

BOROUGH OF KEYPORT
70 W. FRONT STREET
KEYPORT, NJ 07735

LICENSE # _____
DATE ISSUED _____
EXPIRATION DATE _____
FEE: \$ _____

Instructions to applicant.

1. Applicant must complete all questions.
2. Applicant must have application notarized by a notary public of the State of New Jersey.
3. Applicant must return application to the Borough Clerk and pay a fee when applicable.
4. Applicant must arrange for fingerprinting when necessary with the Police Department or submit evidence of a finger print check made within the preceding six months.
5. Bills of invoices of the purchase of goods to be offered for sale must be submitted to the Borough Clerk.
6. Bonding requirements in accordance with the ordinance must be complied with.
7. Photographs of the persons who will be engaged actively in the Borough must accompany the application.
8. Attach form of identification card that will be carried by each person engaging in solicitation of funds.
9. *If Non-Profit, attach certification.*

APPLICATION FOR LICENSE UNDER CHAPTER V = "LICENSING"

CHECK ONE: PEDDLER _____ HAWKER _____ VENDOR _____ SOLICITOR _____
CANVASSER _____

1. Name and address of applicant _____

2. If a corporation, give name and address of principal office, address of registered agent in New Jersey for service of process and names, address and offices held by corporate officers.
 - A. Corporate Name Address Date of Incorporation

 - B. Name and address of registered agent and office in New Jersey

 - C. Names, addresses and office held by corporate officers.

Name	Address	Office
1. _____	_____	_____
2. _____	_____	_____
3. _____	_____	_____
4. _____	_____	_____
5. _____	_____	_____

3. If partnership, give name and address of each partner.

	Name	Address
a.	_____	_____
b.	_____	_____
c.	_____	_____
d.	_____	_____

4. Trade name of any and address of registration. Name of business listed to be conducted under trade name.

Name	Address	Nature of Business
_____	_____	_____

5. If applicable answer following:

- a. Name and address of owner of motor vehicle or motor vehicle to be used.

Make	_____	Type	_____	Year	_____
Serial Number	_____	License Plate #	_____		
Date of Inspection	_____				
Make	_____	Type	_____	Year	_____
Serial Number	_____	License Plate #	_____		
Date of Inspection	_____				

- b. Employee's driver's license number _____ State of _____
Issue _____ Expiration Date _____
Condition code _____

- c. Employee's driver's license number _____ State of _____
Issue _____ Expiration Date _____
Condition code _____
(for additional employees attach separate list)

- d. Name and Address of Insurance Company _____

Policy period _____ to _____
Policy number _____ Name and Address of Insurance Agent _____

Policy Coverage Amounts

6. Describe business or activity of the applicant and its purpose.

7. Describe goods or materials, literature or items to be sold or given away. If given away will a donation be requested? If so the amount.

13. Character reference in behalf of applicant

Name

Address

a. _____

b. _____

c. _____

14. New Jersey Sales Tax # _____

15. **Attach a copy of your NJST certificate.**

State of New Jersey

ss:

County of Monmouth

I,

Of full age being duly sworn, according to law, upon my oath deposes and says that the statements herein above made by me are true.

Sworn and subscribed to before

Me this day of

Signature of applicant

If corporation application to be
signed by appropriate
corporate officers and
corporate seal attached

Name of corporation

ATTEST:

