

TOWNSHIP OF FLORENCE

ORDINANCE NO. 2018-28

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 114, "PEDDLING AND SOLITICING," SECTION 114-23, SUBSECTIONS D AND E OF THE TOWNSHIP CODE OF THE TOWNSHIP OF FLORENCE, BURLINGTON COUNTY, STATE OF NEW JERSEY

WHEREAS, the Township of Florence (hereinafter the "Township") regulates the business operations of transient merchants and temporary businesses within the Township in order to protect the public health, safety and welfare of its citizens; and

WHEREAS, the Township Committee of the Township of Florence (hereinafter the "Township Committee") recognizes that any resident of the State of New Jersey who has been honorably discharged from active military service of the United States has the right to hawk, peddle, and vend goods within this State upon obtaining a license issued pursuant to N.J.S.A. 45:24-9 et seq.; and

WHEREAS, the Township Council believes that it is in the best interest of the residents of the Township and consistent with the spirit and intent of Chapter 114 of the Township Code of the Township of Florence to amend Section 114-23 to permit honorably discharged veterans who have obtained a license pursuant to N.J.S.A. 45:24-9 et seq. the ability to fully exercise their statutory right; and

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Florence, County of Burlington, State of New Jersey, that Chapter 114, Section 114-23, Subsections D and E of the Township Code of the Township of Florence shall be removed in its entirety amended and supplemented to read as follows:

Section 1.

§ 114-23 Location where transient merchant and temporary business operations are permissible

A. Remains unchanged.

B. Remains unchanged.

C. Remains unchanged.

D. Transient merchants may conduct their business operations on property located in all zoning districts established on the Zoning Map of Florence Township during periods of construction activity, provided that the transient merchants first obtain the written permission of the property owner. Transient merchants may also conduct their business operations on property located in the Special Manufacturing (SM) and General Manufacturing (GM) Zones, provided that they first obtain the written permission of the property owners. The transient merchant may only conduct business at any site for a period of not more than 20 consecutive minutes in any two-hour period of time, except, however, that the aforesaid time limitation for transient merchants shall not apply to any person honorably discharged from active military service in the United States who holds a valid license issued pursuant to N.J.S.A. 45:24-9 et seq and possesses corresponding identification in conformity with said statute. Transient merchants may only conduct business at construction sites from the time of the issuance of a building permit until the last certificate of occupancy is granted on the construction site.

E. Transient merchants may conduct their business operations in all districts established on the Zoning Map of Florence Township, provided that the business operation is mobile and is conducted on a public right-of-way. "Mobile" is defined to mean stationary for a period of not more than 20 minutes, however, this definition shall not apply to transient merchants that hold a valid license issued pursuant to N.J.S.A. 45:24-9 et seq. and possess corresponding identification in conformity with said statute. The mobile operation must move a minimum of 600 feet prior to resuming sales activities. The mobile operation may not return to any one location within 600 feet of a prior location where operations were conducted for a minimal period of one hour's time.

Section 2. If any section, paragraph, subsection, clause, or provision of this Ordinance shall be declared invalid by a

court of competent jurisdiction, such decision shall not affect the validity of this Ordinance as a whole or any part thereof.

**Section 3.** All ordinances or parts of ordinances of the Township of Florence heretofore adopted that are inconsistent with any of the terms and provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

**Section 4.** This ordinance shall take effect immediately upon adoption in accordance with the law.

**Dated:**

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NANCY L. ERLSTON, RMC  
TOWNSHIP CLERK

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PAUL C. OSTRANDER  
COUNCIL PRESIDENT

**TOWNSHIP OF FLORENCE**

**ORDINANCE 2018-28**

**An Ordinance of the Township of Florence Amending Chapter 114, "Peddling and Soliciting", Section 114-23, Subsections D and E of the Code of the Township of Florence, County of Burlington, State of New Jersey**

**Take Notice** that the Ordinance identified above amends Chapter 114, Section 114-23, Subsections D and E entitled "Peddling and Soliciting" of Code of the Florence Township. The Ordinance has been adopted on first reading by the Township Council of the Township of Florence, County of Burlington, State of New Jersey, at a meeting held on 10-17-18. It will be considered for final passage after a public hearing to be held on 11-7-18, at 8:00 P.M. in the Municipal Complex, Council Chambers, 711 Broad Street, Florence, New Jersey.

Copies of the full ordinance are on file with the Township Clerk of the Township of Florence in the Municipal Complex. Copies may be obtained on request at no charge and a copy is posted on the municipal bulletin board in the Municipal Complex at 711 Broad Street, Florence, New Jersey.

Nancy L. Erlston, RMC  
Township Clerk