

Chapter 73

VENDING MACHINES

- § 73-1. License required.
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- § 73-4. Restrictions on attachment.
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[HISTORY: Adopted by the Township Committee of the Township of Union (now Barnegat) 10-6-75 as Ord. No. 1975-27. Amendments noted where applicable.]

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

§ 73-1. License required. [Amended 4-7-80 by Ord. No. 1980-8]

No person, firm or corporation shall operate or maintain any vending machine or coin-operated sales device on any street, sidewalk or public way in the Township of Barnegat without first having obtained a license therefor from the Township Clerk of Barnegat Township. The cost of such license shall be five dollars (\$5.) per year, with an initial application fee of fifteen dollars (\$15.) to defray the administrative costs of the issuance of the initial license. Each vending machine or coin-operated sales device shall require a separate license.

§ 73-2. Application procedure.

- A. Any person desiring a license for a vending machine under the terms and conditions of this chapter shall make application to the Township Clerk. The application shall contain the exact proposed location of the vending machine, the goods or materials to be sold therefrom and the name and address of the owner of the machine. Immediately upon receipt of the application, the Clerk shall forward copies thereof to the Chief of Police of Barnegat Township and to the Building Inspector of Barnegat Township. The Chief of Police and Building Inspector shall, within ten (10) days, approve or disapprove the license for which application is made.**
- B. The Building inspector shall certify whether the Zoning Ordinance of Barnegat Township permits retail sales in the area for which the permit is sought and shall certify such information to the Clerk. No permit shall issue for any area unless the Zoning Ordinance permits such retail sales in that area.**
- C. The Chief of Police shall cause the proposed site to be examined and shall recommend approval or disapproval based upon the following considerations:**
 - (1) Pedestrian safety, giving due consideration to the adequacy of sidewalk space at the requested site.**
 - (2) Traffic congestion, giving adequate consideration to the impact on the flow of traffic with potential motor vehicles stopping to utilize the outdoor vending machine.**
 - (3) Proximity to other vending machines in the area. No vending machines vending the same product or same type of product shall be closer than five hundred (500) feet to any such other vending machine.**
 - (4) Proximity of the proposed site to intersections and the impact upon traffic proceeding through the intersections.**

§ 73-3. Issuance of license.

If both the Police Chief and the Building Inspector recommend in the affirmative, the license shall issue within ten (10) days of receipt of the application therefor. If either recommends disapproval, no license shall issue except upon appeal and review of the Township Committee, in accordance with the terms and provisions of Ordinance No. 75-14 of the Township of Union.'

§ 73-4. Restrictions on attachment.

No vending machine or coin-operated sales device shall be permitted to be attached or fastened to any public property or to the property of anyone other than the owner of said vending machine or coin-operated sales device, unless the owner of such machine or device has received written permission from the owner of the property to which the machine or device is to be fastened or attached.

§ 73-5. Violations and penalties.

Any person who violates any provision of this chapter shall be punished by a fine not to exceed five hundred dollars (\$500.) or by imprisonment in the Ocean County Jail not to exceed ninety (90) days, or by both such fine and such imprisonment.

' Editor's Note: See Ch. 1, General Provisions, Article III, Appeals to the Governing Body.