

**LAFAYETTE TOWNSHIP
SUSSEX COUNTY, NEW JERSEY**

ORDINANCE 2024-03

AN ORDINANCE DELETING CHAPTER 4, ENTITLED “GENERAL LICENSING”, SPECIFICALLY SECTION 4-3, “PEDDLERS AND VENDORS”, AND REPLACING IT IN ITS ENTIRETY

4-3 HOUSE TO HOUSE PEDDLERS, CANVASSERS AND VENDORS.

4-3.1 License Required.

It shall not be lawful for any person to canvass, solicit nor call from house to house within the Township without having first applied for and obtained a license from the Township Clerk.

4-3.2 Application for License.

Before the license required by the preceding subsection may be issued, the canvasser, solicitor or vendor shall complete the application form maintained by the Township Clerk giving the following information as to each and every person intending to canvass and/or solicit:

- a. Full name, address and telephone number of each individual that will be canvassing, soliciting, or selling wares or services
- b. Home address
- c. Whether or not previously convicted of a crime
- d. By whom employed and address of employer with telephone number and name of supervisor
- e. Description of the project for which he or she is canvassing and/or soliciting
- f. Whether the employer has conducted a background check of each and every person intending to canvass, solicit or call house to house

Each applicant shall provide the Township Clerk with a current photograph of each canvasser, solicitor, or vendor selling wares or services, which photograph reasonably resembles each individual that will call house to house, before a permit shall be issued. Applicants that conduct in-house background checks of individuals or agents that canvass, solicit, or call from house to house on their behalf should provide the Township Clerk with copies of background check reports as part of the application process.

4-3.3 Issuance of License.

The Township Clerk shall have the power to grant the license required by subsection 4-3.1 upon payment by the applicant of the proper fee set forth in subsection 4-3.6. The Township Clerk shall refuse to issue a permit in all cases where the application upon its face, or upon further investigation, to be made at the discretion of such officer, shows that the canvasser or solicitor is not of good character or that he is canvassing for a project that is questionable or not free from fraud; but in no event shall a license be issued for a period of more than 30 calendar days. A license may be renewed for good cause upon payment of the appropriate permit fee.

4-3.4 Term of License; Transferability.

Every license shall remain in force and be valid only for the time therein expressed and shall apply only to the person to whom granted and shall not be transferable.

4-3.5 Exhibition of License.

Any person to whom such license is granted is hereby required to exhibit the license whenever called upon to do so by any law enforcement officer, Lafayette Township official, or resident being canvassed or solicited. Any licensee under this section shall also be required to carry a copy of the license with them at all times any agent or employee of the applicant is actively canvassing, soliciting, or calling from house to house within the Township.

4-3.6 Fee.

The license fee under this section shall be the sum of \$50. Such permit fee shall not be refundable in the event of revocation.

4-3.7 Regulations.

Licensees shall comply with the following regulations:

- a. If a vehicle is to be used, proof of ownership and compliance with current registration and insurance requirements shall be submitted with the application.
- b. No licensed vendor shall in the conduct of his business park any vehicle on any public street, road or other public place longer than five minutes in any one location; nor shall any such vehicle be parked at any location in such a manner as to impede the flow of traffic, interfere with the visibility of intersections or curves or otherwise create any hazard to the public.
- c. No person shall canvass, solicit or call from house to house within the Township except Monday through Saturday between the hours of 9:00 a.m. and 5:00 p.m., nor shall such activity be conducted by any licensee on any legal holiday. A copy of the licensee's photograph, furnished by the licensee, shall be carried by the licensee, affixed to the license and the licensee shall exhibit his or her photograph upon a company identification badge openly visible to the public. He or she shall be courteous to all persons in canvassing and shall not disturb or annoy any of the residents of the Township and shall at all times conduct himself or herself in a lawful manner. If at any time a resident should ask the licensee to leave their premises, the licensee shall do so in an expeditious manner. On expiration of the permit, the holder shall surrender the license to the Township Clerk.

4-3.8 Revocation of License.

The Township Clerk shall revoke any license issued under the provisions of this section for failure or refusal on the part of the licensee to observe the regulations set forth in this section.

4-3.9 Exceptions.

- a. This section shall not affect any person engaged in the delivery of goods, wares or merchandise or other articles or things in the regular course of business to the premises of persons ordering or entitled to receive the same, nor shall it apply to any person engaged in activities on behalf of a charitable or religious association or any community, civic or political organization.
- b. Notwithstanding such exception, canvassing, soliciting or calling from house to house by any noncommercial individual or entity engaged in activities on behalf of a charitable or religious association or any community, civic or political organizations are limited to Monday through Saturday between the hours of 9:00 a.m. and 9:00 p.m., and such activity shall not be conducted on any legal holiday.
- c. Notwithstanding such exception, any person engaged in noncommercial canvassing activities on behalf of a charitable or religious association or any community, civic or

political organization must carry a photo identification along with documentation issued by the organization to establish that such canvassing is sanctioned by that organization. Any person performing canvassing, soliciting, or calling from door to door is hereby required to exhibit the photo identification and organization documentation whenever called upon to do so by any law enforcement officer, Lafayette Township official, or resident being canvassed or solicited. He or she shall be courteous to all persons in canvassing and shall not disturb or annoy any of the residents of the Township and shall at all times conduct himself or herself in a lawful manner. If at any time a resident should ask the canvasser to leave their premises, the canvasser shall do so in an expeditious manner.

4-3.10 Non-Solicitation List.

Residents may elect to be included on a list maintained by the Township Clerk that excludes all canvassing, soliciting or calling from house to house at their residence. In the event any resident of the Township requests that their address be removed from visits by all canvassers or solicitors, the list shall be provided to the licensee at the time the license is approved by the Township Clerk and the licensees shall refrain from visiting these addresses. Failure of a canvassers, solicitors or individual/entity calling from house to house to honor the non-solicitation list may result in revocation of any license issued pursuant to section 4-3.8.

CERTIFICATION

The above entitled Ordinance was introduced and passed at first reading by the Lafayette Township Committee at a meeting on February 6, 2024 and after publication and a public hearing was finally adopted by the Lafayette Township Committee at a meeting held on March 5, 2024.

Mayor:

Municipal Clerk: