

BUSINESS AND OCCUPATIONS GENERALLY

CHAPTER 9.

BUSINESS AND OCCUPATIONS GENERALLY.

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Article I. In General.

Sec. 9-1. Town clerk to keep record of licenses.

The town clerk shall keep, in a book provided for that purpose, a list of all licenses granted by the town council, the name and residence of the person licensed, the number and date when granted, the term of such license and the purpose for which the same has been granted. (1932 Revision, title 8, ch. 2, § 5; G.O. No. 503.)

Article II. Auctioneers, Peddlers, Hawkers, Transient Merchants, Itinerant Vendors, Pawnbrokers, Junk Dealers and Vehicles Used for Transportation of Merchandise, etc.¹

Sec. 9-2. License² – Required.

The town council may grant licenses in writing, to be signed by the mayor and countersigned by the town clerk, to such persons as they shall think proper, of good moral character and otherwise qualified, according to the provisions of this article, to keep and use for hire, carts, wagons, trucks, drays or other vehicles for the transportation of merchandise, goods or articles or any description within the town and to such persons of good moral character, and otherwise qualified according to the provisions of this article as they shall think proper, to carry on the business or to act in the capacity of transient merchant, hawkers, peddlers, itinerant vendors, auctioneers, pawnbrokers, junk shop keepers, and junk dealers not having permanent and fixed places of business.

Except as otherwise provided in this article, all such licenses shall expire one year from the date of issue. (1932 Revision, title 8, ch. 2, § 1; G.O. No. 498, § 1.)

Sec. 9-3. Same – Fees.

There shall be charged to each person licensed under this article, and paid to the town clerk for the use of the town, at the time of issuance of the license, the following fees:

(a) *Carts, wagons, trucks and drays.* For each cart, wagon, truck or dray, five dollars.

(b) *Hawkers, peddlers and itinerant vendors.* For each hawker, peddler or itinerant vendor:

(1) One hundred fifty dollars for each car or vehicle.

(2) Twenty-five dollar for each basket or pack peddler.

(c) *Transient merchants.* For each transient merchant, as such term is defined in section 45:24-1 of the revised statutes, two hundred dollars for each building, structure, vacant lot or other premises used for the exhibition and sale of goods, wares and merchandise. This fee is imposed for the purpose of revenue.

(d) *Auctioneers.*³ For each auctioneer, one hundred dollars.

Every license to an auctioneer shall be taken and considered to have been granted upon the condition that no auction sale shall be conducted by such licensed auctioneer unless the conditions of sale shall first have been submitted to the mayor and council and approved by resolution of the council, signed by the mayor. No such license shall be granted until the applicant shall have filed with the town clerk a bond in the sum of five thousand dollars, signed by a surety company authorized by law to do business in the state, with the condition thereunder written that the licensee, his clerks, agents and

¹ For state law as to transient merchants, itinerant vendors, hawkers and peddlers generally, see N.J.S.A., §§ 45:24-1 to 45:24-13. As to authority of town to license and regulate hawkers, peddlers, etc., see N.J.S.A., § 40:52-1. As to authority of town to license and regulate junk dealers, see N.J.S.A., § 40:52-1. As to sales near schools, see § 14-13 of this Code.

² For state law as to special licenses for hawkers and peddlers to honorably discharged servicemen, see N.J.S.A., § 45:24-9.

³ For state law as to auction and auctioneers, see R.S., §§ 45:17-1 to 45:17-5.

servants will fulfill all conditions of any auction sale and will obey and conform to all laws of the state, and all provisions of this Code and other ordinances of the town relating to the business of auctioneers. Every such license shall be revocable for sufficient cause after a hearing.

This subsection (d) shall not be applicable to any sale conducted by trustees in bankruptcy, executors, administrators, receivers or other public officer acting under judicial process.

