TOWNSHIP OF RARITAN

County of Hunterdon, New Jersey

LICENSE APPLICATION

SOLICITORS, PEDDLERS, HAWKERS, TRANSIENT MERCHANTS & ITINERANT VENDORS

Fee: $40.00 pr. yr. or $25.00 pr. month or part thereof
Bond: $500.00 (to be held for one year)

Name of Applicant:_____

Name of Company:_____ **Type of Business:**_____

Business Address:_____

Business Telephone: Local - _____ **Headquarters -** _____

Goods to be Sold or Services Rendered:_____

Agent's Name:_____ **Date of Birth:**_____

Title/Relationship of Agent to Company:_____ **Telephone:**_____

Permanent Address:_____

Local Address:_____ **Telephone:**_____

Provide copy of vehicle insurance that states Year, Make & Model of Vehicle to be Used

Vehicle License Plate #_____ **State Where Vehicle is Registered:**_____

Does Vehicle to be used for Licensed Activity have a valid inspection sticker? _____

Date Vehicle Last Inspected:_____ **Date Re-inspection Required:**_____

List the last three (3) communities where you have previously conducted business and the date you conducted business there (for the purposes of evaluating character & responsibility):

(1)_____

(2)_____

(3)_____

List three (3) business references:

(1)_____

(2)_____

(3)_____

(See Other Side ➔➔)

Has the business representative or company ever been convicted of a crime, misdemeanor or violation of any municipal ordinance(s), other than traffic offenses? If "yes" give a full explanation as to the date and place of conviction, the nature of the offense and the punishment or penalty imposed.

_____

_____

_____

*** Corporations – attach individual applications for each employee or agent who shall conduct the activity.

*** Partnerships – must complete a form for each partner

*** Vendors selling ice cream must are required to complete an additional Raritan Twp. Police Department application and be fingerprinted. They must also obtain a Raritan Twp. Food Handler's License prior to the issuance of this license.

Applicant and Agent may be required to be fingerprinted by Chief of Police for Identification Purposes.

Attach two (2) photographs, 1½" X 1½", taken within the last 12 months, showing applicant's face – front and profile. A photo ID will be issued that must be displayed by the license holder/employees at all times.

NOTE: Fraud, misrepresentation or an incorrect statement contained in this application will constitute just cause for refusal of or immediate revocation of this license.

I certify that all information provided above is truthful and complete and that I have received and read Ordinance #06-43.

_____ _____

(Signature of Applicant) (Date)

Do not write below. FOR OFFICE USE ONLY

Date Application Received:_____ Fee Received:_____

Date Bond Received:_____ Cash or Surety:_____

Expiration Date of License:_____ Expiration Date of Bond:_____

Date Approved:_____ Date Rejected:_____

Reason Rejected:_____

Signature of Raritan Twp. Chief of Police:_____
(date)

Signature of Raritan Twp. Municipal Clerk:_____
(date)

RARITAN TOWNSHIP POLICE DEPARTMENT

HUNTERDON COUNTY
Two Municipal Drive
Flemington, NJ 08822

TELEPHONE (908) 782-8889 FAX (908) 782-1060

Release Authorization

For the purpose of verifying applications for licensing of SOLICITORS, PEDDLERS, HAWKERS, TRANSIENT MERCHANTS & ITINERANT VENDORS according to Chapter 5.24 of the General Ordinance of the Township of Raritan.

I hereby give permission for local, county, and state law enforcement agencies to release to the Raritan Township Police Department any and all information relating to:

_____

Please Print the following information below,

Full Name _____
First Middle Last

Address _____
Number and Street Town State Zip Code

Date of Birth___/___/____ Place of Birth_____ Sex_____
City and State Male/Female

Social Security #____-____-_____ Driver's License #_____
Number and State

_____

I hereby release, discharge and exonerate the Raritan Township Police Department, and any person so furnishing information from any and all liability of every nature and kind arising out of the furnishing of records, documents and other information or the investigation made by the Raritan Township Police Department. *The disclosure of my Social Security number is voluntary. Without this number, there processing of the application may be delayed. This number is used for document tracking purposes only and is considered confidential.*

_____ _____
Signature Witness

_____
Date

Chapter 5.24

PEDDLERS, SOLICITORS AND TRANSIENT MERCHANTS

Sections:

