AN ORDINANCE TO AMEND AND SUPPLEMENT THE REVISED GENERAL ORDINANCES OF THE
CITY OF NEW BRUNSWICK, CHAPTER 5, "BUSINESS LICENSES AND REGULATIONS"

WHEREAS, the Legislature has authorized municipalities to enact, amend, and supplement
ordinances as set forth in N.J.S.A. 40-48-2; and

WHEREAS, the Legislature has also authorized municipalities to pass ordinances for the
protection of life, health, and property, and for the preservation of the general welfare as set forth in
N.J.S.A. 40-72-3; and

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of New Brunswick,
County of Middlesex, State of New Jersey as follows:

SECTION I

Section 5.04.030, Investigation of applicants, is amended to read as follows:

Each application shall be referred to the police director, chief of police or a police officer
designated by him or her who shall immediately institute whatever investigation of the applicant's
business responsibility, moral character and ability to properly conduct the licensed activity as he or she
considers necessary for the protection of the public. He or she shall communicate his or her findings in
writing to the city clerk within a reasonable time after the application has been filed. If the police director
or chief of police determines that the applicant's character, ability or business responsibility are
unsatisfactory or the products, services or activity are not free from fraud, or the applicant has committed
wage theft which finding has not been cured by the applicant by compliance with the Order/Decision of
the governmental entity determining same within ninety (90) days of such finding, he or she shall
disapprove the application and the clerk shall refuse to issue the license and shall so notify the applicant,
or in the case of an active license not considered in compliance with this section, shall move to
suspend the license upon notice to the licensee of non-compliance, and after an opportunity for
hearing before the City Council. Otherwise, the clerk shall issue the license immediately, provided the
required license fees have been paid except in cases where approval of the governing body is required.
In the case of an application for a solicitor's, peddler's or canvasser's license, the license may be issued
immediately subject to the investigation. In the event of the refusal of the issuance of a license or notice
of suspension as provided for above, the applicant may appeal to the governing body for hearing. The
appeal must be filed in writing with the clerk within fourteen (14) days after notification of the refusal or
suspension. The governing body shall hold its hearing within a reasonable time, ordinarily within thirty
(30) days thereafter. The decision of the governing body is final.

SECTION II

SEVERABILITY:

If any subsection, paragraph or provision of this Ordinance is declared to be invalid by a court of
competent jurisdiction, such finding shall not affect the remaining provisions hereof which shall remain in
full force and effect.

SECTION III

REPEALER:

All ordinances inconsistent with the provisions of this Ordinance are repealed to the extent of
such inconsistency.

SECTION IV

This Ordinance shall become effective twenty (20) days following final adoption and publication
as required by law.

ADOPTED ON FIRST READING:
DATED: January 16, 2019

COUNCIL PRESIDENT
ADOPTED ON SECOND READING:  
DATED:

COUNCIL PRESIDENT

ATTEST:

CITY CLERK

APPROVAL OF THE MAYOR ON THIS DAY OF , 2019.

MAYOR

APPROVALS:

CITY ADMINISTRATOR

CITY ATTORNEY

TKS/kc