

ORDINANCE 16-06

“AN ORDINANCE AMENDING CHAPTER 255: PEDDLING AND SOLICITING”

BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF WOODCLIFF LAKE, IN THE COUNTY OF BERGEN AND STATE OF NEW JERSEY, AS FOLLOWS:

WHEREAS, the Borough Mayor and Council of the Borough of Woodcliff Lake wishes amend Chapter 255, Peddling and Soliciting.

NOW, THEREFORE, BE IT ORDAINED by the Borough Council of the Borough of Woodcliff Lake, County of Bergen, as follows:

Section 1: Chapter 255-2 shall be amended to revise the definition of “Solicitor” which shall read as:

SOLICITOR

A person who goes from house to house or from place to place selling merchandise by sample or by taking orders for future delivery, with or without accepting advance payments for the goods, regardless of whether the solicitation is made by telephone or personal contact. The provisions of this chapter shall apply to the person who comes in personal contact with the buyer, whether he obtains the order, delivers the goods or accepts money in payment for them. Solicitor shall also mean any person who goes from house to house or from place to place for the purpose of offering services, makes inquires concerning real estate, obtaining alms, contributions or subscriptions or who does research analyses, makes surveys or opinion polls, obtains rating data or similar information or who engages in any similar work which involves a door-to-door or place-to-place activity.

Section 2: Chapter 255-4 subchapter A shall be struck in its entirety so as to no longer exempt any person licensed by the Commissioner of Banking and Insurance or the Real Estate Commission of the State of New Jersey. The remaining subsection shall be renumbered in the appropriate manner.

Section 3: Chapter 255-7 shall be amended in its issuing authority and should read as:

§255-7 Investigation of applicant.

Each application shall be referred to the Police Department, which shall immediately institute whatever investigation of the applicant's business responsibility and moral character it considers necessary for the protection of the public. It shall communicate its findings, in writing, together with a recommendation that the application be granted or denied, to the Mayor and Council within a reasonable time. The Mayor and Council shall consider the application at their next regular meeting after receiving the report of the investigation. If, based upon the information contained in the application and

the investigator's report, the Mayor and Council decide that the applicant's character, ability or business responsibility are unsatisfactory or that the products, services or activities are not free from fraud, they shall disapprove the application and refuse to issue the license and so notify the applicant. Otherwise, the Mayor and Council shall approve the license and the Borough of Woodcliff shall than issue the license immediately, provided that the required license fees have been paid.

Section 4: All ordinances of the Borough of Woodcliff Lake which are inconsistent with the provisions of this ordinance are hereby repealed to the extent of such inconsistency.

Section 5: If any section, subsection, sentence, clause or phrase of this ordinance if, for any reason, held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this ordinance.

Section 6: This ordinance shall take effect upon passage and publication according to law.

ROLL CALL:

Introduction: Mr. Belgiovine

Second: Mrs. Chiavelli

Ayes: Mr. Belgiovine, Mrs. Chiavelli, Mrs. Gadaleta, Mrs. Hayes, Mrs. Herrington,
Mr. Panso

Nays: None

Abstain: None

Absent: None

ATTEST: DEBORAH DAKIN, RMC, CMR
BOROUGH CLERK