

Township of Edgewater Park

100 Delanco Road

Edgewater Park, New Jersey 08010

Phone (609) 877-2050

Fax (609) 877-2308

Solicitor's Permit

The under signed hereby acknowledges the receipt of the following Chapters/Sections/Ordinances of the Edgewater Park Township Code:

1. Chapter 12.20
2. Chapter 5.28
3. Chapter 5.32
4. Ordinance No. 13-99

The undersigned further acknowledges that their permit may be terminated if they violate any of the above stated provisions.

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Company Name

\_\_\_\_\_  
Date

Township of Edgewater Park  
Solicitor and Hawker Permits

Chapter 12.20

PARK AND RECREATION AREA USE REGULATIONS

12.20.010 Prohibited activities.

No person in a public park and recreation area shall:

- A. Wilfully mark, deface, disfigure, injure, tamper with or displace or remove any buildings, bridges, tables, benches, fireplaces, railing, pavings or paving materials, water lines or other public utilities or parts or appurtenances thereof, signs, notices or placards, whether temporary or permanent, monuments, stakes, posts or other boundary markers, or other structures or equipment, facilities or park property or appurtenances whatsoever, either real or personal;
- B. Dig or remove any soil, rock, sand, stones, trees, shrubs or plants or other wood or materials, or make any excavation by tool, equipment, blasting or other means or agency;
- C. Damage, cut, carve, transplant or remove any tree or plant or injure the bark, or pick flowers or seed of any tree or plant, dig in or otherwise disturb grass areas, or in any other way injure the natural beauty or usefulness of any area;
- D. Sell, offer for sale, hawk or display merchandise or food for sale in public recreational parks of the township, without the written permission of the Township Committee of the township.

5.28.010

Chapter 5.28

PEDDLERS AND SOLICITORS

Sections:

- 5.28.010 Definitions.
- 5.28.020 License required.
- 5.28.030 Selling from vehicles—  
Regulations.
- 5.28.040 Applicability.
- 5.28.050 Application.
- 5.28.060 Solicitation by charitable  
organizations.
- 5.28.070 Investigation.
- 5.28.080 License fee—Exemptions.
- 5.28.090 Rules and regulations.
- 5.28.100 Attracting attention with  
sound-making devices  
prohibited.
- 5.28.110 No exclusive right to  
location—Operation in  
congested public streets  
prohibited.
- 5.28.120 Exhibition of license on  
request.
- 5.28.130 Reports and records.
- 5.28.140 Revocation.
- 5.28.150 Expiration.
- 5.28.160 Delivery of items does not  
apply.
- 5.28.170 Violation—Penalty.

5.28.010 Definitions.

When used in this chapter the following terms shall have the following meanings:

"Peddler" or "hawker" means and includes any person, whether a resident of the township of Edgewater Park or not, who goes from house to house, from place to place, or from street to street, conveying or transporting

goods, wares or merchandise and offering or exposing the same for sale, or making sales and delivering articles to purchasers.

"Solicitor" or "canvassers" means and includes any person, whether a resident of the township of Edgewater Park or not, who goes from house to house, from place to place, or from street to street, soliciting or taking or attempting to take orders for sale of services, goods, wares or merchandise, including magazines, books, periodicals, photographs or personal property of any nature whatsoever for future delivery or for services to be performed in the future, whether or not such individual has, carries, or exposes for sale a sample or the subject for such order, or whether or not he is collecting advance payment on such orders.

"Person" means and includes any partnerships, partner, corporation or corporations, or persons.

This chapter shall also include any person who distributes circulars or any other matter from house to house in the township of Edgewater Park. (Prior code § 12:9-1)

5.28.020 License required.

A. It is unlawful for any hawkers, peddlers, canvassers or solicitors, as defined in this chapter, to engage in any such business or operations in the township, without having first obtained a license therefor, in compliance with the provisions of this chapter and in any event, only in accordance with the terms and provisions of this chapter and only in parts or locations of the township as permitted in this chapter. (Prior code § 12:9-2 (part))

5.28.030 Selling from vehicles—  
Regulations.

A. All licensees who shall offer to sell, display for sale or sell or deliver fruits and vegetables and farm products from any vehicles which are wholly or in part open on any of the sides thereof, at all times, keep all fruits, vegetables and produce of any kind and nature completely screened and covered to avoid and eliminate the accumulation of flies or any other insects from alighting around or upon any and all said merchandise.

