Chapter 248

BUSINESS LICENSING

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[HISTORY: Adopted by the Mayor and Council of the Borough of Runnemede 12-30-2009 by Ord. No. 09-27; amended in its entirety 11-22-2016 by Ord. No. 16-12. Subsequent amendments noted where applicable.]

GENERAL REFERENCES

Alcoholic beverages — See Ch. 70.	Massage establishments — See Ch. 246.
Amusements — See Ch. 76.	Peddling and soliciting — See Ch. 270.
Sale of dogs and cats from pet shops — See Ch. 82, Art. VII.	Precious metals and gems — See Ch. 276.
Food and beverage establishments — See Ch. 187.	Tattoos and body piercing — See Ch. 341.
House wreckers, junkyards and junk shops — See Ch. 220.	Taxicabs — See Ch. 352.

§ 248-1. Title.

This chapter shall be known and may be cited as the "Mercantile Licensing Ordinance of the Borough of Runnemede."

§ 248-2. Registration required.

It shall be unlawful for any person to engage in or carry on or to allow any business, trade, occupation or activity as enumerated in this chapter within the Borough or to use any stand, store or other place or thing for which a license is required by law, without having first complied with the provisions of this chapter and obtained a license therefor as herein provided. However, nothing in this chapter shall be construed to authorize the Borough to require a license or to regulate any person holding a license or certificate issued by any department, board, commissioner or other agency of the state.

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§ 248-3. Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

BUSINESS — Includes all kinds of vocations, occupations, professions, enterprises, establishments and all other kinds of activities and matters, together with all devices, machines, vehicles and appurtenances used therein, any of which are conducted for private profit or benefit, either directly or indirectly, on any premises in the Borough, as set forth in N.J.S.A. 40:52-1 and acts amendatory and supplemental thereto.

PERSON — Includes an individual, firm, corporation, or any other organization, entity or association.

PREMISES — Includes all land, structures, places and also equipment and appurtenances connected or used therewith in any business and also any personal property which is either affixed to, or is otherwise used in connection with, any such business conducted on such premises.

§ 248-4. Application for license.

A. Applications for all licenses required by this chapter shall be on a form approved by the Director of Licenses and shall be made in writing no later than the last business day of the month of November each year.

B. Each application shall contain the following information:

(1) The name under which the business is to be conducted;

(2) The name of the owner;

(3) The name of the franchise owner, if the business is a franchise;

(4) The name of the local store manager;

(5) The address of the owner;

(6) The local telephone number of the business;

(7) The type of business being conducted;

(8) Federal ID number or social security number; and

(9) Name, address and telephone number of the property owner.

§ 248-5. Persons subject to license.

Whenever a license is required for the maintenance, operation or conduct of any business or establishment, or for doing any business or engaging in any activity or occupation, any person or corporation shall be subject to the requirement if, by himself or herself or through an agent, employee or partner, he or she holds himself or herself forth as being engaged in the business or occupation or solicits patronage therefor, actively or passively, or performs or attempts to perform any part of such business or occupation in the Borough or otherwise owns the premises in which the maintenance or operation of any business or establishment is being conducted.

§ 248-6. Record; forms of licenses.

All licenses, permits and applications therefor shall be prepared and kept on file by the Director of Licenses, which shall be the Borough Clerk or the Deputy Borough Clerk, and each license or permit shall

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bear the signature of the Director of Licenses, together with the date of the issuance, in the absence of any provision to the contrary.

§ 248-7. Investigations.

Upon the receipt of an application for a license, the Borough Clerk shall refer such application to the Zoning Official or other proper officials or officers for the making of the necessary investigations and/or inspections, which shall confirm that a certificate of occupancy has been issued, that the use is a permissible use, and to ensure compliance with all laws, codes, ordinances and regulations as cited in § 248-9.

§ 248-8. Termination of license.

All annual licenses shall terminate on the last business day of December of each year.

§ 248-9. Compliance with other provisions.

No license shall be issued for the conduct of any business and no permit shall be issued for any thing or act if the premises and building to be used for the proposed business activity do not fully comply with the requirements of the zoning laws, health codes, Borough ordinances and Borough regulatory provisions. It shall also be required that all municipal charges, including real estate taxes, sewer rental fees and/or property maintenance charges be paid current.

§ 248-10. Change of location; fee.

The location of any licensed business or occupation, or of any permitted activity, may be changed upon submission of a certificate of occupancy for the new location and the payment of a fee of $50 for the purpose of modifying existing records filed with the Director of Licenses.

