

**TOWNSHIP OF ROCHELLE PARK**

**ORDINANCE NO. 1123 - 18**

**AN ORDINANCE TO AMEND CHAPTER 144 OF THE CODE OF THE TOWNSHIP OF ROCHELLE PARK ENTITLED “PEDDLING AND SOLICITING”**

**WHEREAS**, the Township of Rochelle Park requires the issuance of licenses for peddling and soliciting as set forth in Chapter 144 of the Township Code; and

**WHEREAS**, this ordinance requires, among other things, an application for a permit and providing certain information regarding the Applicant as well as the intended purpose of the solicitation and/or peddling; and

**WHEREAS**, the Township Committee has become aware of a concern among various residents within the Municipality regarding unwanted visitation to their homes; and

**WHEREAS**, as a result of having received this information, the Township Committee has determined that it would be in the best interests of the residents and taxpayers of the Municipality to establish a procedure where residents may be protected from unwanted visits.

**NOW, THEREFORE, BE IT ORDAINED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF ROCHELLE PARK, COUNTY OF BERGEN AND STATE OF NEW JERSEY, AS FOLLOWS:**

**SECTION ONE:** Article IV Entitled “NON-SOLICITATION LIST” is hereby added, as follows:

Section 144-29 is hereby added, as follows:

**COLLECTION , PREPARATION AND MAINTENANCE OF A NON-SOLICITATION LIST**

A. Collection, preparation and maintenance of a non-solicitation list. The Office of the Township Clerk shall collect, prepare and maintain a list of addresses of those premises where the owner and/or occupant has notified the Clerk that soliciting and canvassing is not permitted on his/her premises. To be included on the non-solicitation list, residents shall complete a form supplied and maintained by the Township, without cost to

the form available to all residential property owners or occupants and may distribute same thereafter in any manner directed by the governing body.

B. The Township Clerk, or her designees, shall submit the non-solicitation list to the Chief of Police on a quarterly basis, which non-solicitation listing shall be distributed to applicants seeking a license to solicit or canvass pursuant to the provisions of this chapter by the Township Clerk. The applicant shall acknowledge, in writing, receipt of this list as part of the application process. The licensee shall not solicit or canvass at any address on the non-solicitation list.

C. On or about January 1, April 1, July 1, and October 1 of each year, the Office of the Clerk shall update the list. The updated list shall then be forwarded to the Chief of Police for distribution to solicitors and/or canvassers, and said list shall not contain residents' names. Nothing herein shall prohibit the more frequent updating of the list by the appropriate Township official.

D. Any solicitor or canvasser violating the provisions of this section as described above shall be punishable by a fine of not more than \$1,000.00 or imprisonment in the county jail for not more than 90 days, or both, in the discretion of the court, and the revocation of their permit.

**SECTION TWO:**

Section 144-30 is hereby added, as follows:

**HOURS OF OPERATION:**

No peddling, hawking or solicitation, as defined herein and which is covered by this chapter, shall occur before 9:00 AM or after 8:00 PM Monday through Saturday. Furthermore, no such activity of any kind shall occur on Sundays.

**SECTION THREE:**

Section 144-9 entitled Revocation of license is hereby deleted in its entirety and replaced with the following:

Section 144-9 – Revocation or Suspension of license

A license may be revoked by the Mayor and Township Committee by reason of the violation of the terms of the license, the violation of any municipal ordinance, state or federal statute or falsification in applying for a license. The licensee shall be granted a hearing by the Mayor and Township Committee upon his request. A license may be suspended for not more than two weeks by the Chief of Police without a hearing. No fees shall be returned for any unexpired period of a license, whether revoked or not.

**SECTION FOUR: Repealer:**

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

**SECTION FIVE: Severability:**

If any section, subsection, paragraph, sentence or other part of this Ordinance is adjudged unconstitutional or invalid, such judgment shall not affect, impair or invalidate the remainder of this Ordinance, but shall be confined in its effects to the section, subsection, paragraph, sentence or other part of this Ordinance directly involved in the controversy in which said judgment shall have been rendered and all other provisions of this Ordinance shall remain in full force and effect.

**SECTION SIX: Effective Date:**

This Ordinance shall take effect immediately upon final adoption and publication and in the manner provided by law.

ATTEST:

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ELIZABETH KROLL, Municipal Clerk