

ORDINANCE 17 - 2018

WASHINGTON TOWNSHIP
GLOUCESTER COUNTY

ORDINANCE AMENDING CHAPTER 40 OF THE CODE OF THE TOWNSHIP OF WASHINGTON
ENTITLED "BUSINESS LICENSING"

WHEREAS, Chapter 40 of the Code of the Township of Washington regulates Business Licensing; and

WHEREAS, there exists a need to amend and update Chapter 40;

NOW THEREFORE, BE IT ORDAINED by the Township Council of the Township of Washington, in the County of Gloucester, State of New Jersey, that Chapter 40, of the Code of Washington Township is hereby amended, revised, and/or supplemented as follows:

SECTION 1: Section 40-2 A. of the Code of the Township of Washington, entitled "Application," shall be and is hereby revised, amended and/or supplemented by adding the following:

"(11) If the business has the same ownership as before, is a new business, or there is a change in ownership."

SECTION 2: Section 40-2 B. of the Code of the Township of Washington, entitled "Application," shall be removed and replaced with the following:

"Section 40-2 B. Prior to the issuance of a license the Township Clerk shall submit the application to the Township Zoning and Construction Departments to insure compliance with the Township Code and all legal requirements. The Township Clerk may cause a routine police check to be conducted by the Washington Township Police Department with payment of the appropriate fee by the applicant."

SECTION 3: Section 40-7 of the Code of the Township of Washington, entitled "Payment and proration of fees," shall be removed and replaced with the following:

"Section 40-7. Payment of fees.

All fees and charges for a business license as set forth in this Chapter shall be paid in advance at the time of application to the Township Clerk."

SECTION 4. Section 40-9 of the Code of the Township of Washington, entitled "Change in location" shall be removed and replaced with the following:

"Section 40-9. Change in location or ownership.

Any person, firm or corporation receiving a license pursuant to this Chapter shall notify the Township Clerk within 10 days after a change in the location or ownership of any licensed business. Should such a change occur, a new application shall be required to be submitted and is subject compliance with this Chapter, the Township Code and all legal requirements."

SECTION 5: Except as set forth in Sections 1, 2, 3, and 4 above, the balance of Chapter 40, and the balance of the Code of the Township of Washington, shall not be affected by this Ordinance except that the Table of Contents for Chapter 40 shall be modified accordingly.

SECTION 6: All Ordinances contrary to the provisions of this Ordinance are hereby repealed to the extent that they are inconsistent herewith.

SECTION 7: If the provisions of any section, subsection, paragraph, subdivision, or clause of this Ordinance shall be judged invalid by a court of competent jurisdiction, such order of judgment shall not affect or invalidate the remainder of any section, subsection, paragraph, subdivision, or clause of this Ordinance.

SECTION 8: This Ordinance shall take effect thirty (30) days after final passage by Council or twenty (20) days after approval by the Mayor, whichever comes first.

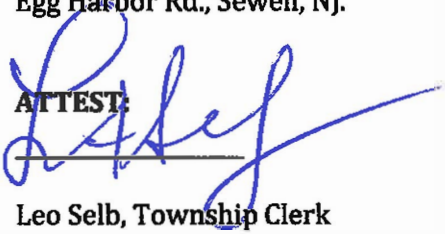
	Motion	Secord	Ayes	Nays	Abstain	Absent	Recuse
Donato			X				
Fazio		X	X				
Longfellow	Y		Y				
Pasqualone						X	
Perry			Y				

TOWNSHIP OF WASHINGTON

BY: 
Joe Perry, Council President

I do hereby attest the above Ordinance 17-2018 was introduced at the Township of Washington Meeting on August 22, 2018. A public hearing will occur on September 12, 2018 at 7:00pm, at 523 Egg Harbor Rd., Sewell, NJ.

ATTEST:


 Leo Selb, Township Clerk

	Motion	Second	Ayes	Nays	Abstain	Absent	Recuse
Donato							
Fazio							
Longfellow							
Pasqualone							
Perry							

I do hereby attest the above Ordinance 17-2018 was Introduced at the Township of Washington Meeting on August 22, 2018 by Township Council. A public hearing was conducted on September 12, 2018 and adopted by Township Council.

Attest:

 Leo Selb, Township Clerk

On this ____ day of _____, 2018, I hereby approve the above Ordinance.

JOANN GATTINELLI, MAYOR

ADOPTED: _____

INTRODUCED

NOTE: Deletions are indicated by ~~strikeouts~~ and additions are indicated by **bold and underlined**.

Chapter 40

Business Licensing

[HISTORY: Adopted by the Township Council of the Township of Washington 8-7-1997 by Ord. No. 19-1997. Amendments noted where applicable.]

GENERAL REFERENCES

Licensing of contractors — See Ch. 59.

Business and trade license fee — See Ch. 80, Art. I.

Licensing — See Ch. 133.

§ 40-1 Compliance required.

It shall be unlawful for any person, firm or corporation to maintain an office or place of business, to conduct, engage in or carry on any business, trade or occupation within the Township of Washington, County of Gloucester, without first complying with the provisions of this chapter and obtaining a license therefor as provided herein.

