ORDINANCE 2026-14

AN ORDINANCE SUPPLEMENTING CHAPTER 102, "DEVELOPMENT REGULATIONS" OF THE CODE OF THE TOWNSHIP OF COLTS NECK, ARTICLE VIII, "ZONING REQUIREMENTS," "PART 4. ZONING AND DESIGN REQUIREMENTS FOR RESIDENTIAL DISTRICTS," SECTION 102-85.4, "A-8 OVERLAY RESIDENTIAL DISTRICT"

WHEREAS, on March 20, 2024, Governor Murphy signed P.L.2024, c.2. into law, establishing a new framework for determining and enforcing municipalities' affordable housing obligations under the New Jersey Supreme Court's Mount Laurel doctrine and the New Jersey Fair Housing Act (the " FHA") (N.J.S.A. 52:27D-301 et al.); and

WHEREAS, the Amended FHA requires the Department of Community Affairs ("DCA") to calculate the Fourth Round Present and Prospective Need Obligation of municipalities within the state and establishing the New Jersey Affordable Housing Dispute Resolution Program; and

WHEREAS, pursuant to the FHA, Administrative Directive No. 14-24, and Resolution No. 2025-43, the Township filed a Declaratory Judgment Action under Docket Number MON-L-422-25 seeking approval and confirmation by the Affordable Housing Alternative Dispute Resolution Program (the "Program") of its affordable housing obligations;

WHEREAS, on March 27, 2025, the Hon. Linda Grasso Jones J.S.C. issued an order finding in favor of the Township's identified affordable housing obligation and authorizing the Township to proceed with preparation and adoption of a Fourth Round Housing Element and Fair Share Plan by June 30, 2025;

WHEREAS, the Township's Planning Board adopted the Fourth Round Housing Element and Fair Share Plan ("Fourth Round HEFSP") on June 9, 2025, which was endorsed by the Township Committee on June 11, 2025; and

WHEREAS, the Township submitted the Fourth Round HEFSP to the Program in accordance with the FHA and Directive #14-24; and

WHEREAS, on August 28, 2025 and September 2, 2025, Fair Share Housing Center, Active Acquisitions, LLC and 68 Obre Owner LLC filed challenges to the Fourth Round HEFSP; and

WHEREAS, on March 4, 2026, the Program issued its Decision Recommendation Housing Element and Fair Share Plan: Denial of Certification of Compliance Pending Action by Township ("Program Decision Recommendation") whereby it found that the Fourth Round HEFSP does not comply with the FHA and the Mount Laurel Doctrine and ordered that to maintain immunity and receive a Certification of Compliance the Township must adopt an Amended HEFSP designating the properties located at 68 Obre Road (Block 50, Lot 7), 318-22 Route 537 (Block 48, Lots 25.01, 26 & 27), and 151 Dutch Lane (Block 11, Lot 3.02) for inclusionary zoning by April 8, 2026 and adopt enabling zoning ordinances to permit development of the three (3) projects proposed by 68 Obre Owner LLC and Active Acquisitions, LLC by May 13, 2026; and

WHEREAS, on March 9, 2026, the Hon. Linda Grasso Jones, J.S.C. entered an Order accepting the Program Decision Recommendation and ordering the Township to adopt an Amended HEFSP by April 8, 2026 and the enabling zoning ordinances by May 13, 2026 ("March 9 Order"; and

WHEREAS, in accordance with the March 9 Order, Colts Neck Township Planning Board, under protest, adopted on April 7, 2026 an Amendment to the Fourth Round HEFSP in compliance with the March 9 Order and as meeting the requirements of N.J.S.A. 40:55D-28 and N.J.S.A. 52:27D-310, which was endorsed, under protest, by the Township Committee on April 8, 2026; and

WHEREAS, on June 23, 2026, the Hon. Linda Grasso Jones, J.S.C. entered an order (the "June 23 Order") providing as follows in relevant part:

It is anticipated that issues involving the 68 Obre Owner, LLC site

will be resolved prior to the August 12, 2026 Township Committee meeting, and resolution of issue(s) involving development by 68 Obre Owner will be addressed with adoption of a resolution by the governing body at that meeting.

The Township and Active Acquisitions, LLC will continue their discussions regarding the potential for development by Active Acquisitions within Colts Neck.

Immunity from Round IV builder's remedies suits continues to be extended to Colts Neck through September 17, 2026

; and

WHEREAS, in light of the foregoing, and to comply with the March 9 Order consistent with the terms of the June 23 Order, the Township Committee seeks to rezone the property located at 68 Obre Road (Block 50, Lot 7) to permit the development of the inclusionary project proposed by 68 Obre Owner LLC, which includes townhouses and stacked townhouses.

Now Therefore Be It Ordained, by the Township Committee of Colts Neck Township Monmouth County, New Jersey, that the Code of the Township of Colts Neck is hereby amended, to amend and supplement existing Section 102-85.24 "A-8 Overlay Residential District".

