



Office of the Township Clerk | Township of Montclair
205 Claremont Avenue | Montclair, New Jersey 07042
Telephone: 973-509-4900 | Fax: 973-509-0874
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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.**