

SOLICITOR'S PERMIT REQUIREMENTS LACEY TOWNSHIP POLICE DEPARTMENT

Initial Application:

1. Each solicitor must complete their own application.
2. Two letters of recommendation must be submitted by the solicitor from individuals attesting to the solicitor's moral character.
3. The solicitor must supply the following:
 - a. Vehicle registration and insurance card.
 - b. Driver's license for each person soliciting.
 - c. Tax ID number or Tax Exempt Certificate.
 - d. Ocean County Health Department Certificate. (If Applicable)
 - e. Mobile food license from Lacey Township Board of Health. (If Applicable)
 - f. Written permission from owner if soliciting on private property together with a CERTIFIED PLOT PLAN of where the vehicle will be located.
4. Fees:
 - a. \$150 (cash or check payable to Lacey Township) per vehicle or company.
 - b. \$10 for each additional driver or seller (cash or check payable to Lacey Township).
 - c. There is no \$150 fee for:
 1. Veterans with a County Solicitor's ID.
 2. Non-profit organizations.

Renewal:

Each person renewing their solicitor's permit should go on line to the following website: www.njportal.com/njsp/criminalrecords/ Click the highlighted box in the lower left hand corner marked "ON LINE FORM 212A." Follow the prompts. Lacey Township's ORI Number is NJ0151200. The reason for filing request is Local Ordinance. The \$20 processing fee is payable through credit card or electronic check. Upon completion of the form, you will receive a confirmation email including a receipt. Please provide confirmation number or a copy of the receipt when returning with your paperwork. Your results will be electronically forwarded to the Lacey Township Police Department.

All other requirements are the same as above.

SOLICITOR'S PERMIT APPLICATION
LACEY TOWNSHIP POLICE DEPARTMENT
PERMIT NUMBER _____

Name of Applicant: _____

Any other names used (maiden, etc.): _____

Street Address: _____

Town: _____ State: _____ Zip Code: _____

Telephone Number: _____ Veteran's License Number: _____

Driver's License Number: _____ State: _____

Height: _____ Weight: _____ Date of Birth: _____ Hair Color: _____

Eye Color: _____ Sex: _____ Race: _____ Social Security No.: _____

Distinct Physical Characteristics (Scars, Marks, Tattoos): _____

Fee Received: _____ Organization: _____

Product or Service: _____

Area to be Solicited: _____

Dates to be Solicited: _____

I hereby certify and swear that the foregoing information furnished by me is true, accurate, and correct. Any person who makes a false statement under oath or equivalent affirmation, or swears or affirms the truth of such a statement previously made, when they do not believe the statement to be true, is guilty of a crime of the fourth degree.

Signature of Applicant: _____ Date Signed: _____

Township of Lacey, NJ
Thursday, March 16, 2017

Chapter 269. Peddling and Soliciting

[HISTORY: Adopted by the Township Committee of the Township of Lacey 5-17-1974 as Ch. 82 of the 1974 Code. Amendments noted where applicable.]

GENERAL REFERENCES

Garage and other casual sales — See Ch. 191.

§ 269-1. Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

CHARITABLE

Includes the words "patriotic," "philanthropic," "social service," "welfare," "benevolent," "educational," "civic" and "fraternal," either actual or purported.

CONTRIBUTIONS

Includes the words "alms," "food," "clothing," "money," "subscriptions," "property" and "donation" under the guise of a loan or money or property.

ITINERANT SALESMAN and VENDOR

Includes hawkers, peddlers and salespeople, their agents, servants, employees or representatives, who do not have or own any retail shop or place of business in the Township of Lacey, who, with or without any form of container, vehicle or other conveyance, shall, on the streets or other public places of said township or otherwise from door to door or from house to house, sell, cause to be sold, offer for sale or cause to be offered for sale goods, wares or merchandise of any description whatsoever, or who solicit funds or subscriptions of any kind, except as hereinafter excluded.

[Amended 7-11-1996 by Ord. No. 96-36]

PERSON

Any individual, firm, association, corporation, partnership, society or organization, or any agent, employee or representative thereof.

RELIGIOUS and RELIGION

Shall not mean and include the word "charitable" as herein defined, but shall be given their commonly accepted definitions.

SOLICIT and SOLICITATION

The request, directly or indirectly, for money, credit, property, financial assistance or other thing of value on the representation that such money, credit, property, financial assistance or other thing of value will be used for a charitable or religious purpose.

§ 269-2. Permit required.

It shall be unlawful for any person, as an itinerant salesman or vendor, to sell, offer for sale or cause to be sold or offered for sale within the corporate limits of the Township of Lacey any

goods, wares or merchandise of any kind whatsoever, or to solicit funds, subscriptions or contributions, except as herein particularly allowed, without first having applied for and obtained a permit for such purpose.

§ 269-3. Exceptions.

This chapter is intended to particularly exclude wholesalers, holders of special privileges and all the persons exempted by operation of law.

§ 269-4. Application for permit.

[Amended 8-20-1981 by Ord. No. 28-81; 7-10-2013 by Ord. No. 2013-14]

An application for a permit as required in § 269-2 hereof shall be made to the Chief of Police upon forms provided by the Township of Lacey. Such application shall be sworn to and filed with the said Chief of Police and shall contain any and all information which the Chief of Police may deem reasonable and necessary pertaining to the applicant and to the goods, wares and merchandise intended to be sold or offered for sale or to the organization or institution for which any solicitation is to be made, and shall include the name and address or headquarters or place of business of the person or persons applying for the permit, and if the said applicant is not an individual, then the names and addresses of the applicant's principal officers and managers, a description of the goods, wares and merchandise to be sold or the purpose for which the solicitation is being made, and, if the application is for a permit to solicit, the name and address of the person or persons who will be in direct charge of conducting the solicitation and the names of all the promoters connected or to be connected with the proposed solicitation, the sales or solicitation method or methods to be used, and, if solicitation, the time when such solicitation shall be made, giving the dates for the beginning and ending of such solicitation. In addition, the applicant shall submit two letters of recommendation to the Chief of Police concerning the applicant's moral character.

§ 269-5. Investigation of applicant.

The Chief of Police shall examine all applications filed and shall cause to be made such investigation as he shall deem necessary, including the inspection of any books or records of the applicant, which shall be made available to him by the applicant at any reasonable time.

§ 269-6. Issuance of permit.

- A. The Chief of Police shall issue a permit, provided that he shall find that the sales or solicitation program or activity is not fraudulent and that the applicant or its managing officers, agents, representatives and employees are of good character and reputation, that the application is truthful and that the kind and character of the proposed sales or solicitation program or activity is in the interest of and not inimical to the public's welfare and, in the case of solicitation, the purpose is solely to finance the charitable or religious cause described in the application and will not be conducted for or result in private profit.
- B. In the case of solicitation, the charitable or religious organization shall supply its agents, representatives or employees with a badge or ribbon containing the name of such organization, and the name of said agent, representative or employee; said badge or ribbon shall be worn and conspicuously displayed on the front of the clothing of such agent, representative or employee.

[Added 8-20-1981 by Ord. No. 28-81]

- C. In regard to the sale of goods, wares or merchandise by itinerant salesmen or vendors, said itinerant salesmen or vendors shall have prominently displayed on their person or on the vehicle being utilized for the sale of the goods, wares or merchandise, the permit issued by the Chief of Police.
[Added 8-20-1981 by Ord. No. 28-81]

§ 269-7. Permit fees; expiration of permit; hours of sale.