SECTION 1. Chapter 102, "Development Regulations," Article VIII, "Zoning Requirements," Section 102-85. 4 "A-8 Overlay Residential District," is hereby established as follows:

A. The purpose of the A-8 Overlay Residential District is to provide for the development of 212 townhome units, comprised of two- and three- story market rate units, and no fewer than fifty (50) affordable housing units, upon Block 50, Lot 7, consistent with the Township's Fourth Round affordable housing obligations as adjudicated by the Superior Court of New Jersey in *In the Matter of the Declaratory Judgment of the Township of Colts Neck, Monmouth County, Pursuant to P.L. 2024, Chapter 2 (N.J.S.A. 52:27D-304.1, et seq.)*, Docket No. MON-L-422-25.

B. Principal permitted uses on land and in buildings. The following shall be permitted as principal uses:

(1) Townhouses.

(2) Stacked townhouses containing not more than 2 dwellings each, with the exception that a portion of the affordable units may be stacked townhouses with 3 units each.

(3) Agricultural uses.

(4) Conservation areas and open space.

C. To the extent property within the zone is developed in accordance with the permitted uses set forth in subsection (B)(1)-(2), the site shall be developed in a manner that is substantially consistent with the Concept Plan titled, prepared by Dynamic Engineering, Inc. dated _____, attached hereto as **Exhibit A** and incorporated by reference. Substantial consistency shall include but is not limited to the number of units and affordable housing set-aside, building locations, and open space and buffer locations.

D. Accessory structures. The following shall be permitted as accessory structures (subject to §§ 102-48 and 102-87):

(1) Off-street parking facilities and parking lots.

(2) Mailboxes, lampposts, flagpoles, driveways, paths, sidewalks.

(3) Common facilities and amenities including: playgrounds, clubhouse with a fitness center and reception facilities, dog park, swimming pools, hot tubs, grilling stations and other on-site recreational areas and facilities, common walkways and paths, gazebos, sitting areas, picnic areas and gardens, and other similar uses.

(4) Patios, decks, and terraces at the ground floor; balconies at upper stories.

(5) Fences and walls. See §102-57 and §102-73 for requirements.

(6) Satellite dishes and solar energy panels. Ground mounted solar energy panels shall be screened from view of public streets and neighboring properties by screening, planting, fencing or a combination of these techniques, in order to provide proper screening after 2 growing seasons. Roof mounted solar energy panels shall be mounted flush, or nearly flush, with building sides or roofs.

(7) Bike racks and storage structures.

(8) Signs.

(9) Emergency generators.

(10) Utility structures, including but not limited to, stormwater management basins and facilities, pump stations, junction boxes, and the like. Existing stormwater management basins and facilities may be utilized in new development.

(11) Temporary construction and sales trailers. See §102-80 for requirements.

(12) Other structures which are customarily incidental to a permitted principal structure.

(13) Accessory structures for individual units other than patios, terraces, balconies and decks, such as but not limited to pools and sheds, are prohibited.

E. Affordable housing. Not less than 24% of the total units developed on the site shall be affordable housing units. Affordable units shall be integrated with the market-rate units. All affordable units shall meet the requirements of the Township's affordable housing regulations (§102-97.1) and the Uniform Housing Affordability Control rules (N.J.A.C. 5:80-26.1 et seq.) with the exception that all affordable units may be located in 2-unit stacked townhouses and a portion may be located in 3-unit stacked townhouses.

F. Bulk, area, and building requirements.

(1) Bulk Requirements.

Requirements	**Standard**
Minimum tract area	35 acres
Minimum tract frontage	1,100 feet
Minimum tract depth	1,500 feet
Maximum units	212 units
Minimum width of townhouse or stacked townhouse	22 feet
Minimum setbacks	
Principal building	
Setback from Obre Road	250 feet
Setback from internal roads	20 feet
Setback from parking (excluding driveway spaces and affordable assigned spaces)	15 feet
Distance between the rear of a building to the rear of any building	30 feet
Distance between the side of a building to the rear of any building	20 feet
Distance between the side of a building to the side of any other building	20 feet
Side tract boundary	40 feet
Rear tract boundary	200 feet

Requirements	Standard
Accessory buildings	
Setback from Obre Road	Prohibited
Setback from internal roads	20 feet
Setback from parking	10 feet
Side yard setback	50 feet
Rear yard setback	190 feet
Maximum dwellings per building	
Townhouses	5
Stacked townhouses	12
Combination	12
Maximum building height	
Townhouses	2.5 stories / 35 feet*
Stacked townhouses	3 stories / 40 feet*
Clubhouse	1 story / 30 feet*
Accessory buildings, excluding clubhouse	1 story / 20 feet*
Maximum building length along longest side	140 feet
Maximum building coverage (building coverage of tract)	15%
Maximum lot coverage (coverage of tract)	40%

* See subsection (2) below.

(2) Building Height.

(a) The maximum building height for any principal building located along Obre Road and/or along a site entrance within 130 feet of Obre Road shall be 2 stories / 35 feet.

(b) Building height shall be measured as the vertical distance measured to the midpoint point of the building roof from the average finished grade, measured at five-foot intervals along and five feet away from the foundation along the side(s) of the building facing a street. If the average finished grade consists of fill, the grading shall transition to the original grade at maximum slope of 8:1 for a minimum distance of 40 feet. (Retaining walls shall not be used within this 8:1 transition, except for walls that are perpendicular to the structure and designed for basement/cellar garages or walkout basements/cellars.)

