



APPLICATION FOR PEDDLER/SOLICITOR/TRANSIENT MERCHANT LICENSE

APPLICATION WILL NOT BE CONSIDERED ACCEPTABLE UNLESS SUBMITTED THIRTY (30) DAYS IN ADVANCE OF REQUESTED DATE.

TRANSIENT MERCHANT as defined in Section 271-1 of the Code of Franklin Township, Somerset County:

A person who, whether a resident of the township or not, engages in a temporary business within the township of selling and delivering goods, wares, merchandise or services within the township and who in furtherance of such purpose, hires, leases, uses or occupies any building, structure, motor vehicle, tent, railroad, boxcar or boat, public room in hotels, lodging houses, apartments or shops, parking lot, sidewalk, street, alley or other place within the township, for the exhibition and sale of such goods wares and merchandise, either privately or at public auction.

PEDDLER - A person, commonly referred to as a "peddler" or "hawker" or "itinerant merchant" who goes from place to place or house to house by traveling on the streets and carries with him goods, wares, merchandise, or other things of value for the purpose of selling and delivering them to consumers.

SOLICITOR - A person who goes from house to house selling or buying goods, wares, merchandise or other things of value by sample or by taking orders for future delivery or selling a service, with or without acceptance an advance payment for the goods, wares, merchandise, other things of value or service.

NOTE TO ALL APPLICANTS: By virtue of State Statute adopted in 1993, effective February 1st of 1994, you are required to file with the Township Clerk's Office a copy of your **New Jersey Certificate of Authority for Sale Taxes**:

Section 14 of P.L. 1980, NJSA 54:32B-8.2, exempts the following items from sale and use tax:

"...sales of food, food products, beverages, dietary foods and health supplements, sold for human consumption off the premises where sold but not including (a) candy and confectionery, and (b) carbonated soft drinks and beverages all of which shall be subject to the retail sales and compensating use taxes, whether or not the item is sold in liquid for."

- (1) It shall be unlawful for any transient merchant, itinerant vendor, itinerant merchant, peddler, hawker, distributor, or solicitor to sell, buy, dispose of or offer to sell or dispose of any good, wares, merchandise, or other things of value or services in or on any portion of a public right-of-way.
- (2) The Police Department shall make such Background Investigation of such person and such person's business responsibility and character deemed necessary to the protection of the public good. Further, the Police shall examine such place or places to determine whether such place or places are likely to create traffic congestion or traffic hazards as a result of the location thereof or as a result of pedestrians or operators of motor vehicles utilizing such place or places. **(Attachment A, Information Form to Obtain Permit must be completed and attached to application).**
- (3) **Applicants who do not reside in the Township of Franklin must present along with their application an Affirmation by their local police department of no Criminal History.**
- (4) Every person who is required to hold a license shall carry same when engaged in the business for which the license is issued. In addition, each licensee shall be required to have on his or her person a full and complete copy of the application for the license. Any alterations, erasers or mutilations shall void the license.

- (5) Applicants for Peddler/Solicitors for Selling or Solicitation within private property (Shopping Center, Apartment Complexes, and Condominiums) require written permission from owners' representative. **Attachment B must be completed by property owner/manager and submitted with application.**
- (6) No license shall be issued to any transient merchant where the location of any activity or activities forming a part of the applicant's business shall be closer than twenty-five (25) feet to the right-of-way line of any street in the Township of Franklin.
- (7) The place or places in the Township where it is proposed to carry on the applicant's business and the length of time during which it is proposed that the business shall be conducted. In furtherance hereof, applicant shall be required to submit a sketch depicting the exact location on the property wherein the activities will be conducted and the distance from said location to the right-of-way line. **(Attachment C must be completed and submitted with application).**

Applicants for Door-to-Door Peddling/Soliciting need not submit Attachment C.

The Zoning Officer shall examine such application to determine compliance with any applicable provision of the Development Ordinance of the Township of Franklin as well as compliance with applicable provisions of this Code.

The submission of an Application for Type 16 Special Event Fire Permit must be completed and submitted with the completed Application with a check or money order in the amount of \$85.00. The Fire Prevention Bureau shall examine such application to determine compliance with all applicable statutes, codes and regulations pertaining to fire safety.

- (8) Any license issued herein for door-to-door solicitation shall prohibit such activity before the hour of 9:00 am and thirty minutes after sunset.

Fee: \$350.00

Duration of License: The license shall be valid until December 31st of the year of its issuance.

Stationary Location: Each additional four (4) day period shall be the subject of a separate license. No applicant shall be issued more than four (4) licenses in any one calendar year.

Door to Door: December 31st of each year of issuance.



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Name of applicant: _____

Business address of applicant: _____

Name(s) and address(es) of registered agent (corporations only, partner (partnership) only or officer:

Dates, times, and location at which business will be conducted:

Description of proposed activity:

The name, address, social security number and capacity of the person having management or supervision of applicant's business during the time it will be carried out within the Township of Franklin.

