

ORDINANCE NO. 2026-09

AN ORDINANCE OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, REPEALING AND REPLACEMENT OF CHAPTER 135, "PEDDLING AND SOLICITATION" IN ITS ENTIRETY AND REPLACING IT WITH A NEW CHAPTER 135 TO UPDATE AND MODERNIZE THE MUNICIPAL CODE.

WHEREAS, the Governing Body of the Borough of Barnegat Light finds that Chapter 135 of the Code of Ordinances should be updated to reflect current practices, regulations, and community needs; and

WHEREAS, the Mayor Borough Council has reviewed the existing provisions and determined that a comprehensive revision is in the best interest of public health, safety, and welfare;

NOW, THEREFORE, BE IT ORDAINED by the Governing Body of the Borough of Barnegat Light as follows:

SECTION 1. Repeal.

Chapter 135 of Borough Code entitled, "Peddling and Solicitation" is hereby repealed in its entirety.

SECTION 2. Replacement.

Chapter 135 "Peddling and Solicitations," is hereby adopted to read as follows:

135-1 Definitions

PEDDLER

Any person, whether a resident of the Borough or not, traveling by foot, wagon, automotive vehicle or any other type of conveyance from place to place, from house to house or from street to street carrying, conveying or transporting goods, wares, merchandise, meats, fish, vegetables, fruits, food, garden farm products or provisions, offering and exposing the same for sale or making sales and delivering articles to purchasers. "Hawkers" and "hucksters" are included.

135-2 Vendor license required

- A. License shall only be issued to ice cream trucks, selling prepackaged novelty items
- B. No more than three such licenses shall be issued to be in effect during the same time period.
- C. Peddling or other solicitation is not permitted

135-3 Application

- A. Applicant, or its agent if it is not an individual, shall make application to the borough clerk.
- B. Requirements for license
 - (1) Valid driver's license
 - (2) Certificate of Liability Insurance (if company)
 - (3) Background check clearance from Long Beach Township Police Department
 - (4) Sanitary inspection from LBI Health Department
 - (5) Vehicle registration
 - (6) License Fee

135-4 License Fee

- A. \$400 per applicant
- B. In the event that the applicant has two or more vendors/employees, the fee shall be \$400 for each additional vendors/employee
- C. License shall expire on the first day of May annually
- D. There shall be no refund or return of any fee paid

135-5 Borough Clerk authorized to issue license

The Borough Clerk is hereby authorized to issue any such license upon receiving an application, the required documents and licenses fee.

135-6 Vendor identification ID

- A. The Borough shall issue a photo ID to approved vendor
 - (1) Photo of vendor, “Licensed Vendor” and License number shall appear on ID
 - (2) During the time the licensee is engaged in peddling or hawking, his badge shall be worn constantly and conspicuously on the front of his outer garment.

135-7 Use of streets

- A. No peddler shall have an exclusive right to any location in the public streets, nor shall any person be permitted a stationary location
- B. Shall not be permitted to remain in any one given location for a period in excess of five minutes, nor shall he be permitted to operate in any congested area where his operations might impede or inconvenience the public.
- C. Each licensee shall maintain an adequate trash receptacle in or upon the vehicle used by him and shall be responsible for the collection and disposition of paper wrappers and other debris of his customers

135-8 Time restrictions

Borough licensed vendors shall not sell before 8:00a.m. or after 9:00p.m.

135-9 Exceptions

- A. This chapter shall not be construed to include the following:
 - (1) Deliveries such as groceries, take-out food orders or any other ordered delivery
 - (2) Federal census takers and polls or surveys taken pursuant to federal, state or local laws.
- B. Any veteran or volunteer fireman who holds a special license issued pursuant to N.J.S.A. 45:24-9 shall be exempt from application for a license but shall be required to comply with all other applicable sections of this chapter.
- C. Fundraising
 - (1) Girls Scouts Selling Cookies
 - (2) Barnegat Light Volunteer Service Organizations for Fundraising
- D. Catering vehicles on private property, limited to a single event

135-10 Prohibitions

Notwithstanding any other provisions of this chapter, it shall be unlawful for any person to peddle, sell or otherwise market cooked foods for immediate consumption by the public, such as hamburgers or hot dogs

135-11 Duty of the Police to enforce

It shall be the duty of any police officer to require any person seen peddling and who is not known by such officer to be duly licensed to produce his peddler's license and to enforce the provisions of this chapter against any person found to be violating the same.

135-12 VIOLATIONS AND PENALTIES.

A violation of this chapter shall be punishable as provided in Chapter 1, General Provisions, § 1-15. In addition, a violation of this chapter may result in the revocation of the license, and the licensee shall be disqualified from applying for or being issued a license for the ensuing year.

SECTION 3. Severability.

If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions of this Ordinance.

SECTION 4. Repealer.

All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

INTRODUCTION:

Passage on First Reading: Date: June 24, 2026

Wellington	Moved	Second	Aye	Nay	Abstain	Absent
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Spark						
Reynolds						
Foley						
Gutowski						
Saburn						
Mescolotto						

Attest:

BRENDA L. KUHN, Municipal Clerk

ADOPTION:
Final Passage: Date: July 8, 2026

Wellington	Moved	Second	Aye	Nay	Abstain	Absent
Spark						
Reynolds						
Foley						
Gutowski						
Saburn						
Mescolotto						

ED WELLINGTON, Mayor

Attest:

BRENDA L. KUHN, Municipal Clerk