B. All licensees offering for sale, displaying for sale, selling or delivering seafood, meats, poultry or dairy products, shall transport the same solely in refrigerated vehicles, and all such products shall remain in the refrigerated portion of said vehicle at all times to the time of sale or delivery, and said refrigerated portion, during the uses thereof, in accordance with this, shall be maintained at a properly low temperature to completely safeguard all of said products from a health and sanitary standpoint to the fullest reasonable extent possible for safety and welfare of the public.

C. No licensee shall at any time permit any debris, waste material, rotting produce or merchandise of any kind or any unfit produce, to remain in or upon their vehicle, unless the same is contained in a metal leakproof container having a metal properly fitted cover on said container.

D. No licensee shall canvass or solicit orders by any articles from pedestrians or vehicular traffic, other than when his vehicle shall be properly parked immediately adjacent to the curb of a public street in a permitted locality, and said licensee shall at no time double park when dealing with any of his trade, and in no

event shall transact any of his business operations, other than on the curb side of his said vehicle.

E. No licensee shall at any time permit any waste materials or parts of produce or any other merchandise to remain in or upon any street, roadway, curbs or walks, and shall at all times remove any such debris that may have fallen from his vehicle, so that the same is immediately placed in the metal containers, as provided in subsection C of this section.

F. All sales of merchandise by any licensee shall, at the time of said sale, be placed in bags or other like suitable containers, when the same shall be handed to customers of the said licensee.

G. The licensee shall prohibit, as reasonably as possible, the eating of any merchandise directly from his vehicle.

H. All licensees and their respective vehicles or modes of transportation in carrying on their permitted business shall at all times fully comply with all of the terms, covenants and conditions of this chapter and all other applicable municipal ordinances and all other applicable state laws, regulations or provisions pertaining thereto, and particularly, but not in limitation thereof, that may deal with provisions of health, safety and general welfare. (Prior code § 12:9-2 (part))

5.28.040 Applicability.

The terms of this chapter shall not be held to include the acts of persons selling personal property at wholesale to dealers in such articles, and nothing contained herein shall be held to prohibit any sale required by statute or by order of any court. (Prior code § 12:9-3)

5.28.050

5.28.050 Application.

A. Applicants for a license under this chapter must file with the township clerk a sworn application in writing, which shall give the following information:

1. Name and physical description of applicant;
2. Complete permanent home and local address of the applicant;
3. A description of the nature of the business and the goods, services or wares to be sold;
4. If employed, the name and address of the employer, together with credentials therefrom establishing the exact relationship;
5. The length of time for which the right to do business is desired and the days of the week and the hours of the day within which the said business will be conducted;
6. The source of supply of the goods or property or services proposed to be sold, where such goods, services or products are located and the method of delivery;
7. Three recent photographs of the applicant which shall be approximately two inches by two inches, showing the head and shoulders of the applicant in a clear and distinguished manner;
8. Appropriate evidence as to the good character and business responsibility of the applicant as will enable an investigator to properly evaluate such character and business responsibility;
9. A statement as to whether or not the applicant has been convicted of any crime, misdemeanor or violation of any municipal ordinance, other than traffic violations, the nature of the offense and the punishment or penalty assessed therefor.

B. The applicant shall be fingerprinted, if requested by the director of public safety/chief law enforcement officer, who shall determine whether said fingerprints are necessary for proper identification, which fingerprints are to be recorded and processed immediately for classification and identification.

C. No license shall be issued until the application shall have been approved by the director of public safety/chief law enforcement officer department, allowing adequate time for investigation of the facts set forth in the application.

D. Applications for partners shall be signed by all partners with foregoing provisions of this section answered in detail as to each said partner, and applications of corporations shall have attached thereto individual statements, in accordance with all of the provisions of this section, relating to each and every employee, agent or servant, who shall engage in any of the functions authorized by this chapter and signed by each such agent, servant or employee, and full compliance herewith by each such individual. (Prior code § 12:9-4)

5.28.060 Solicitation by charitable organizations.

A. Any person, organization or association desiring to solicit or have solicited in its name, money, donations of money or property, or financial assistance of any kind, or desiring to sell or distribute any item of literature or merchandise for which a fee is charged or solicited from persons other than members of such organization at any place or places within the township for a charitable, religious, patriotic or philanthropic purpose shall be exempt from provisions of Section 5.28.050 and Section 5.28.080 of this chapter, provided

there is filed a sworn application in writing with the township clerk or director of public safety/chief law enforcement officer, which shall give the following information:

1. Name and purpose of the cause for which the permit is sought;

2. Names and addresses of the officers and directors of the organization;

3. Period during which solicitation is to be carried on;

4. Whether or not any commission, fees, wages or emoluments are to be expended in connection with such solicitation and the amount thereof;

5. Names and addresses of each agent or representative who will conduct solicitations and the length of time that such agent or representative has been employed or affiliated with such organization, society, association or corporation.

