



Legislation Text

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AN ORDINANCE AMENDING TITLE 8, BUSINESSES AND OCCUPATIONS, CHAPTER 7, HAWKING AND PEDDLING; CANVASSING AND SOLICITING, ORDINANCES OF THE CITY OF NEWARK, NEW JERSEY, 2000, AS AMENDED AND SUPPLEMENTED, AMENDING SECTIONS 8:7-6(B) AND (D) AND CREATING SUBSECTIONS 8:7-6(V) AND (W), PROHIBITED CONDUCT BY PEDDLERS.

Sponsor(s): Council Member, Anibal Ramos, Jr.

WHEREAS, the City of Newark (the "City") desires to amend and supplement Title 8, Businesses and Occupations, Chapter 7, Hawking and Peddling; Canvassing and Soliciting (the "Ordinance") further regulating peddling and soliciting citywide; and

WHEREAS, the City shall amend the Ordinance to expand the prohibited conduct of peddlers within specified boundaries.

NOW, THEREFORE, BE IT ORDAINED BY THE MUNICIPAL COUNCIL OF THE CITY OF NEWARK, NEW JERSEY, THAT:

Note: Additions are shown as **underlined and bold**. Deletions are shown as ~~strikethroughs~~.

SECTION 1. The foregoing whereas clause is incorporated herein by reference and made a part hereof.

SECTION 2. Title VIII, Business and Occupations, Chapter 7, Hawking and Peddling; Canvassing and Soliciting is amended to Subsections 8:7-6(B) and (D) and creating Subsections 8:7-6(V) and (W), Prohibited Conduct by peddlers to include:

§ 8:7-6 PROHIBITED CONDUCT.

No peddler shall:

A. Engage in the business of peddling unless his cart is mounted on at least ~~two~~ **2** wheels, which wheels are of a diameter of not less than ~~eight~~ **8** inches.

B. Station, place, set up or maintain his cart ~~or vehicle~~ or allow it to remain on any sidewalk if to do so would place him closer than ~~30~~ **50** feet to any other ~~peddler who is selling on the sidewalk if not~~ separated by a public street.

C. Station, place, set up or maintain his cart on the sidewalk or allow it to remain there except at the curb line for the purpose of selling goods, wares or merchandise therefrom.

D. Station, place, set up or maintain his cart or vehicle or allow it to remain at the same location on any sidewalk or street for more than 15 minutes, unless a sale is transacted or a potential customer is actually stopped at the cart surveying the peddler's wares. After each sale or survey by a potential customer, the ~~fifteen~~ **15** minute period begins anew. At the expiration of the ~~fifteen~~ **15** minute period, **without a transaction,** the peddler must move his cart at least ~~30~~ **50** feet **from the location.** The peddler may not return to any location from which he has moved in accordance with the requirements **of this subsection until after 2 hours.**

Subsections E through U will remain and shall not be affected.

V. Engage in the business of peddling within the boundaries of any Special Improvement District without having obtained approval for the District Management Corporation designated by the City of Newark to manage the said Special Improvement District.

W. Engage in the business of peddling within the boundaries of Bloomfield Avenue/Lower Broadway Business Improvement District, except within the following areas: Bloomfield Avenue between Lake Street and Highland Avenue; Bloomfield Avenue between Roseville Avenue and North 10th Street.

SECTION 3. Severability.

If any provision of this Ordinance or any section, sentence, clause, phrase, or word or the application thereof, shall in any circumstance be held invalid, the validity of the remainder of this Ordinance and the application of any such provision, section, sentence, clause, phrase, or word shall not be affected.

SECTION 4. This Ordinance shall take effect upon final passage and publication in accordance with the laws of the State of New Jersey.

STATEMENT

This Ordinance supplements and amends Title VIII, Business and Occupations, Chapter 7, Hawking and Peddling; Canvassing and Soliciting amending Subsections 8:7-6(B) and (D) and creating Subsections 8:7-6(V) and (W), Prohibited Conduct by peddlers.