

**ORDINANCE NO. 2 - 2017**

**TOWNSHIP OF FAIRFIELD**

**AN ORDINANCE AMENDING THE BUSINESS REGISTRATION ORDINANCE**

**BE IT ORDAINED** by the Township Committee of the Township of Fairfield, County of Cumberland and State of New Jersey as follows:

This chapter is intended to replace Fairfield Township Ordinance 4-4 through 4-5.13 as same have been amended prior hereto. Nothing herein shall amend or alter other provisions requiring licenses for operations taking place within Fairfield Township which otherwise require licensing by Fairfield Township or other local, State or Federal authorities to include by way of example and not limitation mining activities and daycare centers.

**4-4 Business Registration**

**4-4.1 Certificate Required**

A Business Registration Certificate is required for any person conducting, operating or engaging in any business located in Fairfield Township.

**4-4.2 Definitions**

The following words and phrases, when used in this chapter, shall have the meanings ascribed to them in this section except where the context clearly indicates a different meaning:

**Business:** Any person offering and/or engaged in buying, selling, storing and/or transferring merchandise, goods, real property, personal property, moneys, services and/or other items who do so for a fee, price, retainer, commission, percentage and/or other means of compensation for the purposes, stated or otherwise, of realizing a profit or other gain.

**Business Registration Form:** The business registration form to be filed with the Township Clerk.

**Certificate:** The Business Registration Certificate.

**Municipality:** The Township of Fairfield.

**Person:** Any individual, partnership, limited partnership, association, firm, limited liability company, corporation or similar entity. Whenever used in any clause prescribing or imposing a penalty, the term ‘person’, as applied to associations, shall mean the partners or members thereof and, as applied to limited liability companies or corporations, the officers thereof.

**4-4.3 Business Registration Form; Required Information; Fee; Issuance of Certificate**

A. Any person conducting, operating or engaging in any business within the municipality shall file a completed business registration form with the Municipal Clerk and shall pay the required fee.

B. The business registration form shall contain the following information for each person applying for a certificate:

1. The name of the registrant
2. The nature of the principal activity of the business
3. The business address of the registrant.

4. The home address of the registrant or the designated contact person for the registrant
5. The business telephone number of the registrant
6. The home telephone number of the registrant or the designated contact person for the registrant
7. The anticipated hours and days of the business operation
8. The trade name or other business identification titles used by the registrant
9. A floor plan diagram

- a. The registrant shall attach a diagram depicting a floor plan of any business location within the municipality. The plan shall identify the area of the building area accessible to the general public, the area of the building limited to access by employees only and areas of the building to be utilized only for storage or related purposes. The plan shall also identify the location of doors or similar devices which provide means of ingress/egress to the facility. In the case of a business involved in food sales or service, the plan shall identify the maximum number of tables and seats to be utilized to service the general public.

- b. Each floor plan shall be scaled or contain sufficient information to properly identify the dimensions of the areas or rooms depicted on the diagram.

C. The fee for obtaining a Business Registration Certificate is thirty-five dollars (\$35). No fee shall be imposed for business activities conducted by nonprofit organizations or associations organized for religious, charitable, political or educational purposes.

D. The Municipal Clerk shall issue a Business Registration Certificate to any person who files a completed Business Registration Form and pays the required fee.

E. A copy of the completed Registration Form shall be returned to the Registrant with an acknowledgement by the Municipal Clerk that it has been properly filed.

F. Existing businesses in the Municipality are required to comply with the terms of this chapter not later than June 1, 2017.

#### 4-4.3 Licensing Two or More Businesses or Locations

A. In the event that two (2) or more businesses occupy the same location, the person conducting, operating or engaging in each business shall be required to complete a separate Business Registration Form and obtain a separate Certificate.

B. In the event that the same person conducts businesses at two (2) or more locations, a separate Business Registration Form and Certificate shall be required for each location.

#### 4-4.4 Changes in Business or Locations

Every person having a Certificate for business which ceases to operate, changes the principal activity in which it is engaged, changes its location and/or locations in the Municipality, moves out of the Municipality or changes owners and/or managers must submit written notice to the Municipal Clerk within thirty (30) days of such change. In the event of cessation of business or moving out of the Municipality, the person having a Certificate for a business must provide the name, address and home telephone number of the person or principal officer of the business to the Municipal Clerk within thirty (30) days of such event.

#### 4-4.5 Certificate Period; Renewals

The Certificate shall be effective until December 31 of the year it is issued. Thereafter, a new Certificate will be required annually for each calendar year. All Certificates shall be renewed no later than January 31 of each year. It shall be the responsibility of any person conducting, operating or engaging in any business to apply for a Certificate at the Office of the Municipal Clerk.

#### 4-4.6 Exemptions

The following persons shall be exempt from the provisions of this chapter:

- A. Persons employed for wage or salary, provided that their principals have obtained a Certificate; agencies of the government of the United States or of the State of New Jersey; and children under eighteen (18) years who reside with their parents within the Municipality, doing part-time business, are exempt from the provisions of this chapter.
- B. Persons conducting or participating in activities such as art shows, rummage sales or similar events for which other Municipal Permits have been issued.
- C. Persons not maintaining a business physically located within the Municipality.
- D. Utility companies whose activities or rates are regulated by the State of New Jersey.

#### 4-4.7 Compliance with Applicable Laws and Ordinances

Issuance of a Business Registration Certificate by the Municipality does not evidence compliance with other applicable rules, regulations, ordinances and statutes of the Municipality, county and State of New Jersey, or other regulatory agencies having jurisdiction over the activities of the Certificate holder.

#### 4-4.8 Violations and Penalties

Any person, firm or corporation that shall be convicted of a violation of a provision of this chapter shall, upon conviction thereof by any Court authorized by law to hear and determine the matter, be subject to a fine not exceeding seventy-five dollars (\$75.00) as such Court in its discretion may impose. Each day that such violation exists shall constitute a separate offense.

**Section One. Repealer.** All former Ordinances of the Township of Fairfield which are in conflict with the provisions contained in this Ordinance are hereby repealed upon the adoption of this Ordinance.

**Section Two. Severability.** If any part or parts of this Ordinance are held to be invalid for any reason such decision shall not affect the validity of the remaining portions of this Ordinance.

**Section Three.** This Ordinance shall take effect after final approval and publication as required by law.

DATE: \_\_\_\_\_

TOWNSHIP OF FAIRFIELD

BY: \_\_\_\_\_  
Benjamin Byrd, Sr. - Mayor

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Linda M. Gonzales, Municipal Clerk

