

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE BOROUGH OF LAUREL SPRINGS, COUNTY OF CAMDEN, STATE OF NEW JERSEY, AS FOLLOWS:

SECTION 1. Chapter 169, Subsection 1. License Required is hereby supplemented by the addition of the following sentences:

Any person, firm or corporation who qualify and obtain a Home Occupation Permit are not required to obtain a Mercantile License for the same business, trade occupation or activity.

SECTION 2. Chapter 169, Subsection 2. Application for License. is hereby deleted and replaced with the following:

Application for License.

Applications for new and annual renewal licenses required by this article shall be made in writing to the Borough Clerk on forms prepared and kept on file by the Borough clerk. Each application shall contain the following information:

- A. The name under which the business is to be conducted.
- B. The address under which the business is to be conducted.
- C. The name, phone, email, and current residence address of the applicant, and if a corporation, give names and residence addresses of president and secretary; and if a partnership, give the names and residence addresses of all partners for the past five years.
- D. The nature of the business
- E. A statement that the applicant has never had a license to conduct business denied or revoked, except as noted.
- F. A statement of any arrests or convictions, including the nature of the offense and the date and place of conviction.
- G. The name, address, phone, and email of applicant's attorney if applicable.
- H. The name, address, phone, and email of registered agent, if applicable.
- I. A declaration that the undersigned makes these statement to induce the Borough of Laurel Springs to issue the license herein applied for an agrees to comply with all laws and ordinances of the Borough applicable to the subject matter thereof.
- J. Occupancy load and number of exits.
- K. Number of parking places, parking light fixtures and number of curb cuts
- L. Size of lot
- M. Location on Municipal, County or State Road
- N. Zoning designation
- O. Any change in Mercantile Use
- P. Taxes paid to date. Individual tenants located in a building owing taxes are exempt from this requirement.
- Q. Number of people employed.
- R. Date of last Fire Inspection
- S. Method of trash and recycling disposal

SECTION 3. Chapter 169, Subsection 4. Persons subject to license. is hereby deleted and replaced with the following:

Persons subject to license.

- A. Whenever in this code a license is required for the maintenance, operation or conduct of any business or establishment, or for doing business or engaging in any activity or occupation, and person or corporation shall be subject to the requirement if, by himself or through an agent, employee or partner, he holds himself forth as being engaged in the business or occupation, or solicits patronage therefor, actively or passively, or performs or attempts to perform any part of such business or occupation in the Borough of Laurel Springs, New Jersey.
- B. A certificate of occupancy shall be required prior to the issuance of any new mercantile license by the Borough of Laurel Springs.

SECTION 4. Chapter 169, Subsection 6. Investigations. is amended and supplemented with the addition of the following sentence:

The Zoning Officer may forward a New Mercantile License Application to the Land Use Board for interpretation of the Zoning Code.

SECTION 5. Chapter 169, Subsection 7. Standards for issuance of license. is hereby deleted and replaced with the following:

Standards for issuance of license.

All new licenses shall be approved by resolution of Borough Council. The Council shall examine the qualifications of the any applicant, to determine whether said applicant or licensee has complied with the general laws and statutes of the state and the Code of the Borough of Laurel Springs and shall be guided in making its determination by the following standards:

- A. The Zoning Code of the Borough of Laurel Springs
- B. The Uniform Construction Code
- C. Public Health and Sanitation Codes and Statutes
- D. The Fire Prevention Code
- E. The reports of all municipal officer required under this chapter. Other general laws and public health statues and codes of the State of the New Jersey and County of Camden applicable to this municipality.

All temporary licenses shall be authorized, and term set by resolution of Borough Council upon the same standards for issuance.

All renewal licenses shall be approved by action of the Clerk of the borough. The Clerk shall supply to Mayor and council, on a monthly basis all renewal licenses approved from the preceding month. The Clerk shall examine the qualifications of any applicant for a license or renewal thereof to determine whether the said applicant or licensee has complied with the general laws and statutes of the state and the ordinances of the Borough of Laurel Springs and said Borough Clerk shall be guided in making a determination by the following standards:

- A. The Zoning Code of the Borough of Laurel Springs
- B. The Uniform Construction Code
- C. Public Health and Sanitation Codes and Statutes
- D. The Fire Prevention Code
- E. The reports of all municipal officer required under this chapter. Other general laws and public health statues and codes of the State of the New Jersey and County of Camden applicable to this municipality.
- F. The license history of the applicant regarding past violations, rejections or suspensions and the timeliness of past application for licenses and the applicant's continued compliance with license requirements.

SECTION 6. Chapter 169, Subsection 8. Payment of fees. is hereby deleted and replaced with the following:

Payment of Fees.

