

## **BOROUGH OF EATONTOWN – NOTICE OF ORDINANCE ADOPTION**

NOTICE is hereby given that **Ordinance 17-2024** - Ordinance of the Borough of Eatontown Entitled **“ORDINANCE AMENDING THE DEFINITIONS OF CHAPTER 240 OF THE BOROUGH CODE ENTITLED “PEDDLERS, SOLICITORS AND CANVASSERS” TO INCLUDE THE SALE OF ICE CREAM AND CONFECTIONARY PRODUCTS”** was passed after a public hearing at the regular meeting of **October 22, 2024** by the Governing Body of the Borough of Eatontown, at 47 Broad Street, Eatontown, NJ 07724. Borough of Eatontown - Julie Martin, RMC, Borough Clerk

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### **BOROUGH OF EATONTOWN**

### **COUNTY OF MONMOUTH, STATE OF NEW JERSEY**

### **ORDINANCE NO. 17-2024**

### **ORDINANCE AMENDING THE DEFINITIONS OF CHAPTER 240 OF THE BOROUGH CODE ENTITLED “PEDDLERS, SOLICITORS AND CANVASSERS” TO INCLUDE THE SALE OF ICE CREAM AND CONFECTIONARY PRODUCTS**

**WHEREAS**, the Director of Land Use recommends amending Chapter 240 of the Borough Code entitled “Peddlers, Solicitors and Canvassers” to clarify the definition of a Peddler under the Borough Code to cover the sale of ice cream products, water ices or frozen confectionary products of any kind in order to protect the residents from unwanted peddling activity; and

**WHEREAS**, the Borough Council believes it is in the best interest of the Borough to implement the recommendations of the Director of Land Use to protect the Borough’s residents.

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Eatontown, County of Monmouth, State of New Jersey that it hereby amends Chapter 240 of the Borough Code entitled “Peddlers, Solicitors and Canvassers”, Section 240-2 “Definitions” as follows:

[additions are underlined, and deletions are noted as strike-out]

#### **§240-2 Definitions**

##### **PEDDLER**

Any person commonly referred to as a "peddler" or "hawker," who goes from house to house by foot or by traveling by vehicle on the public streets and carries with him goods, wares and merchandise, including but not limited, ice cream, ice cream products, water ices or frozen confectionary products of any kind or character for the purpose of selling or offering to sell them to customers from such vehicle for the purpose of selling and delivering them to a consumer or consumers, but shall not include the distribution of religious material without charge.

**IT IS FURTHER ORDAINED**, that if any section, paragraph, subsection, clause, or provision of this Ordinance shall be adjudged by the courts to be invalid, such adjudication shall apply only to the section, paragraph, subsection, clause, or provision so adjudged, and the remainder of this Ordinance shall be deemed valid and effective.

**IT IS FURTHER ORDAINED** that any ordinances or parts thereof in conflict with the provisions of this Ordinance are repealed to the extent of such conflict.

**IT IS FURTHER ORDAINED** that this Ordinance shall take effect upon passage and publication in accordance with applicable law.