

**ORDINANCE 2017 - 18**

**ORDINANCE OF THE TOWNSHIP OF BARNEGAT, COUNTY OF OCEAN, STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER 60 OF THE TOWNSHIP CODE, PEACE AND GOOD ORDER**

**NOW, THEREFORE, BE IT ORDAINED BY** the Township Committee of the Township of Barnegat, County of Ocean, State of New Jersey, as follows:

**WHEREAS**, protecting the commercial businesses and taxpayers of the Township of Barnegat from unwanted interference with retail or wholesale business practices; and

**WHEREAS**, ensuring that no person shall purposely interfere with, hinder, disturb, or obstruct any retail or wholesale business operation, function or activity; and

**WHEREAS**, ensuring that no person shall purposely interfere with, hinder, disturb, or obstruct any retail or wholesale business owner, employee, agent or personnel acting in the furtherance of the interests of that business with the intent to prevent, undermine or otherwise obstruct the lawful retail or wholesale practices of that business.

**WHEREAS**, the Township desires to ensure the protection of the health, safety, and welfare of its citizenry; and

**WHEREAS**, after consideration, the Barnegat Township Committee has determined that it is in the best interest of the citizens of Barnegat to amend and supplement the current Chapter 60 and replace it with a new Chapter 60 to provide for new and updated regulations which outline guidelines for peddlers, solicitors, and itinerant vendors within the Township of Barnegat;

**NOW THEREFORE, BE IT ORDAINED**, by the governing body of the Township of Barnegat, County of Ocean, State of New Jersey, as follows:

**DASTI, MURPHY  
McGUCKIN, ULAKY,  
KOUTSOURIS & CONNORS**

COUNSELLORS AT LAW

620 WEST LACEY ROAD  
P.O. BOX 1057  
FORKED RIVER, N.J. 08731

**SECTION 1.** The Township Code of the Township of Barnegat is hereby amended and supplemented so as to amend Chapter 60-2, entitled, “Creating disturbances on private property,” so as to supplement § 60-2.1, which shall read as follows:

**§60-2.1 Interference with Retail or Wholesale Business Practices.** No person shall purposely interfere with, hinder, disturb, or obstruct any retail or wholesale business operation, function or activity, nor shall any person purposely interfere with, hinder, disturb, or obstruct any retail or wholesale business owner, employee agent, or personnel acting in furtherance of the interests of that business with the intent to prevent, undermine or otherwise obstruct the lawful retail or wholesale practices of that business. This section does not apply to conduct considered lawful competitive economic practices.

**SECTION 2.** All Ordinances and parts of Ordinances inconsistent herewith are hereby repealed.

**SECTION 3.** The Township Committee authorizes the Mayor, Township Clerk and Township Administrator to execute any and all necessary documents in order to implement the intent of this Ordinance.

**SECTION 4.** The various parts, sections and clauses of this Ordinance are hereby declared to be severable. If any part, sentence, paragraph, section or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of the Ordinance shall not be affected thereby.

**SECTION 5.** Any ordinances or parts thereof in conflict with the provisions of this Ordinance are hereby repealed to the extent of such conflict.

**SECTION 6.** This Ordinance shall take effect upon publication in an official newspaper of the Township, as required by and in conformance with law.

**DASTI, MURPHY  
McGUCKIN, ULAKY,  
KOUTSOURIS & CONNORS**

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**NOTICE**

**NOTICE IS HEREBY GIVEN** that the foregoing Ordinance was introduced and passed on the first reading by the Township Committee of Barnegat, County of Ocean, State of New Jersey on **June \_13\_, 2017 at 6:30 p.m.**, or as soon thereafter as the matter may be reached and considered, at the Barnegat Township Municipal Building located at 900 West Bay Avenue, Barnegat, New Jersey. The Ordinance will be considered for second and final reading at a meeting of the Township Committee on **July \_11\_, 2017, at 6:30 p.m.**, or as soon thereafter as the matter may be reached and considered, at the Barnegat Township Municipal Building located at 900 West Bay Avenue, Barnegat, New Jersey. At that time the public is invited to ask questions, raise objections or provide public comment with regard to the proposed adoption of this Ordinance.

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**MICHELE RIVERS, RMC, Township Clerk**

**DASTI, MURPHY  
McGUCKIN, ULAKY,  
KOUTSOURIS & CONNORS**

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**CERTIFICATION**

**Ordinance 2017-18**

I, Michele A. Rivers, Municipal Clerk of the Township of Barnegat, County of Ocean, State of New Jersey do hereby certify by my hand and seal that the foregoing ordinance was introduced and passed on first reading at a meeting held on the 13<sup>th</sup> day of June, 2017, and finally adopted by the Township Committee after public hearing at their regular meeting held on the 11<sup>th</sup> day of July, 2017 at the Municipal Complex, 900 West Bay Avenue, Barnegat, New Jersey.

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Michele A. Rivers, RMC  
Municipal Clerk

Prepared by:

**DASTI, MURPHY, McGUCKIN, ULAKY,  
KOUTSOURIS & CONNORS**  
Forked River, New Jersey 08731

**DASTI, MURPHY  
McGUCKIN, ULAKY,  
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