(3) First floor patios, terraces and decks may encroach into required setbacks by a maximum of 12 feet.

G. Site access, off-street parking, and loading requirements.

(1) Two (2) streets providing site access shall be provided from Obre Road. Driveways serving individual townhouses or stacked townhouses are prohibited from Obre Road.

(2) New streets shall have minimum setback of 60 feet from any side tract boundary.

(3) A minimum of 20 feet shall be provided for any driveway, measured from the garage or building face to the sidewalk or cartway, as may be applicable.

(4) The number of parking spaces shall be consistent with the requirements of N.J.A.C. 5:21-1.1 et seq. known as the Residential Site Improvements Standards.

(5) The number of parking spaces required for a club house or amenity space shall be 1 parking space per 500 square feet of gross floor area.

(6) No loading spaces are required.

(7) Parking spaces and drive aisles shall comply with the minimum principal building setbacks.

H. Amenity requirements.

(1) The following amenities shall be provided:

(a) Walking paths available to on-site residents.

(b) Clubhouse.

(c) Outdoor playground that offers play opportunities for a variety of child ages.

(2) No amenity, with the exception of walking paths, shall be located within 100 feet of a side lot line shared with a lot that includes a single-family home.

I. Landscape Requirements.

(1) Landscaping and plantings shall be provided pursuant to §102-71. unless otherwise stated.

(2) Shade trees shall be provided along all internal roads as specified by §102-71A, and the distance between shade trees shall be an average of 55 feet, to allow for driveways and appropriate sight triangles. Street trees may be clustered to achieve compliance. Notwithstanding the provisions of §102-71A, shade trees shall be planted not less than 7.5 feet from the curb line.

(3) Landscape buffers.

(a) A 100 foot landscaped buffer shall be provided along the Obre Road frontage.

(b) A 20 foot landscaped buffer shall be provided along the side and rear tract boundaries.

(c) A planted berm of 6 to 8 feet in height shall be provided within the Obre Road landscape buffer. The berm shall have gently curving, naturalistic forms with vertical and horizontal variation. Berm slopes shall not exceed 3:1, with an average slope of between 4:1 and 5:1. The berm shall include a variety of plant materials with a predominance of evergreen trees planted generally along the ridge to maximize the buffer screening.

(d) The landscaped buffers shall be planted with an all-season screen consisting of groups of evergreen and deciduous trees staggered in double rows 15 feet on center, as well as shrubs. Evergreen tree groups shall consist of 3 to 7 evergreen trees (minimum of 6 feet in height at planting). Deciduous tree groups shall consist of one canopy tree (2 ½ inches in caliper at planting), and 3 ornamental trees (2 ½ inches caliper at planting.) No structures are permitted within the buffer with the exception of site entrances and permitted project identification signs.

(4) All stormwater management basins shall be graded, landscaped, and buffered to maintain a naturalized look and minimal walls and retaining walls to the extent practical in accordance with NJ DEP stormwater regulations.

J. Miscellaneous Site Design.

(1) Trash and recycling areas shall be provided within the garages of all units. Dumpsters shall be provided for any unit without a garage within 300 feet of the unit served. Dumpsters shall be enclosed with a masonry wall and a solid gate and

shall be screened from adjacent units and amenities with plantings. The masonry wall and gate shall be composed of materials and colors that are complementary to the townhouse buildings.

(2) Covered bicycle storage shall be provided for each unit that lacks a garage at a rate of one bicycle storage space per unit. Required bike storage shall be provided within 300 feet of each unit served.

(3) Not more than 2 fence styles shall be permitted for individual unit fencing. This shall not apply to fencing for common areas.

K. Building Design.

(1) Walkout basements are prohibited for any unit with rear frontage along Obre Road.

(2) Roof lines shall be varied and shall not include a continuous ridge line for more than two units in a row, with height changes or offsets of not less than 12 inches. The articulation of the roof line shall include gables, dormers, offsets, and similar treatments.

(3) Building front and rear facades shall provide offsets of at least 2 feet, at a spacing of not more than two units having the same setback.

(4) All buildings shall be designed to have an attractive, finished appearance from all public spaces and public streets. Building materials on the rear and side facades of the building shall be consistent with those on the front façade. Building design of the rear and side facades of the building shall be complementary to that of the front façade.

(1) All buildings shall employ traditional architectural forms and materials that complement to the Township's rural and agricultural character. Primary building colors shall be warm muted earth tones.

(2) The side and rear facades of buildings located along Obre Road shall utilize enhanced architectural design to mitigate the visual impact of the development from the public road. Enhanced architecture shall include side building entrances for end units, enhanced architectural detailing of the building facade, increased window areas, and/or enhanced architectural detailing of rear decks, terraces and patios.

(3) Rear decks, terraces or patios may be provided for all units except as set forth in item G.(2) here in.

(a) The maximum depth of at grade rear decks, terrace and patios is 15 feet.

(b) The maximum size of balconies for upper stories is 5 feet by 10 feet.

