

**BOROUGH OF GLASSBORO  
GLASSBORO, NEW JERSEY**

**APPLICATION FOR PEDDLER/SOLICITOR/TRANSIENT MERCHANT LICENSE**

To be completed in triplicate and filed with the Borough Clerk at least thirty (30) days prior to the first day of the proposed activity. Print or type information except signature.

NAME: (LAST) \_\_\_\_\_ (FIRST) \_\_\_\_\_ (M) \_\_\_\_\_

PERMANENT ADDRESS: \_\_\_\_\_ (CITY) \_\_\_\_\_ (STATE) \_\_\_\_\_

LOCAL ADDRESS: \_\_\_\_\_

DOB: \_\_\_\_\_ SEX \_\_\_\_\_ AGE: \_\_\_\_\_ WEIGHT: \_\_\_\_\_ HEIGHT: \_\_\_\_\_

SOCIAL SECURITY NUMBER: \_\_\_\_\_ TELEPHONE NUMBER: \_\_\_\_\_

DRIVERS LICENSE # \_\_\_\_\_ STATE: \_\_\_\_\_

VEHICLE REGISTRATION # \_\_\_\_\_ STATE: \_\_\_\_\_

VEHICLES TAG # \_\_\_\_\_ STATE: \_\_\_\_\_

HOW LONG HAVE YOU LIVED AT YOUR PRESENT ADDRESS: \_\_\_\_\_

FIRM REPRESENTED: \_\_\_\_\_ FEDERAL TAXPAYER ID# \_\_\_\_\_

ADDRESS: \_\_\_\_\_

PHONE #: \_\_\_\_\_ CONTACT PERSON \_\_\_\_\_

TYPE OF MERCHANDISE OR SERVICE TO BE SOLD \_\_\_\_\_

HAVE YOU EVER BEEN CHARGED OR ARRESTED FOR ANY BOROUGH, STATE OR FEDERAL LAW, IN THIS STATE OR IN ANY OTHER STATE? \_\_\_\_\_ IF YES, WHERE AND WHEN ID OFFENSES OCCUR \_\_\_\_\_

GIVE THE ADDRESS OR ADDRESSES YOU HAVE LIVED THE LAST THREE (3) YEARS:

\_\_\_\_\_  
\_\_\_\_\_

**THREE BUSINESS REFERENCES (OTHER THEN FELLOW WORKERS)**

NAME: \_\_\_\_\_ PHONE #: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

NAME: \_\_\_\_\_ PHONE #: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

NAME: \_\_\_\_\_ PHONE #: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

SIGNATURE: \_\_\_\_\_

**DO NOT WRITE BELOW THIS LINE**

NO. \_\_\_\_\_ DATE OF APPLICATION \_\_\_\_\_ DATE ISSUED \_\_\_\_\_

FEE PAID: \_\_\_\_\_ APPROVED: YES \_\_\_\_\_ NO \_\_\_\_\_ APPROVED BY: \_\_\_\_\_

MAR 22 2005

05-13

**AN ORDINANCE REPEALING CHAPTER 357  
OF THE CODE OF THE BOROUGH OF GLASSBORO  
AND ADOPTING A NEW CHAPTER 357  
OF THE CODE OF THE BOROUGH OF GLASSBORO  
(PEDDLERS, SOLICITORS AND TRANSIENT MERCHANTS)**

**BE IT ORDAINED** by the Mayor and Council of the Borough of Glassboro as follows:

**Section 1.** Chapter 357 of the Code of the Borough of Glassboro is hereby repealed in its entirety and a new Chapter 357 is hereby adopted and to be entitled "Peddlers, Solicitors and Transient Merchants."

**Section 2.** Chapter 357 is hereby adopted as follows:

**Section 3. Definitions.**

Whenever used in this article, unless a different meaning clearly appears from the context, the following terms shall have the meanings indicated:

**MERCHANDISE** - Includes anything or any service sold or offered for present or future sale by a vendor, including but not limited to merchandise, goods, food, seasonal items, home repair services, flowers or greens.

**PEDDLER, SOLICITOR, VENDOR, TRANSIENT MERCHANT** - Any person, who goes from house to house, or from place to place offering or exposing merchandise, or services for present or future sale, prophesying or preaching, or who engage in any of the foregoing activities from a location on the street or other public place. Included in the definition are persons who go from house to house or place to place collecting information, financial contributions or distributing literature.