A special license permit shall be issued by the town clerk to any duly licensed auctioneer to conduct an auction of household effects for one day only, the date to be set forth in the permit. The fee for issuing such permit shall be one dollar. Where the sale cannot be completed upon the date slated in the permit, it may be continued for one additional day upon being endorsed by the town clerk for a date to be specified thereon, and the payment of a further fee of one dollar. No personal property which shall have been on the premises less than thirty days prior to the application for a permit shall be offered for sale under such special one-day license permit.

(e) *Pawnbrokers*. For each pawnbroker, fifty dollars.

(f) *Junk shopkeepers*. For each junk shopkeeper, with the privilege of using one wagon or cart, ten dollars.

(g) *Junk dealers*.

(1) For each junk dealer with the privilege of using one wagon or cart, ten dollars.

(2) For each junk dealer without such privilege, five dollars.

(1932 Revision, title 8, ch. 2, § 2; G.O. No. 498, § 2; G.O. No. 509; G.O. No. 594; G.O. No. 870.)

Sec. 9-4. Same – Tags required for certain occupations; attachment of same to vehicles, etc.

Every person licensed as a vendor, cartman or junkman pursuant to this article shall, on procuring such license, obtain from the town clerk two plates, to be furnished by the town, indicating the number of such license, and shall cause one of such plates to be immediately fastened, by firmly screwing or nailing the same, in a conspicuous place on each side of the truck, cart, wagon, dray or other vehicle so licensed. (1932 Revision, title 8, ch. 2, § 3.)

Sec. 9-5. Same – Display upon request; mutilation, loaning, etc., of licenses prohibited.

All licenses granted pursuant to this article shall be shown, on demand, to any member of the town council or the police force. No person shall refuse to show his license or mutilate, disfigure, loan or sell his license, badge or plate. (1932 Revision, title 8, ch. 2, § 4.)

Sec. 9-6. Pawnbrokers to keep record of purchases or pledges; certain articles not to be sold within twenty days after purchase or acceptance of pledge.⁴

Every pawnbroker doing business within the town and every person whose business in the town consists wholly or in part of buying and selling of old gold or silver, or secondhand wearing apparel, jewelry, bric-a-brac, ornaments, articles or personal adornment, firearms and musical instruments, shall provide and keep a book in which shall be fairly written, at the time of each purchase or acceptance of pledge of any used article made of gold or silver or any such secondhand articles as are enumerated above, an accurate description of the article so purchased or pledged, including any and all distinguishing marks and numbers, and a description of the seller or pledgor, stating his race, sex, age and approximate height; also his name and address.

Such book shall, at all reasonable times, be open to the inspection of the mayor and chief of police and of any person who shall be duly authorized in writing for that purpose by either one of such officials and who shall exhibit such written authority to the person in charge of such pawnshop, store or place of business. The proprietor of any such business shall, by noon of the first business day following the time of accepting any such pledge or making any such purchase, deliver to the chief of police or other head officer in charge of police headquarters, a complete record of each such transaction as recorded in such book.

It shall be unlawful for any person engaged in or carrying on the business of a pawnbroker or whose business in the town consists wholly or in part of buying and selling old gold or silver or any such secondhand article, as is enumerated in the first paragraph of this section, to sell or dispose of any such article so accepted in pledge or purchased within a period of twenty days after such purchase or acceptance, or to fail to note on his record, after the sale of any such article, for the inspection of the police department, the name and address of the purchaser thereof. (G.O. No. 554, §§ 1, 3.)

Sec. 9-7. Applicability of article.

The provisions of this article apply with equal force to peddlers, hawkers or itinerant vendors utilizing carts, wagons, trailers or pushcarts or other non-motorized conveyances in the conduct of their business except that the requirements for insurance as set forth in subsection 9-7.1 shall not apply to a non-motorized conveyance. The fee for each such cart, wagon, trailer or pushcart shall be one hundred fifty dollars.

Nothing in this article shall be construed to require a license for the sale by any person of the produce of his farm or the use of a wagon or other vehicle for the delivery of any merchandise from their store or place of business in the town. (1932 Revision, title 8, ch. 2, § 5; G.O. No. 503; G.O. No. 1336, § 1.)

