



Township Council
1 Municipal Plaza
Bloomfield, NJ 07003

Louise M. Palagano
Municipal Clerk

<http://www.bloomfieldtwpnj.com>

Meeting: 07/23/18 07:00 PM

2018 ORDINANCE AMENDMENT

AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 408, PEDDLING AND SOLICITING, ARTICLE II, HAWKERS, PEDDLERS AND TRANSIENT MERCHANTS §408-17 Unlawful Delivery or Deposit of Unsolicited Printed Material and §408-18 Violations and penalties WITHIN THE TOWNSHIP CODE OF THE TOWNSHIP OF BLOOMFIELD

BE IT ORDAINED by the Mayor and Council of the Township of Bloomfield, County of Essex, State of New Jersey, as follows:

Section 1. Chapter 408, entitled: "Peddling and Soliciting," Article II, Hawkers, Peddlers and Transient Merchants, § 408-17 Violations and penalties and §408-18 Definitions of the Code of the Township of Bloomfield, County of Essex, State of New Jersey are hereby amended to read as follows:

§408-17 Unlawful Delivery or Deposit of Unsolicited Printed Material

a. For the purposes of this section "unsolicited" shall mean the printed matter referred to herein which has not been ordered, subscribed to or requested by the recipient.

It shall be unlawful for any person to deliver or deposit, or to cause the delivery or deposit, or for any person, firm or corporation to cause the delivery or deposit of any unsolicited printed material to or upon the premises of any private residence located within the Township except in accordance with the terms of the following paragraph:

1. Any unsolicited printed material shall be delivered to or deposited upon the premises of a private residence only within a permanently installed appurtenance to the premises which an owner or occupant of the private residence has designated for such material to be received and collected. If there is no such appurtenance at the premises, any unsolicited printed material may be deposited only upon either the ground or the floor, at a point beneath the place where the private residence regularly receives its mail or within a three-foot radius of that point.
2. Excepted from subparagraph 1. shall be any unsolicited printed material which is delivered to or deposited upon the premises of any private residence which plainly bears either the name, mailing address and email address of a person responsible for the delivery or deposit of said material, or a telephone number which may be contacted to determine such name, regular mailing address and email address, which may be used by an owner or occupant of the private residence to effectively request by certified mail, return receipt requested or by email with verified receipt capability, that such material cease to be delivered to or deposited upon the premises of that private residence.

Where the private residence referred to in this paragraph is an individual unit of any condominium or other such common property, the request by certified mail, return receipt requested or by email with verified receipt capability, shall be made by an

owner or occupant of that individual unit.

- 3. It shall be unlawful for any person to intentionally deliver or deposit any unsolicited printed material to or upon the premises of a private residence after such time as said person has received a request by certified mail, return receipt requested, or by email with verified receipt capability, made by an owner or occupant of that private residence that such material cease to be delivered to or deposited upon the premises of that private residence.
- 4. Nothing contained in this paragraph shall be deemed to prohibit or restrict any person from delivering unsolicited printed material directly to a person who is (i) actually present on the premises of a private residence at the time of delivery, and (ii) who personally accepts said material at such time.
- 5. Any owner or occupant of any private residence located within the Township shall have the right to enforce any violation of this paragraph by filing a complaint in municipal court.

§408-18 Violations and Penalties

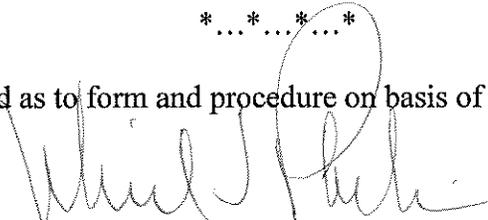
Any person who violates any provision of this article shall, upon conviction thereof, be punished by a fine not exceeding \$2,000 or imprisonment for a term not exceeding 90 days or a period of community service not exceeding 90 days, or by any combination of such fine, imprisonment and/or community service.

Section 2. All ordinances inconsistent herewith are hereby repealed.

Section 3. This ordinance shall take effect upon final passage and publication in accordance with the law.

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Approved as to form and procedure on basis of facts set forth.

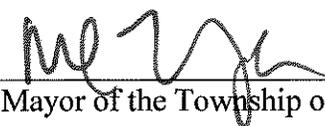


Director of Law-Township Attorney

I hereby certify that the above ordinance was duly adopted by the Mayor and Council of the Township of Bloomfield at a meeting of said Township Council held on *AUGUST 20, 2018.*



Municipal Clerk of the Township of Bloomfield



Mayor of the Township of Bloomfield

✓ Vote Record - Ordinance							
<input type="checkbox"/> Adopt <input type="checkbox"/> Deny <input type="checkbox"/> Withdrawn <input type="checkbox"/> Table <input type="checkbox"/> Not Discussed <input type="checkbox"/> First Reading <input type="checkbox"/> Table with no Vote <input type="checkbox"/> Approve <input type="checkbox"/> Veto by Mayor <input type="checkbox"/> Discussion <input type="checkbox"/> Defeated <input type="checkbox"/> Discussion No Vote			Yes/Aye	No/Nay	Abstain	Absent	
	Jenny Mundell			<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Nicholas Joanow			<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Sarah Cruz			<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Wartyna Davis			<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Ted Gamble			<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Richard Rockwell			<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Michael J. Venezia			<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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