**CHARITABLE, NONPROFIT and PHILANTHROPIC** - Includes political, patriotic, religious, service, welfare, benevolent, educational, civic or fraternal corporations, organizations, associations, societies and the like not organized for private gain. Examples of nonprofit organizations include veterans groups and organizations which assist the poor, the aged, the sick, the physically disabled or mentally retarded or which aid victims of fire, flood or similar catastrophes. This enumeration is intended to be typical and shall not be construed as exclusive. All applicants shall provide satisfactory proof of nonprofit status upon request, including but not limited to evidence of tax exemption.

**CONTRIBUTION** - Includes alms, food, clothes, money, subscription or property of any nature or kind.

PERSON or ORGANIZATION - Any natural person, individual, firm, copartnership, corporation, company, association, church, religious denomination, society, class or league and principal or agent thereof.

SOLICIT and SOLICITATION - The request, directly or indirectly, of money, credit, property, financial assistance and other things of value on the plea or representation that such money, credit, property, financial assistance or other thing of value will be used for a charitable and philanthropic purpose as defined in this article. Solicitation shall be deemed to be complete when made, whether or not the person making the same receives any contribution.

**Section 4. Purpose.**

The purpose of this article is to promote orderly business practices, protect public safety and health, prevent unfair business practices, promote the quiet enjoyment of public and private lands and to provide for the appropriate use of land of the Borough of Glassboro in accordance with the Development Regulations and Zoning Ordinance (Chapter 107) by the regulation of conduct and the imposition of license fees.

**Section 5. License and compliance required.**

- A. It shall be unlawful for any peddler, solicitor, vendor or transient merchant to do business within the Borough of Glassboro without first obtaining a license from the Borough. It shall also be unlawful to sell or dispose of, or offer to sell or dispose of any merchandise or services to be rendered in the future or to take orders for any merchandise or services to be delivered in the future, within the Borough of Glassboro, except during the hours of 9:00 a.m. and 5:00 p.m. Monday through Saturday, local time. No one shall be permitted to solicit or canvass on Sunday.
- B. It shall be unlawful for any merchant to operate from any particular location, unless such location complies with all zoning and site plan requirements of the Development Regulations and Zoning Ordinance (Chapter 107) and all necessary approvals have been granted for such location by the Planning Board and/or Zoning Board of Adjustment.
- C. Except as provided in 357-4, any person claiming an exemption from the license required by this article under state or federal law will not be allowed to do business in the Borough unless at least 10 working days before beginning business activity:
  - (1) They submit sufficient proof of their eligibility for exemption.
  - (2) They complete the application process as otherwise required by this article in order that they may be identified and regulated as allowed by law.

- (3) They appear of good character as evidenced by lack of criminal convictions for crimes of theft, fraud, burglary or the like.

**Section 6. Exemption of certain persons from fees.**

The requirements of this article, insofar as same shall apply to fees for peddlers, solicitors, vendors and transient merchants, shall be held not to include the following persons, who are hereby expressly exempt from its application:

- A. Any person honorably discharged from the military services of the United States possessing a peddler's licence issued in conformity with N.J.S.A. 45:24-9 and 45:24-10.
- B. Any person who is an exempt fireman of a volunteer fire department as defined by N.J.S.A. 45:24-9 and 45:24-10, possessing a license in conformity with said law.

**Section 7. Application for license.**

Any person desiring a license pursuant to this article shall file with the Borough Clerk an application to be supplied by the Clerk. The application shall be completed in triplicate and filed with the Clerk at least 30 days prior to the first day of the proposed activity. The applicant shall furnish the following, along with the completed application:

- A. Fingerprints of the applicant taken in the office of the Chief of Police.
- B. A statement as to whether or not the applicant has been charged with or convicted of any crime, or disorderly persons offense or violation of any municipal ordinance other than a traffic violation, and the nature, dates and places of such offenses and the punishment or penalty assessed therefor.
- C. An original letter addressed to the Borough Clerk from the firm for which the applicant purports to work, authorizing the applicant to act as its representative.
- D. A list of all towns in New Jersey in which the applicant has conducted business in the last 12 months, setting forth the specific dates.
- E. A statement of whether the applicant has been refused or had revoked a similar license at any time.
- F. Original social security card.
- G. A current drivers' license.
- H. A New Jersey sales tax certificate.