⁴ For state law as to pawnbrokers and dealers in secondhand goods generally, see R.S., §§ 45:22-1 to 45:22-40.

Sec. 9-7.1. Insurance requirements.

No license shall be issued to any hawker, peddler, or itinerant vendor proposing to utilize an automobile, truck or other motor vehicle on the public highways and streets within the town in conducting his business until such hawker, peddler, or itinerant vendor, or owner of any motor vehicle to be operated by such hawker, peddler or itinerant vendor shall have filed with the town clerk a public liability and property damage insurance policy in the standard form insuring such motor vehicle and its operator which shall comply with the following requirements:

(a) An insurance policy of an accredited insurance company authorized to transact the business of casualty insurance in the state and acceptable to the town, covering each vehicle to be utilized, which policy shall cover the period included in the license to be issued by the town. Each such policy shall run concurrently with the fiscal year for which a license has been issued.

(b) Such insurance policy shall insure the owner and operator of such vehicle with a minimum limit for each accident for bodily injury of one hundred thousand dollars to any one individual or total of three hundred thousand dollars for all persons injured (or if single limit, three hundred thousand dollars), with a property damage loss in the minimum amount of a hundred thousand dollars.

(c) Each such insurance policy shall name the Town of Westfield as a party and shall contain a provision to the effect that the same cannot be cancelled, except on at least thirty days' notice in writing by the insurance company to the town clerk of the intention of such insurance company to cancel the same.

(d) In the event that any insurance policy covering any such vehicle shall lapse or shall be cancelled by the issuing company, then the license issued by the town shall thereupon become void, and the owner or operator of such vehicle shall be required to immediately surrender such license to the town clerk. (G.O. No. 1236, § 1.)

Sec. 9-7.2. Sale of merchandise, food, etc., from automobiles, trucks or other motor vehicles, carts, wagons, trailers, pushcarts, or other conveyances prohibited in the central business district; no permanent location permitted.

It shall be unlawful for any peddler, hawker or itinerant vendor offering merchandise, food, etc., for sale from a motorized or non-motorized conveyance, to sell or offer for sale any merchandise, food, etc., in the area of the Town of Westfield designated on the zoning map as the B-1 or B-2 zone, these being the central business districts of the Town of Westfield.

Except by permit issued by the recreation division for park facilities, it shall be unlawful for any peddler, hawker or itinerant vendor offering merchandise, food, etc., for sale from a motorized or non-motorized conveyance to park or stop any such automobile, truck, motor vehicle, cart, wagon, pushcart, trailer or other conveyance at one location for more than one hour. (G.O. No. 1336, § 2.)

Article III. Canvassers and Solicitors.

Sec. 9-8. Permit – Required.

No person shall canvass, solicit, distribute circulars or other matter or call from house to house in the town without first having reported to and received a written permit from the chief of police or the officer in charge at police headquarters, except as otherwise provided in this article. (G.O. No. 552, § 1.)

Sec. 9-9. Same – Applications; fingerprinting and photographing of applicant.⁵

Before the permit required by the preceding section may be issued, the canvasser shall make an application to canvass, giving his full name and address, age, height, weight, place of birth, whether married or single, length and place of residence, whether or not previously arrested or convicted of crime, by whom employed, address of employer, clothing worn and a description of the project for which he is canvassing. Each applicant shall be fingerprinted and photographed before a permit shall be issued. (G.O. No. 552, § 3.)

Sec. 9-10. Same – Authority of chief of police, etc., to issue or refuse to issue permit; revocation.

The chief of police or, in his absence, the officer in charge at police headquarters, shall have power to grant permits to canvas, which permits shall specify the number of hours or days the permit will be in effect. Such officer shall refuse to issue a permit in all cases where the application of the canvasser or further investigation, to be made at the discretion of such officer, shows that the canvasser is not of good character or that he is canvassing for a project not free from fraud. The chief of police or, in his absence, the officer in charge at police headquarters, shall revoke the permit for failure or refusal on the part of the permittee to observe the rules and regulations set forth in this article. (G.O. No. 552, § 2.)

