

AN ORDINANCE AMENDING CHAPTER 5, SECTION 2.4 OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF WEST ORANGE (PEDDLERS-COMMERCIAL PERMIT APPLICATION AND FEE ADVERTISEMENT)

BE IT ORDAINED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF WEST ORANGE, NEW JERSEY that Chapter 5, Section 2.4 of the Revised General Ordinances of the Township of West Orange be and are hereby amended as follows:

I. PURPOSE

The purpose of this ordinance is to modify the fines set forth in Chapter 5, Section 2.4 of the Revised General Ordinances of the Township of West Orange to be amendable by Resolution such that it is amendable in the future by approval of the Township Council, a necessity in an everchanging socioeconomic climate.

II. CHAPTER 5, SECTION 2.4 SHALL BE AND HEREBY IS AMENDED AND SUPPLEMENTED TO INCORPORATE THE FOLLOWING:

§5-2.4 BE AND HEREBY AMENDED AS FOLLOWS:

- The portion entitled “Commercial Permit Application and Fee Advertisement” which specifies the schedule of fees for permits for peddlers, as defined by the Township of West Orange Municipal Code, shall be repealed and replaced by the following language:

Every applicant for a commercial permit under this section shall file with the Township Clerk a sworn application in writing, on a form to be furnished by the Township. The form shall be completed and signed by the applicant with the following information:

- a. Name, age and physical description of the applicant if an individual; if applicant is an organization, name of the organization as well as the name, age and physical description of all persons who will be working as peddlers in the Township on behalf of the organization (each of whom must complete their own individual application);
- b. Residence or principal business address of the applicant, but not a post office box, to which all notices and communications are to be addressed;
- c. Permanent home address of the applicant (if different than residence or principal business address);
- d. Brief description of the nature of the applicant's business, and the goods to be sold or the services to be furnished or performed;
- e. If employed, the name and address of the employer, together with credentials establishing the exact relationship, and a letter or other written

statement signed by the employer, certifying that the applicant is authorized to act as such employer's representative;

f. Length of time for which the right to do business is desired, but not to exceed a period of 45 days;

g. Extent and portion of Township to be covered by or on behalf of the applicant; days, dates and hours on and between which sales will be conducted;

h. Statement of and signed by the applicant as to whether or not the applicant or any person working as a peddler on behalf of the applicant has been convicted of any crime or disorderly persons offense or violation of any ordinance; and if so, the nature of the crime, offense or violation, the punishment or penalty assessed therefor, and the date and place of such conviction;

i. License number and complete description of any vehicle which is to be used in connection with such peddling activity;

j. Two passport size photographs of the applicant and all persons working as peddlers on behalf of the applicant, taken within 60 days immediately prior to the filing of the application;

k. Each applicant, including all persons working as peddlers on behalf of an entity applicant, or for another individual applicant, shall submit himself or herself for fingerprinting at Police headquarters before a permit may be issued;

l. Payment of an application fee ~~of \$100 per application, except in the case of multiple peddlers working for an entity, or for another peddler, the entity or principal peddler application shall pay the \$100 application fee and each individual peddler shall pay an additional \$50 for their individual permit, for the use of the Township to defray the cost of investigating, processing and issuing the permit, and for the purpose of raising revenue as permitted by N.J.S.A. 40:52-2 as prescribed by Resolution and as permitted by N.J.S.A. 40:52-2;~~

m. Two business references located in the County of Essex, State of New Jersey, or in lieu thereof such other available evidence of the character and business responsibility of the applicant as will enable an investigator to properly evaluate such character and responsibility, including, but not limited to, banking references, customer references, and lender references;

n. The applicant shall provide a copy of his or her New Jersey Business Registration Certificate;

o. The applicant shall insert one advertisement two inches by two inches in size in a newspaper circulated in the Township, informing the public of the name, purpose, location and dates of any peddling activity for which a permit may be issued under this section at least two weeks prior to the commencement of such activity. The costs of such advertisement shall be paid by the applicant, which shall file an affidavit of publication with the Township Clerk. In the case of an applicant who will have other peddlers working on his behalf only one advertisement shall be necessary, but same shall set forth the number of peddlers who will be working on that applicant's behalf.

III. REPEAL OF CONFLICTING ORDINANCES

Any Ordinances of the Township which are in conflict with this Ordinance are hereby repealed to the extent of such conflict.

IV. SEVERABILITY

If any part of this Ordinance shall be deemed invalid, such parts shall be severed and the invalidity thereof shall not affect the remaining parts of this Ordinance.

V. EFFECTIVE DATE

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

SUSAN MCCARTNEY, MAYOR

**TAMMY WILLIAMS,
COUNCIL PRESIDENT**

**KAREN J. CARNEVALE, R.M.C.
MUNICIPAL CLERK**

INTRODUCED: May 2, 2023

ADOPTED: July 11, 2023

Legislative History

The purpose of this ordinance is to modify the fines set forth in Chapter 5 of the Revised General Ordinances of the Township of West Orange to be subject to adjustment by Resolution.