



A Naturally Better Place to Be.

Township Clerk Office
Municipal Complex, One Rev. Dr. M. L. King, Jr. Drive, Willingboro, New Jersey 08046
(609) 877-2200 www.willingboronj.gov

MERCANTILE LICENSE APPLICATION
PLEASE TYPE OR PRINT IN ALL CAPS

See attached Fee Schedule. Payable to Willingboro Township with completed application

MERCANTILE LICENSE REQUEST

New Business Annual Renewal Change of Information DATE: _____

GENERAL BUSINESS INFORMATION

Business Name: _____ Number of Employees: _____

Business Location: _____ Office/Suite Number: _____
Street Address

Mailing Address _____
Street/Post Office Box Number City State Zip Code

Local Owner (s)/Manager: _____ Telephone: _____ Fax: _____

Type of Business (Be specific): _____

Email Address: _____ Website: _____

Days and Hours of Operation: _____

TYPE OF OWNERSHIP

Corporation Partnership Sole Proprietorship Limited Liability Corporation Non-Profit

PROPERTY OWNER OR MANAGEMENT COMPANY (If Leasing)

Name: _____ Telephone: _____

Are you a United States citizen? Yes No (If No, please furnish a copy of your alien registration card, passport, etc.)

Have you ever been convicted of a crime? Yes No (If Yes, what offense?)

Date of conviction: _____

Has applicant ever been denied a license or have a license suspended or revoked in any township in the state of New Jersey? Yes No

If Yes, Where? _____

Why? _____

Do you have any other businesses in the Township of Willingboro or any other township in the State of New Jersey?
Yes No (If Yes, please explain): _____

MERCANTILE LICENSE APPLICATION

EMERGENCY CONTACT PAGE

OWNER (S) CONTACT INFORMATION				
Owner Name: _____	Telephone: _____			
Address: _____				
Street/Post Office Box Number	City	State	Zip Code	
Alternate Telephone: _____	Email Address: _____			

EMERGENCY CONTACTS (Must be different than above)				
Primary Contact: _____	Telephone: _____			
Alternate Telephone : _____	Email Address: _____			
Secondary Contact: _____	Telephone: _____			
Alternate Telephone : _____	Email Address: _____			

ALARMS (Check all that apply)	
Burglar	Fire

EMERGENCY CONSIDERATIONS
Please provide information regarding hazardous materials on site or other information that will aid emergency personnel in their response. Please attach additional pages as necessary.

Personal information provided in this application will not be distributed. Information will be distributed as necessary to parties included on this form via email and the postal service for public safety and emergency preparedness purposes as well as public service announcements.

I declare under the penalty of perjury, that the information provided in this application is true and correct. I understand that the issuance of a mercantile license does not approve use. I am responsible for obtaining all applicable licenses and permits prior to commencement of business.

Signature of Owner or Representative _____

Block No. _____ Lot No. _____

OFFICAL USE ONLY

Department Reviews and Initials			
<u>Inspections Department</u>	Approved _____	Denied _____	
<u>Tax Collector</u>	Approved _____	Denied _____	Amount Owed _____
<u>Police Department</u>	Approved _____	Denied _____	
<u>Township Clerk</u>	Business Registration Number: _____		Receipt Number: _____
Remarks: _____			

AFFIDAVIT

State of New Jersey
County of Burlington :SS
Township of Willingboro

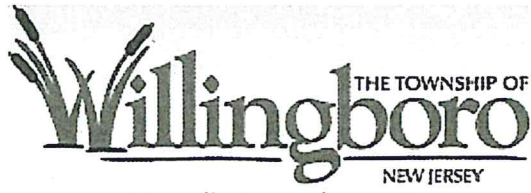
_____, being
duly sworn that he/she is the individual making the forgoing application
for a Mercantile license and that the answers to the questions contained
therein are true.

Sworn and subscribed before me this _____ day of _____,
20 _____.

New Jersey Notary Public

(SEAL)

Applicant



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**INFORMATION REQUIRED WITH THE MERCANTILE
LICENSE APPLICATION**

1. Original valid Drivers License or other proof of identification.
2. State Sales Tax Certificate of Authority: Issued by the New Jersey Division of Taxation. You may contact their Office at (856) 614-2600 for information regarding this certificate and insurance.
3. You must have zoning approval before the license can be issued. The Inspection Department— (609) 877-2200, Extension 1214
4. Proof of ownership or leasing of the subject premises (Copy of deed or lease).
5. A certificate of occupancy, or continued certificate of occupancy is required. This may be obtained from the Inspection Department.

All licenses expire on the 30th of June and must be renewed prior to the 1st of July.

