

ORDINANCE NO. 13-2010

**AN ORDINANCE OF THE MAYOR AND COMMITTEE OF THE TOWNSHIP OF HARRISON,
COUNTY OF GLOUCESTER, STATE OF NEW JERSEY AMENDING CHAPTER 155
ENTITLED "PEDDLING AND SOLICITING" OF THE CODE OF
THE TOWNSHIP OF HARRISON**

WHEREAS, the Mayor and Committee, Township of Harrison, have determined that certain amendments and additions to Chapter 155 entitled "Peddling and Soliciting" are necessary; and

WHEREAS, in all other respects Chapter 155 entitled "Peddling & Soliciting" shall remain in full force and effect;

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Committee of the Township of Harrison, in the County of Gloucester and State of New Jersey, and it is hereby enacted and ordained by the authority of same as follows:

Section 1.

§155-15 entitled "Exempt persons, organizations and activities" shall be amended to read as follows:

- A. Vendor Organizations soliciting house-to-house, place-to-place (commonly known as "door-to-door").
- (1) Any nonprofit religious, charitable, educational, civic or veterans organization, volunteer first aid organization or fire company desiring via door-to-door 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 at any place or places within the Township for charitable, religious, patriotic or philanthropic purpose, shall be permitted to conduct business in the Township without a license upon the filing of a sworn application in writing with the Township Clerk, which shall give the following information:
 - (a) Name and address of organization.
 - (b) Nature and location of planned activity.
 - (c) Period during which solicitation or sale is to be carried on.
 - (d) Name, address, and social security number of each person who will conduct solicitations.
 - (e) A recent photograph of all persons, who are not Township residents, who will conduct solicitations or sales door-to-door.
 - (2) Such organization, association, society or corporation shall furnish all its members, agents or representatives conducting solicitation or sales with credentials in writing stating the name of organization, name of the agent and the duration and purpose of solicitation. All persons or organizations qualifying for a license exemption under this section shall comply with all other provisions of this article.

B. Vendor Organizations situate at stationary locations within Harrison Township's Main Street District (§225-20).

(1) Any nonprofit religious, charitable, educational, civic or veterans organization, volunteer first aid organization or fire company desiring via stationary location 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 at any place or places within the Township for charitable, religious, patriotic or philanthropic purpose, shall be permitted to conduct business in the Township without a license upon the filing of a sworn application in writing with the Township Clerk, which shall give the following information:

(a) Name and address of organization.

(b) Nature and location (address) of planned activity.

(c) Period during which solicitation or sale is to be carried on.

(d) Name, address, description of automobile (year, make, model and license plate number) and Tax I.D. number of each vendor who will conduct solicitations.

BC. Special exemption.

(1) The Township Committee, by resolution, may exempt from compliance with any part or parts of this article any person or organization. Any person or organization seeking an exemption must make a written request to the Township Clerk of at least 30 days before the start of the activity for which the exemption is sought. The Township Committee may place conditions or restrictions on the granting of an exemption.

(2) Criteria for exemption. The following are criteria to be applied when considering whether an exemption will be granted:

(a) The charitable nature of the organization.

(b) The number of participants who are Township residents, eliminating or minimizing the need for identifying information.

(c) The reputation of the individual or organization in the community.

(d) The financial or human resource burden of compliance with any provision of this article when weighed against the benefit to the Township and/or its residents.

(e) Whether the activity will result in or lead to a benefit to the Township residents such as lower taxes, increased public services, betterment of the community or other public benefit.

(f) The need to regulate the activity to address safety, health or other concerns.

Section 2.

Repealer.

All prior Ordinances or parts of Ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistencies.

Section 3.

Severability.

Should any section, clause, sentence, phrase or provision of this Ordinance be declared unconstitutional or invalid by a Court of competent jurisdiction, such decision shall not affect the remaining portions of this Ordinance.

Section 4.

When effective.

This Ordinance shall take effect immediately upon final passage and publication in accordance with law.

TOWNSHIP OF HARRISON

**BY: _____
LOUIS F. MANZO, MAYOR**

ATTEST:

DIANE L. MALLOY, Clerk

NOTICE

The Ordinance published herein was introduced and passed upon first reading at a meeting of the Mayor and Committee of the Township of Harrison, in the County of Gloucester and State of New Jersey, held on May 17, 2010. It will be further considered for final passage, after public hearing hereon, at a meeting of said Mayor and Committee to be held in the Township's Municipal Building, 114 Bridgeton Pike, Mullica Hill, New Jersey 08062, in the Township, on June 7, 2010 at 7:30 P.M. During the week prior and up to and including the date of such meeting, copies of said Ordinance will be made available at the Clerk's office at the Municipal Building, 114 Bridgeton Pike, in the Township, to the members of the general public who shall request the same.

DIANE L. MALLOY
Clerk