

ARTICLE I

New Businesses

[Adopted 10-1-1975 as Ch. 82 of the 1975 Code; amended in its entirety 9-7-2005 by Ord. No. 2005-4]

§ 114-1. Definitions.

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

PERSON — Includes the plural as well as the singular and also includes corporations, associations, partnerships and joint ventures.

SEASONAL BUSINESS — A business which is to be open, operating or established for a period of less than six months.

§ 114-2. License required; responsibility of owner. [Amended 3-19-2008 by Ord. No. 2008-4]

- A. It shall be unlawful for any person to maintain an office or place of business, to conduct, engage in or carry on any business, trade or occupation within the Township of Maple Shade without first complying with the provisions of this chapter and obtaining a license as provided herein.
- B. Responsibility of owner.
- (1) It shall be unlawful for any owner of real property to permit a tenant to conduct, engage in or carry on any business, trade or occupation in the owner's leased premises without first complying with the provisions of this chapter.
 - (2) An owner of real property in the Township shall be responsible for notifying any tenant of the provisions of this chapter prior to the tenant's occupancy of the owner's leased premises.

§ 114-3. Application for license. [Amended 4-1-2009 by Ord. No. 2009-04; 8-25-2016 by Ord. No. 2016-12]

Applications for said license shall be made on form(s) (Form 114-3 Business License Application) to be obtained from the Township Zoning Officer. In the case of corporations and associations, all officers, directors, shareholders owning 10% or more of the stock and members thereof shall be listed on the application. In the case of partnerships and joint ventures, all members of said partnership and all members of said joint venture shall be listed on the application.

§ 114-4. (Reserved)¹**§ 114-5. Expiration of license; renewal. [Amended 8-25-2016 by Ord. No. 2016-12]**

Every license issued under the provisions of this article shall expire at midnight on December 31 of the year of its issue, and an application for renewal thereof shall be submitted, together with the required fee, at least 30 days prior to December 31 of each year. Failure to submit an application to renew with the appropriate fee will result in a new business license application having to be filed.

§ 114-6. Fees. [Amended 8-25-2016 by Ord. No. 2016-12]

License and renewal fees shall be as set forth in Chapter 88, Fees. Application and renewal fees are not prorated on an annual basis.

§ 114-7. Change in location. [Amended 4-1-2009 by Ord. No. 2009-04; 8-25-2016 by Ord. No. 2016-12]

Any person receiving a license pursuant to the within chapter shall notify (in writing) the Township Clerk prior to a change in location of any licensed business. Notice is to be provided by personal delivery or certified mail and should include a copy of any necessary Planning Board or Zoning Board resolution of approval and/or zoning permit.

§ 114-8. Issuance, renewal, and revocation. [Amended 8-25-2016 by Ord. No. 2016-12]

- A. The issuance, renewal, or denial of any license shall be the determination of the governing body or its designee, based on the recommendations of those officials inspecting the proposed place of business. Such officials may include but not be limited to the following; Zoning Officer, Construction Code Official(s), Board of Health, and Fire Marshal.
- B. Each of the foregoing Township officials may inspect the premises to determine whether or not the premises comply with ordinances of the Township of Maple Shade and the rules and regulations and laws of the State of New Jersey. If the premises comply, the respective officers shall provide a written notice of such approval within 14 days of the date of the application. Thereupon, if the applicant has complied with the other licensing provisions set forth in this article as may be necessary, the Township shall issue

1. Editor's Note: Former § 114-4, Requirements for issuance and continuation of licenses, was repealed 8-25-2016 by Ord. No. 2016-12.

a license in accordance with the terms and conditions of this article. If, upon inspection, the premises do not comply, the respective officers shall provide a written report setting forth the specific violations of applicable ordinances, statutes, rules, regulations or standards. The Township shall thereupon transmit a copy of such reports citing violations to the applicant, together with written notice that a license for the premises will not be considered until the violations contained in the reports are corrected. The applicant shall have the right to request a hearing before the Township Council to reconsider the denial of the license. Said request must be in writing.

- C. The governing body shall have the right to suspend or revoke any license issued under the terms and provisions of this article for violation of the provisions of this article, or whenever it shall appear that the business of the person to whom the license was issued is conducted in violation of any laws of the United States, the State of New Jersey or any ordinance of this municipality or that the purpose for which the license has been issued is being abused to the detriment of the public or is being used for a purpose foreign to that for which the license was issued. In the event a license is suspended or revoked, the license fee will not be refunded.
- D. A license issued under the provisions of this article shall not be revoked or suspended until a hearing shall be held by the governing body on said license. Written notice of the time and place of such hearing shall be served upon the license holder at least seven days prior to the date set for such hearing by personal delivery or certified mail. Such notice shall provide a statement of the grounds for the proposed revocation or suspension. The governing body shall render its decision within 30 days of such hearing.

§ 114-8.1. Violations and penalties. [Amended 4-16-2008 by Ord. No. 2008-07]

Any person who shall violate any provisions of this article, upon conviction, shall be subject to the penalty as provided in Chapter 1, Article II, herein.