- A. For each permit to sell any goods, wares or merchandise, the applicant shall pay to the Township of Lacey the sum of \$150, and said permit shall expire December 31 next ensuing the date of issuance.
[Amended 8-20-1981 by Ord. No. 28-81]
- B. For each permit to solicit funds or subscriptions for any duly established and recognized charitable or religious organization or institution, the applicant shall not be required to pay, but such permit shall expire not more than 40 days next ensuing the date of issuance.
- C. No such permit shall be effective for more than one person and one vehicle, but duplicate permits may be issued in like manner for an additional fee of \$10 for each additional person who will sell any goods, wares or merchandise, and an additional \$150 for each additional vehicle being used in the sale of said goods, wares or merchandise. No rebate shall be allowed from any fee herein specified for a term of less than one year.
[Added 8-20-1981 by Ord. No. 28-81; amended 7-11-1996 by Ord. No. 96-36]
- D. No selling or soliciting shall be permitted except between the hours of 9:00 a.m. and 8:00 p.m. inclusive, provided that home deliveries of milk, bread and the like shall not be circumscribed hereby; provided, further, that trucks peddling coffee, doughnuts and similar items to work sites shall not be limited to the hours herein provided.

§ 269-8. Sales prohibited in certain areas; location of signs.

[Amended 8-20-1981 by Ord. No. 28-81]

- A. No person shall sell his or her goods, wares or merchandise on Haines Street and Western Boulevard within 1/2 mile of any public school.
[Amended 7-11-1996 by Ord. No. 96-36]
- B. Any signs utilized by any person to sell his or her goods, wares or merchandise shall be located on the vehicles being used by said person in the sale of his or her goods, wares and merchandise.
- C. No person shall offer for sale in a township park, as defined in § 261-2, any food, drink or merchandise during the hours of operation of any food stand or food facility operated by a recreation league, booster club or sports organization which operates under a permit issued by the Director of the Department of Recreation in accordance with § 261-36.
[Added 3-9-2000 by Ord. No. 00-07]

§ 269-9. Hearing following denial of permit.

An application for a permit shall be granted or denied within five days from the date that the said application is submitted to the Chief of Police, and in the event of denial the Chief of Police shall notify the applicant by certified mail, setting forth the reasons for denial. Within five days thereafter the applicant may file with the Township Committee a written request for a hearing on the said application, together with written exceptions to the findings of fact upon which the

Chief of Police based his denial of the application. On the filing of such a request, the Township Committee shall fix a time and place for a hearing shall notify the applicant thereof, which hearing shall be held within 10 days after the request is filed. Within 10 days after the conclusion of the hearing, the Township Committee shall make its decision whether to issue or sustain the denial of the said permit.

§ 269-10. Revocation or suspension of permit.

[Amended 8-20-1981 by Ord. No. 28-81]

Any permit which may have been issued may be revoked and canceled by the Chief of Police on a showing that any of the provisions of this chapter have been violated or for other good cause. Upon learning of the alleged violation of any provisions of this chapter, or for other good cause, the Chief of Police shall immediately suspend the permit and give the holder thereof written notice by certified mail of a hearing to be held by him within five days of such suspension to determine whether or not the permit should be revoked and canceled. The notice shall contain a statement of the facts upon which the Chief of Police has acted in suspending the permit. If, after such hearing, the Chief of Police finds that the chapter has been violated or other good cause exists, he shall, within five days after the hearing, revoke the permit and give the holder thereof written notice of the said revocation and the reasons therefor. Or in the absence of such finding, the holder shall be notified within five days in writing of the termination of the suspension of the permit. In addition, any permit which may have been issued may be revoked and canceled for a violation of the said chapter or on good cause shown by majority vote of the Township Committee at any regular or special meeting thereof after five days' written notice to the permit holder and upon affording the said holder an opportunity to be heard with respect to the reasons for such revocation and cancellation.

§ 269-11. Violations and penalties.

[Amended 7-11-1996 by Ord. No. 96-36]

Any person violating or failing to comply with any of the provisions of this chapter shall, upon conviction thereof, be punishable by a fine of not more than \$1,000, by imprisonment for a term not to exceed 90 days and/or by a period of community service not to exceed 90 days, in the discretion of the Judge. The continuation of such violation for each successive day shall constitute a separate offense, and the person or persons allowing or permitting the continuation of the violation may be punished as provided above for each separate offense.