- A. All fees and charges for new and renewal mercantile licenses shall be paid at the time the application to the Borough Clerk. Except as otherwise provided, all license fees shall become a part of the general Borough treasury.
- B. The fees imposed for business and mercantile licenses are revenue-producing in nature, but said fees are used primarily in any attempt to cover the costs of inspections of such businesses to ensure compliance with the laws of the state and ordinances of this municipality. It is the legislative intent of this chapter to ensure the fact that all businesses of whatsoever kind and wheresoever located in this Borough shall be inspected periodically to ensure compliance with the laws as aforesaid. In certain instances, there are those businesses which warrant additional police surveillance and inspection. There are those businesses which attract unusual amounts of vehicular traffic, necessitating additional regulation and enforcement. These fees provide a reasonable relationship to the costs of regulation and administration.

- C. New and renewal Mercantile licenses shall be initially and annually assessed and assigned a fee level that directly correlates to the said reasonable relationship of the costs of regulation and administration of the Borough. Those fee levels shall be set forth in the annual fee schedule for the Borough of Laurel Springs.
- D. Where the licensee is engaged in more than one activity at the same location, which may be subject to more than one fee, said licensee shall be required to pay that fee which would be charged for the activity assess the highest fee.
- E. Any license not renewed on or before the last day of February annually shall be subject to a late fee as set forth in the Fee Ordinance for every month that the license is not renewed.

SECTION 7. Chapter 169 Mercantile Licenses subsection 13 through 21 are deleted in their entirety and replaced with the following subsections:

169-13. Inspections

Whenever inspection of the premises used for or in connection with the operation of licensed business or occupation are provided for or required by ordinance or are reasonably necessary to secure compliance with any ordinance provision or to detect violations thereof, it shall be the duty of the licensee or the person in charge of the premises to be inspected to admit thereto for the purposes of making the inspection any officer or employee of the Borough who is authorized or directed to make such inspection, at any reasonable time that admission is requested.

169-14. Revocation of license.

The Mayor and Council of the borough shall have the right to revoke any license whenever the holder thereof or any of the licensee's agents or servants violate any provisions of this chapter, the laws of the State of New Jersey or any rules or regulations promulgated as herein provided. Prior to the revocation of a license, a notice of the contemplated action of the Mayor and Council of the Borough shall be served upon said licensee setting forth such charges as may be the reason for the said proposed revocation and the place, date, and hour when the Mayor and Council of the Borough will hear the matter. The licensee may be represented by Counsel at such hearing.

169-15. Posting license.

Licenses issued under this chapter shall be posted at the place of business shown on the said license, in a conspicuous place. Said license shall remain posted for the duration of the licensing year when issued as so long as the licensed business is in operation.

169-16. Exclusion of certain regulated businesses.

This chapter shall not apply to any business or occupation licensed under those various laws of this state which prohibit licensing by municipalities.

169-17. Enforcement.

The proper enforcement of the provisions of the chapter dealing with mercantile licenses shall be within the jurisdiction of the Police Department of this Borough and additionally within the jurisdiction of those officer charged with providing the necessary inspections and regulations.

169-18. Violations and penalties.

- A. Pursuant to N.J.S.A. 40:49-5, any person, firm, association, or corporation violating any section of this chapter shall, upon conviction in the Municipal Court, having jurisdiction, be subject to a fine not exceeding \$500 or imprisonment in the county jail or in any place provided by the municipality for the detention of prisoners, for any term not exceeding 90 days, or both.
- B. Any person convicted of the violation of any ordinance may, in the discretion of the court by which he was convicted and in default of the payment of any fine imposed therefor; be imprisoned in the county jail or place of detention provided by the municipality, for any term not exceeding 90 days.
- C. The court before which any person is convicted of violating this chapter shall have power to impose any fine or term of imprisonment, or suspension thereof, not exceeding the maximum fixed in this chapter.

SECTION 8. Chapter 169 ARTICLE II Payment of Taxes and Assessments, subsections 22 through 24 are deleted in their entirety.

SECTION 9. All ordinance or parts of ordinances which are inconsistent with the provisions hereof, are, to the extent of such inconsistencies, hereby repealed.

SECTION 10. This Ordinance shall be in full force and effect from and after its adoption and any publication as required by law.

ATTEST: _____
Dawn T. Amadio, RMC, Municipal Clerk

Thomas A. Barbera, Mayor

This ordinance was introduced at a meeting of Laurel Springs' Borough Council on Monday, May 10, 2021 and will be considered for adoption on final reading and public hearing to be held on Monday, June 14, 2021, 7:00 pm in the Laurel Springs Recreation Center, 820 Grand Avenue, Laurel Springs New Jersey. Copies of Ordinance were made available to the public at no charge at the Office of the Borough Clerk, Laurel Springs Borough Hall, 723 West Atlantic Avenue, Laurel Springs, New Jersey.

Dawn T. Amadio, RMC, Municipal Clerk

The ordinance identified by title herein set forth was passed and adopted on second and final reading after public hearing thereon at a meeting of Mayor and Council of the Borough of Laurel Springs in the County of Camden, State of New Jersey held on Monday, June 14, 2021.

Dawn T. Amadio, RMC, Municipal Clerk