

Ordinance 2016-05

BOROUGH OF HIGHTSTOWN
COUNTY OF MERCER
STATE OF NEW JERSEY

AN ORDINANCE AMENDING CHAPTER 4, ENTITLED “GENERAL LICENSING”, SECTION 4-10 ENTITLED “AUCTIONS; CIRCUSES AND EXHIBITIONS” OF THE “REVISED GENERAL ORDINANCES OF THE BOROUGH OF HIGHTSTOWN, NEW JERSEY.”

BE IT ORDAINED by the Mayor and Council of the Borough of Hightstown, that Chapter 4, entitled “General Licensing”, Section 4-10 entitled “Auctions; Circuses and Exhibitions” of the “Revised General Ordinances of the Borough of Hightstown, New Jersey is hereby amended as follows:

Section 1. Section 4-10 entitled “Auctions; Circuses; Exhibitions” is hereby amended as follows (deletions are noted by cross-out and additions are noted by underline):

Section 4-10

AUCTIONS; ~~BINGOS; RAFFLES~~; CIRCUSES; EXHIBITIONS*

Subsections:

4-10.1 License Required.

4-10.2 Issuance of License.

4-10.3 Additional Requirements.

* *Editor's Note: For additional licensing regulations and fees, see Section 4-1.*

4-10.1 License Required.

No person shall conduct ~~a an auction sale~~, circus, traveling show or exhibition of any sort without first obtaining a license, which shall be issued by resolution of the Borough Council.

No person shall conduct an auction sale of any sort without first obtaining a license; said issuing authority shall be the Borough Clerk.

No organization shall conduct a bingo or raffle of any sort without first obtaining a license; said issuing authority shall be the Borough Clerk.

4-10.2 Issuance of License.

No circus or traveling show license shall be issued unless the Borough Council is satisfied that ~~the auction~~, circus or traveling show is bona fide in all respects and can be permitted without substantial danger of fraud ~~or impairment of the morals~~ of any person or breach of the peace and good order of the Borough. (1991 Code § 77-2)

No auction license shall be issued unless the Borough Clerk is satisfied that the auction is bona fide in all respects and can be permitted without substantial danger of fraud of any person or breach of the peace and good order of the Borough.

No bingo or raffle license shall be issued unless the Borough Clerk is satisfied that the auction is bona fide in all respects and can be permitted without substantial danger of fraud of any person or breach of the peace and good order of the Borough pursuant to State Law.

4-10.3 Additional Requirements.

The following information, in addition to that supplied on all applications for licenses, shall be required to be supplied by applicants under this section:

a. Circus or traveling show: an exact description of the entertainments, acts, games, amusements, attractions or exhibitions which will be offered, together with the price to be charged for admission for each separate amusement.

b. Auctioneer: a description, under oath, of all goods which will be auctioned and the owner of all such goods. The description shall be sufficient for a person reasonably knowledgeable as to goods of the nature described to be able to fix a value therefor. The applicant shall be bound by the description set forth in the application and be liable to any purchaser should any goods not be as described. A copy of the description of goods shall be displayed conspicuously at the premises where the auction is to be held. (1991 Code § 77-3)

c. Bingo or Raffle: Fees shall be paid as designated by the State of New Jersey. The Hightstown Engine Co. #1, Hightstown First Aid Squad, and Hightstown Engine Co. #1 Ladies Auxiliary shall be exempt from the fees due the Borough but shall be required to pay all State of New Jersey fees associated with these licenses.

Section 3. All other ordinances or parts of ordinances inconsistent or in conflict with this ordinance are hereby repealed to the extent of any inconsistency or conflict.

Section 4. If any section, paragraph, subdivision, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision so adjudged and the remainder of the Ordinance shall remain valid and effective.

Section 5. This ordinance shall take effect after final adoption and publication according to law.

Introduced:

Adopted:

ATTEST:

Debra L. Sopronyi
Municipal Clerk

Lawrence D. Quattrone
Mayor