

Borough of Matawan

Notice of Pending Ordinance

The ordinance, the summary terms of which are included herein, was introduced and passed upon first reading at a meeting of the governing body of the Borough of Matawan, in the County of Monmouth, State of New Jersey, on November 16, 2015. It will be further considered for final passage, after public hearing thereon, at a meeting of the governing body to be held at the regular meeting of the governing body in the Borough on December 1, 2015 at 7:00 o'clock pm. During the week prior to and up to and including the date of such meeting, copies of the full ordinance will be available at no cost and during regular business hours at the Clerk's office for the members of the general public who shall request the same or on the Borough of Matawan website at www.matawanborough.com.

Karen Wynne, RMC
Municipal Clerk

ORDINANCE 15-19 AMENDING AND SUPPLEMENTING THE BOROUGH OF MATAWAN CODE CHAPTER 4 – LICENSING AND BUSINESS REGULATIONS* SECTION 4-1.6 – TRANSFERABILITY SECTION 4-3 – PEDDLERS, HAWKERS AND VENDORS SECTION 4-4 – SOLICITORS AND CANVASSERS

BE IT ORDAINED, by the Council of the Borough of Matawan, County of Monmouth, State of New Jersey, that Chapter 4 of the Code of the Borough be amended and supplemented as follows:

4-1.6 TRANSFERABILITY

Except as otherwise provided, a license shall apply only to the person to whom it was issued and shall not be transferable to another person. Licenses may be transferred from place to place, in cases, where the licensed activity is conducted at a fixed location, but only with the written approval of the Zoning Official. The fee for the transfer of a license from place to place shall be five (\$5.00) dollars. (1971 Code Subsection 10-1.7; Ord. No. 11-01).

4-3 PEDDLERS, HAWKERS AND VENDORS

4-3.5 Restrictions.

a. No person shall sell, offer for sale, hawk or peddle in the Borough any of the items listed in subsection 4-3.1 before 9:00 a.m. prevailing time or after 7:00 p.m. (1971 Code Subsection 10-3.5; New)

b. The Borough Clerk shall maintain a list of names and addresses of residents who have determined that peddlers, hawkers and vendors shall not be invited to their respective residence. Any resident shall be included on such list if they complete a form to be so included. The form shall be available at Borough Hall. The list shall be distributed to applicants seeking a license for the purposes mentioned herein. The licensee shall not peddle or hawk at any residence on the list. Any peddler, hawker or vendor who goes upon any premises or rings a doorbell upon or near any door or creates any sound in any manner calculated to attract the attention of the occupant of such residence, when such

residence is on the list provided shall be considered to be engaging in uninvited soliciting as set forth in Section 4-3.6.

4-4 SOLICITORS AND CANVASSERS

4-4.7 Restrictions.

a. No soliciting or canvassing activities shall be conducted before 10:00 a.m. prevailing time or after 7:00 p.m. (1971 Code Subsection 10-4.7; New)

b. The Borough Clerk shall maintain a list of names and addresses of residents who have determined that solicitors or canvassers shall not be invited to their respective residence. Any resident shall be included on such list if they complete a form to be so included. The form shall be available at Borough Hall. The list shall be distributed to applicants seeking a license for the purposes mentioned herein. The licensee shall not solicit or canvass at any residence on the list. Any solicitor or canvasser who goes upon any premises or rings a doorbell upon or near any door or creates any sound in any manner calculated to attract the attention of the occupant of such residence, when such residence is on the list provided shall be considered to be engaging in uninvited soliciting as set forth in Section 4-4.8.

4-4.8 Duty of Police to Enforce.

It shall be the duty of any Police Officer of the Borough to require any person seen soliciting or canvassing, and who is not known by such Officer to be duly licensed, to produce the peddler's license and to enforce the provisions of this Section against any person found to be violating the same. (1971 Code Subsection 10-3.6)

BE IT FURTHER ORDAINED any Ordinances or portions thereof which are inconsistent with the provisions of this Ordinance are hereby repealed.

BE IT FURTHER ORDAINED if any provisions of this Ordinance, or the application of such provision to any person or circumstance is declared invalid, such invalidity shall not affect the other provisions or applications of this Ordinance, which can be given effect, and to this end, the provisions of this Ordinance are declared to be severable.

BE IT FURTHER ORDAINED this ordinance shall take effect immediately upon following the passage, adoption and publication pursuant to law.

*The general power to license and to prescribe license fees is contained in N.J.S.A. 40:52-1.2. Licensing is also a part of the general police power granted by N.J.S.A. 40:72-3 and R.S. 40:48-2.