The following fees are established for annual mercantile licenses:

Commercial and Professional	\$ 75.00
Construction and Development Contractors	\$ 75.00
Food Handling	\$ 10.00
Delivery Services per vehicle	\$ 35.00
Expositions, Circus and Carnival	\$200.00
Hotel/Motel	\$100.00
Light Industrial/Manufacturing	\$100.00
Multi-Family Per Unit	\$ 10.00
Personal Services	\$ 75.00
Restaurant	\$100.00
Retail Sales	\$ 75.00
Single Family Rental Per Unit	\$ 50.00
Theater	\$100.00
Warehouse	\$100.00
Wholesale Sales	\$ 75.00



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Delivery Services per vehicle	\$ 35.00
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Hotel/Motel	\$100.00
Light Industrial/Manufacturing	\$100.00
Multi-Family Per Unit	\$ 10.00
Personal Services	\$ 75.00
Restaurant	\$100.00
Retail Sales	\$ 75.00
Single Family Rental Per Unit	\$ 50.00
Theater	\$100.00
Warehouse	\$100.00
Wholesale Sales	\$ 75.00

Township of Willingboro, NJ
Sunday, July 20, 2014

Chapter 121. BUSINESS LICENSING

§ 121-1. Findings; purpose.

The Township Council of the Township of Willingboro finds that the increasing number of itinerant businesses which operate within the Township increases the potential for unsavory and irresponsible individuals and entities to improperly promote their purported services and to fraudulently misrepresent themselves and said services, thereby posing an increasing risk of significant economic loss to the residents of the Township. The governing body also finds that a procedure should be established to promote economic growth in the Township, while assuring that the existing and new businesses, which have or seek to establish themselves within the Township, are made aware of laws and regulations of the State of New Jersey, County of Burlington and Township of Willingboro. The purpose of this chapter is to promote and protect the general health, safety and welfare of the residents of the Township of Willingboro and to promote responsible economic growth within the Township of Willingboro through licensing and regulation of businesses, trades, occupations, enterprises, or similar activities within the Township.

§ 121-2. License required; exemptions.

Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

It shall be unlawful for any person to conduct, engage in or carry on any industry, business, trade, occupation or similar activity within the Township or use any stand, store or other place or thing for which a license is required by law without first complying with the provisions of this chapter and obtaining a license as is herein provided. However, nothing in this chapter shall be construed to authorize the Township to require a license or to regulate any person holding a license or certificate issued by any department, board, commissioner or other agency of the state where the state statutes specifically exempt the occupation from municipal business licensing requirements.

§ 121-3. Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

BUSINESS

Includes all kinds of vocations, occupations, professions, enterprises, establishments and all other kinds of activities and matters, together with all devices, machines, vehicles, and appurtenances used therein, any of which are conducted for private profit or benefit, either directly or indirectly, on any premises in the Township, as set forth in N.J.S.A. 40:52-1 and acts amendatory and supplemental thereto.

PERSON

Includes an individual, firm, corporation, or any other organization, entity or association.

PREMISES

Includes all land, structures, places and also equipment and appurtenances connected or used therewith in any business and also any personal property which is either affixed to, or is otherwise used in connection with, any such business conducted on such premises.

§ 121-4. Application for license; contents.

Applications for all licenses required by this chapter shall be made in writing to the Township Clerk. The applications to be filed by the applicant shall contain the following information in the format provided below:

- A. The name under which the industry, business, trade, occupation or activity is to be conducted.
- B. The name of the applicant. (If a corporation, provide the names and addresses of the officers, directors and stockholders; if a partnership, give the names and addresses of all partners.)
- C. The present address of the applicant.
- D. The address to be used by the applicant within the Township where the business is to be conducted and the addresses of the business for the past five years.
- E. The nature and type of business.
- F. The residence of the applicant during the past five years, if an individual.
- G. Whether the applicant has ever had a license to conduct the business herein described denied or revoked, and if so, the circumstances with regard to the same.
- H. The business telephone number of the applicant and twenty-four-hour emergency telephone number at which the applicant or applicant's representative may be reached in the event of an emergency.
- I. The name and address of the applicant's attorney.

- J. The name and address of the registered agent, if the applicant is a corporation.
- K. A statement as to whether the use of the property as requested complies with the terms of Chapter **370**, Zoning, as to use and all bulk requirements.
- L. Whether items, such as trailers, temporary structures, lighting, fences, goods for sale or similar items, will be placed on the grounds of the premises.
Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).
- M. A statement that all proposed structures, trailers, fences, lighting, storage and parking complies with all applicable ordinances of the Township.
- N. A statement that the applicant makes the statements above to induce the Township to issue the license herein applied for and that the applicant agrees to comply with all laws and ordinances of the Township applicable to the subject matter hereof.

§ 121-5. Effect of filing application.

