TOWNSHIP OF WATERFORD
COUNTY OF CAMDEN
STATE OF NEW JERSEY

ORDINANCE # 2017 - 20

ORDINANCE OF THE TOWNSHIP OF WATERFORD REPEALING ORDINANCE 2017-14 AMENDING CHAPTER 208 OF THE CODE OF THE TOWNSHIP OF WATERFORD CAPTIONED "PEDDLING AND SOLICITING" AND ADOPTING A NEW ORDINANCE AMENDING CHAPTER 208 OF THE CODE OF THE TOWNSHIP OF WATERFORD CAPTIONED "PEDDLING AND SOLICITING"

WHEREAS, the Township of Waterford on April 26, 2017 adopted Ordinance 2017-14 providing Amendments to Chapter 208 of the Township Code captioned "Peddling and Soliciting"; and

WHEREAS, upon review of those Amendments to Chapter 208 as set forth in Ordinance 2017-14, it has been determined that said revisions and clarifications are necessary in order for the Amendments to be properly implemented and enforced; and

WHEREAS, the most appropriate way to be make the revisions and clarifications is to repeal Ordinance 2017-14 and replace it with a new amended Ordinance.

NOW THEREFORE, BE IT ORDAINED by the Mayor and Township Committee of the Township of Waterford, County of Camden, State of New Jersey that for the reasons set forth herein above it hereby repeals Ordinance 2017-14 and replaces it with a new Ordinance amending Chapter 208 of the Township Code captioned "Peddling and Soliciting" as follows:

Section 1: Chapter 208 of the Code of the Township of Waterford captioned "Peddling and Soliciting" is hereby amended in the following manner:

1. Section 208-3 captioned "Definitions" is amended for the following definitions:

   Merchandise (Peddler, Hawker, Vendor and Solicitor or Canvasser)

This definition shall include all goods, wares, foods, fruits, vegetables, farm products, books magazines, periodicals, printed materials, arts, crafts, orders or contracts for services, home improvements or alterations and anything that may be sold or distributed by peddlers or solicitors and all kinds of articles or personal property for personal and/or domestic use.

2. Section 208-6 captioned "Application for License" shall be changed to read "Application for Business Registration Certificate and License". In addition, Section 208-6 shall be amended to include a new paragraph I and L and a revised paragraph O as follows:

I. Three business references located in the County of Camden, 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.

L. The fingerprints of the person applying for the Business Registration Certificate and of all employees employed by Applicant who will be performing the service within the Township.

O. The time of soliciting, peddling, hawking, vendoring and canvassing shall be between the hours of 9:00 a.m. and 7:00 p.m. Monday through Saturday.

a. The aforesaid time limitation shall apply to all persons issued a License identified on the Application unless such a person or license holder has been invited to a dwelling by an occupant of said dwelling, or had previously made an appointment with the Applicant of the dwelling. When the sale or attempted sale of the merchandise is not involved, and canvassing and soliciting in is connection with a

political campaign or charitable or religious organization recognized as tax exempt under the United States Internal Revenue Service, solicitation may take place from 9:00 a.m. to 7:00 p.m. Monday through Sunday unless other prior arrangements have been made with the occupant of the dwelling.

3. Section 208-8 captioned "Investigation and Issuance" shall be amended as following:

   A. Upon receipt of a properly completed and signed Application, the original Application shall be referred immediately by the Township Clerk to the Township Chief of Police who shall cause to be made within thirty (30) days such investigation of the Applicant's business and such other factors as the Chief of Police deems necessary for the protection of the public good and welfare.

   B. Upon completion of the investigation, the Chief of Police shall endorse thereon his/her approval or disapproval and, if disapproval, his/her reasons therefore and immediately notify the Applicant that the Application has been disapproved, or if any of the Applicant's employees/persons to perform the service have been disapproved. The Application, so endorsed, shall be promptly returned to the Township Clerk.

   C. Any determination by the Chief of Police that an Application is unsatisfactory or that any employees/persons listed on the Application to provide the service are unsatisfactory shall be based on one or more of the following findings with respect to the Applicant or any of the employees of the Applicant:

1. Fraud, misrepresentation or false statements contained in the Application.
2. Fraud, misrepresentation or false statements made in the course of carrying on the business of solicitor, vendor, peddler, or canvasser.
3. Any violation of this Chapter, past or present.
4. Conviction of a crime or misdemeanor involving moral turpitude.
5. Previous identified fraudulent acts or conduct.
6. A public record of breaches of other Municipality Peddling, Soliciting or Canvassing ordinances.
7. Conducting the business of soliciting, peddling or canvassing in an unlawful manner or in such a manner as to constitute a breach of the peace or to constitute a menace to health, safety or general welfare of the public.

