

TOWNSHIP OF PEQUANNOCK

ORDINANCE NO. 2019-13

ORDINANCE AMENDING CHAPTER 132 OF THE REVISED GENERAL ORDINANCES OF
THE TOWNSHIP OF PEQUANNOCK AND REGULATING ITINERANT VENDING

BE IT ORDAINED by the Township Council of the Township of Pequannock, County of Morris and State of New Jersey, as follows:

Section 1. Chapter 132, entitled "Itinerant Vendors", shall be amended to read in its entirety as follows:

Section 132.01 Registration required.

It shall be unlawful for any person to sell or offer for sale as an itinerant vendor any goods, wares, merchandise, services, or product of any kind without first registering with the Township as provided in this Chapter.

Section 132.02 Definitions.

ITINERANT VENDOR – a) a person who goes from place to place or from house to house for the purpose of selling services or merchandise to persons at their residence ("door to door itinerant vendor"); or b) a person who sells merchandise from a vehicle that travels from place to place or that is temporarily parked at a specific location. ("mobile itinerant vendor")

This chapter shall not be construed to restrict lawful deliveries of merchandise made from regular or stationary businesses.

PERSON - Not only an individual, but also any organization, firm, partnership, corporation, company, association, church, religious denomination, society, class, league or other entity or group.

SUNSET – shall be the time designated as "sunset" by the National Weather Service for northern New Jersey.

Section 132.03 Itinerant Vendors Registration.

It shall be unlawful to sell or offer to sell as an itinerant vendor within the Township of Pequannock without first registering with the Township Clerk on a form to be provided by the Township Clerk which shall indicate the identification of the individual or individuals, the planned date or dates, time, and place where itinerant vending will occur, and providing a picture identification. There shall be a fee of \$25.00 per person for each registration as an itinerant. Registration and the payment of this fee shall be required on an annual basis and all registrations shall expire at the end of the calendar year. Registration shall be completed at least twenty-four hours prior to engaging in itinerant vending. Any itinerant vendor shall have proof of registration and shall have personal identification outwardly visible on their person at all times while in Pequannock.

Section 132.04 Limits on mobile itinerant vendors.

No mobile itinerant vending shall be permitted along major or minor arterial roadways, namely; The Boulevard, the Newark Pompton Turnpike, Jacksonville Road, Lincoln Park Road, Jackson Avenue, State Highway Route 23, and Interstate 287. No mobile itinerant vendor

shall remain in one location for more than fifteen (15) minutes. Mobile vending shall be limited to vending from the curb-side of vehicles which are parked in legal spaces or areas.

Section 132.05 Limits on door to door itinerant vending.

A. No door to door sales shall commence before 10:00 a.m. and shall end no later than one hour after sunset from October 1 through March 31 and at sunset the remainder of the year.

B. It shall be unlawful to engage in any door to door sales at any establishment or residence where the owner has posted "no solicitation" or "no trespassing" notice in accordance with applicable law.

Section 132.06 Applicability of other laws.

Itinerant vendors registration is required in addition to any other licenses which may be required for the activity being conducted including a license from the Health Department which is required for the sale of food products.

Section 132.07 Violations and penalties.

Any person who violates or who fails or refuses to comply with the provisions of this Chapter shall be subject to a fine of not less than fifty dollars (\$50.00) nor more than five hundred dollars (\$500.00) for each offense.

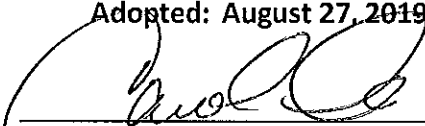
Section 2. If any section or provision of this Ordinance shall be held invalid in any Court of competent jurisdiction, the same shall not affect the other sections or provisions of this Ordinance, except so far as the section or provision so declared invalid shall be inseparable from the remainder or any portion thereof.

Section 3. All Ordinances or parts of Ordinances which are inconsistent herewith are hereby repealed to the extent of such inconsistency.

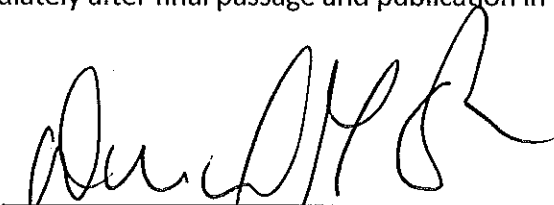
Section 4. This Ordinance shall take effect immediately after final passage and publication in the manner provided by law.

Introduced: August 13, 2019

Adopted: August 27, 2019



Carol J. Marsh, Township Clerk



David G. Kohle, Mayor