Secretary

President

Peddler/Vender Application

DUPLICATE THIS PAGE FOR EACH AND EVERY PERSON NAMED IN THE APPLICATION

NAME: _____ HOME ADDRESS _____

DATE OF BIRTH _____ PLACE OF BIRTH _____

SOCIAL SECURITY NO. _____ COLOR OF EYES _____ COLOR OF HAIR _____

HEIGHT _____ WEIGHT _____

LIST ANY PRIOR ARRESTS OR CONVICTIONS FOR A CRIMINAL OFFENSE

DATE	NATURE OF CRIME	COURT	SENTENCE IMPOSED

Peddler/Vender Application

DUPLICATE THIS PAGE FOR EACH AND EVERY PERSON NAMED IN THE APPLICATION

NAME: _____ HOME ADDRESS _____

DATE OF BIRTH _____ PLACE OF BIRTH _____

SOCIAL SECURITY NO. _____ COLOR OF EYES _____ COLOR OF HAIR _____

HEIGHT _____ WEIGHT _____

LIST ANY PRIOR ARRESTS OR CONVICTIONS FOR A CRIMINAL OFFENSE

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conducts its business, whether part-time or full-time, and shall be made available to any law enforcement officer of the State of New Jersey upon demand and without prior notice. (Ord. #15-86, §4)

5-3.5 Time Limit Before Conversion of Goods. No purchaser shall cause, suffer or permit any gold, silver, other precious metals or coins to be melted, mutilated, ground or otherwise converted into a form other than its form at the time of purchase during the fifteen (15) calendar days next ensuing the date of purchase. (Ord. #15-86, §5)

5-4 PEDDLERS; HAWKERS; VENDORS; SOLICITORS; CANVASSERS.

5-4.1 Definitions. As used in this section:

Itinerant merchants, transient vendors and salesmen shall be defined in the category of peddler, hawker, vendor, solicitor or canvasser, as set forth below.

Mobile food vendors shall mean and include any person, whether a resident of the Borough of Keyport or not, who sells or offers to sell to the public from or by the use of a motor vehicle, car, truck, wagon or motorized vehicle, any food or food-related products, including but not limited to, ice cream, yogurt, hot dogs, hamburgers, french fries, drinks, and any other such products from a moveable non-fixed location on the street or public places within the municipality.

Peddler, hawker and vendor shall mean and include any person, whether a resident of the Borough or not, traveling either by foot, vehicle or any other type of conveyance, who goes from house to house, from place to place, or from street to street, conveying or transporting goods, wares or merchandise, and offering or exposing the same for sale, or making sales and delivering

articles to purchasers, or who engages in any of the foregoing activities from a stationary location on the street or other public place.

Solicitor or canvasser shall include any person, whether a resident of the Borough or not, who goes from house to house, from place to place or from street to street, soliciting or taking or attempting to take orders for the sale of services, goods, wares, or merchandise, or personal property of any nature whatsoever for future delivery or for services to be performed in the future, whether or not such individual has, carries, or exposes for sale a sample of the subject for such order, and whether or not he is collecting advance payments on such orders, or who engages in any of the foregoing activities from a stationary location on the street or other public place. (Ord. #528, §2; 1972 Code §7-2.1; Ord. #26-94, §1)

5-4.2 License Required. It shall be unlawful for any peddler, hawker, vendor, canvasser or solicitor to engage in such activity within the Borough without first obtaining a license therefor in accordance with the provisions of this Chapter.

- a. All applicants licensed as mobile food vendors shall be licensed under this section to operate their vehicles within the Borough of Keyport and upon the streets and public places of the Borough of Keyport and shall further comply with subsections 5-1.2 and 5-4.3 as well as those sections of the Revised General Ordinances of the Board of Health, particularly Section BH:2-4 et sequence, as it relates to the licensing of food vendors. In addition, mobile food vendors shall be required, at the time of licensing hereunder, to provide proof of motor vehicle insurance coverage for the vehicle to be used as part of the license hereunder. (Ord. #528, §1; 1972 Code §7-2.2; Ord. #26-94, §2)

5-4.3 Application. In addition to the requirements of subsection 5-1.2, the following information shall be contained in the application for a license under this section:

- a. Together with the description of the goods to be sold, the name and address of the manufacturer, as well as the name and address of the agent designated to receive service of process in the State of New Jersey for such manufacturer.
- b. The name and address of each person employed by the applicant who is authorized to do business on behalf of the applicant.
- c. Whether or not orders are to be solicited or taken for future delivery of goods or performance of services and, if so, the general nature of same.
- d. Name and address of the owner of any motor vehicle to be used by the applicant in connection with the purpose for which the license is sought, including the make of vehicle, type, year, serial number, license plate number, and date of last inspection by the State of New Jersey.
- e. Whether or not the applicant holds a motor vehicle operator's license, and if so, the date of issue, the driver's license number, expiration date, and condition code if any.
- f. If a motor vehicle is to be used by the applicant in connection with the business of the license sought, a statement as to the name of the insurance company covering applicant for liability, address of same, policy number, policy period, name and address of agent who sold or services policy, and the amounts of coverage pursuant to this section.

