

C h a p t e r 3 8 C

CHARITABLE SOLICITATION ON ROADWAYS

ARTICLE I

First Aid Squad and Fire Departments

§ 38C-1. Solicitation permitted.

§ 38C-2. Application for permit.

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§ 38C-4. Solicitation by minors prohibited. § 38C-5. Compliance with state regulations. § 38C-6. Violations and penalties.

§ 38C-7. Township not liable.

[HISTORY: Adopted by the Township Committee of the Township of Barnegat 10-20-97 as Ord. No. 1997-33 Amended in its entirety 4-18-05 by Ord. No. 2005-20. Subsequent amendments noted where applicable.]

Be it ordained by the Township Committee of the Township of Barnegat, County of Ocean, State of New Jersey, as follows:

ARTICLE I

First Aid Squad and Fire Departments

§ 38C-1. Solicitation permitted.

The Township of Barnegat shall permit the Township First Aid Squad and Fire Departments to solicit contributions in roadways situate in the Township of Barnegat.

§ 38C-2. Application permit.

If the Township First Aid Squad and Fire Departments desire to solicit contributions in roadways situate in the Township of Barnegat, they shall file an application for a permit with the Barnegat Township Clerk on a form supplied by the Township 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 or location 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 Ocean 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 the Department of Transportation of the State of New Jersey to permit said charitable solicitation; and
- 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 situate in the Township of Barnegat.

§ 38C-3. Review of application by Township Committee; issuance of permit.

Upon the filing of a complete application in accordance with the provisions of this ordinance, the Township Clerk shall present same to the Barnegat Township Committee at the next regular meeting of the Barnegat Township Committee or as soon thereafter as the matter may be reached for their 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, the Township Clerk 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.

§ 38C-4. Solicitation by minors prohibited.

In no event shall any of the Township First Aid Squad or Fire Departments requesting authorization from the Township Committee for said charitable solicitation use any individual under the age of eighteen (18) years of age to perform any function or task associated with the said charitable solicitation in any roadway.

§ 38C-5. Compliance with state regulations.

Any Township First Aid Squad or Fire Department requesting authorization from the Township Committee for said charitable solicitation shall comply with all of the terms and conditions of N.J.S.A. 39:4-60, as amended by Pi. 1997, Chapter 82, approved April 30, 1997.

§ 38C-6. Violations and penalties.

Any person or organization who shall violate any of the provisions of this ordinance shall pay, upon conviction, a penalty not to exceed one hundred dollars (\$100.).

§ 38C-7. Township not liable.

Notwithstanding any provision of law to the contrary, the Township of Barnegat shall not be liable in any civil action for damages for property damage or personal injury resulting from a motor vehicle accident arising from or out of or in the course of roadway solicitations for the purpose of soliciting contributions, conducted by charitable organizations as defined pursuant to N.J.S.A. 45:1:7A-20.