D. An approved and endorsed Business Registration Application shall be returned to the Township Clerk by the Chief of Police and shall include a Township issued Identification Badge. The Identification Badge shall include the name or names of all employees/persons to work for the Applicant and the expiration date of each License. Upon payment of the prescribed Registration Fee, the prescribed License Fee and Identification Badge Fee as hereinafter set forth, the Township Clerk shall execute and deliver the Licenses for each employee or person who is to work for the Applicant. The employees/persons performing the service for the Applicant shall be required to display the Identification Badge at all times by wearing it on the outside of the Licensee's clothing in a conspicuous manner. The Township Clerk shall keep a record of all Licenses issued to

all employees/persons working for the Applicant who has been issued the Business Registration Certificate, the fees received and any and all complaints made by Township residents concerning the Applicant and/or Licensee's.

4. Section 208-10 captioned "Fees" is hereby amended to read as follows:

   A. Business Registration Fee. Any Application for peddler, hawker, vendor, solicitor, canvasser or seasonal sales vendor shall be required to pay a fee of $250.00 to the Township Clerk to cover the cost of processing the Application and to investigate the facts stated therein in order for a Registration Certificate to be issued to the Applicant.

   B. License Fee. A License Fee of $75.00 shall be assessed for each employee/person working for the Applicant in the Township. The $75.00 fee for each License to be issued to each employee/person is to cover the cost of completing the investigation and background on each employee/person. Any Applicant for a Seasonal Sales Vendor Registration Certificate and License shall be required to pay a fee of $300.00 to the Township for the issuance of the Certificate/License.

   C. The Township Issued Identification Badges. The fee for the Township Identification Badge for each person to be issued a License is $25.00 to cover the costs of processing and creating the badge, unless exempted by paragraph B. In the event the Identification Badge is destroyed or lost, a replacement fee is $25.00 shall be assessed.

5. Section 208-11 captioned "Duration of License: Peddlers, Hawkers, Vendors, Solicitors and Canvassers" shall be amended to read as follows:

"Duration of Business Registration Certificate and Licenses: Peddlers, Hawkers, Vendors, Solicitors and Canvassers". In addition, Section 208-11 shall be amended to read as follows:

All Business Registration Certificates issued as set forth in this Chapter shall expire at the end of six (6) months from the date of issuance of the Certificate. All Licenses issued to employees/persons working for the Applicant, no matter at what date issued, shall expire at the same time as the Business Registration Certificate. A Business Registration Certificate shall not be transferrable and must be surrendered after expiration before a Renewal Business Registration Certificate can be issued. The Renewal process for Business Registration and Licenses is through the same procedure as for the issuance of the initial Business Registration Certification and Licenses.

6. Section 208-15 captioned "Existing Licenses" shall be amended to read as follows:

"Any Licenses already issued under Chapter 208 of the Code of the Township of Waterford prior to the effective date of this amended Ordinance shall expire on December 31, 2017. Nothing herein shall be construed to limit or prohibit an existing Applicant from reapplying for a Business Registration Certificate and Licenses under this Chapter prior to that date."

Section 2: All Ordinances or parts of Ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency only.

Section 3: If the provisions of any section, subsection, paragraph, subdivision or clause of this Ordinance shall be judged invalid by a Court of competent jurisdiction, such Order of Judgment shall not affect or invalidate the remainder of any section, subsection, paragraph, subdivision or clause of this Ordinance.

Section 4: This Ordinance shall take effect after final adoption and publication as required by law.

Lori Friddell, RMC
Township Clerk

William Richardson, Mayor

Introduced: July 12, 2017
Hearing: July 26, 2017
Adopted: July 26, 2017

FIRST READING 7-12-2017					
	CAMPBELL	FERGUSON	GIANGIULIO	SURA	RICHARDSON
YES	X	X		X	X
ABSTAIN					
NO					
ABSENT			X		
UPON ADOPTION 7-26-2017					
	CAMPBELL	FERGUSON	GIANGIULIO	SURA	RICHARDSON
YES	X	X	X	X	X
ABSTAIN					
NO					
ABSENT					

Certified to be a true copy of an Ordinance adopted by the Mayor and Township Committee of the Township of Waterford at a regular meeting held on July 26, 2017 at the Waterford Township Municipal Building.

Date: 7/26/17

Lori A. Friddell
Lori Friddell, RMC, Township Clerk