B. Upon being satisfied that such person, organization, society or association is a religious, charitable, patriotic or philanthropic organization and that the agents or representatives who shall conduct the solicitations are of good moral character and reputation, the township clerk or director of public safety/chief law enforcement officer shall issue a permit without charge to such organization, association or corporation, to solicit in the township. Such organization, association or corporation shall furnish all its members, agents or representatives conducting solicitation, credentials in writing stating the name of the organization, name of the agent and purpose of solicitation. (Prior code § 12:9-5)

officer or officer in charge of the police department, who shall immediately institute such investigation of the applicant's business and moral character as he deems necessary for the protection of the public good and shall endorse the application in the manner prescribed in this section, within a reasonable period of time after it has been filed by the applicant.

B. If, as a result of such investigation, the applicant's character or business responsibility is found to be unsatisfactory or the product or services are not free from fraud, the director of public safety/chief law enforcement officer shall endorse on such application his disapproval and his reasons for the same and return the said application to the township clerk, who shall notify the applicant that his application is disapproved and that no license will be issued.

C. Upon action by the director of public safety/chief law enforcement officer, the application shall be forwarded to the township committee who shall have the final authority to issue or deny said license. A hearing upon the recommendation of the director of public safety/chief law enforcement officer shall be scheduled within forty-five (45) days of receipt thereof. The township committee shall promptly request a report, in writing, from the township planning board as to the impact of the license application upon the zoning and subdivision ordinances. The township committee shall render a decision granting or denying the license with reason in writing therefor within thirty-one (31) days after the final hearing on the matter. (Prior code § 12:9-6)

#### 5.28.070 Investigation.

A. Each application shall be referred to the director of public safety/chief law enforcement

5.28.080

5.28.080 License fee—Exemptions.

A. Every applicant for a license shall be charged by the township clerk for such license ten dollars (\$10.00) per year.

B. Any veteran who holds a special state license issued under the laws of the state of New Jersey, shall be exempt from securing a license as provided herein for hawking and peddling, but shall be required to procure from the township clerk a special veteran's permit which shall be issued by the township clerk, upon proper identification.

C. Any person to whom a valid mercantile license shall have been issued under provisions of laws other than in this chapter shall be exempt from securing a license as provided in this chapter, but said person or said person's employees, agent or servants shall be required to comply with all other sections of this chapter and shall be required to procure from the township clerk a permit, upon proper identification and said compliance herewith. (Prior code § 12:9-7)

5.28.090 Rules and regulations.

Every person, society, association or organization to whom a license is issued under the terms of this chapter shall be governed by the following rules and regulations:

A. All circulars, samples or other matter shall be handed to an occupant of the property and not left on or about the same.

B. No person subject to the provisions of this chapter shall canvass, solicit or distribute circulars or other matter or call from house to house except during reasonable hours during the day and on weekdays.

C. No person subject to the terms of this chapter shall enter or attempt to enter the lands or house of any resident in the township

without an express invitation from the occupant of the house.

D. No person shall offer any merchandise, as defined in this chapter, for sale on the public recreation grounds of the township, except by written permission from the recreation commission of the township. (Prior code § 12:9-8)

5.28.100 Attracting attention with sound-making devices prohibited.

No licensee or any person in his behalf shall shout, cry out, blow a horn, ring a bell or use any sound-making or amplifying device upon any of the streets, parks, or other public places of the township or upon private premises where sound of sufficient volume is emitted or produced therefrom to be capable of being plainly heard upon the streets, avenues, parks or other public places for the purpose of attracting attention to any goods, wares, merchandise or services, which said licensee proposes to sell. (Prior code § 12:9-9)

5.28.110 No exclusive right to location—Operation in congested public streets prohibited.

No licensee shall have any exclusive right to any location in the public streets, nor shall any be permitted a stationary location thereon, nor shall any be permitted to operate in a congested area where such operation might impede or inconvenience the public use of such streets. For the purpose of this chapter, the judgment of the police officer, exercised in good faith, shall be deemed conclusive as to whether the area is congested and the public

5.32.010

Chapter 5.32

TRANSIENT MERCHANTS

Sections:

- 5.32.010 Purpose.
- 5.32.020 Definitions.
- 5.32.030 Exceptions.
- 5.32.040 Application for license.
- 5.32.050 Fees.
- 5.32.060 Approval, nontransferability and term.
- 5.32.070 Revocation.
- 5.32.080 Violations.

