

ORDINANCE NUMBER 30-2022

An Ordinance to Amend the Lambertville City Code, 2014 and the Zoning Ordinances of the City of Lambertville to Permit Cottage Food Operations Licensed by the State of New Jersey in the City of Lambertville

WHEREAS, effective October 4, 2021, the New Jersey Department of Health adopted new regulations, N.J.A.C. 4:24-11 et seq. (the “Cottage Food Regulations”), to allow for home bakers to obtain a state-issued Cottage Food Operator Permit to prepare and sell cottage food products, including, but not limited to, products such as baked goods, candy, and fudge; and

WHEREAS, the new Cottage Food Regulations, and permits granted thereunder, are subject to compliance with municipal laws and ordinances that would apply to any such cottage food operation; and

WHEREAS, the City of Lambertville’s Zoning regulations permit home offices, but do not permit such cottage food operations within the confines of the City; and

WHEREAS, the City of Lambertville wishes to establish Zoning permit procedures to allow such Cottage Food Operations within the City without variance relief from the local land use board.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the City of Lambertville, in the County of Hunterdon, in the State of New Jersey, that the following section of the Lambertville City Code, 2014, Chapter BH3, Section BH#-4 Definitions, and BH3-5 License Required and the Lambertville Zoning Ordinances are hereby amended as follows:

LAMBERTVILLE CITY CODE, 2014: Chapter BH3, Section BH#-4 Definitions to include the following description for the Cottage Food License

COTTAGE FOOD ORDINANCE – Shall mean any person who holds a New Jersey Cottage Food Operator Permit.

LAMBERTVILLE CITY CODE, 2014: Chapter BH3-5 License Required

- a. It shall be unlawful for any person to conduct a retail food establishment as defined herein without first having obtained an annual license from the City Board of Health. It shall also be unlawful for any person to conduct said activities without complying with any or all the provisions of this chapter and N.J.A.C. 8:24-1.1 et seq. of the New Jersey State Sanitary Code.
- b. No retail food establishment license shall be issued unless the retail food establishment has in its possession and on display a current satisfactory inspection certificate from the Hunterdon County Health Department dated within 12 months of the application for said license.
- c. No Cottage Food Operator License shall be applied for or issued unless the owner has in its possession and on display, a Zoning Permit issued by the Zoning Officer of the City of Lambertville. The application for a Zoning Permit must include a satisfactory inspection certificate from the Hunterdon County Health Department dated within 12 months of the application for said license and must comply with section 520.1 Minor Home

Occupation. After first obtaining a Zoning Permit, the owner/operator can then apply for the State of New Jersey issued Cottage Food Operator's License.

INTRODUCTION AND FIRST READING: October 20, 2022

PLANNING BOARD: November 2, 2022

PUBLIC HEARING AND SECOND READING: November 17, 2022