5.24.010	**Policy and purpose.**
5.24.020	**Definitions.**
5.24.030	**Exemptions.**
5.24.040	**Services in the future.**
5.24.050	**Hours.**
5.24.060	**Licenses.**
5.24.070	**Bond.**
5.24.080	**Fees.**
5.24.090	**Display of license and permit.**
5.24.100	**Extra licenses required when.**
5.24.110	**Noise.**
5.24.120	**Conduct of Licenses**
5.24.130	**Use of Vehicles**
5.24.140	**Sale of Food, Produce and Ice Cream**

5.24.010 Policy and purpose.

The practice of hawkers, peddlers, transient merchants or itinerant vendors going uninvited upon and into private dwelling units or of solicitors telephoning people in dwelling units without invitation constitutes an annoyance and danger to the people and is fraught with the opportunity to commit fraud or other crimes. Transient and itinerant merchants and vendors who lease or occupy temporary quarters for a period of time for less than one year, who advertise and solicit business for the sale of merchandise and services and then move on to other localities cause difficulties to the purchasers and prospective customers concerning fulfillment of guaranties and other warranties concerning the produce and service. (Prior code § 4-2.1)

5.24.020 Definitions.

The following word meanings shall apply:

"Hawk" or "hawker" means the sale or offering for sale of goods or merchandise from a cart, wagon, vehicle or conveyance of any kind from or on the streets of the township.

"Peddler" means the offering of goods or merchandise for sale from door to door in the township.

"Solicitor" means the offering of goods or merchandise for sale from door to door by the use of samples with the actual product to be supplied in the future or the promise to perform any service or supply any goods or merchandise in the future with or without the use of samples.

"Transient merchants" or "itinerant vendor" means persons, corporations or partnerships who engage in a merchandising business in New Jersey with intent to close out or discontinue the business in the township within one year from date of commencement including those who, for the purpose of carrying out such business, hire, lease or occupy any building or structure for the exhibition and sale of goods. Transient merchants or itinerant vendors who also lease or occupy motel facilities for the conduct of their business shall be deemed as intending to temporarily be located within Raritan Township for less than one year. (Prior code § 4-2.2)

5.24.030 Exemptions.

This chapter shall not apply to:

A. Any person soliciting a vote or support for any political candidate or program;

B. Any person soliciting for a bona fide charitable, religious or patriotic community service or philanthropic purposes or organization;

C. Any person engaged in delivering wares, goods, merchandise or other articles or things in the regular course of business, so long as the person has ordered such merchandise or articles or is entitled to receive the same. (Prior code § 4-2.3; Ord. 06-43 § A, B, C)

5.24.040 Services in the future.

It is unlawful for any peddler, hawker, solicitor or transient merchant or itinerant vendor to sell or dispose of or offer to sell or dispose of any goods, wares, merchandise or service to be rendered in the future or to take orders for any goods, wares, merchandise or services to be rendered or delivered in the future within the township without first obtaining a license therefor. (Prior code § 4-2.4)

5.24.050 Hours.

No person shall hawk, peddle or solicit except between the hours of nine a.m. and five p.m., Monday through Friday, inclusive, and ten a.m. and four p.m. on Saturday, and then only after having filed an application and bond and receiving a license. No person shall solicit by telephone at any time. The hours of solicitation are extended to no later than nine p.m. for any permit holder soliciting for a Raritan Township franchisee for utilities or cable television. (Ord. 85-7 § 2; prior code § 4-2.5)

5.24.060 Licenses.

No person shall solicit, hawk or peddle without first having filed the required bond and having obtained a license in accordance with Chapter 5.04. (Prior code § 4-2.6)

5.24.070 Bond.

Before the license shall be issued, the applicant shall execute and deliver to the clerk a good and sufficient bond with a good and sufficient surety in an amount of five hundred dollars ($500.00). The bond shall remain in force for one year from the date of issuance and shall be conditioned to indemnify and pay the township any penalties or costs incurred in the enforcement of any of the provisions of this section and to indemnify or reimburse any purchaser of personal property in a sum equal to at least the amount of any payment the purchaser may have been induced to make through the misrepresentation as to the kind, quality or value of the personal value of the personal property and to indemnify or reimburse any purchaser in an amount equal to at least the amount of any payment the purchaser may have made to a licensee for personal property or products, the delivery of which is not made as represented by the license. (Prior code § 4-2.7)

5.24.080 Fees.

Fees for licenses in accordance with this chapter shall accompany the application and shall be as follows.

