

**BOROUGH OF FREEHOLD
COUNTY OF MONMOUTH
NO. 2015/3**

**ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 5.64
(PEDDLERS AND SOLICITORS), OF THE REVISED GENERAL
ORDINANCES OF THE BOROUGH OF FREEHOLD**

WHEREAS, the Chief of Police has recommended to the Public Safety Committee the amendment of Chapter 5.64, Peddlers and Solicitors, to govern the practice of “canning” ; and

WHEREAS, the Public Safety Committee discussed this matter and recommends the amendment in order to protect the public health and safety and that of the “canners”; and

WHEREAS, the governing body agrees with the recommendation of the Chief and the Public Safety Committee.

NOW, THEREFORE BE IT ORDAINED as follows:

SECTION 1

Chapter 5.64, Peddlers and Solicitors shall be amended and supplemented as follows:

Chapter 5.64 Peddlers and Solicitors

Chapter 5.64.010 Definitions

As used in this chapter:

“Canning” or “Cannister Solicitation” means soliciting donations on street corners from vehicles stopped at red lights.

“Canner” shall mean a person, whether a resident of the Borough or not, who solicits donations for non-profit, charitable, educational, athletic, youth group, religious organizations on street corners from vehicles stopped at red lights.

Chapter 5.64.150 Registration of canvassers, solicitors and canners.

Political, charitable or philanthropic organizations or individuals who desire to make a public solicitation or canvass shall register with the borough clerk and provide a list of individuals who will be involved in canvassing or soliciting.

Registration information shall include that required by Sections 5.64.040(A), (B), (D), (E) and (N), and if the registration is made for a charitable or philanthropic cause it shall contain the information required by subsections A through I below, if made for a political cause, the information in Section 5.64.040(N) shall not be required but shall contain the information required by subsections A through F and H below:

A. The purpose for which such canvassing or solicitation is to be made and, if for solicitation, the estimated amount of funds proposed to be raised thereby.

B. A specific statement showing the need for the canvassing or solicitation.

C. The name and address of the person who will be in direct charge of conducting the canvassing or solicitation.

D. The names, addresses, date of birth, social security number and driver's license number (including state of issuance) of all persons making the proposed canvassing or solicitation.

E. A brief outline of the method to be used in conducting the canvassing or solicitation.

F. The time and dates when such canvassing or solicitations shall be made, giving preferred dates and alternate dates for the beginning and ending of such canvassing or solicitation.

G. If solicitation is proposed, the amount of any wages, fees, commissions or expenses to be paid to any person or organization for conducting such solicitation and the names and addresses of all such persons.

H. A statement to the effect that the registration will not be used or represented in any way as an endorsement of the proposed canvassing or solicitation by the borough or by any of its officers or departments.

I. If a solicitation is proposed, the registrant shall provide a financial statement setting forth the total funds collected during the previous calendar year by the organization

seeking the permit; the portion of the funds which were used directly for the purposes or cause stated for the collection and the portion used indirectly to support the purpose or cause stated, i.e., used for administrative expense, related causes, etc.

Chapter 5.64.060 License fees.

A. Every applicant for a license shall pay to the borough clerk a fee of one hundred dollars (\$100.00) per year.

B. Any veteran who holds a special state license issued under the laws of the state of New Jersey, shall be exempt from securing a license as provided herein for hawking and peddling, but shall be required to procure from the borough clerk a special veteran's permit which shall be issued upon proper identification.

C. There shall be no fee for a non-profit organization that applies for a canning permit.

Chapter 5.64.151 Regulations for Canning.

A. In order to accommodate the maximum number of requests, applications for canning for the following time slots:

During Daylight Savings Time:

Time Slot 1: 9:00 a.m. to 1:00 p.m.

Time Slot 2: 1:00 p.m. to 5:00 p.m.

During Daylight Standard Time:

Time Slot 1: 9:00 a.m. to 12:30 p.m.

Time Slot 2: 12:30 p.m. to 4:30 p.m.

B. Solicitation of funds shall be permitted at the following intersections only:

East Main Street/Center Street/Spring Street and Broadway

Main Street and South Street

C. Canning shall not be permitted during any other town event requiring police presence and supervision such as parades, Spooktacular, Olde Freehold Day, National Night Out, cultural festivals and the like.

D. The organization seeking a permit for canning shall fully indemnify and hold harmless the Borough of Freehold and all municipal employees and that shall assume all liability for damages and injuries that may occur.

E. Participants *shall not stand on the street* to solicit funds from passing motorists. Participants may only approach vehicles stopped at red lights.

F. Participants shall wear reflective vests.

G. Participants shall not solicit donations between moving or unmoving traffic.

H. Participants shall wear tags, t-shirts or other outward signs of the organization for which they are fundraising.

SECTION 2

If any part of this Ordinance shall be deemed invalid such part shall be deemed severable and the invalidity thereof shall not affect the remaining part of this Ordinance.

SECTION 3

Any Ordinance or portions thereof which are inconsistent with the provisions of this Ordinance are hereby repealed and superseded.

SECTION 4

This Ordinance shall take effect upon final passage and publication in accordance with Law.

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NOTICE IS HEREBY GIVEN that the forgoing Ordinance was approved for final adoption by the Mayor and Council of the Borough of Freehold at a meeting held on March 16, 2015.



**TRACI L. DI BENEDETTO
BOROUGH CLERK**