

ORDINANCE NO. 2445

AN ORDINANCE AMENDING CHAPTER IV, SECTION 4-10 OF THE BOROUGH CODE TO INCLUDE ARTISTS AND ESTABLISHING A ONE DAY FEE FOR ARTISTS PARTICIPATING IN BOROUGH SPONSORED EVENTS ONLY

BE IT ORDAINED by the Mayor and Council of the Borough of Roselle Park, County of Union, and State of New Jersey that Chapter 4, Section 4-10 be and is hereby amended as follows:

4-10 PEDDLERS, CANVASSERS, TRANSIENT MERCHANTS AND ARTISTS

SECTION 1: 4-10.4 Artists

a. *License Required; Exceptions.* No person who is participating in a Borough sponsored event shall engage in the business of selling or displaying art, without first paying a license fee as hereinafter provided. Any person who shall engage, pursue or carry on any such business or any person who shall sell or offer to sell art of any kind or description whatsoever, (only at any Borough Sponsored event) without first paying a license fee therefor, as in this section provided, shall be deemed guilty of a violation of this section.

b. *Contents of License.* The license herein required shall be issued and signed by the Municipal Clerk, and shall have affixed thereto the seal of the Borough; it shall state the object for which it is given, the name of the person licensed, the number of the license and the date of its expiration (ONE DAY ONLY). Every application for such license shall be in writing and signed by the applicant, stating his or her place of residence and the purpose for which such license is asked.

c. *License Fee.* Every person to whom such license shall be granted shall, at the time of receiving the same, pay therefor to the Municipal Clerk, to be turned over to the Chief Financial Officer for the use of the Borough, a one day license fee of sixty (\$60.00) dollars.

d. *Selling from an Assigned Location.* No person licensed under this subsection shall stand or remain with his vehicle, wares or merchandise upon any sidewalk or in any street or other public place for the purpose of soliciting customers, selling or exposing for sale any wares or merchandise unless assigned that location by the Borough. At no time shall any person licensed under this section solicit customers in such a way as to obstruct travel or cause annoyance or damage to any person; and at all times any person licensed under this section shall move from any point in any public place or street where such person may be soliciting customers or selling or exposing for sale any wares and merchandise, when requested by any Officer of the Borough.

e. *Noise Prohibited Certain Hours.* Any artist who blows a horn, ring a bell, make an outcry or other loud noise between the hours of 9:00 p.m. and 8:00 a.m. shall be deemed guilty of a violation of this section.

f. *Selling Without License.* The Chief of Police or his designee shall ascertain whether all persons doing business as aforesaid are in possession of such license and, if not, to charge them with a violation of this section.

g. *Complaints of Violations.* It shall be lawful for any person to make complaint of the violation of this section or any of its provisions before the Judge of the Municipal Court, who is authorized to hear and determine such complaint and enforce the penalties herein provided.

h. *Suspension or Revocation of License.* Every license granted under this subsection may be suspended or revoked for satisfactory cause.

i. *Violations and Penalties.* Any person violating any of the provisions of this subsection shall, upon conviction, be liable for the penalty stated in Chapter I, Section 1-5.

SECTION 2: If any section or portion of a section of this Code shall be invalid for any reason, such invalidity shall not affect the validity of the remaining sections or portions of this Ordinance.

SECTION 3: All ordinances or parts of ordinances, to the extent that they are inconsistent herewith, are hereby repealed.

SECTION 4: This amendment to the Code of the Borough of Roselle Park shall become effective upon publication and in accordance with law.

Introduced: July 30, 2015

Adopted:

Mayor

Attest: _____
Borough Clerk