A photograph of the applicant and of all persons employed by and authorized to act and to do business for the applicant shall accompany this application.

Each applicant and all employees of the applicant as set forth in the application shall submit to the Police Department of the Borough for fingerprinting or submit evidence of a fingerprint check from another New Jersey municipality made within the preceding six (6) months.

(Ord. #528, §3, 1972 Code §7-2.3)

5-4.4 Investigation; Issuance of License. In addition to the provisions of subsection 5-1.3, the following shall apply to licenses issued under this section. The Chief of Police shall not approve the issuance of a license to any applicant who after investigation is found to be:

- a. Not of applicable legal age to perform the type of work or service as set forth in the application.
- b. Under the age of eighteen (18), except that this provision shall not apply to applicants who have complied with or come within the exceptions of N.J.S.A. 34:2-1, et seq.
- c. Convicted of a crime involving moral turpitude, except that such conviction shall not be a bar if it appears that at least five (5) years have elapsed from the date of conviction, and that the applicant has conducted himself in a law-abiding manner during that period and that his present reputation for honesty and morality in his community is good and of good general report.
- d. Does not hold a valid driver's license of the State of New Jersey if the duties of the applicant require the operation of a motor vehicle for which the license is sought.
- e. Does not have in effect for the licensing period an automobile liability policy with respect to all motor vehicles used by the applicant in connection with the business of the applicant for which the license is sought of not less than one hundred thousand (\$100,000.00) dollars because of bodily injury to or death of one (1) person in any one accident and subject to such limit for

on person, to a limit of not less than two hundred thousand (\$200,000.00) dollars because of bodily injury or death of two (2) or more persons in any one accident and, if the accident has resulted in injury to or destruction of property, to a limit of not less than ten thousand (\$10,000.00) dollars because of injury to or destruction of property of others in any one accident.

- f. Engaging in the sale of goods and merchandise which are illegal or which do not comply with any other laws of the State of New Jersey or ordinances of the borough.
- g. Has been convicted and found guilty by a court of competent jurisdiction of violation of this section within one (1) year preceding the date of the application.
- h. Fails to comply with any of the provisions of this section.

(Ord. #528, §4; 1972 Code §7-2.4; New)

5-4.5 Fee. There shall be an annual license fee of forty (\$40.00) dollars for a peddlers license; twenty (\$20.00) dollars for an initial solicitive license; ten (\$10.00) dollars for the renewal of a solicitor's license; and forty (\$40.00) dollars for a mobile food vendor's license as required under subsection 5-4.2a. (Ord. #528, §5; 1972 Code §7-2.5; New; Ord. #26-94, §3)

5-4.6 Inspection. The equipment used or employed by persons operating under this section in the business of ice cream, foods, beverages, confections and other related commodities shall be maintained in a clean and sanitary manner and be subject to inspection by the Board of Health of the Borough, its agents, servants and employees, and shall fully comply with the laws of the State of New Jersey, the rules and regulations of the New Jersey State Department of Health, the ordinances of the Borough, and the rules and regulations of the Board of Health of the Borough. (Ord. #528, §10; 1972 Code §7-2.6)

5-4.7 Regulations. Any licensee under this section shall observe the following regulations:

