BOROUGH**  
**137 Main Street, Andover, New Jersey 07821**  
**973-786-6688 · clerk@andoverboroughnj.org**

## **Food Truck Permit Application**

**The retail sales of food, food products and beverages from a vendor vehicle on a private property are permitted subject to the following requirements:**

1. Such sales must be in conjunction with a public gathering on the property;
2. Only two (2) food trucks shall be on the property at any time;
3. There must be sufficiently safe space on the property for the food truck(s);
4. Such sales can be conducted on any one property no more than four times in any calendar year, each time consisting of no more than two consecutive days;
5. The property must be in a commercially zoned area as designated in the Code;
6. The property must have sufficient parking area for all motor vehicles used by those present during the public gathering;
7. Each food truck shall be located ten (10') feet or more from the nearest building;
8. No seating for customers shall be provided;
9. Adequate waste and recycling receptacles on the property shall be provided;
10. The food truck vendor shall obtain all applicable licenses and permits, including but not limited to those required by this Article and by the Andover Borough Fire Official, Sussex County Division of Health and the Andover Borough Board of Health; and
11. The food truck vendor shall comply with the conditions and requirements of the Code and applicable law, including permit, health and sanitation requirements, food-handling licensure, and zoning requirements.

**The permit application must be submitted with complete information and fees at least 2 weeks prior to the event.**

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**PROPERTY OWNER INFORMATION AND MAILING ADDRESS:**

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Email Address: \_\_\_\_\_

Contact #: \_\_\_\_\_

**Property Information:**

Block: \_\_\_\_\_ Lot: \_\_\_\_\_ Zone: \_\_\_\_\_

**Commercial Business Information:**

Business Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone #: \_\_\_\_\_ Email: \_\_\_\_\_

Manager or Person in Charge: \_\_\_\_\_

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1. Reason for Event: \_\_\_\_\_

2. Event Date(s): \_\_\_\_\_

3. *Have you received any permits within this calendar year?*                      YES                      NO

**4. Please provide a sketch of the property.**

- a) Show parking lot and all buildings.
- b) Show the location where the truck will be parked.
- c) Each food truck shall be located ten (10') feet or more from the nearest building.
- d) Be sure there is a sufficient parking area for all motor vehicles attending event.
- e) Customer seating is not permitted.
- f) Adequate waste and recycling receptacles must be provided.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

- The Borough Clerk can deny a request for a permit on determination that the proposed activity is not permitted by this Article or that insufficient information has been provided by the applicant to make that determination.
- The food truck vendor must remain in compliance with said section at all times.
- A food truck vendor permit shall apply only to the food truck vendor to whom granted and for the property indicated thereon; and it shall not be transferable.
- Any food truck vendor granted a permit per this Article shall have such permit in his or her possession at all times while engaged in said occupation and shall exhibit such permit whenever called upon to do so.
- A permit may be revoked by the Borough Clerk, without requirement of a refund of the permit fee, on determination of non-compliance with the requirements of this Article.
- Violation of any provision of Article 103-15 shall be provided for in Chapter 1 General Provisions. Each day that such sale continues without being duly licensed shall be considered a separate violation and subject to a fine of up to \$500.

**BOROUGH OF ANDOVER  
SUSSEX COUNTY, NEW JERSEY**

**AN ORDINANCE OF THE BOROUGH OF ANDOVER, COUNTY OF SUSSEX AND  
STATE OF NEW JERSEY, AMENDING CHAPTER 103, ENTITLED "PEDDLING AND  
SOLICITING", OF THE CODE OF THE BOROUGH OF ANDOVER TO ADD AND  
INCLUDE NEW ARTICLE III, ENTITLED "FOOD TRUCK VENDORS"**

**WHEREAS**, the Borough of Andover has considered requests for food trucks to be permitted within a certain area of the municipality; and

**WHEREAS**, the Borough Land Use Board and Borough Governing Body have considered such requests and determined that no more than two food trucks per property, for a maximum of four times in a calendar year (no more than two consecutive days per permit with a maximum of four permits per year) shall be permitted, subject to requirements set forth in this Ordinance.

