

BOROUGH CLERK
Barbara L. Dispoto, RMC/CMC

MAYOR
Richard Bolan

ADMINISTRATOR
Donna Puglisi, CPM, CPRP



COUNCIL PRESIDENT
Katherine Bennin

COUNCIL MEMBERS
Jacqueline DeMuro
Jacqueline Flynn
Douglas Herrick
Louis D. Roer
Ryan P. Ullman

BOROUGH OF MAYWOOD
15 Park Avenue, Maywood, NJ 07607

ORDINANCE #19-21

AN ORDINANCE TO ADD CHAPTER 194 OF THE BOROUGH OF MAYWOOD CODE SO AS TO REGULATE DISTRIBUTION OF HANDBILLS AND CIRCULARS PROHIBITED; EXCEPTIONS WITHIN THE BOROUGH OF MAYWOOD, STATE OF NEW JERSEY

BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF MAYWOOD, IN THE COUNTY OF BERGEN AND STATE OF NEW JERSEY, AS FOLLOWS:

WHEREAS, the Mayor and Council of the Borough of Maywood wish to update Borough Code so as to provide regulations to govern the delivery of printed materials to private residences within the Borough of Maywood.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Maywood, County of Bergen, as follows:

Section 1: Chapter 194 is added to the Borough Code and shall read as follows:

CHAPTER 194

Title : DISTRIBUTION OF HANDBILLS AND CIRCULARS PROHIBITED; EXCEPTIONS.

§194-1 Definitions - Handbills, circulars and printed materials.

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

PRINTED MATTER or PRINTED MATERIALS

All newspapers, shoppers, circulars, leaflets, flyers, handbills, commercial and noncommercial, and all similar materials. This SHALL NOT INCLUDE printed materials distributed on behalf of members of any charitable organizations, for religious purposes or on behalf of a political candidate or activity

UNSOLICITED

The printed matter referred to herein which has not been ordered, subscribed to or requested by the recipient.

§194-2 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 place within the Borough of Maywood or in or upon any unoccupied motor vehicle. This Ordinance SHALL NOT INCLUDE printed materials distributed on behalf of members of any charitable organizations, for religious purposes or on behalf of a political candidate or activity

§194-3 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 Borough of Maywood, except in accordance with the terms hereof. This Ordinance shall not be applicable to any charitable organizations, deliver or deposit for religious purposes or deliver or deposit on behalf of a political candidate or activity

§194-4 Permitted delivery to private premises.

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

- A. 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 this code.
- B. The standards in this Ordinance SHALL NOT INCLUDE printed materials distributed on behalf of members of any charitable organizations, for religious purposes or on behalf of a political candidate or activity

§194-5 Premises to which delivery of printed matter is prohibited.

It shall be a violation of this section when unsolicited printed matter is intentionally delivered to a private premises after the owner or tenant of said premises has notified the publisher or the delivery person, or in the case of printed matter referred to in 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.

§194-6 Violations and penalties.

Any person, firm or corporation convicted of a violation of any provision of this section 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 2: All ordinances of the Borough of Maywood which are inconsistent with the provisions of this ordinance are hereby repealed to the extent of such inconsistency.

Section 3: If any section, subsection, sentence, clause or phrase of this ordinance if, for any reason, held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this ordinance.

Section 4: This ordinance shall take effect upon passage and publication according to law.

Date: _____

APPROVED: _____
Richard Bolan, Mayor

ATTEST: _____
Barbara L. Dispoto, RMC/CMC
Borough Clerk

Introduction-1st Reading

Date: November 9, 2021

	Moved	Seconded	Ayes	Nays	Abstain	Absent	Recuse
Mayor Bolan							
Councilwoman DeMuro	X		X				
Councilwoman Flynn		X	X				
Councilman Herrick			X				
Councilman Roer			X				
Councilman Ullman			X				
Council President Bennin			X				

Adoption-2nd/Final Reading**Date:**

	Moved	Seconded	Ayes	Nays	Abstain	Absent	Recuse
Mayor Bolan							
Councilwoman DeMuro							
Councilwoman Flynn							
Councilman Herrick							
Councilman Roer							
Councilman Ullman							
Council President Bennin							