

# Mercantile License Application

Applicant and Township Checklist



## APPLICANT CHECKLIST

	Yes	No	N/A
Have you obtained a Zoning Permit (\$25 fee) from the Zoning Officer stating that the requested business activity is approved from the location intended? §142-2.A(1)			
Are you a corporation? If so, have you attached a copy of your Certificate of Incorporation?			
Are you a partnership? If so, have you attached a copy of your Operating Agreement?			
Are you an LLC? If so, have you attached a copy of your Certificate of Formation?			
Have you completed the Mercantile Licensing Application in its entirety? All sections must be completed. If a portion or question does not apply, please indicate with "not applicable" statement.			
If you do not own the business premises, have you provided a lease/rental agreement or consent from the property owner in the format provided with this application? §142-2.A(13)			
Have you provided the Emergency Contact Information Update form? §142-2.A(14)			
Have you obtained a Certificate of Occupancy or Continued Certificate of Occupancy? Applicant must seek this document from the Egg Harbor Township Department of Inspections which may be contacted at 609-926-4121. §142-3.C			
If your establishment will be involved in the handling of food, have you contacted the Board of Health at 609-645-7700 in order to obtain a Board of Health Certificate?			
Have you attached a \$20 non refundable processing fee which is required upon submission of the Mercantile License Application?			

**fee for mercantile license to be determined**

**..... for office use only.....**

	Yes	No	N/A
Zoning Permit			
Business Certificate (Cert of Incorporation, Operating Agreement or Cert of Formation)			
Lease/Rental Agreement or Property Owner's Written Consent			
Emergency Contact Information Update Form			
Certificate of Occupancy or Continued Certificate of Occupancy (new construction only)			
Board of Health Certificate (food handling establishments only)			
\$20 Non Refundable Fee			
Completed Application			

	Yes	No	N/A
MorphoTrak			
Receipt Received			
License Issued			

MERCANTILE LICENSE APPLICATION

BUSINESS INFORMATION

- CORPORATION: ATTACH CERTIFICATE OF INCORPORATION
LIMITED LIABILITY COMPANY: ATTACH CERTIFICATE OF FORMATION
PARTNERSHIP: ATTACH OPERATING AGREEMENT

Business Name
Business Address Phone No.
Block Lot Unit No.
Description or nature of business
Hours and days of operation

ZONING PERMIT IS ATTACHED

Is this a food establishment? YES NO

COPY OF BOARD OF HEALTH CERTIFICATE ATTACHED

Number of seats:

Number of vending machines Number of amusement machines Square footage of property

Previous use of space

Is this space rented or leased? YES NO

COPY OF RENTAL/LEASE AGREEMENT IS ATTACHED (If none, owner's written permission is required)

If corporation, registered agent information is required.

Registered Agent Name

Home Address

Home Ph Email Cellular Ph

Applicant Name

Applicant Home Address

Home Ph Email Cellular Ph

Other than traffic offenses, have you ever

- 1. Been convicted of any crime; or
2. Been in violation of any municipal ordinances. YES NO

If yes, indicate the following

Table with 4 columns: Date of Offense, Place of Conviction, Nature of Offense, Punishment/Penalty Imposed

I hereby certify that the foregoing information given on this application is true and complete to the best of my knowledge and belief. I further agree to comply with all the laws and ordinances of the Township of Egg Harbor applicable to the operation of the business described herein. I understand that in the event any information given was willfully false, the license being applied for herein shall be declared null and void.

Signature Date



**CORPORATION SUPPLEMENT TO MERCANTILE LICENSE APPLICATION**  
**Exhibit A**

**This form is required for each agent or on-site manager who shall engage in the licensed activity.**

**AGENT**       **ON-SITE MANAGER INFORMATION**

Name \_\_\_\_\_  
Home Address \_\_\_\_\_  
Home Ph \_\_\_\_\_ Email \_\_\_\_\_ Cellular Ph \_\_\_\_\_

Other than traffic offenses, have you ever

1. been convicted of any crime; or
2. been in violation of any municipal ordinances.       YES       NO

If yes, indicate the following

<b>Date of Offense</b>	<b>Place of Conviction</b>	<b>Nature of Offense</b>	<b>Punishment/Penalty Imposed</b>

**CERTIFICATION**

I hereby certify that the foregoing information given on this application is true and complete to the best of my knowledge and belief. I further agree to comply with all the laws and ordinances of the Township of Egg Harbor applicable to the operation of the business described herein. I understand that in the event any information given was willfully false, the license being applied for herein shall be declared null and void.

