

**TOWNSHIP OF ANDOVER
SUSSEX COUNTY, NEW JERSEY**

ORDINANCE NO. 2018-11

AN ORDINANCE OF THE TOWNSHIP OF ANDOVER, COUNTY OF SUSSEX, AND STATE OF NEW JERSEY TO AMEND THE TOWNSHIP CODE BY AMENDING CHAPTER 111 ENTITLED "PEDDLING AND SOLICITING", ARTICLE IV ENTITLED "RESTRICTIONS"

WHEREAS, the Township Committee has reviewed and assessed the Township Ordinance restrictions for peddlers, solicitors, hawkers, vendors and other individuals seeking to conduct business door-to-door within the Township; and

WHEREAS, the Township Committee has determined that these restrictions must be set forth in the Township Code.

NOW THEREFORE, BE IT ORDAINED, by the Township Committee of the Township of Andover, in the County of Sussex, and State of New Jersey as follows:

SECTION 1. Chapter 111 "Peddling and Soliciting", Article IV "Restrictions" shall be amended to read as follows:

Article IV. Restrictions

§111-27 Entering on posted property prohibited.

No individual obtaining a license pursuant to this Chapter shall enter onto any property on which is located a sign or signs stating "no solicitors" or carrying a similar message forbidding the entry of any persons onto the property.

§111-28 Collection, preparation and maintenance of a nonsolicitation list.

- A. Collection, preparation and maintenance of a nonsolicitation list. The Office of the Administrator/Township Clerk shall collect, prepare and maintain a list of addresses of those premises where the owner and/or occupant has notified the Township Clerk that soliciting and canvassing is not permitted on his/her premises. To be included on the nonsolicitation list, residents shall complete a form which will be available in the Municipal Building's General Office during normal business hours, Mondays through Fridays from 8:30 a.m. to 4:30 p.m., except on weekends and legal holidays.
- B. The Administrator/Township Clerk and/or the Deputy Township Clerk shall submit the nonsolicitation list to the Chief of Police on a quarterly basis, which nonsolicitation listing shall be distributed to applicants seeking a license to solicit or canvass pursuant to the provisions of this chapter. The licensee shall not solicit or canvass at any address on the nonsolicitation list.
- C. Updating of nonsolicitation list. On or about January 1, April 1, July 1 and October 1 of each year, the Office of the Township Clerk shall update the list. The updated list shall then be forwarded to the Chief of Police for distribution to solicitors and/or canvassers.

- D. Any individual violating the provisions of §111-28B described above shall be punishable by a fine and/or imprisonment as prescribed in §111-29.

§111-29 Violations and Penalties.

Any person who violates any provision of this Article shall, upon conviction thereof, be punishable by a fine not exceeding \$2,000 or such other penalties consistent with N.J.S.A. §40:49-5. A separate offense shall be deemed committed on each day during or on which a violation occurs or continues.

The remainder of this Chapter remains unchanged.

SECTION 2. All ordinances of the Township of Andover, which are inconsistent with the provisions of this Ordinance, are hereby repealed to the extent of such inconsistency.

SECTION 3. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance.

SECTION 4. This Ordinance shall take effect immediately upon final passage, approval, and publication as required by law.

SECTION 5. This Ordinance may be renumbered for codification purposes.

**TOWNSHIP OF ANDOVER
COUNTY OF SUSSEX
ATTEST:**

STATE OF NEW JERSEY

Diana Francisco, Administrator/Clerk

By: _____
Janis McGovern, Mayor