L. Upper story decks are prohibited.

M. Signs.

(1) One monument or freestanding project identification sign at each site entrance is permitted in accordance with the following standards:

(a) Signs shall be non-illuminated or externally illuminated.

(b) Signs shall be landscaped and may identify the community project name, developer, and logo.

(a) The maximum sign area containing text and logos shall not exceed 20 square feet for each side of the sign if two-sided.

(b) The maximum sign height, including the structure and sign area, shall not exceed 6 feet.

(c) The minimum sign setbacks shall be 10 feet from the public right-of-way and 75 feet from the side tract boundary.

(2) Ground mounted wayfinding signs shall be permitted to identify specific locations and/or buildings, areas, or recreational facilities. No sign shall exceed 4 square feet in area and 4.5 feet in height.

(3) Real estate signs and flag signs, the purpose of which is to advertise availability and/or direct the public to the development, are permitted along public streets and intersections, provided that such signs are located outside of any sight triangle

easements, do not interfere with vehicle sight lines. Such signs shall comply with the following requirements:

(a) There shall be no more than 5 real estate signs and 10 flag signs per property being advertised, however, there shall be no more than 2 real estate signs and 2 flag signs along Obre Road.

(b) Signs shall be freestanding and non-illuminated, and may be two sided.

(c) Real estate signs shall not exceed 20 square feet in area, per side, and 6 feet in height above the ground.

(d) Flag signs shall not exceed 30 square feet of area, per side, and shall not exceed 20 feet in height above the ground.

(4) A temporary real estate sign advertising the sale or lease of a property or structure is permitted with the following restrictions:

(a) There shall be no more than one sign per property, except that corner lots shall be entitled to 2 signs per each such lot. Such signs shall not exceed 4 square feet on each side and shall not be more than 4 feet in height and shall be removed at the expense of the advertiser immediately upon termination or completion of the matter being advertised.

(b) Signs must be located on the property advertised.

(c) Directional signs advertising for open houses may be permitted on the day before the open house and must be removed the same day after the termination of the open house. Such signs shall not exceed 4 square feet on each side and shall not be more than 4 feet in height. The number, size and location of such signs are to be determined by the Zoning Officer or Code Enforcement Officer in the exercise of his or her reasonable judgment. In any event, no more than 5 signs shall be permitted for any one open house event.

(5) Except as provided for herein, all signs shall be in accordance with the requirements of § 102-106.

(6) Seasonal decorations are permitted in accordance with the requirements of § 102-106C.

SECTION 2. Repealer. All ordinances or parts of ordinances inconsistent or in conflict with this Ordinance are hereby repealed as to said inconsistencies and conflict.

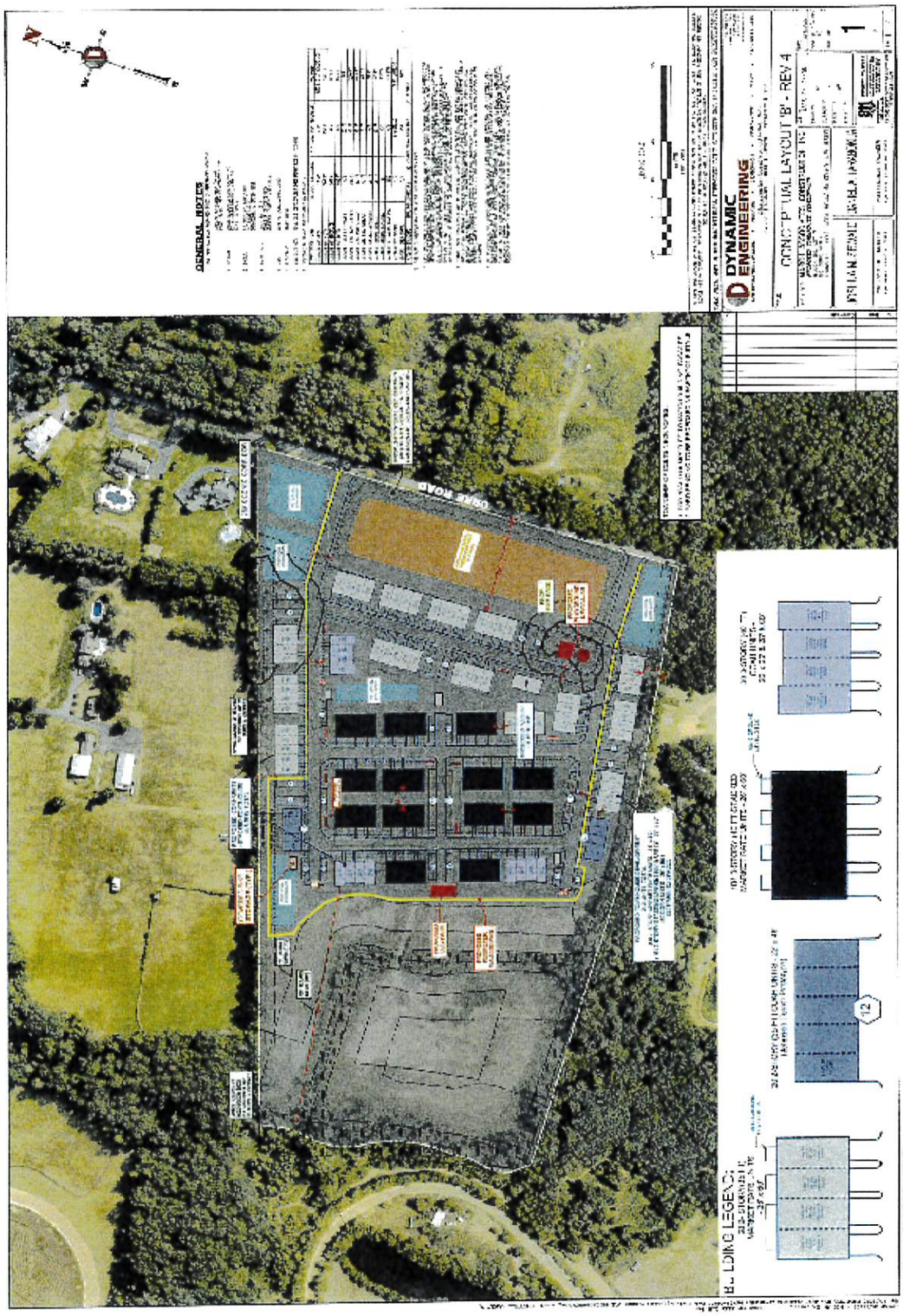
SECTION 3. Remainder. Except as hereby provided, all other parts of Chapter 102 of the Code of the Township of Colts Neck shall remain in full force and effect.