Signature → \_\_\_\_\_ Date \_\_\_\_\_



**PARTNERSHIP SUPPLEMENT TO MERCANTILE LICENSE APPLICATION  
Exhibit B**

**This form is required for each partner and on-site manager.**

**PARTNER**      **ON-SITE MANAGER INFORMATION**

Name \_\_\_\_\_  
Home Address \_\_\_\_\_  
Home Ph \_\_\_\_\_ Email \_\_\_\_\_ Cellular Ph \_\_\_\_\_

Other than traffic offenses, have you ever

1. Been convicted of any crime; or
2. Been in violation of any municipal ordinances.      YES      NO

If yes, indicate the following

<b>Date of Offense</b>	<b>Place of Conviction</b>	<b>Nature of Offense</b>	<b>Punishment/Penalty Imposed</b>

**CERTIFICATION**

I hereby certify that the foregoing information given on this application is true and complete to the best of my knowledge and belief. I further agree to comply with all the laws and ordinances of the Township of Egg Harbor applicable to the operation of the business described herein. I understand that in the event any information given was willfully false, the license being applied for herein shall be declared null and void.

Signature → \_\_\_\_\_ Date \_\_\_\_\_



**PERMISSION FOR USE OF PREMISES**

Property Location \_\_\_\_\_  
Block \_\_\_\_\_  
Lot \_\_\_\_\_  
Unit \_\_\_\_\_

Owner Name \_\_\_\_\_  
Owner Address \_\_\_\_\_

I, \_\_\_\_\_, owner of the property/premises listed hereinabove, hereafter referred to as property, give permission to \_\_\_\_\_, to use said property for the purpose of conducting the business of \_\_\_\_\_.

Dated: \_\_\_\_\_

*Notary*

*Subscribed and sworn to before me this*  
*\_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_.*  
\_\_\_\_\_

*[seal]*



**EMERGENCY CONTACT INFORMATION UPDATE**

The Egg Harbor Township Police Department is requesting updated "emergency contact" phone numbers for your business. The phone numbers are essential in helping the Police Department protect your business against burglary, theft, criminal mischief and other crimes. Updating the required phone numbers for your business owners, managers, or employees will help us provide better service and security for your establishment.

It is mandatory that this form be returned with the telephone numbers of at least three people who can be contacted in the event of an alarm or problem at your business. Contacts should live close to the business so that, if necessary, they may respond to the location to assist with the resolution of any problems and/or concerns during non-working hours.

**FAILURE TO RETURN THIS FORM COULD RESULT IN DELAYS WHEN RENEWING LICENSE(S)**

Please print (must be legible) or type

Actual Business Name (not corporation) \_\_\_\_\_

Business Telephone \_\_\_\_\_

Business Location (physical Address) \_\_\_\_\_

Business Mailing Address \_\_\_\_\_

Name: \_\_\_\_\_ Phone Number \_\_\_\_\_

Name: \_\_\_\_\_ Phone Number \_\_\_\_\_

Name: \_\_\_\_\_ Phone Number \_\_\_\_\_

Upon completion return this form to:

Egg Harbor Township Clerk's Office  
3515 Bargaintown Road  
Egg Harbor Township, NJ 08234-8321



## **CHAPTER 142. MERCANTILE LICENSING**

### **Article I. General Mercantile Licensing Procedures**

#### **§ 142-1. Purpose.**

The purpose of this article is to provide a uniform set of procedures for administering the issuance, renewal and revocation of licenses issued by the Township, except alcoholic beverage licenses and dog licenses Editor's Note: See Ch. 64, Alcoholic Beverages, and Ch. 97, Dogs, respectively. and except as may be specified otherwise or provided elsewhere in the Township Code.