Any individual, partnership, association, corporation or other form of business enterprise or entity seeking to establish or engage in any for-profit, economic activity within the Township must first apply for a license pursuant to § 121-2 above. The filing of the application for such license from the Township shall constitute an affirmative representation by the applicant to the Township that the applicant is engaged in the business, occupation, trade, enterprise, or other such for-profit, economic activity for which the application for the license is being submitted. For the purposes of this chapter, an "applicant" shall mean any individual, partnership, corporation or other form of business enterprise which files an application for a license and/or for renewal of a license under this chapter.

§ 121-6. Application forms.

Application forms for all licenses shall be obtained from and kept on file by the Township Clerk.

§ 121-7. Submission of application; required signatures.

The application form is to be submitted to the Township Clerk for processing. The application must be signed by such person, partner, officer, director, trustee and/or agent as is authorized by the applicant to bind the applicant to the representations contained therein. Each license issued by the Township shall bear the signature of the Township Clerk, or, in the absence of the Clerk, the Clerk's designee, unless otherwise provided for by this chapter or any amendment thereto.

§ 121-8. Investigations and inspections.

Upon receipt of an application for a license, the Township Clerk shall refer such application to the proper officers for making an investigation or inspection, and they shall make a report within 10 days after receiving the application or a copy of same. Without limitation to any other officers or investigations that the application may be referred to, the following officers shall make the following investigations and reports:

- A. The Fire Official shall make or cause to be made an inspection in regard to the fire requirements and fire regulations for the health and safety of the public.
- B. The Zoning Officer shall make all appropriate zoning inspections regarding the use of the property as it applies to Chapter **370**, Zoning, of the Code of the Township of Willingboro, site plan and bulk requirements of the property and shall certify as to the following in the report to the Township Clerk:
 - (1) The zone where the business shall be conducted.
 - (2) Whether or not the business is a permitted use in the zone.
 - (3) Is a use variance required.
 - (4) If the business is a preexisting use, does it predate the requirements of Chapter **205**, Land Subdivision and Site Plan Review, and Chapter **370**, Zoning, and, therefore, qualify as a legitimate nonconforming use.
 - (5) Does the applicant require site plan approval.
 - (6) Are any bulk variances required for the applicant's use of the premises.
- C. The Director of Public Safety shall make such investigation as is required under Chapter **214**, Licensing, under the general provisions for licensing under this Code.
- D. The Construction Official shall make such investigation and inspection as may be required under the Code of the Township.
- E. The Board of Health shall make such investigation and inspection as may be required under the Code of the Township and state law.
- F. The Tax Collector shall make such investigation as a condition for the issuance or renewal of any license or permit issued to ensure that the applicant, if he or she is the owner thereof, pay any delinquent property taxes or assessments on the property that is the subject of the license or on which a licensed activity or business is or will be conducted.

§ 121-9. Approval standards.

The Township Clerk shall approve all applications which have complied with the following standards:

- A. Chapter **205**, Land Subdivision and Site Plan Review, and Chapter **370**, Zoning, of the Code of the Township of Willingboro;
- B. The Building and Fire Prevention Code;
- C. The reports of all municipal officers required under this chapter and the general laws and public health statutes of the State of New Jersey as applicable to the Township, as well as all general ordinances of the Township of Willingboro;
- D. The license history of the applicant indicating an absence of violations, rejections or suspensions and the timeliness of past applications for licenses and the applicant's continued compliance with licensing requirements.

§ 121-10. Licensing fees.

In the absence of any provisions to the contrary, all fees and charges for licenses, as noted in Chapter **150**, Fees, of the Code of the Township of Willingboro, shall be paid in advance at the time the application is made to the Township Clerk. Except as otherwise provided, all license fees shall become a part of the general Township treasury.

§ 121-11. Termination of licenses.

All licensing shall terminate when the licensee ceases operating at the premises where the business was located at the time of the application for the license, subject, however, to the provisions of § **121-13** hereinafter set forth.

§ 121-12. Compliance required.

No license shall be issued for the conduct of any business, trade, occupation, enterprise or activity, nor shall any other form of permit be issued for any other thing or act, if the premises and building to be used for the purpose does not fully comply with the applicable laws of the Township of Willingboro, County of Burlington, and the State of New Jersey. No licenses issued in accordance with this chapter or amendment thereto shall be deemed to be an endorsement by the Township of the business, trade, occupation, enterprise or activity for which the license has been issued.

§ 121-13. Change of location.

Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

The location of any licensed business or occupation or of any other permitted act may be changed upon application to the Township Clerk pursuant to §§ 121-4 and 121-9. The application shall be considered to be a new application for the purpose of complying with the requirements of this chapter.

§ 121-14. Nuisances prohibited.

No business, licensed or not, shall be so conducted or operated as to amount to a public or private nuisance.

§ 121-15. Right of entry for inspections.

