

ORDINANCE 22-2021

BOROUGH OF EATONTOWN
COUNTY OF MONMOUTH, STATE OF NEW JERSEY

AN ORDINANCE OF THE BOROUGH OF EATONTOWN AMENDING AND SUPPLEMENTING CHAPTER 261 OF THE
BOROUGH CODE ENTITLED "SALES", ARTICLE III SECTION 19 ENTITLED "HOURS" AND SECTION 24 ENTITLED
"LIMITATION ON PERMITS" AUTHORIZING PRIVATE SALES ON A CALENDAR YEAR BASIS

WHEREAS, the Borough Code currently regulates the number of private sales or auctions on a yearly rather than a calendar basis and it is difficult for the Borough to manage the issuance of such permits in this regard.

WHEREAS, the Borough Council believes it is in the best interest of the Borough to regulate the issuance of such permits on a calendar year basis only.

NOW THEREFORE BE IT ORDAINED, by the Borough Council of the Borough of Eatontown, County of Monmouth and State of New Jersey that the Code of the Borough of Eatontown, entitled, is hereby amended as follows: Chapter 261 entitled "Sales", Article III, Section 19 entitled "Hours" and Section 24 entitled "Limitation on permits" of the Code of the Borough of Eatontown shall be amended as follows (additions are underlined deletions are ~~stricken~~):

Article III

Private Sales and Auctions

§ 261-19 Hours.

No private sale or private auction shall be conducted within the Borough of Eatontown except between the hours of 9:00 a.m. and sunset on the days for which a permit is issued. No permit shall be issued for more than four days in any twelve-month period calendar year (January 1 through December 31).

§ 261-24 Limitation on permits.

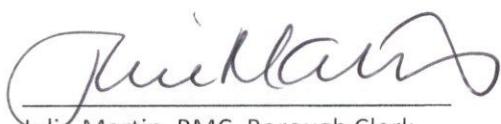
No person, firm or corporation shall be issued permits for more than four days in any twelve-month period calendar year (January 1 through December 31); nor shall a permit be issued for any location for more than four days in any twelve-month period calendar year (January 1 through December 31).

BE IT FURTHER ORDAINED, that

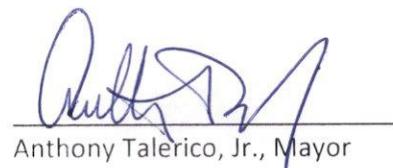
- A. All other Ordinances or provisions of the Code of the Borough of Eatontown or parts thereof, which are inconsistent with any provisions in this Ordinance, are hereby repealed to the extent of such conflict or inconsistency.
- B. If any provision or portion of this Chapter is held to be unconstitutional, preempted by Federal or State Law or otherwise invalid by any court of competent jurisdiction, the remaining provisions of this chapter shall not be invalidated.
- C. This Ordinance shall take effect upon its passage and publication as required by law.

DATE INTRODUCED: August 11, 2021
DATE ADOPTED: August 25, 2021

ATTEST:


Julie Martin, RMC, Borough Clerk
Date: 8-26-2021

APPROVED:


Anthony Talerico, Jr., Mayor