For one year or any part thereof: forty dollars ($40.00).

For renewal for one year or any part thereof: twenty-five dollars ($25.00).

(Prior code § 4-2.8)

5.24.090 Display of license and permit.

All licenses or permits issued under the provisions of this chapter shall be carried by the licensee or permittee. All licenses or permits granted shall be shown by the holder to any officer or resident of the township demanding to see same. (Prior code § 4-2.9)

5.24.100 Extra licenses required when.

A. All licenses or permits issued to persons or businesses as defined in this chapter shall apply to principal only, provided that one assistant will be allowed under such defined business, except as hereinafter provided in this section.

B. Where more than one assistant is employed in any one business, an additional license for each person in excess of two in any business must be secured. The additional license fees in each case shall be one-half of the fee as designated in Section 5.24.080. (Prior code § 4-2.10)

5.24.110 Noise.

No hawker, peddler, solicitor, transient merchant or itinerant vendor shall call attention to his or her activity by the use of horns, bells or other noises. (Prior code § 4-2.11)

5.24.120 Conduct of Licenses

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

A. No person shall enter or attempt to enter the house of any resident in the Township without an express invitation from the occupant of the house.

B. All licensees and their respective vehicles or modes of transportation used in carrying on their permitted business shall at all times fully comply with all the terms, covenants and conditions of this chapter and all other applicable municipal ordinances and states laws, regulations or provisions pertaining thereto, particularly but not in limitation there that may deal with provisions of health, safety and general welfare.

C. Any person who sells or offers for sale any goods or services from any temporary location in the Township except for the B-2, B-3 and B-4 zones as a permitted use shall be guilty of a violation of this section, unless such sales are expressly permitted by some other section of the Revised General Ordinances. "Temporary location" shall include on-street parking of a vehicle, with or without the engine running.

D. No person shall offer for sale any goods or services outside the structure of the store including from the parking lot of the store or surrounding areas.
(Ord. 06-43)

5.24.130 Use of Vehicles

A. 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 his vehicle, unless contained in a leakproof metal container having a properly fitted metal cover.

B. No licensee shall sell or attempt to sell any article to pedestrian or vehicular traffic other than when his vehicle shall be properly parked immediately adjacent to the curb of a public street in the B-2, B-3 and B-4 zones. No licensee shall at any 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 vehicle.

C. Before a licensee shall use a vehicle or mode of transportation in furtherance of his permitted business, he shall have a valid New Jersey Division of Motor Vehicle Inspection Sticker for the vehicle and submit the vehicle to the Hunterdon County Board of Health for inspection and approval relative to compliance with this section and shall, whenever requested during the term of the license, submit the vehicle for reasonable reinspections for that purpose.

D. No vehicle or mode of transportation shall be used by any licensee unless it has been approved for use by the Hunterdon County Board of Health, and written approval shall remain in and upon the vehicle at all times and shall be shown by the operator thereof to any member of the Police Department, any township official or any member of the public who may request to be shown the written approval.

E. Notwithstanding the foregoing, with the exception of the sale of food intended for immediate consumption in the B-2, B-3 and B-4 zones, the sale of goods from temporary locations in any zoning district, by use of trucks parked on site for storage, display or vending of the goods intended for sale or at any location in a parking lot, is expressly prohibited. The sale of food from catering trucks for immediate consumption in only the B-2, B-3 and B-4 zones as a permitted use.

F. No licensee shall display for sale outside the vehicle any goods or products, including but not limited to, furniture, pictures, paintings, or rugs.
(Ord. 06-43)

5.24.140 Sale of Food, Produce and Ice Cream

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

B. All licensees offering for sales, 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 the vehicle at all times up to the time of sale or delivery. The refrigerated portions, during the use thereof, shall be maintained at a properly low temperature to completely safeguard all products from a health and sanitary standpoint to the fullest reasonable extent possible as determined by the Hunterdon County Board of Health for the safety and welfare of the public.