- I. Federal taxpayer identification number.
- J. Photo Identification Badge issued by the Borough of Glassboro.
- K. Proof of insurance where insurance is required by this article.
- L. An instrument in writing nominating and appointing the Clerk his true and lawful agent with full power and authority to acknowledge service of notice of process for and on behalf of the applicant in respect to any matters connected with or arising out of license. It shall also contain recitals to the effect that the applicant consents and agrees that service of any notice of process may be made upon such agent when so made shall be as valid as if personally served upon the applicant according to the laws of this or any state and waiving all claim or right of error by reason of such acknowledgment of service or manner of service.
- M. For transient merchants: the specific location of operation and a certificate from the Zoning Officer stating that all zoning and site review requirements of the Development Regulations and Zoning Ordinance (Chapter 107) have been complied with for the subject location and that all necessary approvals have been granted for such location by the Planning Board and/or Zoning Board of Adjustment and the written permission of the owner of the premises for the use of same.

**Section 8. Investigation of applicant; hearing.**

When the application is properly filled out and signed by the applicant, it shall be the duty of the Chief of Police to investigate the statements made therein. After investigation, the Chief shall indicate approval or disapproval in writing upon the application. In case of disapproval of an application, the applicant may appeal to the Borough Council. Council shall set a time and place for a hearing, which hearing shall be held within 10 days after appeal is taken by the applicant, at which time the applicant will be given an opportunity to present his reasons why the license should be issued. The decision of Council shall be final.

- A. The completed application shall be referred to the Chief of Police, who shall fingerprint the applicant for a charge of \$20.00.
- B. The Chief of Police shall endorse on such application his approval or disapproval with his reasons for same and return the application to the Borough Clerk, who shall notify the applicant.
- C. The Borough Clerk, upon the payment of the prescribed license fee, shall execute and deliver to the applicant his license.
- D. A separate license must be obtained for every agent or employee working for any person.

**Section 9. Issuance of license; badge or card; fees.**

- A. Licenses will be in the form of a Badge/card bearing a number, the name of the Borough, the word "peddler" or "solicitor" or other suitable inscription, the date of issue and the date of expiration.
- B. Upon the issuing of the photo identification badge, a deposit of \$50.00 shall be collected as security. Upon return of the photo identification badge, \$25.00 of the security deposit shall be refunded. The licensee to whom such photo identification badge is issued shall wear the same conspicuously upon his clothing at all times he is working in the Borough of Glassboro, and such license is not transferable from the person to whom it was issued to any other person.
- C. All licenses issued pursuant to this article shall expire at the end of the calendar year during which they were issued. Upon granting of a license the licensee shall pay the sum of \$200.00 for the time he intends to do business in the Borough. The license shall be for the year it was issued or any portion thereof.
- D. Any person or organization subject to this article shall complete a new application for a license after 12 months has passed since the last application.

**Section 10. Revocation; hearing upon request.**

- A. Licenses issued under this article may be temporarily suspended on verbal notice by the Borough Clerk or any law enforcement officer and permanently revoked by the Municipal Court Judge after reasonable notice and hearing, for any of the following causes:
  - (1) Misrepresentation or false statement contained in the application for the license.
  - (2) Misrepresentation or false statement made in the course of carrying on activities regulated herein.
  - (3) Conviction of any crime involving moral turpitude.
  - (4) Conducting business in violation of any provision of this article.
  - (5) Violation of any Borough ordinance, any state or federal law, or for other good and sufficient reasons.
  - (6) Violation of the terms of the license

- B. Notice of hearing for revocation of a license shall be given in writing, setting forth the grounds of complaint and the time and place of hearing. Such notice shall be served upon the licensee or mailed to the licensee at the address given by the licensee in making application herein, at least five days prior to the date set for hearing.

**Section 11. Exclusion of certain persons, organizations and activities.**

This article shall not apply to employees of any public utility which is subject to regulation by the State Board of Public Utility Commissioners; provided, however, that such employees shall display the identification badge or card issued by his employer.