SECTION 4. Referral to Planning Board. Upon introduction, this Ordinance shall be referred to the Planning Board of the Township of Colts Neck for its review and comment for consistency with the master plan in accordance with the Municipal Land Use Law.

SECTION 5. Severability. If any Section, part of any Section or clause or phrase of this Ordinance is for any reason held to be invalid or unconstitutional, such decision shall not affect the remaining provisions of this Ordinance. The Township Committee of the Township of Colts Neck declares that it would have passed the Ordinance and each Section thereof, irrespective of the fact that any one or more of the subsections, sentences, clauses or phrases may be declared unconstitutional or invalid.

SECTION 6. Effective Date. This Ordinance shall take effect immediately upon final passage and publication according to law.

EXHIBIT A


GENERAL NOTES
DYNAMIC ENGINEERING
CONCEPTUAL LAYOUT 'B' - REV 4
BUILDING LEGEND

The foregoing Ordinance was introduced and passed on the first reading at the meeting of the Township Committee of Colts Neck Township on July 13, 2026 and duly adopted by the Township Committee of Colts Neck Township after public hearing on August 12, 2026.

_____

Kathleen Capristo, Municipal Clerk

RECORD OF VOTE										
	First Reading					Second Reading				
	July 13, 2026					August 12, 2026				
	M	S	Yes	No	NV	Ab	M	S	Yes	No	NV	Ab
Mayor Viola			X									
Deputy Mayor Buzzetta			X									
Rizzuto		S	X									
Torchia Buss		M	X									
Tobia				X								
M - Moved S - Seconded X - indicates vote NV - Not Voting Ab - Absent												

ORDINANCE 2026-15

AN ORDINANCE OF COLTS NECK TOWNSHIP AMENDING CHAPTER 168 "PEDDLERS, CANVASSERS, AND SOLICITORS" OF THE CODE OF COLTS NECK TOWNSHIP

WHEREAS, Colts Neck Township (the "Township") desires to amend Chapter 168 of the Township Code entitled "Peddlers, Canvassers, and Solicitors" to impose certain criminal history background check requirements on those applying for licenses for peddling, canvassing, and soliciting; and

WHEREAS, the Township Committee has determined that requiring criminal history background checks as part of the licensing process will promote public safety, enhance the integrity of the licensing process, and provide additional protections for Township residents; and

WHEREAS, the Township Committee has further determined that it is in the best interests of the Township to amend Chapter 168 of the Code of Colts Neck Township to establish background check requirements and related licensing standards.

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of Colts Neck Township, in the County of Monmouth and State of New Jersey, as follows (additions to text indicated by ***bold italicized underline***; deletions to text indicated by ~~***bold italicized strikeout***~~):

SECTION 1. Chapter 168 of the Code of Colts Neck Township is hereby amended and supplemented as follows:

§ 168-1 License required.

It shall be unlawful for any peddlers, canvassers or solicitors as defined in § 168-2 of this chapter to engage in any such business in Colts Neck Township without having first obtained a license therefore in compliance with the provisions of this chapter. ***No license granted under this chapter shall be transferable.***

§ 168-2 Definitions.

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

CANVASSER or SOLICITOR

Includes any person, whether a resident of Colts Neck Township or not, who goes from house to house, from place to place or from street to street, soliciting or taking or attempting to take orders for sale of services, goods, wares or merchandise, including magazines, books, periodicals, photographs or personal property of any nature whatsoever for future delivery or for service to be performed in the future, whether or not such individual has, carries or exposes for sale a sample of the subject of such order or whether or not he or she is collecting advance payments on such orders. Such definition shall include any person who for himself or for another person, firm or corporation, hires, leases, uses or occupies any building, motor vehicle, trailer, structure, tent, railroad box car, boat, hotel, inn or motel room, lodging house, apartment, shop or other place in Colts Neck Township for the primary purpose of exhibiting samples and taking orders for future delivery.

