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ORDINANCE OF THE TOWNSHIP COUNCIL, TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, ESTABLISHING CEASE AND DESIST ZONES PROHIBITING REAL ESATE CANVASSING

WHEREAS, pursuant to Ordinance No. 4496-15, effective December 4, 2015, and codified at §391-54 of the Township Code, the Township Council may impose “cease and desist” zones prohibiting real estate canvassing in areas of the Township that have been “subject to intense and repeated canvassing or solicitation by” individuals and entities seeking to induce sales of real estate; and

WHEREAS, pursuant to §391-54A of the Township Code, the Business Administrator and Township Attorney conducted an investigation and held a public hearing on real estate canvassing activities in the Township; and

WHEREAS, pursuant to §391-54B of the Township Code, the Business Administrator and Township Attorney prepared and submitted to the Township Council a report detailing the findings of their investigation; and

WHEREAS, the report finds that the areas delineated as Zones 1 and 2 on the map attached as Schedule A hereto and incorporated herein by reference, have been subjected to “intense, incessant, and intimidating direct solicitations” of real estate, which have given rise to credible incidents of blockbusting and led to an overall deterioration of the quality of life in these areas; and

WHEREAS, the report recommends that the Township Council impose a “cease and desist” zone prohibiting real estate canvassing in the designated areas for a period of five years; and

Oliver Carlucci, Dep.

WHEREAS, the Township Council has reviewed and concurs with the report's findings and recommendations, and has adopted them by companion resolution:

NOW, THEREFORE, BE IT ORDAINED by the Township Council of the Township of Toms River, Ocean County, New Jersey, as follows:

1. Section 54 (Cease and Desist Zones) of Chapter 391 (Peddling and Soliciting) of the Code of the Township of Toms River, is hereby amended and supplemented to add the following subsection:

D. Active Cease and Desist Zones. Cease and desist zones are hereby established for the areas described below and depicted on the codified map:

1. Zone 1: The area bounded by the Lakewood and Jackson borders to the north and northwest, State Hwy. 70 to the south, and Whitesville Road (County Rt. 527) to the west. This cease and desist zone shall remain in effect for five years from its effective date.
2. Zone 2: The area bounded by the Lakewood border to the due north, State Hwy. 70 to the northwest, New Hampshire Avenue to the east and southeast, and by Whitesville Road (County Rt. 527), Riverwood Drive, U.S. Route 9, and Silverton Road to the south and southwest. This cease and desist zone shall remain in effect for five years from its effective date.

2. The map attached hereto as Schedule A shall be codified in the Township Code.

3. No further real estate canvassing permits shall be issued for the zones depicted in the map attached as Schedule A hereto, and any pending applications for canvassing permits for these areas are deemed denied.

4. All other parts of Chapter 391 remain in full force and effect.

5. All ordinances or parts of ordinances which are inconsistent herewith are repealed, but only to the extent of such inconsistency.

6. If any part of this ordinance is invalidated by competent authority, that part is severed, and the remaining provisions shall remain in full force and effect.

7. This ordinance shall take effect following its final passage by the Township Council, approval by the Mayor, and 20 days after publication as required by law.

SCHEDULE "A"

JACKSON
TWP

CEASE AND DESIST ZONES

"NORTH DOVER SECTION"

TOMS RIVER TOWNSHIP
OCEAN COUNTY NEW JERSEY

FLD. BK.	DATE 02.05.16	DESIGNED BW	CHECKED
	SCALE 1" = 1700'	DRAWN BW	APPROVED
FILE NO.	GIS\Maps\Clerk\Canvassing		SHEET 1 OF 1