**A. Organizations.**

Any bona fide members of any church, social, civic, fraternal, educational, charitable, civic, veteran or philanthropic organization, volunteer first aid organization or fire company, located within the Borough of Glassboro, desiring to solicit or have solicited in its name money, donations of money, property or financial assistance of any kind, or desiring to sell or distribute any items of literature or merchandise for which a fee is charged or solicited at any place or places within the borough for any purpose, shall be permitted to conduct business in the Borough without a license, upon the filing of a sworn application in writing with the Borough Clerk; or any member of any such organization not located in the Borough of Glassboro, which organization has received the written approval and endorsement of the governing body of the Borough of Glassboro, and which shall give the following information:

- (1) Name and address of organization.
- (2) Nature and location of planned activity.
- (3) Period during which solicitation or sale is to be carried on.
- (4) Name, address, and social security number of each person who will conduct solicitations.
- (5) A recent photograph of all persons, who are not Borough residents, who will conduct solicitations or sales.

Such organization, association, society or corporation shall furnish all its members, agents or representatives conducting solicitation or sales with credentials in writing stating the name of the organization, names of the agent and the duration and purpose of solicitation. All persons or organizations qualifying for a license exemption under this section shall comply with all other provisions of this article.

**B. Special exemption.**

- (1) The Borough Council, by resolution, may exempt from compliance with any part or parts of this article any person or organization. Any person or organization seeking an exemption must make a written request to the Borough Clerk at least 30 days before the start of the activity for which the exemption is sought. The Borough Council may place conditions or restrictions on the granting of an exemption.
- (2) Criteria for exemption. The following are criteria to be applied when considering whether an exemption will be granted:
  - (a) The charitable nature of the organization.
  - (b) The number of participants who are Borough residents, eliminating or minimizing the need for identifying information.
  - (c) The reputation of the individual or organization in the community.
  - (d) The financial or human resource burden of compliance with any provision of this article when weighed against the benefit to the Borough and/or its residents.
  - (e) Whether the activity will result in or lead to a benefit to the Borough residents such as lower taxes, increased public services, betterment of the community or other public benefit.
  - (f) The need to regulate the activity to address safety, health or other concerns.

**Section 12. Violations and penalties.**

Any person violating any of the provisions or terms of this article, whether as principal, agent or employee of another, shall, upon conviction of the Municipal Court Judge, be subject to a fine not exceeding \$1,000.00 or to imprisonment in the county jail not exceeding 90 days, or both, in the discretion of the Judge.

**Section 13. Safety, business practices and quiet enjoyment requirements.**

- A. Except as otherwise provided by specific exception in this article, persons subject to this article, including persons claiming an exemption from the requirement of the municipal licensing shall not:
- (1) Station, place, set up or maintain wares adjacent to any sidewalk if to do so would place him closer than 200 feet to another vendor who is selling adjacent to the sidewalk.
  - (2) Solicit, conduct business with or sell to persons in motor vehicles.

- (3) Station, place, set up or maintain his wares or equipment in such a way as would restrict, obstruct, interfere with or impede the pedestrian's right-of-way; restrict, obstruct, interfere with the use of enjoyment from the abutting property; create or become a nuisance; increase traffic congestion, cause or increase traffic delay or hazards; cause or create or constitute a danger to life, health, or property; sell food, drinks, ice cream or confections of any kind for immediate consumption unless he has available for public use his own litter receptacle which must be attached to his cart or vehicle which shall be clearly marked and maintained for his patronage use, nor shall any peddler leave any location without first picking up, removing and disposing of any trash or refuse remaining from sales made by him.
- (4) Leave his wares unattended at any time or store, place or lease the same overnight on any sidewalk or public way of the Borough.
- (5) Station, place, set up or maintain his wares closer than 50 feet from the curb line or end of pavement of intersecting streets.
- (6) Place his wares in such way as would reduce the unobstructed pedestrian right-of-way on a sidewalk to less than six feet.
- (7) Engage in business within 20 feet of any location where the curb has been depressed to facilitate pedestrian or vehicle movement.
- (8) Engage in business on any sidewalk or along any street within 100 feet of any fire hydrant, crosswalk or bus stop; or within 25 feet of any driveway.
- (9) Place his wares in front of the display windows or signs of fixed-location businesses, nor shall they be within 20 feet from the entrance door to a fixed-location business.
- (10) Operate in such a manner as to restrict the continued maintenance of a clear passageway for vehicles or pedestrians.
- (11) Engage in business within 200 feet of the grounds of any school between ½ hour prior to the start of the school day and ½ hour after dismissal at the end of the school day.
- (12) Engage in business within 200 feet of the grounds of any church, synagogue or other house of worship while same is in session.
- (13) Use or operate any loudspeaker, public address system, sound amplifier, horn, bell, radio, record player, tape player, CD player, musical instrument or any similar device used to attract attention, entertain the public or entertain himself.

