



# BOROUGH OF FANWOOD

75 MARTINE AVENUE, NORTH  
FANWOOD, NEW JERSEY 07023  
(908) 322-8236 · FAX (908) 322-7178

## ADMINISTRATION OFFICES

October 25, 2006

Dear Business Owner:

Enclosed please find copy of Ordinance 06-14-R adopted by the Mayor and Council on July 11, 2006 that requires new and existing businesses operating in the Borough of Fanwood to secure a business license from the Borough Clerk.

Also enclosed is an application form for this purpose. Please complete the application and return it to me, at the above address, along with a license fee of \$25.00, by November 30, 2006.

Should you have any questions please contact me.

Very truly yours,

Eleanor McGovern  
Borough Administrator/Clerk

Encls.

**BOROUGH OF FANWOOD  
ORDINANCE NO. 06-14-R**

**AN ORDINANCE AMENDING THE CODE OF THE BOROUGH OF  
FANWOOD TO ADD CHAPTER 142 FOR THE LICENSING  
OF NEW AND EXISTING BUSINESSES IN THE BOROUGH**

Be it ordained by the Mayor and Council of the Borough of Fanwood, County of Union, State of New Jersey, as follows:

**SECTION I.** The following Chapter 142 is added to the Fanwood Borough Code.

**§142-1. Purpose.**

The purpose of this Chapter is to assist in developing, promoting and encouraging greater and more successful business and industrial activity in the Borough. This overall objective will best be served by: first, having those businesses and industries presently located in the Borough register the names and general nature of their activity; secondly, the Borough will endeavor to foster a harmonious relationship between Borough officials and members of the Borough's business and industrial community; and thirdly, the Borough will interact with the businesses and promote an exchange of information between government and the Borough's business and industrial community which will constructively serve the mutual interests of all.

**§142-1. Definitions.**

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

**BUSINESS** -- Any commercial, industrial or mercantile activity as set forth in N.J.S.A. 40:52-1.

**PERSON** -- Includes plural as well as singular, and also includes corporations, associations, limited liability companies and partnerships, and joint ventures.

**§142-2. License required.**

Before any person shall open, operate or establish a business in the Borough of Fanwood ("Borough"), said person shall apply for and secure a license for such business from the office of the Borough Clerk. The requirements of this Chapter shall apply to all existing businesses within the Borough, as well as any businesses commenced on or after the effective date of the Chapter.

**§143-3. Application for business license.**

A. Application for a business license shall be made on forms obtained from the Borough Clerk. In the case of corporations, associations and limited liability companies and partnerships, all officers, directors, stockholders or members owning ten (10%) percent or more of the stock shall be listed on the application

§142-3.1 Contents of license.

Licenses shall be in a form which the Mayor and Council of the Borough shall prescribe and shall contain the following information:

- A. The name and address of the licensee.
- B. The number, type of the license and the nature of the licensed activity.
- C. The address at which the licensed activity is conducted, if the activity is carried on at a fixed location.
- D. If the licensed activity is conducted from a vehicle, the make, model and license number of the vehicle.
- E. The expiration date of the license.

§142-4. Delinquent taxes.

As a condition for the issuance of the business license or renewal business license and if the holder of the license is also the owner of the property, any delinquent property taxes or assessments on the property wherein the business or activity for which the license or permit is sought or wherein the business or activity is to be conducted shall be paid up to date. Proof of payment of taxes shall be provided to the Borough Clerk by submission of the form entitled "Certification of Tax Collector." The license may be revoked or suspended when the taxes due on the property for at least three (3) consecutive quarters have not been paid. Upon payment of the delinquent taxes or assessments, the license or permit shall be restored.

§142-5. License fee.

A license fee of Twenty-five (\$25) Dollars shall be paid to the Borough Clerk at the time the application is submitted to defray the costs of processing and investigation.

§142-6. Investigation; issuance of license.

A. With respect to each business license application received, the Mayor and Council shall conduct such investigations through the Police Department, Construction Code Official and/or Fire Inspector as may be necessary to establish:

- (1) With respect to the premises for which a license is sought that it is in compliance with all applicable building, housing, health, fire and safety codes and regulations.
- (2) That the applicant(s) for the license has never been convicted in this State or elsewhere of a crime involving moral turpitude.

B. Upon completion of investigation by the Police Department and inspection of the proposed business premises by the Construction Code Official, the Construction Code Official shall recommend the issuance or denial of said license to the Mayor and Council, setting forth the Construction Official's reasons in writing. The Mayor and Council shall authorize the issuance of the license or refuse to issue the license within three (3) weeks of the date of the recommendation by the Code Official and the Mayor and Council shall set forth in writing the reasons for its action in authorizing or refusing issuance of said license.

§142-9. Temporary business license.

A. The Mayor and Council may issue a temporary business license for not more than ten (10) days, but the days need not be consecutive days. The license fee for a temporary business license is Twenty-Five (\$25) Dollars per day.

B. The hours for operation of a temporary business shall be designated in the license and they shall not begin before 8:00 a.m. or continue after 9:00 p.m.

C. The location selected for the operation of the temporary business shall be approved by the Zoning Officer and the type of business must be a permitted use within the zoning district where the business is to be located. Charitable organizations shall be exempt from this requirement.