5.32.010 Purpose.

It is the purpose and intent of this chapter to protect the people of the township from improper sales techniques by providing for the licensing and regulation of transient merchants. (Prior code § 12:9A-1)

5.32.020 Definitions.

As used in this chapter, the following terms shall have the meanings respectively ascribed to them in this section:

"Person" means any individual, corporation, partnership, association or other entity.

"Temporary or transient business" means any business conducted for the sale or offer for sale of goods, wares or merchandise which is carried on in any building, structure, motor vehicle, railroad car or real estate for a period of less than three consecutive months in a year.

"Transient merchant" means any person, firm, corporation, partnership or other entity which engages in, does or transacts any temporary or transient business in the township,

either in one locality or in traveling from place to place in the township, offering for sale or selling goods, wares, merchandise or services, and includes those merchants who, for the purpose of carrying on such business, hire, lease, use or occupy any building, structure, motor vehicle, railroad car or real estate. (Prior code ~~§ 12:9A-2~~)

5.32.030 Exceptions.

A. The provisions of this chapter shall not apply to:

1. Sales at wholesale to retail merchants by commercial travelers or selling agents in the usual course of business;

2. Wholesale trade shows and/or conventions;

3. Retail sale of ice cream and/or flavored water ice by motor vehicle or cart during the summer months;

4. Any general sale, fair, auction or bazaar sponsored by any civic, fraternal, education or religious organization;

5. Garage sales held on the premises devoted to residential use;

6. Any new home construction contractor, residential developer, master plumber or electrical contractor who is licensed or regulated by a state, county or municipal agency, division, department or professional board and any contractor of home improvements as defined by NJAC 13:45A-16.1 who, in the normal course of business, advertises or performs his services in the township; provided that any such tradesman complies with all state, county and municipal regulations enforceable by the township construction official;

7. Sale of produce or other agriculture products from buildings or from roadside stands where the premises in question are

owned and operated by the farmer; it being the express intention of this chapter that nothing herein shall prohibit the sale of agriculture products on land owned and operated by the farmer unless prohibited by the township zoning ordinance.

B. A transient merchant not otherwise exempted from the provisions of this chapter shall not be relieved or exempted from the provisions of this chapter by reason of associating himself temporarily with any local dealer, auctioneer, trader, contractor or merchant or by conducting such temporary or transient business in connection with or in the name of any local dealer, auctioneer, trader, contractor or merchant. (Prior code § 12:9A-3)

#### 5.32.040 Application for license.

Any transient merchant desiring to transact business within the confines of the township shall make application for and obtain a license therefor. The application for license shall be filed with the township clerk and shall be referred to the director of public safety/chief law enforcement officer for the applicant's background investigation. The application shall include the following information:

A. The name and permanent address of the transient merchant making the application, and if the applicant is a firm or corporation the name and business and home addresses of the members of the firm or the officers of the corporation, as the case may be;

B. If the applicant is a corporation, there shall be stated on the application form the date of incorporation, the state of incorporation, and if the applicant is a corporation formed in a state other than the state of New Jersey, the date on which such corporation qualified to

transact business as a foreign corporation in the state of New Jersey;

C. A statement showing the kind of business proposed to be conducted, the length of time for which the applicant desires to transact such business and the location or locations of such proposed place of business;

D. A letter from the Edgewater Park property owner if business is to be transacted on real estate;

E. Proof that the applicant has acquired all other required township, county and state permits and licenses. (Prior code § 12:9A-4)

#### 5.32.050 Fees.

Each application for a transient merchant license shall be accompanied by a license fee of two hundred fifty dollars (\$250.00). (Prior code § 12:9A-5)

