

## ORDINANCE 2015-17

### ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF BARNEGAT, COUNTY OF OCEAN, STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER 64B OF THE TOWNSHIP GENERAL CODE, ENTITLED "SECONDHAND DEALERS"

**NOW, THEREFORE BE IT ORDAINED BY** the Township Committee of the Township of Barnegat, County of Ocean, State of New Jersey that Chapter 64B of the General Code of the Township of Barnegat is hereby amended and supplemented as follows:

**64B-2.** Entitled "**Definitions**" is hereby amended as follows:

"SECONDHAND GOODS" means used goods such as antiques, gold, silver, platinum, or other precious metals, jewelry, coins, gemstones, gift cards, any tools, telephones, typewriters, word processors, GPS devices, computers, computer hardware and software, television sets, radios, record or stereo sets, electronic devices, musical instruments, sporting goods, automotive equipment, collectibles, game cartridges, DVDs, CDs, and other electronically recorded material, firearms, cameras and camera equipment, video equipment, furniture, clothing, and other valuable articles. For the purposes of this ordinance, secondhand goods shall not include goods transacted in the following manner: i) judicial sales or sales by executors or administrators; ii) occasional or auction sales of household goods sold from private homes; iii) auctions of real estate; iv) the occasional sale, purchase, or exchange of coins or stamps by a person at his permanent residence or in any municipally owned building who is engaged in the hobby of collecting coins or stamps and who does not solicit the sale, purchase, or exchange of such coins or stamps to or from the general public by billboard, sign, handbill, newspaper, magazine, radio, television, or other form of printed or electronic advertising. Excluded from this definition shall be: garage sales; estate sales any sale held by any organization that is exempt from federal tax under the Federal Tax Code.

**SECTION 2.** If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

**SECTION 3.** All other provisions of the Township Code, except as set forth herein, shall remain unchanged.

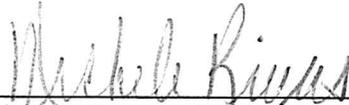
**SECTION 4.** All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

**SECTION 5.** If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by a court of

competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

**NOTICE**

**NOTICE IS HEREBY GIVEN** that the foregoing ordinance was introduced and passed by the Township Committee on first reading at a meeting of the Barnegat Township Committee held on the 16<sup>th</sup> day of November 2015, and will be considered for second reading and final passage at a regular meeting of the Township Committee to be held on the 14<sup>th</sup> day of December 2015 at 6:30 p.m., at the Municipal Building located at 900 West Bay Avenue, Barnegat, New Jersey, at which time and place any persons desiring to be heard upon the same will be given the opportunity to be so heard.

  
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Michele Rivers, RMC  
Municipal Clerk

**CERTIFICATION**

I, Michele Rivers, Municipal Clerk of the Township of Barnegat, do hereby certify that the foregoing ordinance was duly adopted on second reading by the Township Committee of Barnegat Township at a meeting held on the 14<sup>th</sup> day of December 2015.

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Michele Rivers, RMC  
Municipal Clerk