



Office of the Township Clerk | Township of Montclair
205 Claremont Avenue | Montclair, New Jersey 07042
Telephone: 973-509-4900 | Fax: 973-509-0874
Email: licenses@montclairnjusa.org

APPLICATION FOR LICENSE PURSUANT TO MONTCLAIR CODE CHAPTER 238 PEDDLING AND SOLICITING

Completed applications shall be returned to the Office of the Township Clerk. Following the filing of an application for any license pursuant to Montclair Code Chapter 238 Peddling and Soliciting except an application for a special event vendor license, the Chief of Police shall make an investigation of the moral character and financial information of the applicant. **A separate license shall be obtained by a Peddler, Transient Merchant, and Transient Merchant-Peddler for every agent or employee working for him or her.** A separate license shall be obtained by a transient merchant for each branch or separate place of business in which his or her business is conducted. All license applications for transient merchant or transient merchant-peddler require additional investigations and bond requirements pursuant to Montclair Code §238-8. There will be fees due and payable to the Township of Montclair pursuant to Township Code §238-12 upon issuance of the license by the Township Clerk. No portion of this fee shall be prorated for any part of the year. A license issued under this chapter shall not be transferable. Separate licenses shall be issued to each of the classes of persons defined below.

1. **NON-PROFIT-MAKING VENDOR** A person who sells goods, the proceeds of which are devoted exclusively to the purposes of a philanthropic, charitable or religious society on whose behalf he or she acts as an agent without pay.
2. **PEDDLER** A person, commonly referred to as a "peddler" or "hawker," who goes as a vendor from place to place by traveling on the streets or from house to house and carries with him or her goods, wares and merchandise for the purpose of selling and delivering them to consumers at retail; provided, however, that the term "peddler" shall not include an agent or servant of any person who owns and maintains a permanent establishment within the Township for the retailing of his or her goods, wares and merchandise.
3. **SOLICITOR** A person who sells goods at retail by sample or who takes orders for future delivery, with or without accepting payment in advance for the goods.
4. **SPECIAL EVENT VENDOR** A person who sells or distributes food, goods or other merchandise at special events sponsored by the Township, or by other groups or organizations for civic, charitable, philanthropic or religious purposes, for a period not to exceed one week or for such shorter period as shall be designated by the Township Clerk upon issuance of the license.
5. **TRANSIENT MERCHANT** A person, commonly referred to as a "transient merchant" or "itinerant vendor" who engages in retail merchandising business in the Township with intent to close out or discontinue such business within a period of one year from the date he or she begins business and who occupies a room, building, tent, lot or other premises for the purpose of selling goods, wares and merchandise.
6. **TRANSIENT MERCHANT-PEDDLER** A person who engages in retail business in the same manner as does a transient merchant and who, in pursuance thereof, becomes a peddler or hires a peddler.

§238-5. Exemptions.

The requirements of Chapter 238 Peddling and Soliciting shall not apply to (i) the selling of fruits, vegetables and farm products produced on a farm operated by the vendor or by a member of his or her family, (ii) any person holding a special license issued to him or her pursuant to N.J.S.A. 45:24-9, (iii) any blind person who is a resident of the Township, and (iv) any person who conducts a sale pursuant to statute or court order.

[APPLICATION CONTINUES ON NEXT PAGE]

(Form Rev. 9/28/2023)



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

All licenses shall expire on December 31 of the year in which issued with the exception of (i) Special Event Vendor Licenses which are valid for up to 7 days from the date of issuance, (ii) Peddler Licenses may be issued on a per diem basis, and (iii) Transient Merchant and Transient Merchant-Peddler licenses shall expire 180 days from the date of issuance. Licenses fees are as follows:

- 1. NON-PROFIT VENDORS¹: \$10.00**
- 2. PEDDLERS: \$25.00 per day or \$100.00 for a license through December 31**
- 3. SOLICITORS: \$100.00**
- 4. SPECIAL EVENT VENDORS: \$25.00 per day for a maximum of 7 days**
- 5. TRANSIENT MERCHANTS: \$500.00**
- 6. TRANSIENT MERCHANT-PEDDLERS: \$500.00, plus \$15.00 for each employed peddler**

CHAPTER 337. VENDORS, MOBILE.