#### **§ 142-2. Application procedures and information.**

- A. All applications for new licenses shall be made to or through the licensing officer upon forms as provided and shall be accompanied by a nonrefundable application fee of \$20. Each application shall contain, at a minimum, the following, along with any other information deemed necessary:**
- (1) Submission of a Zoning Permit from the Zoning Officer stating the requested business activity is approved for said location is a prerequisite to applying for a mercantile license.**
  - (2) Sole owner, partner or corporate officer must submit proof of application for finger printing from forms provided in application packet as a pre-requisite to applying for a mercantile application.**
  - (3) If a vehicle is to be used, valid registration, proof of insurance, copy of valid driver's license and current driver's abstract issued by the State Department of Motor Vehicles.**
  - (4) Name and permanent and local address of the applicant.**
  - (5) If the licensed activity is to be carried on at a fixed location, the address and description of the premises.**
  - (6) If the applicant is employed by another, the name and address of the employer, together with credentials establishing the exact relationship.**
  - (7) The days of the week and the hours of the day during which the licensed activity will be conducted.**
  - (8) A description of the nature of the business and the goods, property or services to be sold or supplied.**
  - (9) A statement as to whether the applicant has been convicted of a violation of any crime, and if so, the date and place of conviction, the nature of the offense and the punishment or penalty imposed.**
  - (10) A statement as to whether the applicant has been convicted of the violation of any municipal ordinance other than traffic offenses, and if so, the date and place of conviction, the nature of the offense and the punishment or penalty imposed.**
  - (11) A statement as to whether the applicant has been convicted of any violation of the New Jersey Statutes and Court Rules, Title 39, Motor Vehicles, and if so, the date and place of conviction, the nature of the offense and the punishment or penalty imposed where a vehicle will be used in conjunction with the service of business.**

- (12) Appropriate evidence as to the good character and business responsibility of the applicant so that an investigator may properly evaluate his character and responsibility.
- (13) Signature of property owner acknowledging the business activity and consent to same or copy of lease agreement.
- (14) Upon application for license, the Egg Harbor Township Police Department's emergency contact information form must be completed and returned. The form must have the required minimum of three names of business representatives and the phone numbers where they can be contacted during nonworking hours. It is the business owner/operator's responsibility to keep these contact numbers current. Businesses are required to update their contact list whenever the contacts become outdated and upon the annual renewal of the license.

- B. Applications by partnership. Applications by partnerships shall be signed by all partners with the information required by this subsection supplied in detail as to each partner and on-site manager. A copy of the business name certificate must be filed with the application.
- C. Applications by corporations. Applications by corporations shall have attached supplemental statements containing all of the information required by this subsection relating to each agent or on-site manager who shall engage in the licensed activity. A copy of the certificate of incorporation must be supplied with the application. In the case of a corporation organized and existing under the laws of another state, a Business Registration Certificate issued by the State of New Jersey must be supplied with the application.
- D. Applications by limited liability corporations. Applications by limited liability corporations shall be signed by all members with the information required by this subsection in detail as to each member. A copy of the Certificate of Formation must be filed with the application.

**§ 142-3. Investigation of applicant and premises.**

- A. Each application shall be referred to the Chief of Police or a police officer designated by him, who shall immediately institute whatever investigation of the applicant's business responsibility, moral character and ability to properly conduct the licensed activity he considers necessary for the protection of the public. He shall communicate his finding in writing to the licensing officer within a reasonable time after the application has been filed. If the investigator decides that the applicant's character, ability or business responsibility is unsatisfactory or the products, services or activity are not free from fraud, he shall disapprove the application, and the licensing officer shall refuse to issue and shall so notify the applicant. In the event of the refusal of the issuance of a license, the applicant may appeal to the Township Committee for a hearing. The appeal shall be filed, in writing, with the Township Clerk within 14 days after notification of the refusal. The Township Committee shall hold its hearing within 14 days thereafter, and its decision shall be final.
- B. The licensing officer may forward any application to any other Township department or agency for review and input.