State whether the person(s) having the management or supervision of the applicant's business and their employees have been convicted of a crime, misdemeanor, or violation of any of the municipal ordinances either in Franklin Township or any other municipality. If the answer is "yes", given the nature of each offense, the place where each offense occurred, and the punishment assigned thereof.

Age of applicant: _____ Height: _____ Weight: _____
Color of eyes: _____ Hair: _____ Build: _____
Glasses: _____

(A) Names and addresses at which the subject transient business was conducted within the last six (6) months:

Nature, character, and quality of goods, wares, or merchandise to be sold or offered for sale by applicant. Are goods, wares, or merchandise going to be sold from stock in possession? Will they be sold by sample, auction, and direct sale or by taking orders for future delivery?

State where the goods or properties proposed to be sold are manufactured or produced and the location of these goods at the time this application is filed:

- The nature and character of advertising done, or proposed to be done, to attract customers (**attach copies**).
- Attach a copy of the credentials of the person, firm or corporation authorizing the applicant to act as their representative.

The facts herein are true to the best of my knowledge and belief.

Signature must be notarized.

Applicant Signature

Sworn to and subscribed before me this

_____ day of _____, _____.

Notary Public

(Seal of notary)

ATTACHMENT A

**SOLICITOR'S LICENSE APPLICATION
Personal Information Sheet**

(Organization Name/Address/Phone #)

Contact Person: _____ Position: _____

I CERTIFY THAT THE FOLLOWING PERSON IS AN APPLICANT FOR THE ABOVE-NAMED ORGANIZATION:

PLEASE PRINT

INCOMPLETE FORMS WILL BE RETURNED

NAME: _____ ALIAS/MAIDEN NAME: _____
 First Middle Last

ADDRESS: _____ CITY: _____

STATE: _____ ZIP: _____

PHONE: _____ DATE OF BIRTH: _____ SS#: _____ - _____ - _____

PLACE OF BIRTH: _____ CITIZENSHIP: _____

SEX: _____ RACE: _____ HEIGHT: _____ WEIGHT: _____ HAIR: _____ EYES: _____

DRIVERS LICENSE #: _____

MARKS/SCARS/AMPUTATIONS: _____

OCCUPATION: _____ EMPLOYER'S PHONE: _____

EMPLOYER/ADDRESS: _____

I, _____, being of full age, hereby certify that all of the above information is correct. I hereby authorize the Franklin Township Police Department to conduct a criminal background investigation to determine my eligibility for conducting solicitation within the Township of Franklin. I understand that I will be notified in writing at the above referenced address of any criminal history records that are discovered during this investigation.

Applicant Signature : _____

Date : _____

Sworn and Subscribed before me this

_____ day of _____, _____.

My commission expires: _____

Signature
Notary Public of New Jersey

ATTACHMENT B

**PERMISSION SLIP FROM COMMERCIAL ESTABLISHMENT
TO ACCOMPANY APPLICATION FOR SOLICITORS LICENSE**

PLEASE COMPLETE AND RETURN TO TOWNSHIP CLERK'S OFFICE, 475 DEMOTT LANE, SOMERSET, NEW JERSEY 08873.

Name of Organization: _____

Address: _____ Phone #: _____

Date(s) Requested: _____

Time(s):

Purpose:

Name of Store: _____

Location: _____

I understand that, in granting permission, I will be subject to review by the Zoning Officer of the Township of Franklin for compliance with the approved site plan for my premises.

This is to certify that the applicant has been given approval to solicit/sell in front of our establishment for the above dates and times.

Name (please print)

Title

Phone #

Date

Signature

ATTACHMENT C

**ZONING APPLICATION FOR PEDDLER/SOLICITOR
TRANSIENT MERCHANTS/MOBILE VENDORS**

- (1) Fill out entire application
- (2) Provide a sketch of property, including distance from roadway, proximity to building, driveways and parking spaces
- (3) A preliminary review will be made to determine if an application to the Planning Board/Zoning Board of Adjustment will be required

Name of applicant: _____

Mailing address: _____

Owner's name: _____

Owner's address: _____

Tenant's name: _____

Name of contact person: _____

Address/phone of contact person: _____

Block: _____ **Lot:** _____ **Zone:** _____

A brief description of proposed use (including sketch and statements on any impact on site).

What is the length of time requested for permit? _____

Will activity be conducted indoors? _____

Will activity be conducted at least 25' from the property line? _____

Signature of owner* _____

Signature of applicant _____

Note: Without owner's or owner representative's signature, application will be deemed incomplete.

ATTACHMENT D

**INFORMATION FORM TO OBTAIN PEDDLER/SOLICITOR
TRANSIENT MERCHANT/MOBILE VENDORS PERMIT**

Name: _____

Address: _____

Phone #: _____

Social Security #: _____

Date of Birth: _____

Driver License #: _____

Vehicle information:

Year: _____

Make/Model: _____

Registration #: _____

State: _____

Complete this form and return with attached application to the Township Clerk's Office: 475 Demott Lane, Somerset, New Jersey 08873. **If you have any questions regarding this form, you may address them to the Franklin Township Police/Administration Department at (732) 873-5533.**