MOBILE VENDOR

A person who goes from place to place or from house to house by traveling on public streets by vehicle or pushcart and carries with him or her, whether with or without other products, ice cream products, frozen dessert products, water ices, beverages, frozen confectionery products, food and foodstuffs which, prior to service, require only limited preparation or are prepackaged, all for the purpose of selling or attempting to sell them to customers from such vehicle or pushcart.

§ 337-3. License fee. (Vehicles)

All licenses required under the provisions of this article shall be applied for as set forth in §238-3 through 238-15 of Chapter 238, Peddling and Soliciting, except that the fee for the same shall be:

MOBILE VENDOR VEHICLE²: \$25.00 per day or \$125.00 for a license through December 31

¹Proof of nonprofit status must be submitted by nonprofit organizations with the application. Any of the following is acceptable evidence of nonprofit status: (a) a copy of a currently valid IRS tax exemption certificate;(b) a certified copy of the organization's certificate of incorporation or similar document that clearly establishes nonprofit status; (c) any of the above proof for a State or national parent organization and a statement signed by the parent organization that the applicant organization is a local nonprofit affiliate.

²No food truck or trailer shall operate within the borders of the Township of Montclair without first having been inspected and approved by the Montclair Fire Department Fire Prevention Bureau. **In addition to this application to license the food truck or trailer pursuant to §337-3, Mobile Vendors shall apply for inspections and certificates of approval at the Montclair Fire Department Fire Prevention Bureau located at 1 Pine Street.**



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Clerk's Office Use Only	
License Nos.:	_____
License Nos.:	_____
Fees Due:	_____ [] Paid
Staff Initials/Date:	_____

**APPLICATION FOR LICENSE PURSUANT TO MONTCLAIR CODE CHAPTER 238
 PEDDLING AND SOLICITING**

SECTION 1. APPLICANT INFORMATION

Full Name: _____

Home Address: _____

Home Address(es) for the three preceding years.: _____

Phone Number: _____ E-Mail: _____

SECTION 2. FIRM OR BUSINESS INFORMATION

Applicants must attach a letter from the firm for which the applicant purports to work, authorizing him or her to act as its representative.

Business Name: _____

Business Address: _____

Full Name of Owner: _____

Phone Number: _____ E-Mail: _____

Authorization letter from the firm or business attached? [] Yes [] No

SECTION 3. GOODS AND PRODUCT INFORMATION

Name and Address of wholesaler from whom the goods making up the stock have been or are to be purchased: _____

Description of goods and/or products to be sold: _____

Location where sales will be conducted: _____

SECTION 4. BUSINESS REFERENCES

Full Name and Phone Number: _____

Full Name and Phone Number: _____

Full Name and Phone Number: _____

SECTION 5. LICENSE TYPE AND DURATION

[] Nonprofit Vendor through December 31
Proof of nonprofit must be attached

[] Peddler* through December 31 or
 [] Peddler* for ____ day(s) (3 days or less)

[] Solicitor through December 31

[] Transient Merchant**

[] Transient Merchant-Peddler**

[] Special Event Vendor
 Number of assistants to be employed? _____

Event Date(s): _____

Sponsor/Organization: _____

Event Coordinator: _____

***PEDDLER APPLICANTS SEE SECTION 5b**

****TRANSIENT APPLICANTS SEE SEC. 5a & 5b**



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Have you selected **Peddler, Transient Merchant** or **Transient Merchant-Peddler** in Section 5?
 No (SKIP TO SECTION 6) Yes (see Section 5a and complete 5b, as applicable.)

SECTION 5a. ADDITIONAL REQUIREMENTS FOR TRANSIENT MERCHANTS

Applicants for Transient Merchant and Transient Merchant-Peddler licenses must contact the Police Department at 973-744-1234 for additional investigations and bond requirements. Applicants must also attach the following documents:

1. A sworn statement of the true invoice of the amount, average quality or kind and value of the goods to be offered for sale; and
2. A statement of the location of such goods by street and number and whether located on the premises from which such are sold or in warehouse.