§ 248-11. Nuisances.

No business, licensed or not, shall be conducted, carried on or operated so as to amount to a nuisance in fact.

§ 248-12. Inspections.

Whenever inspections of the premises used for or in connection with the operation of the licensed business activity or occupation are provided for or required by ordinance, or are reasonably necessary to secure compliance with any ordinance provision or to detect violations thereof, it shall be the duty of the licensee or the person in charge of the premises to be inspected to admit thereto, for the purpose of making the inspection, any officer or employee of the Borough who is authorized or directed to make such inspections, at any reasonable time that admission is required.

§ 248-13. Revocation of license.

The Borough Council shall have the right to suspend or revoke any license or permit whenever the holder thereof or any of the licensee's agents or servants violate any provisions of this chapter, the laws of the state or any rules or regulations promulgated as herein provided. Prior to the revocation of a license, a written notice of the contemplated action of the Borough Council shall be served upon said licensee, setting forth each charge as may be the reason for said proposed revocation and the place, date and hour when the Borough Council will hear the matter. The licensee may be represented by counsel at such hearing.

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§ 248-14. Posting of license.

Licenses issued under this chapter shall be posted at the place of business shown on said license, in a conspicuous place. Said license shall remain posted for the duration of the licensing year when issued and so long as the business is in operation.

§ 248-15. Fee schedule.

An initial licensing fee of $50 shall be paid to the Borough Clerk at the time the applicant submits the registration form required by § 248-4. Thereafter, an annual licensing fee of $50 shall be paid on or before January 31 of each year, if any person or entity, who or which is required to obtain a license or permit pursuant to this chapter, does not obtain such a license or permit by January 31 of the respective year, the Borough Clerk will assess a late fee equal to 50% of the licensing fee which is late. All late fees assessed against a business must be paid with the licensing fee. In addition to any late fee, the business must pay all licensing fees for previous years that were not paid and applicable late charges. In any action to enforce this chapter, the Borough Licensing Officer shall include all late fees and past-due licensing fee amounts in the summons and complaints filed against the business or other party. The annual license fees to be paid to the Borough for conducting or engaging in any business, trade, or activity within the Borough of Runnemede, at the place designated in the license certificate, shall be $50.

§ 248-16. Fee for unclassified activities.

All businesses, trades and activities which have not been classified, or otherwise provided for in any other licensing ordinance of the Borough shall pay a license fee of $50.

§ 248-17. Applicability.

This chapter shall not apply to any business or occupation licenses under those various laws of this state which prohibit licensing by municipalities.

§ 248-18. Nontransferability of license.

No license or permit provided for by this chapter shall be transferred from one person to another, and no license shall cover any other place of business other than that for which it was issued.

§ 248-19. Unlicensed businesses prohibited.

No person or persons shall be permitted to engage in, carry on or conduct any business under any license or permit granted under this chapter except that business for which said license was issued.

§ 248-20. Nonapplicability to certain transactions.

This chapter shall not apply to orders taken outside the Borough, nor to soliciting of orders by wholesale dealers from retail dealers, nor to deliveries by wholesale dealers to retail dealers, nor to the sale or delivery of newspapers, magazines or periodicals.

§ 248-21. Purpose of fees.

The fees herein imposed for business licenses are revenue-producing in nature, but said fees are used primarily in an attempt to cover the costs of administration and inspections of such business, to assure compliance with the laws of the state and the ordinances of the Borough. It is the intent of this chapter

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to ensure the fact that all businesses of whatever kind and wherever situate in this Borough shall be inspected periodically to ensure compliance with the laws as aforesaid. In certain instances, there are those businesses which warrant additional police surveillance and inspection. There are those businesses which attract an unusual amount of vehicular traffic, necessitating additional regulation and enforcement. These fees provide a reasonable relationship to the cost of the regulation and administration.

§ 248-22. Enforcement.

The Construction Code Official, Code Enforcement Officer, Fire Code Official, Chief of Police, the Borough Clerk, the Deputy Borough Clerk and any police officer of the Borough has the authority to examine all places of business and all persons of the Borough to determine if this chapter has been complied with and to enforce the provisions of this chapter against any person found to be violating the same.

§ 248-23. Violations and penalties.

Any person who shall violate any provision of this chapter shall be subject to a fine not exceeding $500, or to imprisonment not exceeding 30 days, or both, for the first offense; $1,000, or to imprisonment not exceeding 45 days, or both, for the second offense; and $2,000, or to imprisonment not exceeding 60 days, or both, for the third offense and any subsequent offenses.

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