

## ORDINANCE NO. 2021-32

### ORDINANCE OF THE BOROUGH OF BELMAR AMENDING THE REVISED GENERAL ORDINANCE CHAPTER 20: "LICENSES-GENERAL" TO AMEND VARIOUS SECTIONS

**BE IT ORDAINED** by the Mayor and Council of the Borough of Belmar, County of Monmouth, State of New Jersey, that Chapter 20: "Licenses-General", of the Borough's Revised General Ordinances is hereby amended as follows:

#### **20-3.3 Regulations.**

a. All licenses and licensees under this section are subject to the provisions and regulations of this chapter and each licensee shall in addition be required to carry at all times and display to any person upon request his license and identification. Further, it shall be the duty of the Chief of Police, ~~a Code Enforcement Officer the Borough License Officer~~ and any Police Officer of the Borough to require any person seen peddling, soliciting, canvassing or distributing, as defined in this chapter, who is not known by such officer to be duly licensed, to produce his/her peddler's, solicitor's, canvasser's or distributor's license, as the case may be.

#### **20-2.6 Investigation of Applicants.**

Upon written request of ~~a Code Enforcement Officer the Borough License Officer~~ or the Borough Clerk, the Chief of Police shall ascertain if any applicant has any criminal record and report in writing, affirmatively or negatively thereon within seven days after the request is made, indicating in his or her report his or her approval or disapproval of the granting of a license and giving his/her reason therefor.

#### **20-2.7 Appeal Procedure.**

After submission of the application and the required fees to the Borough Clerk, ~~a Code Enforcement Officer the Borough License Officer~~ shall make any investigation necessary and shall indicate his/her written approval or disapproval of the license application within 10 days after the application is filed with the Borough Clerk. If approved, the license shall issue forthwith in the name of the Borough Clerk. If disapproved, ~~the Code Enforcement Officer the Borough License Officer~~ shall forthwith notify the applicant and the Borough Clerk in writing of such disapproval and the reasons therefor, and the applicant shall have 10 days from receipt of notice of disapproval to appeal from the decision of the ~~Code Enforcement Officer Borough License Officer~~ to the Borough Council, who, after due hearing, can affirm or reverse the decision of the ~~Borough License Officer~~ Code Enforcement Officer.

### 20-2.8 License Specifications.

Each license issued under the provisions of this Chapter shall state upon its face the following:

- a. The name of the licensee and any other name under which such business is to be conducted.
- b. The kind and address of each business so licensed.
- c. The amount of licensee fee therefor.
- d. The dates of issuance and expiration thereof.
- e. Such other information as a Code Enforcement Officer ~~the Borough License Officer~~ shall determine.

### 20-2.9 Regulations.

In addition to the provisions hereinafter set forth covering specific licensed operations, every licensee under this Chapter shall:

- b. Permit access to the licensed premises at all reasonable times by a Code Enforcement Officer. ~~the Borough License Officer~~
- g. Not lend, sell, give or assign to any other person to use and display, or destroy, damage or remove, or have in his or her possession, any license or insignia which has been issued to the licensee except as authorized by a Code Enforcement Officer ~~the Borough License Officer~~ or by law.

**BE IT FURTHER ORDAINED** that should any section, paragraph, sentence, clause, or phase of this ordinance be declared unconstitutional or invalid for any reason, the remaining portion of this ordinance shall not be affected thereby and shall remain in full force and effect, and to that end the provisions of this ordinance are hereby declared to be severable.

**BE IT FURTHER ORDAINED** that all ordinances or parts of ordinances inconsistent with this amending ordinance are hereby repealed to the extent of their inconsistencies only.

**BE IT FURTHER ORDAINED** that this ordinance shall be in full force and take effect twenty (20) days after final passage and publication, as required by law.

## **NOTICE**

**NOTICE IS HEREBY GIVEN** that the foregoing Ordinance was introduced and passed on the first reading by the Council of the Borough of Belmar, County of Monmouth, State of New Jersey on **October 5, 2021 at 6:00 p.m.**, or as soon thereafter as the matter may be reached and considered, at the Borough of Belmar Municipal Building located at 601 Main Street, Belmar, New Jersey. The Ordinance will be considered for second and final reading at a meeting of the Township Committee on **October 19, 2021, at 6:00 p.m.**, or as soon thereafter as the matter may be reached and considered, at the Borough of Belmar Municipal Building located at 601 Main Street, Belmar, New Jersey. At that time the public is invited to ask questions, raise objections or provide public comment with regard to the proposed adoption of this Ordinance.

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**APRIL CLAUDIO**, Borough Clerk