

BOROUGH OF ALLENHURST

ORDINANCE #2017-03

AN ORDINANCE REVISING CHAPTER IV OF THE BOROUGH CODE OF THE BOROUGH OF ALLENHURST ENTITLED “LICENSING AND BUSINESS REGULATIONS.”

WHEREAS, the Borough Council of the Borough of Allenhurst has determined that it is in the best interests of the community to revise certain portions of its existing Borough Code concerning the Licensing of Businesses to address the needs of the community;

NOW THEREFORE, BE IT ORDAINED by the Borough of Allenhurst, County of Monmouth, State of New Jersey, that the Borough Code of the Borough of Allenhurst be and is hereby amended and supplemented as follows:

Chapter IV be and is hereby revised to delete the existing subsection “4-1.1” and replace it with the following:

4-1.1 License Required

It shall be unlawful for any person, whether as principal or agent, clerk or employee, either for himself or any other person, or for any body corporate, or as an officer of any corporation, or otherwise, to commence or carry on any trade, business, soliciting, peddling, canvassing in the Borough without first procuring a license from the Borough, and without complying with any and all provisions concerning the same contained in this section or in any other ordinance or supplement thereto, heretofore, or hereafter, adopted by the Borough in full force and effect. Engaging in or carrying on any trade, profession or business without first having procured a license from the Borough and without complying with any and all provisions contained in this section, or in any other ordinance heretofore or hereafter adopted by the Borough in full force and effect, shall constitute a separate violation for each and every day that such trade, profession or business is so carried on.

It shall be unlawful for any person, owner, lessee, sublessee, assignee, or managing agent of, or other person having the right of ownership or possession of or right to sell, rent, lease, assign, or sublease any real property or part or portion thereof, or any agent or employee of any of these to rent, lease, assign, or sublease any real property or part or portion thereof, to another person, whether as principal or agent, clerk or employee, or for any body corporate, or as an

officer of any corporation, or otherwise, for the purpose of engaging in or carrying on any trade, business, soliciting, peddling or canvassing in said person's commercial space without first ensuring a license required herein has been obtained. Renting, leasing, assigning, or subleasing any real property or part or portion thereof, to a person or corporation engaging in or carrying on any trade, profession or business without first having procured a license from the Borough and without complying with any and all provisions contained in this section, or in any other ordinance heretofore or hereafter adopted by the Borough in full force and effect, shall constitute a separate violation for each and every day that such trade, profession or business is so carried on.

Chapter IV be and is hereby revised to delete the existing subsection "4-1.11" and replace it with the following:

4-1.11 License Fees.

Any and all trades, professions or businesses shall pay an annual fee of one hundred (\$100.00) dollars.

The aforesaid license fees, which are fixed for the purpose of government and regulation and control, are to be paid annually, unless otherwise provided herein, to the Borough of Allenhurst, for conducting or engaging in any of the trades, professions or businesses in the Borough of Allenhurst, or in using any vehicle, stand, store or place, or thing, or for the sale of any goods or thing, or for any type of service in the Borough of Allenhurst.

And, it is further

ORDAINED that except as herein above provided, the remainder of Chapter IV, LICENSING AND BUSINESS REGULATIONS, shall remain unaltered and in full force and effect; and it is further

ORDAINED that the provisions of this ordinance are declared to be severable, and if any section, subsection, sentence, clause or phrase hereof shall, for any reason, be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, subsections, clauses and phrases of this ordinance shall stand notwithstanding the invalidity of any part; and it is further

ORDAINED, that this Ordinance shall take effect after publication and adoption according to law.

APPROVED: January 10, 2017

ADOPTED: January 31, 2017