PEDDLER

Includes any person, whether a resident of Colts Neck Township or not, who goes from house to house, from place to place or from street to street, conveying or transporting goods, wares or merchandise or offering or exposing the same for sale, or making sales and delivering articles to purchasers.

§ 168-3 Exempted sales.

The terms of this chapter shall not be held to include the acts of persons selling personal property at wholesale to dealers in such articles, persons under the age of 16 years, persons distributing circulars or any other matter not relating or pertaining to commercial activities. Nothing contained in this chapter shall be held to prohibit any sale required by statute or by order of any court.

§ 168-4 Application information; investigation fee.

A. Applicants for a peddlers, canvassers and solicitors license under this chapter must file with the Municipal Clerk a notarized application, in writing which shall give the following information:

(1) The name and physical description of the applicant.

(2) The complete permanent home and local address of the applicant.

(3) A brief description of the nature of the business and the goods to be sold.

(4) If employed, the name and address of the employer, together with credentials therefrom establishing the exact relationship.

(5) The length of time for which the right to do business is desired.

(6) The source of supply of the goods or property proposed to be sold or orders taken for the sale thereof, where such goods or products are located at the time said application is filed and the proposed method of delivery.

(7) Two passport-quality photographs of the applicant, which picture shall be approximately two inches by two inches, showing the head and shoulders of the applicant in a clear and distinguishing manner.

(8) A statement as to whether or not the applicant has been convicted of any crime, misdemeanor or violation of any municipal ordinance, other than traffic violations, the nature of the offense and the punishment or penalty assessed therefor.

(9) The last municipalities, not to exceed three, where the applicant conducted business immediately preceding the date of application, and the addresses from which such business was conducted in those municipalities.

B. At the time of filing the application, a fee of $100 shall be paid to the Municipal Clerk to cover the cost of investigation of the facts stated therein.

§ 168-5 Request for Criminal History Background Checks and Fingerprinting; Costs.

A. Each applicant for a license shall secure through IdentoGo, or such other private agency as authorized by the New Jersey State Police, a criminal history background check, conducted not more than 14 days prior to the filing of the application. Such criminal history background check must be submitted (as part of the application) directly from the private agency to the Chief of Police. The criminal history background check shall be in sufficient detail and scope to reveal any criminal history recorded with the State Bureau of Identification or with the Federal Bureau of Investigation and to allow the Chief of Police to reach an informed decision as required by this section. The Chief of Police shall review the criminal history background check together with the application and any other information reasonably necessary to determine the applicant's eligibility for licensure under this Chapter.

(1) If authorized by the Monmouth County Prosecutor pursuant to N.J.S.A. 53:1-20.38, the Township shall accept the results of a criminal history record background check of State records conducted within the previous six (6) months for licensing as a peddler or solicitor in another municipality, provided that such background check indicates no disqualifying information and otherwise satisfies the requirements of this Chapter.

B. The applicant shall be responsible for scheduling the background check appointment and for payment of all costs associated with the criminal history background check.

§ 168-6 Disqualification from Obtaining A License

A. A person or individual shall be disqualified from obtaining a license or acting under the auspices of a license issued for the purpose of peddling, soliciting and canvassing if that person's criminal history background reveals a record of conviction of any crime or disorderly offense.

(1) Involving danger to the person, meaning those crimes and disorderly persons offenses set forth in N.J.S.A. 2C:11-1 et seq. (criminal homicides); N.J.S.A. 2C:12-1 et seq. (assault; reckless endangering; threats); N.J.S.A. 2C:13-1 et seq. (kidnapping

and related offenses); N.J.S.A. 2C:14-1 et seq. (sexual offenses); or N.J.S.A. 2C:15-1 et seq. (robbery); or

(2) Against the family, children, or incompetents, meaning those crimes and disorderly persons offenses set forth in N.J.S.A. 2C:24-1 et seq.; or

(3) Involving theft as set forth in Chapter 20 of Title 2C of the New Jersey Statutes; or

(4) Involving any controlled dangerous substance or controlled substance analog as set forth in Chapter 35 of Title 2C of the New Jersey Statutes, except for N.J.S.A. 2C:35-10a(4) (minimal amounts of marijuana or hashish).

(5) In any other state or jurisdiction, conduct which, if committed in New Jersey, would constitute any of the crimes or disorderly person's offenses described herein.

B. In the event a charge is pending against a person, that person shall be temporarily disqualified from obtaining a license pending the resolution of that charge. If such charge results in a conviction of a crime or disorderly person's offense described herein which would disqualify the person from receiving such a license, the person shall be deemed disqualified as of the date of conviction.

C. If a pending charge is for an offense which would serve to disqualify the person from receiving such a license upon conviction, the person shall report the pending charge on the earliest of his/her submission to the criminal history background check or the date he/she learns of the charge. The individual shall also report the disposition of the charge immediately upon receiving notice of said disposition.

