

ORDINANCE O-08-10

AN ORDINANCE PERMITTING CHARITABLE ORGANIZATIONS TO SOLICIT CONTRIBUTIONS IN THE ROADWAYS SITUATED IN THE TOWNSHIP OF SOUTH HARRISON

WHEREAS, the Senate and General Assembly of the State of New Jersey have enacted legislation amending N.J.S. 39:4-60 prohibiting solicitation of charitable contributions from motorists on roadways in the State of New Jersey unless authorized by ordinance of the municipality in which said roadways are situated; and

WHEREAS, the South Harrison Township Committee deems it to be in the public interest to permit charitable organizations as defined by N.J.S. 45:17A-20 to solicit contributions in roadways situated in the Township of South Harrison, provided same is done in a safe and reasonable manner;

NOW THEREFORE, BE IT ORDAINED, by the Township Committee of the Township of South Harrison, County of Gloucester, State of New Jersey as follows:

Section 1.

The Township of South Harrison shall permit charitable organizations as defined in N.J.S. 45:17A-20 to solicit contributions in roadways situated in the Township of South Harrison in accordance with the provisions contained herein.

Section 2.

All charitable organizations as defined by N.J.S. 45:17A-20 who desire to solicit contributions in roadways situated in the Township of South Harrison shall file an application for a permit with the South Harrison Township Clerk on a form supplied by said Clerk specifying the following information:

- A. Name of applicant organization
- B. Address of applicant organization
- C. Telephone number of applicant organization
- D. Contact person of applicant organization
- E. Specific location(s) of proposed charitable solicitation
- F. Dates and times of proposed charitable solicitation
- G. If said request pertains to a location or locations on any County highway, or intersection of a County highway, said application shall include a copy of an authorization from the Gloucester County Board of Chosen Freeholders to permit said charitable solicitation.
- H. If said request pertains to a location or locations on any State highway or intersection of a State highway, said application shall include a copy of an authorization from the Commissioner of Transportation of the state of New Jersey to permit said charitable solicitation.
- I. Identify the manner in which the motorist solicitation will be conducted and the procedures to be used to ensure the safety of the members of the public who will be traveling the roadways situated in the Township of South Harrison.

Section 3.

Upon the filing of a complete application in accordance with the provisions of this Ordinance, the South Harrison Township Clerk shall present same to the South Harrison Township Committee for its review and consideration, after which the Township Committee shall grant or deny the applicant's request. In the event the Township Committee grants the applicant's request, it shall issue a permit to the applicant, which shall be subject to the representations contained in the applicant's application and any conditions imposed by the Township Committee.

Section 4.

In no event shall any charitable organization requesting authorization from the Township of South Harrison for said charitable solicitation use any individual under the age of 18 years to perform any function or task associated with said charitable solicitation in any roadway.

Section 5.

Any charitable organization requesting authorization from the Township of South Harrison for said charitable solicitation shall comply with all of the terms and conditions of N.J.S. 39:4-60, as amended by P.L. 1997, Chapter 82, approved April 30, 1997.

BE IT FURTHER ORDAINED, that this Ordinance is adopted pursuant to N.J.S. 39:4-60, as amended by P.L. 1997, Chapter 82, approved April 30, 1997.

BE IT FURTHER ORDAINED, that in the event that any section, part, or provision of this Ordinance shall be held unconstitutional or invalid by any Court, such holding shall not affect the validity of this Ordinance or any remaining part of this Ordinance other than the part held unconstitutional or invalid.

BE IT FURTHER ORDAINED, that all ordinances or parts thereof which are inconsistent with the provisions of this Ordinance are hereby repealed to the extent of their inconsistencies.

BE IT FURTHER ORDAINED, that if any section, sentence, clause, provision or portion of this Ordinance shall be held to be invalid or unconstitutional by any Court of competent jurisdiction, such holdings shall not effect or impair any other section, sentence, clause, provision or portion of this Ordinance.

BE IT FURTHER ORDAINED, that this Ordinance shall take effect immediately upon its final passage, adoption and publication as provided by law.

TOWNSHIP OF SOUTH HARRISON:

Mayor Charles Tyson

ATTEST:

Nancy E. Kearns, RMC
Municipal Clerk

CERTIFICATION

This Ordinance was introduced and passed on first reading at a regular meeting at the South Harrison Township Committee held on the 17th day of June, 2008. The second reading and public hearing shall be held on the 9th day of July, 2008 at 7:30 p.m. at a regular meeting held at the South Harrison Township Municipal Building, 664 Harrisonville Road, Harrisonville, New Jersey.

Nancy E. Kearns, RMC
Municipal Clerk

NOTICE

NOTICE is hereby given that the foregoing Ordinance O-08-10 was finally adopted at a meeting of the South Harrison Township Committee held on the 9th day of July 2008 at 7:30 pm in the South Harrison Township Municipal Building, 664 Harrisonville Road, Harrisonville, New Jersey.

Nancy E. Kearns, RMC
Municipal Clerk