

**ORDINANCE 2019-02**

**AN ORDINANCE OF THE TOWNSHIP OF STAFFORD, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER 155 OF THE TOWNSHIP CODE, ENTITLED "PEDDLING AND SOLICITING"**

**NOW, THEREFORE, BE IT ORDAINED**, by the governing body of the Township of Stafford, County of Ocean, State of New Jersey, as follows:

**SECTION 1.** The Township Code of the Township of Stafford is hereby amended and supplemented so as to amend Chapter 155, entitled "Peddling and Soliciting," so as to delete §155-10 entitled "Sales on public roads or rights-of-way" in its entirety and to replace with a new §155-10 which shall be entitled "Vending regulations" and which shall read as follows:

The business of vending shall be subject to the following regulations:

- A.** The business of vending may be conducted between the hours of 7:00 a.m. and 9:00 p.m., and all vending units shall be off the streets and sidewalks of the Township between 9:00 p.m. and 7:00 a.m.
- B.** All vending units must be mobile.
- C.** There shall be no vending within 200 feet of any school, church, synagogue or other house of worship while the same is in session.
- D.** No vending units or motor vehicles shall be left unattended for any reasons on the streets or sidewalks of the Township.
- E.** All vendors in the business of selling food and/or beverages shall have a litter receptacle available for public use. All litter and refuse shall be collected and taken away by the vendor when he or she leaves the location.
- F.** All materials and merchandise related to the vending business must be located on the vending unit.
- G.** No vendor shall offer for sale any merchandise other than that described in his/her registration.
- H.** No vendor shall have an exclusive right to any location in the public streets, nor shall he/she be permitted to vend from a permanent public location.

**I.** No vendor shall be permitted to operate in any area where such operation might unreasonably impede traffic, jeopardize the public's health, safety or welfare or create a public nuisance.

**J.** No vendor shall place his or her vending unit within 500 feet of any location already being used by another vendor or established merchant.

**SECTION 2.** The Township Code of the Township of Stafford is hereby amended and supplemented so as to amend Chapter 155, entitled "Peddling and Soliciting," so as to amend §155-11 entitled "Sales from private property" in its entirety so that it shall read as follows:

**A.** No vendor of goods, who sells such goods from a moving vehicle, shall vend from a private property without the written consent of the private property owner.

**B.** The vendor must have, in his or her possession, the written consent of the private property owner and must produce the same upon a request from the Stafford Township Police Department or other law enforcement officer of the Township.

**C.** The vendor cannot leave his vehicle upon private property for the purpose of attracting customers overnight, between the permissible hours for vending in the Township set forth at §155-10(A).

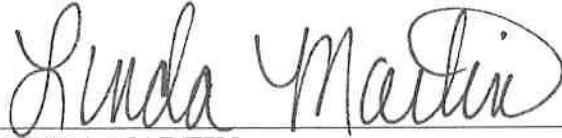
**D.** The provisions of this section shall not apply to an individual who operates out of a fixed structure and who has obtained all of the necessary permits and/or approvals required by the Township for the operation of a business from a structure located on real property.

**SECTION 3.** All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

**SECTION 4.** If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

**SECTION 5.** This ordinance shall take effect after second reading and publication as required by law.

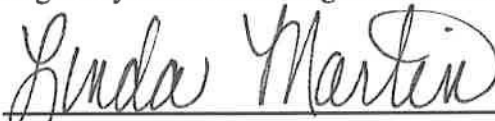
**NOTICE IS HEREBY GIVEN**, that the foregoing ordinance was introduced and passed by the Township Council on first reading at a meeting of the Township Council of the Township of Stafford held on the **5th** day of **March 2019** and will be considered for second reading and final passage at a regular meeting of the Township Council to be held on the **19th** day of **March 2019** at 7:00 p.m. at the Municipal Building located at 260 East Bay Avenue, Manahawkin, New Jersey, at which time and place any persons desiring to be heard upon the same will be given the opportunity to be so heard.



**LINDA MARTIN**  
**Acting Municipal Clerk**

**CERTIFICATION**

I, **LINDA MARTIN**, Acting Municipal Clerk of the Township of Stafford, do hereby certify that the foregoing Ordinance was duly adopted on second reading and public comment by the Stafford Township Governing Body at their meeting held on the **19th** day of **March 2019**.



**LINDA MARTIN**  
**Acting Municipal Clerk**