- C. A certificate of occupancy or a continued certificate of occupancy is required if applicable for the premises to be licensed, and the obtaining of said certificate of occupancy or continued certificate of occupancy shall be a prerequisite to the issuance of a mercantile license.
- D. A license shall not be granted to a restaurant or any business serving and selling food unless and until the restaurant and business shall have current and valid approval from the Atlantic County Board of Health, which approval shall be a prerequisite to the issuance of a mercantile license. In the event of revocation of the Atlantic County Board of Health certificate of approval, such shall be grounds for revocation of the mercantile license.

**§ 142-4. Contents of license.**

The license shall contain the following information:

- A. The name and address of the licensee.
- B. The number and type of the license and the nature of the licensed activity.
- C. The address and block and lot designation at which the licensed activity is conducted, if the activity is carried on at a fixed location.
- D. If the licensed activity is conducted from a vehicle, the make, model and license number of the vehicle.
- E. The expiration date of the license.
- F. Any other appropriate information which the Chief of Police or licensing officer may request.

**§ 142-5. License record.**

The licensing officer shall keep a record of all licenses issued under this article. It shall indicate the amount of the fee paid for the license, the date upon which payment was received, the date of the issuance of the license and whether the license is new or a renewal.

**§ 142-6. Display of license.**

When the licensed activity is conducted at a fixed location or from a vehicle, the license shall be prominently displayed at the location or on the vehicle. In all other cases, the licensee shall have the license in his possession at all times and shall display it upon the request of any police officer or any person with whom he is doing business.

**§ 142-7. Nontransferability.**

- A. Licenses are nontransferable either from person to person or from place to place.
- B. In an instance where any currently licensed business which wishes to relocate the business, in its entirety, to a different location within the township, the licensing officer is authorized to transfer the license to the new location. However, the transfer cannot take place until and unless the licensee applies for and obtains a zoning permit and certificate of occupancy or continued certificate of occupancy as required under Article I, §142-2A(1) and 142-3C. Furthermore, the licensee is required to notify the licensing officer, in advance, by filing a transfer of license application and submitting a processing fee of \$20.

**§ 142-8. Change of ownership; new license required.**

A mercantile license issued to a corporation, partnership, limited partnership, limited liability corporation, or any other business entity defined as a person shall automatically expire upon any change of ownership interest of the person by transfer of shares, partnership or limited partnership interest, or otherwise, in whole or in part thereof, whether or not the person carries on business as

previously stated in his application for a mercantile license for that year. Upon such transfer, the person shall reapply immediately for issuance of a new mercantile license, designating the required transfer in ownership interest and paying the requisite licensing fee.

**§ 142-9. Expiration date; renewal; proration of fees.**

- A. Except where expressly provided otherwise, all licenses shall expire on May 31 at 12:00 midnight. Applications for the renewal of licenses shall be made not later than May 1, accompanied by a license fee.
- B. When application for a license is made during the course of any licensing year, the fee shall be prorated to 1/2 of the licensing fee, provided that the license is issued on or after December 1.
- C. The Egg Harbor Township Police Department's emergency contact information form must be completed and returned as described in §142-2A (14) for the renewal of a mercantile license to be approved.

**§ 142-10. Revocation of license.**

- A. Any license or permit issued by the Township may be revoked by the Township Committee after notice and a hearing for any of the following causes:
  - (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 revision.
  - (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.

**§ 142-11. Notice of hearing.**

Notice of a hearing for the revocation of a license or permit shall be given in writing by the Township Clerk. The notice shall specifically set forth the grounds upon which the proposed revocation is based and the time and place of the hearing. It shall be served by mailing a copy to the licensee at his last known address by certified mail, return receipt requested, at least five days prior to the date set for the hearing.

**§ 142-12. Hearing; determination.**

At the hearing the licensee shall have the right to appear and be heard, to be represented by an attorney, to present witnesses in his own behalf, to cross-examine opposing witnesses and to have a permanent record made of the proceedings at his own expense. The Township Committee shall revoke or suspend the license if it is satisfied by a preponderance of the evidence that the licensee is guilty of the acts charged.