- (14) Sell from any one site or area for a period of more than four hours, including time for setup and breakdown of a vending unit. After four hours the vending unit or vendor must move to a new location at least 300 feet away from where he was doing business or cease doing business. No vendor may return to the same location in any calendar day. No vendor shall place any object, sign, or person nor take any action designed to reserve a location for their use. Any such object may be removed and kept as evidence of a violation by any person, who shall promptly surrender it to the police.
  - (15) Place his wares other than on one vending unit, whether it be a cart, single table no larger than 96 inches long by 48 inches wide by 72 inches high or display unit similar to a table which shall occupy a space no larger than 32 square feet. The Borough Clerk may grant an exception to size limits with the advice and consent of the Chief of Police in the case of the sale of certain holiday items sold for limited times during the year.
  - (16) Engage in business within 300 feet of any fixed place of business selling substantially similar merchandise; a food vendor shall not operate within 300 feet of a restaurant.
  - (17) Every person registering under this article shall produce proof of such registration at the request of any resident from whom solicitation is made.
- B. A vending unit is a selling or display unit, with or without wheels, intended to serve as a transportable structure for facilitating the display, sale and transportation. All equipment installed in any part of the vending unit or articles carried by the unit shall be secured in order to prevent movement during transit and prevent detachment in the event of a collision or overturn.
- C. In the event that food should be sold by any vendor a certificate of health compliance issued by the Gloucester County Department of Health shall be conspicuously displayed on the vending unit. Selling food shall be prohibited in the Borough of Glassboro without such a certificate of health compliance. Furthermore, any vendor selling food shall provide proof of an insurance policy issued by an insurance company licensed to do business in the State of New Jersey protecting the vendor and the Borough from all claims or damages to property and bodily injury, including death, which may arise from operations under or in connection with the vending. Such insurance shall name as an additional insured the Borough of Glassboro and shall provide that the policy shall not terminate or be canceled prior to the expiration date without 30 days written notice to the Borough. The amounts of the insurance to be maintained are: personal injury, \$100,000 per person; \$300,000 per occurrence; property damage, \$25,000.

**Section 14. Conduct of licensees.**

Every person to whom a license is issued under the terms of this article shall be governed by the following rules and regulations:

- A. All circulars, samples or other matter shall be handed to an occupant of the property or left in a secure place located on the premises.
- B. No person shall enter or attempt to enter the dwelling of any resident without an express invitation from the occupant of the dwelling.
- C. No person shall conduct himself in such a manner as to become objectionable to or annoy any occupant of any house. Signs posted by property owners stating "no soliciting" shall be obeyed.
- D. No licensee or any person in his behalf shall shout, cry out, blow a horn, ring a bell or use any sound making or amplifying device upon any of the streets, parks or other public places of the Borough or upon private premises where sound of sufficient volume is emitted or produced therefrom to be capable of being plainly heard upon the streets, avenues, parks or other public places for the purpose of attracting attention to any goods, wares, merchandise or services which the licensee proposes to sell.