SECTION 5b. PEDDLER AND TRANSIENT MERCHANT-PEDDLER EMPLOYEES

*An application for a **Peddler, Transient Merchant, or Transient Merchant-Peddler** license shall contain the name and address of each peddler in the employment of the Applicant:*

1. Employee Name: _____ Phone: _____

Employee Address: _____

Personal references for above listed employee:

Name/Address/Phone: _____

Name/Address/Phone: _____

Name/Address/Phone: _____

2. Employee Name: _____ Phone: _____

Employee Address: _____

Personal references for above listed employee:

Name/Address/Phone: _____

Name/Address/Phone: _____

Name/Address/Phone: _____

Additional employed peddler information attached? No Yes

SECTION 6. RECITAL OF CONVICTIONS

Has the applicant listed in Section 1 or employee(s) listed in Section 5b (if applicable) ever been convicted of a criminal offense? **No (SKIP TO SECTION 7)** Yes *If yes, please provide:*

Name: _____ Nature of Offense: _____

Date of Offense: _____ Place of Conviction: _____

Name: _____ Nature of Offense: _____

Date of Offense: _____ Place of Conviction: _____

Additional convictions? No Yes *(please attach information on additional convictions)*



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SECTION 7. FOOD VEHICLES

Food Vehicles as defined below shall be inspected by the Fire Department. Contact the Fire Department at 973-509-4769 or FirePrevention@montclairnjusa.org. Food Handler Permits are required for each food vendor. Contact the Health Department for at 973-509-4970.

FOOD CART

A cart or other movable device used on the public sidewalks or in public places, in which ready to eat food is cooked, wrapped, packaged, processed or portioned for sale or distribution, and which is not licensed as a food truck or food trailer.

FOOD TRAILER

A nonmotorized vehicle designed to be towed by a motorized vehicle that is registered and is able to be operated on the public streets of the State of New Jersey, in which ready to eat food is cooked, wrapped, packaged, processed or portioned for sale or distribution.

FOOD TRUCK

A motorized vehicle that is registered and is able to be operated on the public streets of the State of New Jersey, in which ready to eat food is cooked, wrapped, packaged, processed or portioned for sale or distribution.

Will the Applicant directly or indirectly **sell or offer to sell food products** to customers **from a food vehicle**? [] No (SKIP TO SECTION 8) [] Yes (*includes employees selling from food vehicle*)

SECTION 7a. Is the Applicant the **owner or operator of the food vehicle**? [] No [] Yes
If yes, please attach copy of valid vehicle registration and provide number of food vehicles:

[] ___ Food Cart(s) [] ___ Food Trailer(s) [] ___ Food Truck(s)

Food Vehicle No. 1

Food Vehicle No. 2

Yr./Make/Model: _____

Yr./Make/Model: _____

Information for **additional vehicle(s)** attached? No [] Yes []

SECTION 8. AGREEMENT

I am the Applicant listed in Section 1 of this application. I agree to abide by and be bound by all the requirements and conditions of Montclair Code §238 Peddling and Soliciting and §337 Vendors, Mobile as applicable and any amendments thereof and supplements thereto. I understand that unless I make this application for a Special Event Vendor License, I am responsible for requesting my criminal history record at <https://www.njportal.com/njsp/criminalrecords/> using the Originating Agency Identification (ORI) Number: NJ0071300.

Full Name: _____

Signature: _____

Date: _____

***** FOR OFFICIAL USE ONLY – DO NOT WRITE BELOW THIS LINE *****

	APPROVED	SIGNATURE (include name if designee)	DATE	COMMENTS
Police Chief or designee	[] Yes [] No			
Township Manager or designee	[] Yes [] No			

Staff member issuing license (Clerk's Office)	License No.	Issue Date	Distribution (copy of license)	Staff initials
			[] Police Dept. [] Fire Dept. [] Health Dept. [] Parking Utility (if applicable)	