Whenever inspections of the premises used for or in connection with the operation of a licensed business or occupation are provided for or required by any ordinance, or are reasonably necessary to secure compliance with any ordinance provisions or to detect violations thereof, it shall be the duty of the licensee or the person in charge of the premises to be inspected to admit thereto, for the purposes of making the inspection, any officer or employee of the Township who is authorized or directed to make such inspection, at any reasonable time that admission is requested.

§ 121-16. Revocation of license.

- A. The Township Clerk shall have the right to revoke any license for any of the following reasons:

Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

- (1) Fraud or misrepresentation in any application for a permit or license.
- (2) Fraud, misrepresentation or other dishonesty in the conduct of the licensed activity.
- (3) A violation of any provision of this Code.
- (4) Conviction of the licensee for any felony or high misdemeanor or a misdemeanor or disorderly person's offense involving moral turpitude.
- (5) Conduct of the licensed activity, whether by the licensee himself or his agents or employees, in an unlawful manner or in a manner that constitutes a breach of the peace or a menace to the public health, safety or general welfare.

- (6) Whenever a license has been issued immediately upon application, pending the results of the investigation provided for by this chapter, the license may be summarily revoked if the result of the investigation would have resulted in denial of the license.
 - (7) A license may be revoked or suspended when any licensee, who is an owner of the property on which the licensed business or activity is conducted, has failed to pay the taxes due on the property for at least three consecutive quarters. Upon payment of the delinquent taxes or assessments, the license or permit shall be restored.
- B. Prior to the revocation of the license, the Director of Public Safety or his or her designee or the Code Enforcement Officer or his or her designee, as provided herein, shall serve notice of the proposed revocation upon the licensee and/or the licensee's registered agent. The notice shall advise the licensee of the licensee's right to request a hearing on the matter before the Mayor and Council. The notice shall advise the licensee that a request for hearing before the Mayor and Council must be submitted in writing to the Township Clerk within 30 days of the date of receipt of said notice. Failure to request a hearing within the stated time specified in the notice shall be deemed to be a waiver of the right to hearing and shall result in an automatic revocation of the license. If the licensee requests a hearing, the licensee may be represented by legal counsel; however, if the licensee is a corporation, the licensee shall be represented by an attorney at law of the State of New Jersey.

§ 121-17. Posting of license.

Licenses issued under this chapter shall be posted at the place of business shown on the license in a conspicuous place. The license shall remain posted for the duration of the licensing year when issued and so long as the licensed business is in operation.

§ 121-18. Use of fees.

The fees herein imposed for businesses and business licenses are revenue-producing in nature, but the fees are used primarily in an attempt to cover the cost of inspections, with the exception of specific inspections required by the laws of the State of New Jersey and the Township of Willingboro enumerated elsewhere in the Code of the Township, of such businesses to ensure compliance with the laws of the state and the ordinances of the Township. It is the legislative intent of this chapter to ensure that all businesses of whatsoever kind, and wheresoever located in this Township, shall be inspected periodically to ensure compliance with the laws as aforesaid. In certain instances, there are those businesses which warrant additional police surveillance and inspection, and there are also those businesses which attract unusual amounts of vehicular traffic, necessitating additional regulation and enforcement. The fees herein set forth provide a reasonable

relationship to the costs of the regulation of these businesses and the administration of this chapter.

§ 121-19. Exceptions.

This chapter shall not apply to any business or occupation licensed under those various laws of this state which prohibit licensing by municipalities.

§ 121-20. Enforcement.

The proper enforcement of the provisions of this chapter dealing with business licenses shall be within the concurrent jurisdiction of the Police Department and/or the Code Enforcement Office of this Township; however, nothing herein shall be deemed to limit the jurisdiction of any other department or officer charged with the responsibility of enforcing any other law and/or regulation of the Township of Willingboro, County of Burlington, State of New Jersey, or United States of America. Except as otherwise provided herein, the Police Department and/or Code Enforcement Department may issue violations and recommend penalties for said violations as provided in the Code of the Township of Willingboro. All actions for enforcement of alleged violations wherein revocation of the license is not sought as penalty for the violation shall be prosecuted before the Municipal Court of the Township of Willingboro. All actions for enforcement of alleged violations wherein recommended penalties include both revocation of the license as well as additional penalties pursuant to the Code of the Township of Willingboro shall be initially prosecuted before the Municipal Court of the Township of Willingboro, and, upon conclusion of the Municipal Court matter and any appeals therefrom, the sole issue of revocation of the license will be referred to the Mayor and Council. The Mayor and Council may adopt findings of fact or conclusions of law made by the Municipal Court and the Appellate Court, if any, without need for further evidentiary proceedings as to said findings or conclusions.

§ 121-21. Violations and penalties.

Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

Any person violating the provisions of this chapter shall, upon conviction, be punishable as provided in Chapter 1, Article II, General Penalty.