#### 5.32.060 Approval, nontransferability and term.

A transient business license may be issued hereunder only by the township committee and only when all requirements of this chapter have been met; such license shall not be transferable, shall be valid only within the territorial limits of the township, shall be valid only for a period of not more than ninety (90) consecutive days, and shall be valid only for the business stated in the application. A license so issued shall be valid for only one person, unless such person shall be a member of a partnership or employee of a firm or corporation containing such license. The township committee may, in its sole discretion, deny the issuance of a transient business license if it determines that the issuance of said license will be inimicable to the health, safety and/or

5.32.060

welfare of the people of Edgewater Park Township. (Prior code § 12:9A-6)

5.32.070 Revocation.

The township committee may revoke any license issued under this chapter at any time if it finds that the conduct of the licensee or the continued existence of the license is inimicable to the health, safety and/or welfare of the people of the township. In such event, the licensee shall be entitled to a hearing before the township committee within thirty (30) days from the date of the revocation. The licensee shall be entitled to appear with an attorney at said hearing. (Prior code § 12:9A-7)

5.32.080 Violations.

Any person, firm or corporation violating any of the provisions of this chapter shall be subject to a fine not exceeding two hundred dollars (\$200.00) or imprisonment in the county jail for a term not exceeding ninety (90) days, or both at the discretion of the magistrate before whom such convictions may be held. Each day such violation shall continue shall constitute a separate offense. (Prior code § 12:9A-8)

TOWNSHIP OF EDGEWATER PARK

ORDINANCE NO. 13-99

AN ORDINANCE OF THE TOWNSHIP OF EDGEWATER PARK, COUNTY OF BURLINGTON, NEW JERSEY AMENDING SECTION 5.28.100 OF THE TOWNSHIP CODE ENTITLED "ATTRACTING ATTENTION WITH SOUND MAKING DEVICES PROHIBITED"

WHEREAS, the Committee of the Township of Edgewater Park recognizes that it wishes to change the Ordinance Prohibiting the use of Sound Making Devices to Attract Attention; and

WHEREAS, the Committee of the Township of Edgewater Park at this time wishes to revise Section 5.28.100 of the Township Code; and

NOW THEREFORE, BE IT ORDAINED by the Committee of the Township of Edgewater Park, County of Burlington, New Jersey that Section 5.28.100 shall be amended to read as follows:

5.28.100 ATTRACTING ATTENTION WITH SOUND-MAKING DEVICES

No licensee or any person in his behalf shall shout, cry out, blow a horn, ring a bell or use any sound-making or amplifying device upon any of the streets, parks, or other public places of the township or upon private premises where sound of sufficient volume is

emitted or produced therefrom to be capable of being plainly heard upon the streets, avenues, parks or other public places for the purpose of attracting attention to any goods, wares, merchandise or services, which said licensee proposes to sell except under the following conditions:

1. Music or other sound making devices may be used by a mobile vendor only and under the following conditions:
  - a) while the vehicle is moving;
  - b) not to exceed ten (10) minutes of consecutive playing time; and
  - c) not to exceed 90 db measured sound.
2. Hours of operation for mobile vending shall be limited as follows:
  - a) Sunday to Thursday, Noon to 8:00 p.m.; and
  - b) Friday to Saturday, Noon to 9:00 p.m.
3. For reasons of vehicular and pedestrian safety, mobile vending is not permitted on the following streets:

Warren Street;  
Route 130;  
Cooper Street;  
Wood Lane; and  
Bridgeboro Road.
4. No mobile vendor may sell in the following areas without specific permission from the Township Administrator and must notify police 24 hours in advance:
  - a) Within 200 feet of a school while in session; and
  - b) Within 500 feet of any park with a concession stand.

SECTION 2:

All Ordinances or part of ordinances inconsistent herewith are repealed to the extent of their inconsistency.

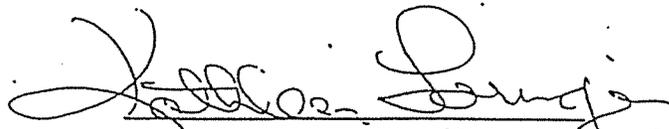
SECTION 3:

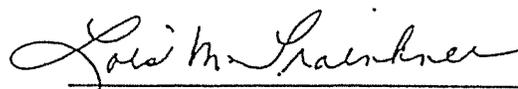
This Ordinance shall take effect immediately after proper adoption and publication as required by law.

Dated: June 16, 1999

Introduced: June 16, 1999

Adopted: July 21, 1999

  
KATHLEEN LORINGER, MAYOR

  
Lois M. Traenkner, Acting  
Township Clerk