D. The Chief of Police shall be authorized to conduct any additional investigation which in his discretion he deems appropriate in order to obtain accurate information in regard to the criminal history background check.

~~*§ 168-5*~~ *§ 168-7* Religious organization, etc., exempted; application; permit.

A. Exemption; application. Any organization, society, association or business entity desiring to solicit or have solicited in its name money, donations of money or property, or financial assistance of any kind or desiring to sell or distribute any item of literature or merchandise for which a fee is charged or solicited from persons other than members of such organization upon the streets, in office or business buildings, by house-to-house canvass or in public places for a charitable, religious, patriotic or philanthropic purpose shall be exempt from the provisions of §§ 168-4, *168-5,* 168-6, ~~168-7, 168-8E~~ *168-8, 168-9, 168-10E* of this chapter.

~~*§ 168-6*~~ *§ 168-8* Investigation; issuance of license and badge.

A. Upon receipt of each application, it shall be referred to the Colts Neck Township Police, Colts Neck Township, New Jersey, which shall conduct such investigation of the applicant's business and moral character as it deems necessary for the protection of the public good, and shall endorse the application in the manner prescribed in this section after it has been filed by the applicant with the Municipal Clerk.

B. Issuance.

(1) If, as a result of such investigation, the applicant's background investigation is found to be satisfactory, said Colts Neck Township Police Chief shall endorse on such application such finding and return the said application to the Municipal Clerk who shall, upon payment of the license fees as herein provided, issue the license, and shall at the same time issue a badge setting forth the words "Colts Neck Township Solicitor," the period for which the license is issued and the number thereof in letters and figures easily discernable.

(2) If as a result of such investigation, the applicant's character or business responsibility is found to be unsatisfactory, the Colts Neck Township Police, shall endorse on such application its finding, its reasons for the same and shall return the said application to the Municipal Clerk. The issuance of the license shall then be considered and determined by the Municipal Clerk in conjunction with the recommendation of the Chief of Police.

(3) The solicitor badge is the property of Colts Neck Township and shall be returned to the Municipal Clerk upon expiration of the permit or upon the request of the issuer.

C. "No Knock" Registry.

(1) The Municipal Clerk shall prepare a list of addresses of those premises where the owner and/or occupant has notified the Municipal Clerk that peddler, canvassers and solicitors and door-to-door sales enterprises are not permitted on the premises (hereinafter referred to as the "No Knock" Registry). Notification shall be completion of a form available at the Municipal Clerk's office during normal business hours. The list shall be updated as needed and a copy provided to the Chief of Police.

(2) Any owner and/or occupant who has requested enlistment on the "No Knock" Registry pursuant to Subsection C(1) herein shall be able to procure from the Municipal Clerk's office a sticker for display at his/her/its premises indicating enlistment on the "No Knock" Registry. The first sticker shall be provided free of charge and may be picked up in person during regular business hours. If a replacement sticker is required, the individual may pick up a replacement at the Municipal Clerk's office at no charge. A fee of $1 must be paid to Colts Neck Township by any individual who desires to have the sticker mailed to him or her.

(3) The Municipal Clerk shall distribute the current "No Knock" Registry to a licensee at the time of issuance of a peddler, canvasser, or solicitor license pursuant to the provisions of this chapter. The licensee shall not peddle, canvass, solicit or conduct door-to-door sales at any premises identified on the then current "No Knock" Registry.

(4) Although the most current list of registrants on the "No Knock" Registry shall be provided by the Municipal Clerk, it is the responsibility of the peddler, canvasser or solicitor to have the most up-to-date list prior to performing their business.

(5) Any peddler, canvasser or solicitor or owner or employee of a door-to-door sales enterprise who violates any provision of this section, if convicted, shall be:

(a) Subject to a maximum ordinance violation fine of $1,250 for the first offense;

(b) Subject to 90 days in the county jail or in any place provided by the municipality for the detention of prisoners, for any term not exceeding 90 days for any offense thereafter; and

(c) Subject to a permanent revocation of any license issued under the within chapter.

(6) Current "No Knock" Registrants are protected against the peddlers, canvassing or soliciting activities regulated by this article without having to register.

~~*§ 168-7*~~ ***§ 168-9*** License fees; veteran's permit; interstate commerce; corporate employees.

A. All licenses issued under this chapter shall run for consecutive days. Any individual or business entity is required to have all employees intending to solicit, peddle or hawk obtain individual licenses.

B. Any veteran who holds a special state license issued under the laws of the State of New Jersey shall be exempted from securing a license as provided herein, but shall be required to comply with §§~~*168-8, 168-9*~~ 168-10, 168-11, 168-12, ***168-13 and 168-14*** of this chapter and shall be required to procure from the Municipal Clerk a special veteran's permit, which shall be issued by the Municipal Clerk upon proper identification.

C. Any person engaged in interstate commerce shall be exempted from the payment of any application and license fees under this chapter; however, such persons shall be subject to all other provisions of this chapter and shall apply for and procure a special permit from the Municipal Clerk upon proper identification and proof.

