

18-12
ORDINANCE OF THE BOROUGH OF
MERCHANTVILLE, COUNTY OF CAMDEN, STATE OF
NEW JERSEY AMENDING CHAPTER 38, HAWKING
AND PEDDLING, IN THE CODE OF THE BOROUGH OF
MERCHANTVILLE

BE IT ORDAINED by the Mayor and Borough Council of the Borough of Merchantville, County of Camden, and State of New Jersey that Chapter 38, Hawking and Peddling, in the Code of the Borough of Merchantville, is hereby amended as follows:

ARTICLE I. SECTION 38-3 Restrictions.

Canvassing, soliciting and peddling in the Borough of Merchantville, in the County of Camden, are prohibited:

- A. Between the hours of 9:00 p.m. and 9:00 a.m. on any day of the week.
- B. At any other time or place unless each such canvasser, solicitor or peddler shall

have first registered under the provisions of this Chapter.

ARTICLE II. SECTION 38-3.1 Establishment, Display and Distribution of a “Do Not Knock Registry.”

A. The Police Clerk shall prepare a list of addresses of those premises where the owner and/or occupant has notified the Police Clerk that peddling, soliciting, canvassing, hawking and door-to-door sales enterprising as set forth in this Chapter are not permitted on the premises (hereinafter referred to as the “Do Not Knock Registry”). Notification shall be by completion of a form available at the Police Department office during normal business hours.

- B. Any owner and/or occupant who has requested enlistment on the Do Not Knock

Registry, pursuant to this Chapter herein, shall be able to obtain from the Police Department office a sticker for display at his/her/its premises indicating enlistment on the Do Not Knock Registry.

C. Owners and/or occupants who are placed on the Do Not Knock Registry at their request, shall remain on the Do Not Knock Registry until such time as they advise the Police Clerk in writing that they wish to be removed from the list.

D. The Police Clerk shall distribute the current Do Not Knock Registry to a licensee under this Chapter at the time of issuance of a license to peddle, solicit, canvas, hawk or otherwise door-to-door sell pursuant to the provisions of this Chapter. The Do Not Knock Registry provided to licensees shall only include the physical address of the enlisted premises. The licensee shall not peddle, solicit, canvas, hawk or conduct door-to-door sales at any premises identified on the then current Do Not Knock Registry.

ARTICLE III. SECTION 38-18 Violations; penalties.

A. Unless another penalty is expressly provided by New Jersey statute, every person, firm, association or corporation violating any provision of this Article shall, upon conviction thereof, be subject to the fines and/or penalties as are set forth in the Chapter 1-9 of the Code of the Borough of Merchantville. Each day that a violation occurs shall be deemed a separate and distinct violation, subject to the penalty provisions of this Article.

B. To the extent the conduct prohibited under this Article also violates other provisions of the Borough Code, those violations constitute separate offenses subject to additional fines and penalties as prescribed.

ARTICLE IV.

All Ordinances contrary to the provisions of this Ordinance are hereby repealed to the extent that they are inconsistent herewith.

ARTICLE V.

This Ordinance shall take effect upon passage and publication according to law.

THE BOROUGH OF MERCHANTVILLE

BY: _____

EDWARD F. BRENNAN, MAYOR

ATTEST:

DENISE BROUSE, BOROUGH CLERK

The foregoing ordinance was introduced by Mayor and Council at the regular meeting held on October 8, 2018. This Ordinance will be considered for adoption on final reading and public hearing to be held on October 22, 2018 at 7:30 p.m. in the Council Meeting Room, Merchantville Borough Hall, 1 West Maple Avenue, Merchantville, New Jersey.

The purpose of this Ordinance is to make changes consistent with recent case law for this Chapter in the Code of the Borough of Merchantville. A copy of this Ordinance is available at no charge to the general public between the hours of 8:30 AM to 4:30 PM, Monday through Friday (Legal Holidays excluded), at the Office of the Borough Clerk, Merchantville Borough Hall, 1 West Maple Avenue, Merchantville, New Jersey.