

## **5-15 DISTRIBUTION OF PAPERS AND OTHER PRINTED MATERIALS.**

### **5-15.1 In Streets and Public Places.**

No person shall distribute or cause to be distributed or strewn about on any street or public place, or placed on any motor vehicle, any paper, periodical, book, magazine, handbill, circular, card, or pamphlet; however, this subsection shall not prohibit the distribution of religious, social, economic, or political literature which is purely noncommercial in character if such distribution is made in an orderly manner and does not interfere with the public peace. (1972 Code § 5-2.1)

### **5-15.2 To Houses; License Required; Exceptions.**

No person shall distribute or cause to be distributed to the occupant of any house or place, or cause to be placed in any areaway, in front of, or along the **side** of any house, or upon the doorstep thereof, or in or on any motor vehicle on a public street or place, any paper, periodical, book, magazine, handbill, circular, card or pamphlet without first obtaining a license to do so from the Township Clerk. Such license shall not be required when the person in actual occupation of the house or premises, to which any of the printed matter shall be distributed or placed, has previously ordered the same. No license shall be required for the distribution of religious, social, economic or political literature which is purely noncommercial in character, if such distribution is made in an orderly manner and without interference with the public peace. (1972 Code § 5-2.2)

### **5-15.3 Issuance of License; Fee.**

A license shall be issued by the Township Clerk, pursuant to the general licensing procedures contained in Section 5-1 of the General Ordinances of the Township of West Orange, on the payment of a fee of twenty **(\$50.00)** dollars for each day, for each person to whom a license is issued. The Township Clerk shall endorse on each license the amount of the fee and the dates on which the license shall be valid. (1972 Code § 5-2.3; Ord. No. 1975-04 § II)

### **5-15.4 Violations and Penalties.\***

In addition to the revocation of the license under this section, any person or entity distributing materials in violation of any of the terms or provisions of this section, or who shall do any act or thing prohibited in this section, shall, upon conviction thereof, be subject to a fine not exceeding one thousand two hundred fifty (\$1,250.00) dollars or by imprisonment for a term not exceeding ninety (90) days or by a period of community service not to exceed ninety (90) days, or a combination thereof. A separate offense shall be deemed committed on each day during or on which a violation occurs or continues. (Ord. No. 1975-04 § II)

---

**AN ORDINANCE AMENDING CHAPTER 5, SECTION 15.3 OF THE REVISED  
GENERAL ORDINANCES OF THE TOWNSHIP OF WEST ORANGE  
(DISTRIBUTION OF PAPERS AND OTHER PRINTED MATERIALS)**

**BE IT ORDAINED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF WEST ORANGE, NEW JERSEY** that Chapter 5, Section 15.3 of the Revised General Ordinances of the Township of West Orange be and are hereby amended as follows:

**I. PURPOSE**

The purpose of this ordinance is to modify the fines set forth in Chapter 5, Section 15.3 of the Revised General Ordinances of the Township of West Orange to be amendable by Resolution such that it is amendable in the future by approval of the Township Council, a necessity in an everchanging socioeconomic climate.

**II. CHAPTER 5, SECTION 15.3 SHALL BE AND HEREBY IS AMENDED AND SUPPLEMENTED TO INCORPORATE THE FOLLOWING:**

**§5-15.3BE AND HEREBY AMENDED AS FOLLOWS:**

- The portion entitled "Issuance of License; Fee" which specifies licensing requirements for the distribution of papers and other printed materials in the Township of West Orange shall be repealed and replaced by the following language:

A license shall be issued by the Township Clerk, pursuant to the general licensing procedures contained in § 5-1 of the General Ordinances of the Township of West Orange, on the payment of a fee in an amount prescribed by Resolution for each day, for each person to whom a license is issued. The Township Clerk shall endorse on each license the amount of the fee and the dates on which the license shall be valid.

**III. REPEAL OF CONFLICTING ORDINANCES**

Any Ordinances of the Township which are in conflict with this Ordinance are hereby repealed to the extent of such conflict.

**IV. SEVERABILITY**

If any part of this Ordinance shall be deemed invalid, such parts shall be severed and the invalidity thereof shall not affect the remaining parts of this Ordinance.

**V. EFFECTIVE DATE**

This Ordinance shall take effect upon final passage and publication in accordance with the law.

*Susan McCartney*

SUSAN MCCARTNEY, MAYOR

*Tammy Williams*

TAMMY WILLIAMS,  
COUNCIL PRESIDENT

*Karen J. Carnevale*

KAREN J. CARNEVALE, R.M.C.  
MUNICIPAL CLERK

**INTRODUCED: May 2, 2023**

**ADOPTED: July 11, 2023**

Legislative History

The purpose of this ordinance is to modify the fines set forth in Chapter 5 of the Revised General Ordinances of the Township of West Orange to be subject to adjustment by Resolution.