**Section 15. Registration for charitable or religious organizations.**

- A. Any person canvassing or soliciting in connection with a charitable or religious organization or society or any representative of such organization or society recognized as tax exempt under the United States Internal Revenue Code, when such canvassing or solicitation does not involve the sale or attempted sale of merchandise, shall, at least 48 hours prior to such canvassing or solicitation, present himself to the office of the Chief of Police and shall provide said Chief of Police with the following information:
  - (1) The nature and anticipated duration of such canvassing or solicitation.
  - (2) The number of persons who will be canvassing or soliciting.
  - (3) The name, address and telephone number of the person in charge of such canvassing or solicitation.
  - (4) The full name, address and telephone number of the political, charitable or religious organization on behalf of which such solicitation or canvassing is to be conducted.
  - (5) The names of the persons who are expected to go from door to door to distribute materials within the Borough.
  - (6) The make, model, year, color and license plate number of automobiles used by the registrant during the period of solicitation within the Borough of Glassboro and the number of the driver's license and the state of issuance and the name, address and policy number of automobile insurance coverage.
  - (7) A description of the nature of the solicitation or activity to be conducted within the Borough of Glassboro and the time period such registration shall cover.

- (8) Attached written authorization from the firm or corporation for which the registrant works authorizing the registrant to act as its representative.
  - (9) A copy of any contract with the organization or person for whom distribution or solicitation is being made.
  - (10) A breakdown of the actual distribution of any funds generated by such solicitation, to include the amount of money to be paid to the private company collecting on behalf of said political campaign or charitable or religious organization and the total amount of money to be paid directly to said political campaign or charitable or religious organization.
  - (11) A breakdown of where any and all funds collected shall be used by said organization.
  - (12) A copy of the preceding year's financial statement of said organization, to be kept available for public inspection at the Clerk's office.
- B. The purpose of such registration is that the identity of persons going door to door or distributing materials within the Borough may be established for the protection and maintenance of the health, safety and welfare of the inhabitants of the Borough and to prevent dishonest solicitation of funds in the Borough.

**Section 16. Investigation of applicant; issuance or denial of license; appeals.**

Following the filing of the registration form pursuant to the aforesaid, the Chief of Police shall make or cause to be made such investigation as he deems necessary to verify the information set forth therein. The Chief of Police shall thereupon signify his approval or rejection on the reverse side of the application and, if approved, the Borough Clerk may issue the license to such applicant. In case of disapproval of an application, the applicant may appeal to the Borough Council. The Council shall set a time and place for a hearing, which hearing shall be within 10 days after appeal is taken by the applicant, at which hearing the applicant will be given an opportunity to present his reasons why the license should be issued. The decision of the Borough Council shall be final.

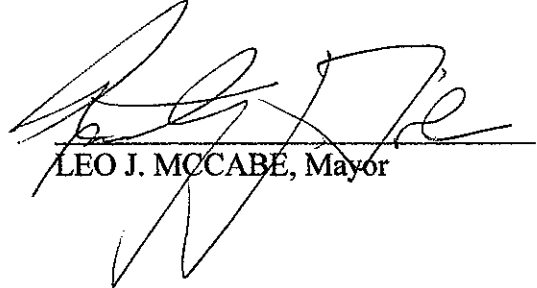
**Section 17. Yard Sales.**

The provisions of this article applicable to transient merchants shall not apply to residents of the Borough of Glassboro conducting yard sales upon their own property. There is no cost to the residents for the permitted number of yard sales as indicated in this section.

- A. Sales of household goods by yard sale or similar event are prohibited except insofar as the seller shall comply with this section.
- B. A maximum of two single-day or two weekend (Saturday and Sunday) yard sales or similar event may be held in any calendar year at any household in the Borough. For the purpose of this subsection any apartment with separate cooking and toilet facilities shall qualify as a "household."

**Section 18.** This ordinance shall take effect immediately upon final passage and publication as required by law.

**BOROUGH OF GLASSBORO**



LEO J. MCCABE, Mayor

Attest:



PATRICIA A. FRONTINO, Borough Clerk

PLEASE ATTACH/INDICATE THAT THE FOLLOWING HAVE BEEN COMPLIED WITH:

	YES	NO	N/A
Fingerprints	_____	_____	_____
Recent Photograph	_____	_____	_____
Representation Letter From Employer	_____	_____	_____
Proof of Insurance (When required)	_____	_____	_____
Health Certificate from Gloucester Co. Health Dept.	_____	_____	_____
Letter Nominating Borough Clerk as Agent	_____	_____	_____
Application Fee Paid	_____	_____	_____
License Fee Paid	_____	_____	_____
Proof of Eligibility for Exemption	_____	_____	_____

Applicant's Signature: \_\_\_\_\_ Date: \_\_\_\_\_