- a. No person or vehicle shall stand or be parked in a fixed location for the purpose of displaying or selling wares, merchandise or services on any public or private property where to do so causes or is likely to cause a crowd, impede vehicular or pedestrian traffic, produce annoying sounds, noises or disturbances, which interfere with the comfort of the residents, nor shall use any loud or obnoxious instrument or sound device, including but not limited to a gong bell, bull horn or public address system, to attract the attention of the public.
- b. No licensee shall have an exclusive right to any one place upon any sidewalk, or any street and shall not be permitted to operate in any congested area where such operation might impede or inconvenience the public and the public right to free and easy access of sidewalks and streets.
- c. No licensee shall strew or litter or cause to be strewn or littered the public streets or sidewalks or private property with refuse or waste matter of any kind or in any wise interfere with the comfort or convenience of the residents or businesses of the occupants or owners or adjacent properties.
- d. No licensee shall permit his person or vehicle to stand or be parked for the purpose of displaying or selling wares, merchandise or services on any public or private property within a distance of two hundred fifty (250') feet of the nearest public, parochial or private school in the Borough during school hours. School hours shall mean any time between 8:30 a.m. and 3:30 p.m. on weekdays, exclusive of Saturdays, during such days as the schools may be in session.
- e. No licensee shall sell or attempt to sell in accordance with the terms of this section except as set forth in the

preceding paragraph before 8:00 a.m. or after 9:00 p.m. The aforesaid time limitations shall not apply to licensees who are expressly invited into homes by the occupants thereof.

- f. No licensee shall permit his person or his vehicle or dispensing container to stand for a period longer than the time it takes to make a sale to a customer.
- g. The aforesaid time regulations as contained in subsection 5-4.7 shall not apply to the operation of the concession stand located at the entrance to the boat ramp along American Legion Drive, Borough of Keyport, County of Monmouth, and State of New Jersey. The Mayor and Council may affix the specific hours for operation for the concession stand by resolution for the periods of time from May 1st to October 31 in each calendar year.
(Ord. #528, §11; 1972 Code §7-2.7; Ord. #22-94, §§1,2)

5-4.8 Bond Required. A good and sufficient bond and surety shall be required in those cases where orders are solicited or taken for future delivery of goods or performance of services and advance payments or deposits are accepted.

Before the license is issued, the applicant shall execute and deliver to the Borough Clerk a good and sufficient surety in the amount of one thousand (\$1,000.00) dollars provided that a single bond shall be sufficient to qualify all employees of any single business entity. The bond shall remain in force for one (1) year after the date of expiration, and shall be conditioned to indemnify and pay the Borough any penalties or costs incurred in the enforcement of any of the provisions of this section and to indemnify or reimburse any purchaser of personal property in a sum equal to at least the amount of any payments that such purchaser may have been induced to make through the misrepresentation as to the kind, quality or value of the personal property, and to indemnify or reimburse any such purchaser in an amount equal to at least the amount of any payment such a purchaser may have made to any

licensee for personal property, the delivery of which is either not made at all, or not made as represented by the licensee. (Ord. #528, §12; 1972 Code §7-2.8)

5-4.9 Exceptions. The provisions of this section shall not be construed to apply to:

- a. The selling or delivery of milk, eggs, bread, newspapers, or other such necessary and perishable articles of food or merchandise of a type commonly delivered on a house-to-house basis at intervals of less than one (1) week nor to the selling of any article at wholesale to dealers dealing in the retail sale of such articles.
- b. Any veteran who holds a special license issued under the law of the State of New Jersey. Such veteran shall be exempt from securing a license or paying the fee as provided herein, but shall be required to register with the Borough Clerk and obtain a special veterans permit which will be issued by the Clerk upon proper identification and exhibition of such State license.

Any nonprofit, charitable, educational, civic or veterans organization, society, volunteer first aid or fire company or the like, desiring to solicit or have solicited in its name, money, donations of money or property or financial assistance of any kind, or desiring to sell or distribute any item of literature or merchandise for which a fee is charged or solicited from persons other than members of such organization at any place or places within the Borough for a charitable, patriotic or philanthropic purpose shall be exempt from the provisions of subsection 5-4.5, but shall in all other respects comply with this section.

(Ord. #528, §13; Ord. #537A; 1972 Code §7-2.9)