**§ 142-13. Reinstatement.**

The Township Committee may issue another license to a person whose license has been revoked or suspended as provided in this article if, after a hearing, it is satisfied by clear and convincing evidence that the acts which led to the revocation or suspension will not occur again; otherwise, no person whose license has been revoked or suspended, nor any person acting for him, directly or indirectly, shall be issued another license to carry on the same activity.

**§ 142-14. Power to make rules and regulations.**

The licensing officer may make rules and regulations which interpret or amplify any provision of this article or for the purpose of administering the provisions of this article or making them more effective. No regulation shall be inconsistent with or alter or amend any provision of the article, and no regulation shall impose any requirement which is in addition to or greater than the requirements that are expressly or by implication imposed by any provision of this article.

**Article II. Mercantile Licenses; Fees**

**§ 142-15. License required.**

- A. Any person engaged in conducting or operating a business within the limits of the Township shall be required to secure a license for any business so conducted or operated.
- B. No person shall manage or conduct any business or use for any business any wagon, vehicle, stand, store or other place herein required to be licensed, or aid, assist or act as employee, clerk or otherwise in the carrying on of a business, or use any wagon, vehicle, stand, store or other place, as aforesaid, unless a license fee has been paid and the certificate obtained as hereinbefore required.

**§ 142-16. License fee schedule.**

- A. The license fees per year established in this section shall be in accordance with the following schedule, except those set forth in other sections of the Township Code:

Category	Fee
<b>Auto I</b>	<b>\$600.00</b>
full service automobile and recreational vehicle agency including sales, services, repairs and sales of parts, excluding watercraft	
<b>Auto II</b>	<b>\$150.00</b>
Auto detail shop	
Auto repair garage	
Auto service station	
Gas station	
Towing and storage of motor vehicles other than a junk or salvage yard	
<b>Auto III</b>	<b>\$200.00</b>
Motor vehicle rental	
<b>Auto IV</b>	<b>\$400.00</b>
Auto junk yard/recycler	
<b>Amusement I, including but not limited to</b>	<b>\$400.00</b>
Amusement park other than as defined in Chapter 6	
Batting cages	
Billiards	
Bowling alley	
Driving range	
Golf course	
Ice skating	
Roller skating	
<b>Amusement II</b>	<b>\$400.00</b>
Carnival or circus conducted other than for non-profit fund raising	
Flea markets other than for no-profit fund raising	
<b>Animal I</b>	<b>\$150.00</b>
Boarding services other than dogs	
Breeding services other than dogs	

Pet grooming	
Auctions	\$100.00
Auctioneer, requires bond pursuant to subsection 67-2.F	
Automated Cleaning Facilities	\$200.00
Dry cleaners	
Full service car wash	
Laundromat	
Coin Operated Devices, including but not limited to	\$20.00 per device
Amusement device	
Beverage device	
Food device	
Novelties device	
Vending device	
Video device	
Dining I, facilities with seating capacity up to 30 seats	\$200.00 (plus \$1 per seat in excess of 30, barstools exempt)
Diner	
Night club	
Restaurant	
Dining II	\$100.00
Coffee shop	
Concession stand	
Dairy bar	
Doughnut shop	
Fast food establishments	
Pizza and sub shops	
Snack bar	
Take out facilities	
Fabrication/Manufacturing of Construction Trades Materials, including but not limited to	\$400.00
Asphalt	
Concrete	
Electrical	
Glass	
Lumber	
Metal	
Plastics	
Plumbing	
Propane	
Telephone	
Junk/Salvage	\$400.00
Junk yard	
Salvage yard	
Lodging	\$200.00 (plus \$20 per sleeping room)
Facilities which furnish sleeping accommodations for short term guests	
Hotels	
Motels	
Marina I	\$150.00
Dry dock storage	
Marina II	\$200.00
Watercraft rental	
Watercraft repairs	

