



## Legislation Details (With Text)

**File #:** 21-1681      **Version:** 1      **Name:** Ordinance - New License Requirement for Convenience Stores  
**Type:** Ordinance      **Status:** Adopted  
**File created:** 11/10/2021      **In control:** Finance  
**On agenda:** 11/23/2021      **Final action:** 12/7/2021  
**Title:** AN ORDINANCE CREATING TITLE VIII, BUSINESSES AND OCCUPATIONS, CHAPTER 37, CONVENIENCE STORES, OF THE REVISED GENERAL ORDINANCES OF THE CITY OF NEWARK, NEW JERSEY, 2000, AS AMENDED AND SUPPLEMENTED, ESTABLISHING A LICENSE REQUIREMENT FOR CONVENIENCE STORES WITHIN THE CITY OF NEWARK.

DEFERRED 6PSF-o 120121

**Sponsors:**

**Indexes:**

**Code sections:**

Date	Ver.	Action By	Action	Result
12/7/2021	1	Municipal Council	Close on Public Hearing and Adopt	Pass
12/1/2021	1	Municipal Council	Maintained on Public Hearing and Deferred	Pass
11/23/2021	1	Municipal Council	Advance and Adopt on First Reading as 6F-	Pass

**AN ORDINANCE CREATING TITLE VIII, BUSINESSES AND OCCUPATIONS, CHAPTER 37, CONVENIENCE STORES, OF THE REVISED GENERAL ORDINANCES OF THE CITY OF NEWARK, NEW JERSEY, 2000, AS AMENDED AND SUPPLEMENTED, ESTABLISHING A LICENSE REQUIREMENT FOR CONVENIENCE STORES WITHIN THE CITY OF NEWARK.**

**DEFERRED 6PSF-o 120121**

**WHEREAS**, the City of Newark desires to establish a license requirement for Convenience Stores; and

**WHEREAS**, a business or store which sells goods and meals to eat, off premises, is classified and licensed as both an eatery and retail store and pays fees for each license; and

**WHEREAS**, the Department of Finance wants to streamline the licensing process and make it more equitable and efficient for business and speed up the licensing process; and

**WHEREAS**, the Municipal Council and the Administration of the City of Newark recognize the need to create this new license requirement for the businesses that meet this criteria.

**NOW, THEREFORE, BE IT ORDAINED BY THE MUNICIPAL COUNCIL OF THE CITY OF NEWARK, NEW JERSEY, THAT:**

**Section 1.** Title VIII, Business and Occupations, of the Revised General Ordinances of the City of Newark, New Jersey, 2000, as amended and supplemented, is adding the following:

**TITLE VIII, BUSINESSES AND OCCUPATIONS, CHAPTER 37, CONVENIENCE STORES**

**8:37-1. DEFINITIONS**

**CONVENIENCE STORE** Shall mean any establishment that prepares and serves meals and food, which does not have seating for dining on its premises, whose business only consists of sales to customers for consumption outside its premises in conjunction with selling goods or merchandise to the general public for personal or household consumption and rendering services incidental to the sale of such goods.

**8:37-2. ISSUANCE, RENEWAL, EXPIRATION, AND ADMINISTRATIVE RULES**

All license issued, and renewals thereof under this chapter shall expire biennially on March 31<sup>st</sup> after its date of issuance. If any applicant obtains an initial license pursuant to this Section after the renewal date or in between a biennial cycle, the applicant will pay a pro-rated application fee. The applicants' license will thereafter expire on March 31<sup>st</sup> in accordance with the biennial licensing cycle. The Division of Tax Abatement/Specials Taxes shall establish administrative rules and/or regulations pertaining to scheduling for issuance of Convenience Store Licenses as appropriate.

**8:37-3. BIENNIAL FEE**

The biennial fee for the license issued under this chapter shall be \$700. In the event that the license is not granted the fee shall be returned less the sum of \$30.

**Section 2. Severability.**

If any provision of this ordinance or application thereof to any person(s) or circumstance is judged invalid by a court of competent jurisdiction, the invalidity shall not affect other provisions or application of the ordinance that that can be given effect without the invalidated provision or application, and to this end the provisions of this ordinance are declared severable.

**Section 3.** This Ordinance shall take effect upon passage and publication as provided by law.

**STATEMENT**

Ordinance adding Title VIII, Businesses and Occupations, Chapter 37, Convenience Stores, to the revised ordinances of the City of Newark, 2000, as amended and supplemented, creating a license requirement for Convenience Stores within the City of Newark.