~~*§ 168-8*~~ ***§ 168-10*** Rules and regulations.

Every person to whom a license is issued under the terms of this chapter shall be governed by the following rules and regulations:

A. All circulars, samples or other matter shall be handed to an occupant of the property and not left on or about the same.

B. No person subject to the provisions of this chapter shall canvass, solicit or distribute circulars or other matter or call from house to house on any day later than 9:00 p.m. prevailing time.

C. No person subject to the terms of this chapter shall enter or attempt to enter the house of any resident of Colts Neck Township without an express invitation from the occupant of the house.

D. No person subject to this chapter shall conduct himself in such manner as to become objectionable to or annoy an occupant of any house.

E. At all times that a person is engaged in the business licensed under the provisions of this chapter, the badge as provided for in ~~*§ 168-6B*~~ *§ 168-8B* shall be conspicuously worn on the front of the licensee's outer garment.

F. Ice cream vendors may park in a valid on-street parking area or public property while engaging in sales but shall not park in a stationary location for longer than 10 minutes while performing a sale.

~~*§ 168-9*~~ *§ 168-11* Shouting wares; using noise making devices.

No licensee, nor any person in his or her behalf, shall shout, cry out, blow a horn, ring a bell or use any sound-amplifying device upon any of the streets, alleys, parks or other public places of the township or upon private premises where sound of sufficient volume is emitted or produced therefrom to be capable of being plainly heard upon the streets, avenues, alleys, parks or other public places, for the purpose of attracting attention to any goods, wares or merchandise which such licensee proposes to sell.

~~*§ 168-10*~~ *§ 168-12* Interference with traffic.

No license shall have any exclusive right to any location in the public streets, nor shall any be permitted a stationary location thereon, nor shall any be permitted to operate in a congested area where such operation might impede or inconvenience the public use of such streets. For the purpose of this chapter, the judgment of a police officer, exercised in good faith, shall be deemed conclusive as to whether the area is congested and the public impeded or inconvenienced.

~~*§ 168-11*~~ *§ 168-13* Exhibiting license.

Licensees are required to exhibit their solicitor's license in plain sight at all times during the conduct of their authorized business within the Township.

~~*§ 168-12*~~ *§ 168-14* Record of licenses and violations.

The Municipal Court Clerk shall report to the Municipal Clerk all convictions for violation of this chapter, and the Municipal Clerk shall maintain a record for each license issued and record the reports of violation therein.

~~*§ 168-13*~~ *§ 168-15* Revocation of license; hearing, notice.

A. Licenses issued under the provisions of this chapter may be revoked by the Township Committee of Colts Neck Township, after notice and hearing, for any of the following causes:

(1) Fraud, misrepresentation or a material incorrect statement contained in the application for license.

(2) Fraud, misrepresentation or a material incorrect statement made in the course of carrying on his or her business as solicitor, canvasser, or peddler.

(3) Any violation of this chapter.

(4) Conviction of any crime or misdemeanor.

(5) Conducting the business of peddler, canvassers, or solicitors as the case may be, in an unlawful manner or in such a manner as to constitute a breach of the peace or to constitute a menace to the health, safety or general welfare of the public.

B. Notice of the hearing for revocation of a license shall be given by the Municipal Clerk, in writing, setting forth specifically the grounds of complaint and the time and place of hearing. Such notice shall be mailed, postage prepaid, to the licensee at his or her last known address at least five

days prior to the date set for hearing or shall be delivered by a police officer in the same manner as a summons at least three days prior to the date set for hearing.

~~*§ 168-14*~~ *§ 168-16* Expiration of license.

All annual licenses issued under the provisions of this chapter shall expire at 12:00 midnight the 31st day of December in the year when issued. Other than annual licenses shall expire at 12:00 midnight on the date specified in the license.

~~*§ 168-15*~~ *§ 168-17* Violations and penalties.

A violation of any provision of this chapter shall be punishable as provided in § 1-9 of this Code.

SECTION 2. INCONSISTENT ORDINANCES

All other Ordinances or parts thereof inconsistent with the provisions of this Ordinance are hereby repealed as to such inconsistency.

SECTION 3. SEVERABILITY

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 this Ordinance shall be deemed valid and effective.

SECTION 4. EFFECTIVE DATE

This Ordinance shall take effect upon its passage and publication according to law.

The foregoing Ordinance was introduced and passed on the first reading at the meeting of the Township Committee of Colts Neck Township on the August 12, 2026 and will be considered for final passage and adoption on September 9, 2026, 6:30 p.m. Town Hall, 1 Veterans Way at which time and place a public hearing will be held for all persons desiring to be heard thereon will be given full opportunity.

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Kathleen Capristo, Municipal Clerk

RECORD OF VOTE										
	First Reading					Second Reading				
	August 12, 2026					September 9, 2026				
	M	S	Yes	No	NV	Ab	M	S	Yes	No	NV	Ab
Mayor Viola												
Deputy Mayor Buzzetta												
Rizzuto												
Torchia Buss												
Tobia												

M - Moved S - Seconded X - indicates vote NV - Not Voting Ab - Absent