

**BOROUGH OF NEW PROVIDENCE
ORDINANCE NO. 2018-06**

**AN ORDINANCE AMENDING CHAPTER 201 OF THE
CODE OF THE BOROUGH OF NEW PROVIDENCE ENTITLED
“PEDDLING AND SOLICITING”**

BE IT ORDAINED by the Mayor and Council of the Borough of New Providence, County of Union, State of New Jersey that Chapter 201 entitled “Peddling and Soliciting” of the Code of the Borough of New Providence shall be amended as follows:

DELETE: SECTION 201-18. INVESTIGATION OF APPLICANT;
ISSUANCE OF DENIAL OF LICENSE.

ADD: SECTION 201-18. INVESTIGATION OF APPLICANT;
ISSUANCE OF DENIAL OF LICENSE.

Upon receipt of a complete application, the Chief of Police or a designee of the Chief of Police shall initiate within five (5) calendar days of receipt an investigation of the business and moral character of the applicant for protection of the public welfare. The Chief of Police, or the designee, shall complete the investigation and transmit any recommendations to the Borough Clerk within 30 days of initiating such investigation unless the Chief of Police, or the designee, is at the time awaiting information concerning the applicant from the criminal record verification after a timely request.

If, as a result of such investigation, the applicant’s moral or business character is determined to be unsatisfactory pursuant to this subsection, the Chief of Police, or the designee, shall recommend the denial of the requested permit to peddle or solicit in the Borough of New Providence. Any such determination shall not be discretionary, but shall be based on one or more of the following findings:

- A. The applicant has been convicted of an indictable offense within the last five years;
- B. The applicant has purposefully misrepresented information on the requisite application;
- C. The applicant has been convicted of any disorderly person offense for which he cannot give an account sufficient to satisfy the Chief of Police, or the designee, that they will not pose a threat to the public welfare;
- D. The past business endeavors of the applicant, or the company who employs or contracts with the applicant, have been found fraudulent by a competent authority, or the applicant has been found to misuse or misappropriate funds in prior business dealings;

- E. The applicant lacks proof of required insurance; or
- F. The applicant has previously been found to be in violation of rules or regulations governing peddling or soliciting in the Borough or one or more other municipalities on one or more occasions.

The Chief of Police, or the designee, shall detail the findings which caused the recommendation of the denial of the application and the evidence supporting the recommendation.

If, as a result of the investigation, the character and business reputation appear to be satisfactory, the Chief of Police, or the designee, shall so certify in writing, and a license shall be issued by the Borough Clerk. The Borough Clerk shall keep a full record in their office of all licenses issued.

This Ordinance shall take effect upon final passage and publication in accordance with New Jersey law.

INTRODUCTION: June 11, 2018
PUBLIC HEARING: June 25, 2018
ADOPTED: June 25, 2018

BOROUGH OF NEW PROVIDENCE
COUNTY OF UNION
STATE OF NEW JERSEY

Allen Morgan, Mayor

Attest:

Wendi B. Barry, Clerk