

ORDINANCE #1964

AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 133 "LITTERING", TO REGULATE THE DELIVERY OF HANDBILLS, CIRCULARS, AND OTHER PRINTED MATERIALS TO PRIVATE PREMISES.

WHEREAS, it has come to the attention of the Township Committee that regulations are necessary for the delivery of handbills, circulars, and other printed materials to private residences; and

WHEREAS, the Township Committee has determined that it would be in the best interest of the citizens of the Township to enact an Ordinance regulating such deliveries.

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Wyckoff, in the County of Bergen, State of New Jersey as follows:

SECTION I. §133-1 through §133-20 shall be recodified under a new ARTICLE I of Chapter 133 entitled "Littering, General".

SECTION II. §133-21 through §133-29 – RESERVED shall be added to ARTICLE I of Chapter 133.

SECTION III. A new ARTICLE II entitled "Distribution of Handbills and Circulars Prohibited; Exceptions" is hereby added to Chapter 133 "Littering" as follows:

§133-31 DEFINITIONS.

For the purposes of this chapter, the following terms have the meanings indicated:

1. Printed matter or printed materials - All newspapers, shoppers, circulars, leaflets, flyers, handbills, commercial and noncommercial, and all similar materials.
2. Unsolicited - The printed matter referred to herein which has not been ordered, subscribed to, or requested by the recipient.

§133-32 DISTRIBUTION OF PRINTED MATERIALS IN PUBLIC PLACES.

No person shall throw or distribute any printed material in or upon any sidewalk, street, or other public places within the Township or in or upon any unoccupied motor vehicle.

§133-33 DELIVERY OF PRINTED MATERIALS TO PRIVATE PREMISES.

It shall be unlawful for any person to deliver or deposit or for any person, firm, or corporation to cause the delivery or deposit of any unsolicited printed material to or upon private premises within the Township, except in accordance with the terms hereof.

§133-34 PERMITTED DELIVERY TO PRIVATE PREMISES.

Printed matter may be delivered to private premises when delivered in accordance with the following:

1. Printed matter shall be placed only within a permanently installed appurtenance to the premises designed and designated for the receipt of such printed matter, or if there is none, it shall be placed on the ground or floor at a point beneath the place where such premises receives its mail or within a three-foot radius of that point.
2. Printed matter which plainly bears upon it an address to which a written notice indicating the recipient's desire to cease future delivery of the particular item of printed matter may be sent, may at all times be delivered to private premises unless delivery is prohibited pursuant to the terms of §133-35.

§ 133-35 PREMISES TO WHICH DELIVERY OF PRINTED MATTER IS PROHIBITED.

It shall be a violation of this chapter when the unsolicited printed matter is intentionally delivered to private premises after the owner or tenant of said premises has notified the publisher or the delivery person, or in the case of a printed matter referred to in §133-34(2) hereof, after the owner or tenant of the premises has provided notice by certified mail, return receipt requested, at the address so indicated, that delivery shall cease or be suspended for a stated period of time.

§133-36 VIOLATIONS AND PENALTIES.

Any person, firm, or corporation convicted of a violation of any provision of this Article shall be subject to a fine of not more than \$500. Each delivery in violation of the terms hereof shall be deemed a separate offense.

SECTION IV. All other parts, portions, and provisions of this Ordinance are hereby ratified and confirmed, except in the event of an inconsistency with the foregoing. In the event of any such inconsistency, the terms and provisions of Section I-III hereof shall be deemed to govern.

SECTION V. Should any part, portion, or provision of this Ordinance be held unconstitutional or invalid, such decision shall not affect the validity of this Ordinance as a whole, or any other part thereof.

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

NOTICE

I HEREBY CERTIFY THAT THE AFOREMENTIONED ORDINANCE WAS PUBLISHED IN THE RIDGEWOOD NEWS, A NEWSPAPER PUBLISHED IN THE COUNTY OF BERGEN AND CIRCULATED IN THE TOWNSHIP OF WYCKOFF, IN BOTH THE ISSUE OF JULY 15, 2022 AND AUGUST 19, 2022.

NANCY A. BROWN
MUNICIPAL CLERK

INTRODUCTION: July 12, 2022

PUBLIC HEARING: August 16, 2022

EFFECTIVE DATE: August 19, 2022