Zone 1

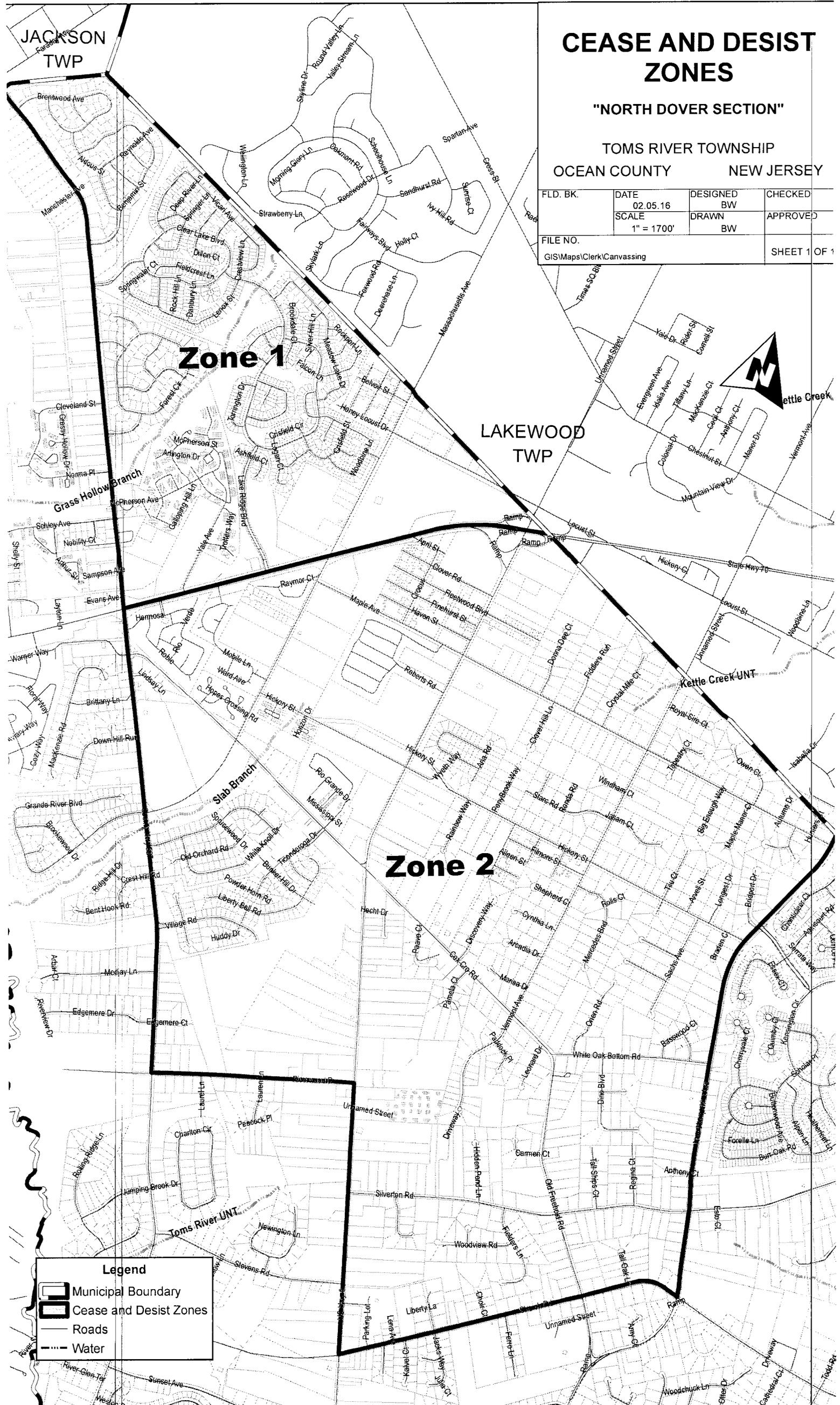
LAKWOOD
TWP

Zone 2



Legend

- Municipal Boundary
- Cease and Desist Zones
- Roads
- Water



TOMS RIVER TOWNSHIP NOTICE

ORDINANCE OF THE TOWNSHIP COUNCIL, TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, ESTABLISHING CEASE AND DESIST ZONES PROHIBITING REAL ESATE CANVASSING

PURPOSE: TO ESTABLISH TWO CEASE AND DESIST ZONES IN THE NORTHWESTERN SECTION OF THE TOWNSHIP

NOTICE IS HEREBY GIVEN that the ordinance published herewith was introduced and passed upon first reading at a meeting of the Township Council of the Township of Toms River, in the County of Ocean, New Jersey, held on February 9, 2016 at 6:00 p.m. It will be further considered for final passage at a public meeting to be held in the L. Manuel Hirshblond Meeting Room of the Municipal Building in said Township on February 23, 2016 at 6:00 p.m., or as soon thereafter as this matter can be reached, at which time all persons interested shall be given an opportunity to be heard concerning this ordinance. Prior to the second reading, a copy of this ordinance shall be posted on the bulletin board in the Municipal Building and copies shall be made available at the Township Clerk's Office in said Municipal Building to members of the general public who shall request such copies.

J. MARK MUTTER
TOWNSHIP CLERK

APPROVED AS TO FORM



KENNETH B. FITZSIMMONS
TOWNSHIP ATTORNEY
MUNICIPAL BUILDING
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TOMS RIVER, NJ 08753