C. 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 metal containers as provided for in subsection 5.24.130.A.

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

E. An "ice cream vendor" is defined as a person who goes from place to place, travels on the public streets by vehicle and carries with him ice cream, ice cream products, water ices or frozen confectionery products of any kind or character (collectively "ice cream") for the purpose of selling or offering to sell the ice cream to customers from the vehicle.

F. Temporary Locations; B-2, B-3 and B-4 zones.

1. A licensee engaged as an ice cream vendor may sell ice cream from one or more temporary locations from vehicles in the B-2, B-3 and B-4 zones as a permitted use. Sales of ice cream in any other zone and at Township parks and athletic fields are expressly prohibited.

2. All employees of an ice cream vendor that sell ice cream in the Township shall be fingerprinted and undergo a criminal history background check. The Township shall issue to the employee a photographic identification card that must be displayed by the employee in the window on the serving side of the vehicle at all times. If any individual is determined to have a criminal record containing a disqualifying event, that individual shall not be permitted to sell ice cream in the Township.

3. An ice cream vendor shall submit to the Raritan Township Chief of Police (the "Chief") the individual name of the ice cream man or woman, address, fingerprints and written consent for a criminal history record background check to be performed. The Chief is authorized to receive criminal history record information from the State Bureau of Identification in the Division of State Police and the Federal Bureau of Investigation consistent with applicable State and federal laws, rules and regulations. The ice cream vendor shall bear the cost for the criminal history record background check, including all costs of administering and processing the check.

4. If the Chief is notified by the State Bureau of Investigation that any individual has a criminal record, the Chief shall promptly notify the Township Administrator.

5. Once the Township Administrator is notified of the criminal record, the Township Administrator

records relating to the applicant's driving history, convictions for any moving violation and convictions for any crime or disorderly persons offense involving any matter which reflects upon such matters, and whether the applicant has been subject to a restraining order in any domestic violence matter.

5.46.070 License Regulations.

A. Every person when operating a taxicab shall have a valid taxicab driver's license or certificate and the name of the issuing municipality in his possession and shall exhibit the same upon request to any public officer, taxicab passenger or other duly authorized agent of the township.

B. Any police officer of the township may inspect any taxicab at any time.

C. Every licensed taxicab shall exhibit a card containing the name of the owner of the vehicle, the number of the owner's license and the rates of fare to be charged.

D. Every licensed operator shall, on demand, give to any passenger a receipt indicating the name of the owner, the driver's license number and the fare charged.

5.46.080 Rules of Conduct for Licensees.

A. No person other than the licensed driver of the taxicab shall drive or sit in the compartment of the taxicab reserved for the driver, nor shall the driver engage in cruising as defined in Subsection 5.46.020; nor shall any driver or owner invite or permit loitering within or near his taxicab.

B. Smoking shall not be permitted in any taxicab without the permission of the passenger.

5.46.090 Prices Not to Exceed Fixed Rates.

A. The prices that may be charged by the owners or drivers of taxicab equipped with taxi meters, for the transportation of passengers for hire, shall not exceed the rates filed with the Township Clerk, and may not be changed or modified without written approval from the Township Committee.

B. All prices charged shall be subject to a twenty-five (25%) percent discount for persons over the age of sixty-two.

5.46.100 Annual License Fees, Expiration and Revocation.

A. All taxicab licenses shall be issued by the Township Clerk and shall be issued to expire December 31st, next exceeding the date of issuance unless it is sooner suspended or revoked by the director of the department of pubic safety.

B. Every applicant for a license under this section shall pay to the Township Clerk for the use of the township annual license fees as follows:

1. For each licensed taxicab: $250.
2. For each taxicab driver other than the owner thereof: $100.

C. Changes in ownership or title to any taxicab licensed under this chapter shall automatically revoke the license for such vehicle or vehicles. The purchaser of such vehicle must apply for a license authorizing the operation of the vehicle as heretofore set forth.

(Ord. 07-37)

and Chief of Police shall contact the ice cream vendor and individual to request the individual's written authorization to obtain detailed information regarding the criminal record from the State Bureau of Investigation. If the individual refuses to provide such written authorization, the individual shall be barred from selling ice cream in the Township. Once the individual provides such written authorization, the Chief of Police shall obtain detailed information regarding the criminal record from the State Bureau of Investigation.

