

**BOROUGH OF EMERSON  
COUNTY OF BERGEN  
NOTICE OF ADOPTION**

**ORDINANCE 1568-18**

**Introduced:** September 4, 2018

**Adopted:** September 17, 2018

**NOTICE IS HEREBY GIVEN** that the following ordinance was adopted on the second reading after a Public Hearing at the Regular Meeting of the Borough Council of the Borough of Emerson on the 17th day of September, 2018. A copy of Ordinance 1568-18 is on file in the Borough Clerk's Office in the Municipal Building, 1 Municipal Pl., Emerson, NJ 07630.

**AN ORDINANCE AMENDING CHAPTER 208, PEDDLING AND SOLICITING,  
OF THE CODE OF THE BOROUGH OF EMERSON**

**BE IT ORDAINED** by the Mayor and Council of the Borough of Emerson, in the County of Bergen and State of New Jersey that the provisions of Chapter 208 of the Code of the Borough of Emerson are hereby amended as follows:

**Section 1.** Chapter 208-3 – License required; exemptions., Paragraph A is hereby amended to read as follows:

§ 208-3 License required; exemptions.

- A. It shall be unlawful for any distributor, peddler, non-profit solicitor, or solicitor to sell, buy or dispose of or offer to sell or dispose of any pamphlets, literature, goods, wares, merchandise or service to be rendered in the future, collect signatures, leave handouts, or to take orders for any pamphlets, literature, goods, wares, merchandise or service to be rendered in the future, whether for profit or for charitable purposes, within the Borough of Emerson without first obtaining a license thereof.

**Section 2.** Chapter 208-10 – Restrictions on conduct; hours of business., is hereby amended to read as follows:

§ 208-10 Restrictions on conduct; hours of business.

- A. No person or license holder shall peddle, solicit, or distribute merchandise except between the hours of 10:00 a.m. to ~~6:00 p.m. or sunset, whichever occurs earlier,~~ on each weekday; and between noon and ~~6:00 p.m. or sunset, whichever occurs earlier,~~ on weekends, unless specifically having been invited to a dwelling by an occupant thereof or having made an appointment with an occupant.
- B. No licensee shall solicit in an unlawful manner nor in such manner as to constitute a breach of the peace nor in such a manner as to constitute a menace to the health, safety or general welfare of the public. No licensee shall accost anyone against his or her will or desire.

**Section 3.** If any of the provisions or portion of a provision of this ordinance is held to be unconstitutional, preempted by federal or State law, or otherwise invalid by any court of competent jurisdiction, the remaining provisions of the ordinances shall not be invalidated

**Section 4.** This ordinance shall take effect following adoption and approval in a time and manner prescribed by law.

Attest:

  
\_\_\_\_\_  
Jane Dietsche, RMC  
Clerk

  
\_\_\_\_\_  
Louis Lamatina  
Mayor

COUNCIL	M O V E D	S E C O N D E D	A Y E S	N A Y E S	A B S E N T	A B S T A I N
DiPaola			X			
Bayley			X			
Wolf			X			
Knoller		X	X			
Falotico	X		X			
Downing			X			

*I hereby certify that Ordinance 1568-18 was duly Adopted on first reading by the Borough of Emerson at a meeting held on September 17, 2018.*

*Attest:* \_\_\_\_\_  
*Municipal Clerk*