§142-10. Display license.

The sponsoring organization of any group meeting, convention, display or exhibition using publicly owned lands or buildings which invites persons to display goods or services for advertising, display or public exhibition may purchase a display license, which license shall entitle those persons who would otherwise be temporary merchants and who operate as an adjunct and concurrent with the aforesaid sponsoring organization to engage in temporary business, provided that the following requirements are met:

A. The sponsoring organization shall pay a license fee of Twenty-five (\$25) Dollars.

B. The sponsoring organization shall supply the name and permanent address of each temporary merchant who will attend, together with such other information as may be required by the Borough Clerk.

§142-11. License nontransferable.

Any license issued by the Mayor and Council under this Chapter is not transferable to any other person, entity or location.

§142-12. Record of licenses.

The Borough Clerk shall keep a record of all licenses issued under this Chapter. The record shall be in a form prescribed by the Mayor and Council and shall contain the same information as is required by §142-3.1 to be contained in the license. It shall also indicate the amount of the fee paid for the licenses, the date of the issuance of the license, whether the license is a new license or a renewal.

§142-13. Display of license.

When the licensed activity is conducted at a fixed location, or from a vehicle, the license shall be prominently displayed at the location or on the vehicle. In all other cases the licensee shall have the license in his possession at all times and shall display it upon the request of any police officer or any person with whom he is doing business.

§142-14. Power to make rules and regulations.

The Mayor and Council may, by resolution, make rules and regulations which interpret or amplify any provision of this Chapter or for the purpose of administering the provisions of this Chapter or making them more effective. No regulation shall be inconsistent with or alter or amend any provision of this

**SECTION IV. This ordinance shall not take effect until final passage and publication in accordance with law.**

**Introduced: June 13, 2006**

**Adoption: July 11, 2006**

\_\_\_\_\_  
**Colleen Mahr, Mayor**

**ATTEST:**

\_\_\_\_\_  
**Eleanor McGovern, Borough Clerk**

**BOROUGH OF FANWOOD**

**APPLICATION FOR BUSINESS LICENSE OF  
NEW AND EXISTING BUSINESSES**

**APPLICANT:**

**Name:** \_\_\_\_\_ **Percentage** \_\_\_\_\_ %  
**Address:** \_\_\_\_\_  
**Telephone No.** \_\_\_\_\_ **Cell Phone No.** \_\_\_\_\_ **Fax:** \_\_\_\_\_

**All principals owning 10% or more of business:**

**Name:** \_\_\_\_\_ %  
**Address:** \_\_\_\_\_  
**Telephone No.** \_\_\_\_\_ **Cell Phone No.** \_\_\_\_\_ **Fax:** \_\_\_\_\_

**Name:** \_\_\_\_\_ %  
**Address:** \_\_\_\_\_  
**Telephone No.** \_\_\_\_\_ **Cell Phone No.** \_\_\_\_\_ **Fax:** \_\_\_\_\_

**CORPORATION:**

**Registered Agent:** \_\_\_\_\_  
**Address:** \_\_\_\_\_  
**Telephone No.** \_\_\_\_\_ **Cell Phone No.** \_\_\_\_\_ **Fax:** \_\_\_\_\_

**NAME AND ADDRESS OF BUSINESS:**

**Name:** \_\_\_\_\_  
**Address:** \_\_\_\_\_  
**Description of Premises:** \_\_\_\_\_  
\_\_\_\_\_

**Description of Business:** \_\_\_\_\_  
\_\_\_\_\_

**Vehicle Description:** \_\_\_\_\_  
(Only fill out if vehicle is used in business)

**License Number:** \_\_\_\_\_

**If applicant is employed by another person:**

**Name and Address of Employer:** \_\_\_\_\_  
\_\_\_\_\_

**Telephone No:** \_\_\_\_\_ **Fax No.:** \_\_\_\_\_

**Hours of Operation:**  
**Days:** \_\_\_\_\_ **Hours:** \_\_\_\_\_

**Description of Business:** \_\_\_\_\_  
\_\_\_\_\_

**Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Name:** \_\_\_\_\_

**Exhibit A. Floor Plan Diagram Attached** \_\_\_\_\_ **License Fee \$25.00 Paid** \_\_\_\_\_

**Exhibit B. Certification of Tax Collector Attached** \_\_\_\_\_

**Ord. 06-14-R**

## **EXHIBIT A**

### **FLOOR PLAN DIAGRAM**

**"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. The floor plan shall be scaled or contain sufficient information to properly identify the dimensions of the areas or rooms depicted on the diagram."**

**Please attach Floor Plan.**

**BOROUGH OF FANWOOD**

**EXHIBIT B**

**CERTIFICATION OF TAXES PAID**

**As Tax Collector of the Borough of Fanwood, I do hereby certify that as of \_\_\_\_\_ property taxes on the below referenced block and lot are current.**

**Block \_\_\_\_\_ Lot(s) \_\_\_\_\_ Address \_\_\_\_\_**

**Comments: \_\_\_\_\_**  
\_\_\_\_\_  
\_\_\_\_\_

**Date: \_\_\_\_\_**

\_\_\_\_\_  
**Colleen M. Huehn**  
**Tax Collector**