**NOW THEREFORE, BE IT ORDAINED**, by the Mayor and Council of the Borough of Andover, County of Sussex and State of New Jersey as follows:

SECTION 1. Chapter 103, entitled "Peddling and Soliciting", of the Code of the Borough of Andover is hereby amended to add and include a new article designated as Article III, entitled "Food Truck Vendors", as follows:

**Article III. Food Truck Vendors.**

**Section 103-12. Definitions.**

As used in this Article, the following terms shall have the meanings indicated:

Food truck – A vendor vehicle used for the retail sales of any food, food product or beverage.

Food truck vendor – Person(s) granted a permit per this Article to operate a food truck.

Person – A person, partnership, corporation or entity.

Private property – Property not owned by a public entity.

Property -- A tax lot.

Vendor vehicle – A motor vehicle or wheeled vehicle.

**Section 103-13. Food trucks prohibited; exception.**

- A. Food trucks prohibited. It shall be unlawful for any person to directly or indirectly sell, merchandise or offer for sale and delivery or cause to be delivered in the course of retail trade any food or food product from a vendor vehicle within the Borough of Andover except as permitted by this Article.
- B. Exception. The retail sales of food, food products and beverages from a vendor vehicle on a private property are permitted subject to the following requirements:
  - 1. Such sales must be in conjunction with a public gathering on the property;
  - 2. Only two (2) food trucks shall be on the property at any time;
  - 3. There must be sufficiently safe space on the property for the food truck(s);
  - 4. Such sales can be conducted on any one property no more than four times in any calendar year, each time consisting of no more than two consecutive days;
  - 5. The property must be in a commercially zoned area as designated in the Code;
  - 6. The property must have sufficient parking area for all motor vehicles used by those present during the public gathering;
  - 7. Each food truck shall be located ten (10') feet or more from the nearest building;
  - 8. No seating for customers shall be provided;
  - 9. Adequate waste and recycling receptacles on the property shall be provided;
  - 10. The food truck vendor shall obtain all applicable licenses and permits, including but not limited to those required by this Article and by the Andover Borough Fire Official, Sussex County Division of Health and the Andover Borough Board of Health; and
  - 11. The food truck vendor shall comply with the conditions and requirements of the Code and applicable law, including permit, health and sanitation requirements, food-handling licensure, and zoning requirements.

**Section 103-14. Permit requirements; issuance; application fee.**

- A. The Borough Clerk may issue a food truck vendor permit on payment by the applicant of the proper fee therefor as provided in Chapter 66, Fees and submission of an application setting forth the name, address and contact information of the applicant, the address and tax block and lot of the property where food truck(s) is or are proposed to be located, and the requested effective date(s) of the permit.

- B. The Borough Clerk may deny a request for a permit on determination that the proposed activity is not permitted by this Article or that insufficient information has been provided by the applicant to make that determination.
- C. The issuance of a permit per this section is not evidence in and of itself of compliance with Section 103-13. The food truck vendor must remain in compliance with said section at all times.
- D. A food truck vendor permit shall be effective for the time stated thereon up to a maximum of two (2) consecutive days.
- E. No more than four food truck vendor permits shall be issued with regard to one property in any calendar year.
- F. A food truck vendor permit shall apply only to the food truck vendor to whom granted and for the property indicated thereon; and it shall not be transferable.
- G. Any food truck vendor granted a permit per this Article shall have such permit in his or her possession at all times while engaged in said occupation and shall exhibit such permit whenever called upon to do so.
- H. A permit may be revoked by the Borough Clerk, without requirement of a refund of the permit fee, on determination of non-compliance with the requirements of this Article.

**Section 103-15. Violations and penalties.**

For a violation of any provision of this Article, the maximum penalty, upon conviction, shall be as provided for in Chapter 1, General Provisions, § 1-15. Each day that such sale shall continue without being duly licensed shall be considered a separate violation. The foregoing is subject to the limitation that the maximum fine shall not exceed five hundred dollars (\$500) per day.

SECTION 2. SEVERABILITY. Each clause, sentence, phrase, paragraph, or subsection of this chapter is declared to be an independent clause, sentence, phrase, paragraph, or sub-section; and the finding or holding of any such portion of this chapter to be unconstitutional, void, or ineffective for any cause or reason shall not affect any other portion of this chapter.

SECTION 3. INCONSISTENT ORDINANCES REPEALED. All Ordinances or parts of Ordinances which are inconsistent herewith are hereby repealed to the extent of such inconsistency.

SECTION 4. EFFECTIVE DATE. This Ordinance shall take effect immediately after final passage and publication in the manner provided by law.