Watercraft supplies including fuels	
Marina III	\$2.00 per dock/slip
Dock/slip rental	
Motion Picture Theatres	\$400.00 (plus \$200 per screen)
IMAX Theatres	
Movie Theatres	
Precious Metals-Chapter 172	\$500.00
Retail sales	
Wholesale sales	
Recycling	\$400.00
Recycling other than automobile recycling	
Repair, Supply or Service Business Not Otherwise Classified, including but not limited to	\$150.00
Advertising/marketing	
Check cashing, money orders	
Cleaning commercial and residential	
Construction business office	
Consultation service	
Credit counseling and debt management	
Decorators	
Distributing gaming machines	
Elevator service	
Fitness center	
Foot reflexology	
Fuel company	
Funeral services	
Glazier	
Gutter installation	
Hair replacement	
Installation of car stereos	
Instrument rental	
Marine repair	
Medical transportation	
Overnight delivery service	
Pest control	
Pet supplies	
Pool services and repairs	
Printing and copier service	
Research/Testing facility	
Sales and service of electric vehicles	
Sewer and drain cleaning	
Solar Systems and Equipment	
Spas and pools	
Sprinkler repair and installation	
Tanning salon	
Tattoo shop	
Tax preparation	
Telephone and installation	
Toddlers gym and birthday parties	
Vending distributors	
Retail and Wholesale Sales, Warehouse and Storage of Goods, including but not limited to	\$100.00 (2,000 sf or less-\$20 for each additional sf)
Appliance parts/sales	
Auto glass and mirrors	

Bakery	
Beverage distributor	
Bridal shops	
Building supplies	
Card and gift shop	
Carpet and tile	
Casino slot machine warehouse	
Casino wholesale supplies	
Catering	
Construction materials	
Convenience store	
Dairy bar	
Department stores	
Diving and marine life sale and service	
Electronics store	
Factory warehouse	
Farm market	
Feed store	
Florist	
Furniture and appliances rental	
Furniture store	
Grocery/produce rental	
Furniture store	
Grocery/produce store	
Hardware store	
Herb garden	
Home improvements	
Jewelry stores	
Kitchen and baths	
Lawn and garden supplies	
Leasing of self-storage	
Liquor store	
Medical equipment rental and sales	
Nutrition store	
Office warehouse	
Optical store	
Pack and mail, payment center	
Paint stores	
Pet supplies	
Pharmaceutical products	
Pharmacy stores	
Pro shop	
Propane sales	
Rental business	
Retail art gallery	
Retail beauty products	
Retail clothing store	
Retail collectibles	
Retail masonry	
Retail party supplies	
Retail sales new and used video and computer games	
Retail sales of auto parts and accessories	
Sales and rentals of tuxedos	
Storage units	
Testing of machinery	
Transportation service office	

Vacuum sales and service	
Vending distributors	
Veterinarians	
Warehouse furniture and fixtures	
Seasonal Business	\$25.00
Sale of merchandise associates with holidays not to exceed 60 days	
Training Schools, including but not limited to	\$150.00
Cosmetology	
Dance	
Drama	
Fitness center	
Gymnastics and fitness	
Information technology	
Karate	
Masseuse	
Modeling	
Music	
Pharmaceutical education	
Phlebotomy	
Swimming	
Vocal	
Wrestling	

**B. All fees are to be calculated on a combination basis, when applicable.**

**§ 142-17. Stating business location in advertisements.**

Any person or entity which receives a mercantile license from the Township shall be required, in any and all advertisements for the licensed business activity which state the business location, to state that location as Egg Harbor Township.

**Article III. Violations and Penalties**

**§ 142-18. Violations and penalties enumerated.**

Violation of any provision of this chapter shall, upon conviction thereof, be punished by a minimum fine of \$100 or a maximum of \$2,000 or by imprisonment for a term not exceeding 90 days or by a period of community service not exceeding 90 days. Each and every violation shall be considered a separate violation. Any person who is convicted of violating the provisions of this chapter within one year of the date of a previous violation and who was fined for the previous violation may be sentenced by the Court to an additional fine as a repeat offender. The additional fine imposed as a repeat offender shall not be less than the minimum or exceed the maximum fine provided herein, and same shall be calculated separately from the fine imposed for the violation of this chapter.