§ 40-2 Applications.

A. Applications for all licenses required by this chapter shall be made in writing to the Township Clerk, who shall serve as the licensing officer. Each application shall contain the following information:

- (1) The name of the applicant; if a corporation, the names and addresses of the president and secretary shall be set forth; if a partnership, the names and addresses of all partners shall be set forth.
- (2) The name under which the business is to be conducted.
- (3) The present residence of the applicant.
- (4) The address at which the business is to be conducted.
- (5) The specific nature of the business.
- (6) The residence of the applicant during the past five years.
- (7) Whether or not the applicant has ever had a license to conduct the business herein described denied or revoked. If such license has been denied, the applicant shall set forth in detail the facts leading to such denial.
- (8) The details of any conviction for crimes of the first, second, third or fourth degree, the date of the conviction and the place where said conviction was obtained.
- (9) The business telephone number of the applicant.
- (10) If a corporation, the name and address of the registered agent thereof.

(11) If the business has the same ownership as before, is a new business, or there is a change in ownership.

- B. ~~Prior to the issuance of a license the Township Clerk, in his/her discretion, shall have the authority to cause a routine police check to be made of the applicant to verify the validity of the information above described.~~

Prior to the issuance of a license the Township Clerk shall submit the application to the Township Zoning and Construction Departments to insure compliance with the Township Code and all legal requirements. The Township Clerk may cause routine police check to be conducted by the Washington Township Police Department with payment of the appropriate fee by the applicant.

§ 40-3 Certification of information; agreement to comply.

When submitting the information described in the preceding section the applicant shall certify that such information is supplied to the Township of Washington with full understanding that the Township shall rely upon the accuracy of the facts set forth therein in granting the mercantile license. By its submission for a mercantile license, the applicant further agrees to comply with all laws and ordinances of the Township of Washington applicable to the operation of said business.

§ 40-4 Authorization to prepare forms.

The Township Clerk is hereby authorized to prepare forms to be utilized for the purposes of this chapter.

§ 40-5 Applicability.

Any person, firm or corporation shall be subject to the requirement to obtain a mercantile license if, by himself or through an agent, employee or partner, he holds himself forth as being engaged in a business or occupation or solicits patronage therefor, actively or passively, or performs or attempts to perform any part of such business or occupation within the Township of Washington.

§ 40-6 Termination date.

All licenses shall terminate on the 31st day of December of each year.

§ 40-7 Payment and proration of fees.

~~All fees and charges for mercantile license as set forth in the within chapter shall be paid in advance at the time of application to the Township Clerk. When an applicant has not engaged in the business until after the expiration of part of the current license year, the license fee shall be prorated by quarters, and the fee shall be paid for each quarter or fraction thereof during which the business has been or will be conducted.~~

Prior to the issuance of a license the Township Clerk shall submit the application to the Township Zoning and Construction Departments to insure compliance with the Township Code and all legal requirements. The Township Clerk may cause routine police check to be conducted by the Washington Township Police Department with payment of the appropriate fee by the applicant.

§ 40-8 Display.

The person, firm or corporation conducting the business license under the provisions of the within chapter shall display the license issued hereunder at the principal place of business in a conspicuous place.

§ 40-9 Change in location.

~~Any person, firm or corporation receiving a license pursuant to the within chapter shall notify the Township Clerk within 10 days after a change in the location of any licensed business.~~

Any person, firm or corporation receiving a license pursuant to this Chapter shall notify the Township Clerk within 10 days after a change in the location or ownership of any licensed business. Should such a change occur, a new application shall be required to be submitted and is subject compliance with this Chapter, the Township Code and all legal requirements.

§ 40-10 Fee.

All businesses, trades and activities conducted within the Township of Washington regulated by the within chapter shall pay a license fee of \$30 for each year in which they shall operate said business.

§ 40-11 Revocation.

The Township Clerk of the Township shall have the right to revoke any license whenever the holder thereof or any of the licensees, agents or servants violate any provision of this chapter, the laws of the State of New Jersey or any rules or regulations promulgated as herein provided after written notice of the revocation has been herein provided. After written notice of the revocation has been served upon the licensee, an appeal may be filed to the Washington Township Council within 10 days of service of said notice. Township Council shall thereupon conduct a hearing of the matter within 30 days after receipt of the notice of appeal and shall render a decision within 15 days of such hearing.

§ 40-12 Enforcement.

The Township Clerk of the Township of Washington is hereby authorized and directed to enforce the terms and conditions of this chapter and shall have the authority to delegate such enforcement power to other employees of the Township of Washington and/or the State of New Jersey.

§ 40-13 Conditions for issuance.

It shall be a condition of the issuance of any and all licenses under the provisions of this chapter that said business shall be used and operated only for lawful purposes and not in violation of Chapter **285**, Zoning, or other ordinances of the Township of Washington.

§ 40-14 Violations and penalties.

Violations of the provisions of this chapter shall be punishable as provided in Chapter **1**, General Provisions, Article **I**.