

**O-032-09**

**PENDING ORDINANCE**

**TOWNSHIP OF MONTCLAIR**

**ORDINANCE AMENDING VARIOUS SECTIONS OF THE CODE OF THE TOWNSHIP OF MONTCLAIR TO PROVIDE FOR AN INCREASE IN FEES FOR VARIOUS LICENSES AND PERMITS ISSUED BY THE TOWNSHIP**

June 9, 2009

**BE IT ORDAINED** that Section 78-11 of the Township Code (“Amusements”) be and is hereby amended as follows:

**§ 78-11. License fees.**

Fees for licenses issued under this article, which shall be paid upon the filing of the license application, shall be as follows:

Type of License	Fee
Motion-picture theaters or exhibitions	
For each theater or exhibition, per year	\$500
For each additional theater or exhibition at the same address or within the same building, per year	\$350

**BE IT FURTHER ORDAINED** that Section 78-32 of the Township Code be and is hereby amended as follows:

**§ 78-32. Amusement game license fee.**

The license fee for the issuance of each license, payment of which shall accompany the application, shall be \$100 for the first device licensed at a particular premise and \$50 per device for each additional device located at the same premises. When a license is issued after April 1 in any year, the applicant shall be required to pay 1/2 of said fee. In such case, the license shall expire as provided in §78-31.

**BE IT FURTHER ORDAINED** by the Council of the Township of Montclair, in the County of Essex, that Section 78-40 of the Township Code be and is hereby amended as follows:

**§ 78-40. Arcade license fee.**

The fee for the issuance of the arcade license shall be \$100 per year. Each license shall expire on the first day of October next following its issuance. When a license is issued after April 1 in any year, the applicant shall be required to pay 1/2 of said fee.

**BE IT FURTHER ORDAINED** that Section 140-12 of the Township Code (“Filming”) be and is hereby amended as follows:

**§ 140-12 Fees.**

The schedule of fees for the issuance of permits authorized by this chapter are as follows:

A. Basic filming permit: \$150 where an applicant requests a waiver of the provision of §140-3A requiring expedited processing of a permit application within 24 hours of the filming date, the basic filming permit fee for processing the application on an expedited basis shall be \$500.

B. Daily filming fee payable in addition to the basic filming permit: \$600 per day.

C. [no change]

D. [no change]

**BE IT FURTHER ORDAINED** that Section 200-5 of the Township Code (“Landscapers”) be and is hereby amended as follows:

**§ 200-5. License fee; terms.**

A. Upon filing such application, the applicant shall pay to the Municipal Clerk a fee of \$75. Any fraction of the year will be considered a full year for the purposes of this section.

B. The term of such license shall expire on September 30 of the calendar year in which such license is issued.

C. Such license shall be automatically renewed by the Municipal Clerk upon payment by the applicant to the Municipal Clerk of an annual renewal fee of \$75. Such renewal shall be for the following year in which such renewal occurs.

**BE IT FURTHER ORDAINED** that Sections 238-12.A and 238-12.D (“Peddling and Soliciting”) of the Township Code be and are hereby amended as follows:

**§ 238-12. License fees; duration of license.**

The fees for licenses shall be:

A. For peddlers: \$25 for a license issued for one day and \$100 for a license issued for a one-year term. All peddlers' licenses shall expire at the close of December 31 of the year in which issued.

B. [No Change]

C. [No Change]

D. For solicitors: \$100 for a license continuing to the close of December 31 of the year in which issued.

**BE IT FURTHER ORDAINED** that Section 264-13 of the Township Code (“Garage Sales”) be and is hereby amended as follows:

**§ 264-13. Permit required; fee; restrictions.**

It shall be unlawful or any person to conduct a garage sale within the Township of Montclair without first obtaining a permit from the Municipal Clerk. The fee for such permit shall be \$10 per garage sale, which fee shall be nonrefundable. No garage sale shall be permitted for more than two days, which days shall be consecutive. No person shall conduct more than two garage sales in any one calendar year. No premises shall be the subject of more than two garage sales in any one calendar year. All sales regulated hereunder shall be limited to personal property as same is defined by this article.

**BE IT FURTHER ORDAINED** that Section 313-14 of the Township Code (“Taxicabs and Liveries”) be and is hereby amended as follows:

**§ 313-14. License fees.**

The license fee for each taxicab, limousine or livery license shall be \$125. For licenses issued after November 1 of each year, the fee shall be \$75.

**BE IT FURTHER ORDAINED** that Section 322-5.E of the Township Code (“Towing”) be and is hereby amended as follows:

**§ 322-5 Issuance of permit; contents; term; fee.**

E. The registration fee for the issuance of a permit certifying compliance herewith and authorizing towing issued under this section shall be \$200. No portion of this fee shall be prorated for any part of the year.

**BE IT FURTHER ORDAINED** that Section 337-3 of the Township Code (“Mobile Vendors”) be and is hereby amended to as follows:

**§ 337-3. License fee.**

All licenses required under the provisions of this chapter shall be applied for as set forth in Sections 238-3 through 238-15 of Chapter 238, Peddling and Soliciting, except that the fee for the same shall be \$125 per vehicle licensed, and the one-day license fee shall be \$25.

**NEW LANGUAGE UNDERLINED – DELETED LANGUAGE STRICKEN**