

**ORDINANCE NO. 12-2020      AN ORDINANCE AMENDING CHAPTER 151, THE  
PEDDLERS AND SOLICITORS ORDINANCE, OF THE  
CODE OF THE BOROUGH OF KINNELON TO AMEND  
THE PERMIT SUSPENSION PROCESS**

**WHEREAS**, pursuant to N.J.S.A. 40:48-1 et. seq., N.J.S.A. 40:52-1; and N.J.S.A. 45:24-1 et. seq. the governing body of a municipality may make, amend, repeal and enforce ordinances to regulate the conduct of peddlers and solicitors; and

**WHEREAS**, the Borough of Kinnelon desires to amend Section 151-13 “Revocation or Suspension of Permit; hearing” of Chapter 151 of the Code of the Borough of Kinnelon (the “Peddlers and Solicitors Ordinance”) in order to amend the permit suspension process so that the permittee is entitled to a hearing prior to being ordered to suspend operations.

**NOW, THEREFORE, BE IT ORDAINED**, by the Governing Body of the Borough of Kinnelon, County of Morris, State of New Jersey, as follows:

**SECTION 1.** Section 151-13 “Revocation or Suspension of Permit; hearing” shall be amended such that the first paragraph of said section is stricken and replaced with the following language and shall now read as follows:

Any permit issued under the provisions of this article may be suspended or revoked by the Chief of Police on a showing that any of the provisions of this Chapter have been violated or for other good cause.

Upon learning of the alleged violation of any provisions of this Chapter, or for other good cause, the Chief of Police shall notify the permittee that a suspension hearing on the permit will be held before him the following day. The notice shall be personally served upon the permittee, and contain a statement of facts upon which the Chief of Police will act in suspending the permit, and the date, time and place of the hearing. If at such hearing, or in the event the permittee fails to appear at such hearing, the Chief of Police finds that this Chapter has

been violated or other good cause exists, he may immediately order the permittee to suspend further operations.

Thereafter, within five (5) days of such suspension, the Chief of Police shall give the permittee written notice of a hearing to be held by him to determine whether or not the permit should be revoked. The notice shall contain a statement of facts upon which the Chief of Police may act to revoke the permit and the date, time and place of the hearing on the revocation. Said notice shall be served by mailing a copy to the permit holder at the address shown on the application form or at his/her last known address by certified mail, return receipt requested. Notice shall be effective upon mailing. A copy of said notice shall also be sent to the permit holder's email address as listed on the application. If, after such hearing, the Chief of Police finds that this Chapter has been violated or other good cause exists, he shall, within five (5) days of the hearing revoke the permit and give the holder thereof written notice of said revocation and the reasons thereof; said notice shall be served in the same manner as that of the initial revocation hearing notice. Or in the absence of such finding, the permit holder shall within five (5) days of the hearing be given written notice of the termination of the suspension of the permit; said notice shall be served in the same manner as that of the initial revocation hearing notice.

**SECTION 2.** All ordinances, resolutions and regulations or parts of ordinances, resolutions and regulations inconsistent herewith are hereby repealed to the extent of such inconsistency.

**SECTION 3.** If any section, paragraph, article, subdivision, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply to the section, paragraph, article, subdivision, clause or provision so adjudged and the remainder of this Ordinance shall be deemed valid and effective.

**SECTION 4.** This Ordinance shall take effect after approval and publication as required by law.

ATTEST:

BOROUGH OF KINNELON

---

Karen M. Iuele, RMC, Borough Clerk

---

James J. Freda, Mayor

**C E R T I F I C A T I O N**

I, Karen M. Iuele, Borough Clerk of the Borough of Kinnelon, County of Morris, State of New Jersey, do hereby certify the foregoing to be a true copy of an Ordinance introduced, read by title and passed on the first reading at the regular meeting of the Borough held on \_\_\_\_\_ and adopted by the Governing Body at a regular meeting of the Borough held on \_\_\_\_\_.

\_\_\_\_\_  
Karen M. Iuele, RMC, Borough Clerk

**LEGAL NOTICE**  
**BOROUGH OF KINNELON, MORRIS COUNTY**  
**ORDINANCE NO. 12-2020**

Notice is hereby given that an Ordinance entitled “An Ordinance Amending Chapter 151, the Peddlers and Solicitors Ordinance, of the Code of the Borough of Kinnelon to Amend the Permit Suspension Process“ was submitted in writing at a regular meeting of the Mayor and Council of the Borough of Kinnelon, County of Morris, State of New Jersey, held on September 17, 2020 and was introduced, read by title and passed on first reading. A Statement of Purpose of the Ordinance is contained below. The governing body of the Borough of Kinnelon will further consider the ordinance for second reading and final passage thereof at their regular meeting to be held on October 15, 2020 at 8:00 p.m. prevailing time, at the Municipal Building in said Borough, at which time and place a public hearing will be held thereon by the governing body and all parties in interest and citizens shall have an opportunity to be heard concerning said ordinance.

**STATEMENT OF PURPOSE OF ORDINANCE**

The purpose of the above Ordinance is to amend Section 151-13 “Revocation or Suspension of Permit; hearing” of Chapter 151 of the Code of the Borough of Kinnelon (the “Peddlers and Solicitors Ordinance”) in order to amend the permit suspension process so that the permittee is entitled to a hearing prior to being ordered to suspend operations.

A copy of the full Ordinance is available to any member of the general public without cost, at the Borough of Kinnelon Municipal Building, 130 Kinnelon Road, Kinnelon, New Jersey, at the Office of the Borough Clerk, between the hours of 9:00 a.m. and 3:00 p.m.

---

Karen M. Iuele, RMC, Borough Clerk  
Borough of Kinnelon  
County of Morris, State of New Jersey