6. Once the detailed information regarding the criminal record is received, the Chief of Police shall make a determination within five (5) days as to whether any event in the record constitutes a disqualifying event. The following shall constitute a disqualifying event:

a. Conviction of any crime or misdemeanor, including but not limited to murder, kidnapping, arson and other burnings, atrocious assault and battery, breaking and entering, bribery and corruption, burglary, conspiracy, embezzlement, conversion and misappropriation of funds; extortion or threats, forgery and counterfeiting, frauds and cheats, indecency and obscenity, larceny, loan sharking, possession or use of a controlled dangerous substance, receiving stolen property, robbery, rape and carnal or child abuse, seduction and any other crimes against the person or crimes involving moral turpitude.

b. Conviction of any misdemeanor or disorderly persons offense involving being unable to give a good account, common thieves, burglars and pickpockets, carrying weapons or burglar tools, conspiracy, unlawful soliciting, assault and battery, frauds and misrepresentations, possession or use of habit-producing drugs, shoplifting, and any other offense involving moral turpitude.

c. Business pursuits resulting in fraud, misappropriation of funds or similar activity. The above crimes, misdemeanors or disorderly persons offenses shall be deemed to be those as defined or equivalent to crimes and disorderly offenses defined by law in the State of New Jersey.

7. Notification of a Disqualifying Event, Appeal of Determination and Prohibition of Sales in the Township by Ice Cream Vendor or Employee.

a. If a determination has been made by the Chief of Police that an event in the individual's criminal record constitutes a disqualifying event, then the Chief of Police shall notify the ice cream vendor and the individual in writing of the determination within three (3) days.

b. Once the ice cream vendor and the individual have been formally notified in writing that the Chief of Police has made a determination that any event contained in the individual's criminal record is a disqualifying event, the ice cream vendor or the individual shall have the right within five (5) days of receipt of the formal notification appeal to the Township Administrator for review of the determination of the Chief of Police.

c. The ice cream vendor and the individual shall be entitled to speak to the Township Administrator on the individual's behalf, and shall be entitled to provide information stating why the event in the individual's criminal record should not be considered a disqualifying event.

d. Once an appeal is made, the Township Administrator shall review the entire file,
the circumstances surrounding the criminal record and any statement or information provided by the ice cream vendor or the individual, and shall make a final determination within ten (10) days as to whether an event on the criminal record constitutes a disqualifying event. The Township Administrator may affirm or reverse the decision of the Chief of Police and shall set forth their final determination in writing.

e. If neither the ice cream vendor nor the individual appeals the initial determination by the Chief of Police within ten (10) days of the date of the formal notification letter of a disqualifying event, then the individual shall be barred from selling ice cream in the Township. Once a final determination is made by the Township Administrator that an event on the individual's criminal record constitutes a disqualifying event, the individual shall be permanently barred from selling ice cream in the Township.

8. Confidentiality. The criminal history record background check and fingerprinting procedure set forth in this chapter will be conducted, to the extent possible, in a manner intended to preserve the privacy of all parties. To the extent possible, privacy and confidentiality will be maintained.

G. No ice cream vendor or employee shall misrepresent the character or the quality of the merchandise offered for sale or to importune or otherwise annoy any person to effect a sale of ice cream.

H. No ice cream vendor shall park any vehicle within the lines of any public street, road or other

public place for the purpose of selling ice cream for a period longer than 15 minutes, and then only while making actual sales. Sales of ice cream in the Township will be allowed only in the B-2, B-3 and B-4 zones. Vehicles shall be parked adjacent to the right_hand curbline to ensure safety of customers.

I. No ice cream vendor or employee shall deposit or leave any paper wrappings, refuse or other materials upon any street, sidewalk or pubic place. Each vehicle use for the sale of ice cream shall be equipped with a metal waste container having a self-closing lid into which paper wrappings, refuse or other materials shall be deposited.

J. Ice cream shall be sold or offered for sale only in sealed containers, and the filling of individual containers with ice cream in or from any vehicle from the street, highway or any other public place is prohibited.

K. No ice cream vendor or employee shall leave the vehicle used for the sale of ice cream while he or she is selling ice cream.

L. The doors to the vehicle used for the sale of ice cream must remain closed during the sale of ice cream.

M. No persons other than the ice cream vendor and employees are permitted in the vehicle used for the sale of ice cream while the ice cream vendor or employees are selling ice cream.

(Ord. 06-43)