

ORDINANCE NO. 10-03

**BOROUGH OF NORTH PLAINFIELD
COUNTY OF SOMERSET
STATE OF NEW JERSEY**

**AN ORDINANCE TO AMEND, REVISE AND SUPPLEMENT THE
BOROUGH CODE OF THE BOROUGH OF NORTH PLAINFIELD,
SPECIFICALLY SECTION 4-11, ENTITLED "GARAGE SALES"**

WHEREAS, the Borough Council of the Borough of North Plainfield has reviewed the existing Garage Sale Ordinance and believes that certain changes should be made thereto; and,

WHEREAS, the Borough Council of the Borough of North Plainfield has determined that the fee for a Garage Sale Permit should be increased to Ten Dollars (\$10.00) and that residents should be permitted to hold three (3) garage sales per year and that such should be permitted between the hours of 8:00 A.M. and 6:00 P.M.

NOW, THEREFORE, BE IT ORDAINED by the Borough Council of the Borough of North Plainfield, County of Somerset, State of New Jersey that the Borough Code of the Borough of North Plainfield, Section 4-11, entitled "Garage Sales", is hereby revised, amended and supplemented as follows:

"4-11 GARAGE SALES

4-11.2 Permit Required; Fee

b. The fee for a Garage Sale Permit shall be and the same is hereby fixed at Ten Dollars (\$10.00). Charitable and religious organizations, which will apply the entire proceeds of the garage sale to the charitable or religious purposes of the organization, shall be exempt from the payment of the fee.

c. Any neighborhood crime watch association certified by the Chief of Police as currently and actively involved with the Police Department of the Borough of North Plainfield as a crime prevention organization may apply for and obtain one (1) Garage Sale Permit in addition to the three (3) Garage Sale Permits otherwise allowed by subsection 4-11.3a. The Police Chief's Certification shall be submitted with the completed application. The Garage Sale Permit shall be issued in the name of the neighborhood crime watch association and in the names of all the persons conducting the sale for which the permit is sought, for the address(es) at which the sale is to be conducted and for the specific dates on which the sale is to be conducted. Any such Garage Sale Permit issued to a neighborhood crime watch association shall permit all individuals and residences within the designated area to conduct a garage sale on the dates specified; however, only one (1) Ten Dollar (\$10.00) fee shall apply to this neighborhood crime watch association Garage Sale Permit.

4-11.3 Restrictions; Display

a. Except as otherwise provided in subsection 4-11.2c, no person, individually or in combination with other persons, shall apply for a Garage Sale Permit or conduct a garage sale more frequently than three (3) times within any calendar year. Except as otherwise provided in subsection 4-11.2c, no garage sale shall be conducted at any one (1) location more frequently than three (3) times within any calendar year. No garage sale shall be conducted for a period longer than two (2) consecutive calendar days; each additional day beyond two (2) consecutive calendar days shall require another Permit.

4-11.5 Hours of Sale

No garage sale shall be conducted at any time prior to 8:00 a.m. or after 6:00 p.m.

***//

NOW, THEREFORE, BE IT FURTHER ORDAINED that:

1. All ordinances or portions of ordinances which are inconsistent with this ordinance shall be repealed as to their inconsistencies only.

2. If any provision or paragraph of this ordinance shall be held invalid by any court of competent jurisdiction, the same shall not affect the other provisions or paragraphs of this ordinance, except so far as the provision or paragraph so declared invalid shall be separable from the remainder or any portion thereof.

3. This ordinance shall take effect, after final passage, twenty (20) calendar days following action or inaction by the mayor as provided by law or an override of a mayoral veto by the council, whichever is applicable and publication in accordance with law, unless a resolution is adopted, pursuant to N.J.S.A. 40:69A-181(b), declaring an emergency and providing that this ordinance shall take effect at an earlier date.

INTRODUCED: February 22, 2010

PASSED: February 22, 2010

PUBLISHED: February 26, 2010

ADOPTED: March 8, 2010

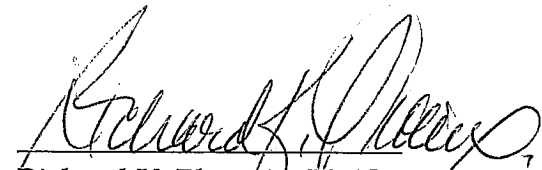
ROLL CALL: AYES: Forbes, Hitchcock, La Ronde, Righetti,
Singleterry, Stabile

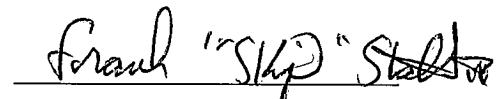
NAYS: None

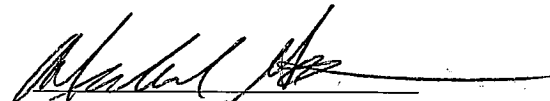
ABSTAIN: None

ABSENT: Merrill

ATTEST:


Richard K. Phoenix, RMC


Skip Stabile, Council President


Michael Giordano, Mayor