Sec. 9-11. Same – Photograph to be attached to permit; display of permit upon request.

A copy of the permittee's photograph shall be carried on his permit, which permit and photograph shall be furnished by the police department at no cost to the applicant. The permittee shall exhibit his permit to any police officer or other person upon request. (G.O. No. 552, § 4.)

Sec. 9-12. Same – Surrender of permit upon expiration.

Upon expiration of the permit issued pursuant to this article, the holder thereof shall surrender the same to the officer in charge at police headquarters. (G.O. No. 552, § 4.)

⁵ As to police fees for taking fingerprints of canvassers and solicitors, see § 18-10 of this Code.

Sec. 9-13. Hours when canvassing permitted.

No person shall canvass within the town except between the hours of 9:00 A.M. and 8:00 P.M. (G.O. No. 552, § 4; G.O. No. 1366, § 1.)

Sec. 9-14. Conduct of canvasser.

A permittee under this article shall be courteous to all persons in canvassing, shall not importune or annoy any of the inhabitants of the town and shall conduct himself in a lawful manner. (G.O. No. 552, § 4.)

Sec. 9-15. Applicability of article.

This article shall not affect any person engaged in the delivery of goods, wares or merchandise or other article or thing in the regular course of business to the premises of persons ordering or entitled to receive the same. (G.O. No. 552, § 5.)

Article IV. Florists.

Sec. 9-16. License – Required.

No person shall engage in or carry on the business of selling at retail within the town cut flowers, growing flowers or plants, or potteries containing plants or flowers without first having obtained from the town a license for that purpose. The provisions of this section, however, shall not apply to transient merchants, itinerant vendors or peddlers, as defined in section 45:24-1 of the Revised Statutes. (G.O. No. 508, § 1.)

Sec. 9-17. Same – Application; fee; term; renewal.

Licenses to carry on the business of florists may be granted by the town council upon application in writing for that purpose and upon the payment of twenty-five dollars which is hereby fixed as the license fee.

The application shall set forth the name of the applicant, the business address at which it is proposed to conduct such business and the character of the business. It shall be signed and sworn to by the applicant. All such licenses shall be signed by the mayor and the town clerk and shall have the seal of the town affixed thereto. Such license shall continue in force for one year from the date thereof, unless sooner revoked, and may be revoked by the council for cause and after hearing.

Upon the expiration date of the license initially issued by the town council, the license may be renewed by filing a renewal application form with the town clerk. The town clerk will request inspection of the licensed premises, operation or device by the affected departments in accordance with inspection schedules approved by town council to assure compliance with all town codes on the part of the applicant. Violation of any section of any town code will constitute a basis of denial of the application for renewal. The town clerk shall also request a statement from the tax collector as to the tax records

of the applicant. Delinquent taxes shall be noted on the application, and shall constitute a basis of denial of the application for renewal. Delinquent taxes are hereby defined as taxes due from previous years. Upon receipt of departmental reports certifying that the premises, operation or device conforms with all town codes, the town clerk shall issue a renewal of the license for the term as specified. The town clerk shall file a monthly report with the town council, listing the renewal licenses issued during the month. The report shall specify the following:

1. The type of license.
2. Licensee.
3. Address of the licensee.
4. The amount of fees received.

The town clerk shall also file a monthly report with the town council, listing the applications for renewal licenses which have been denied and the basis for the denial. (G.O. No. 508, § 2; G.O. No. 943, § 1.)

Article V. Reserved¹

Secs. 9-18. – 9-19.1. Reserved.

Article VI. Prohibiting the Sale, Display, or Advertising of Drug Paraphernalia or the Maintenance of Premises for said Purpose or for Manufacture of Same.

Sec. 9-20. Definitions.

As used in this article *drug paraphernalia* means any instrument, appliance or device used, designed for use, or intended for use in ingesting, smoking, injecting, cooking, sniffing, administering, testing, weighing, measuring or preparing marijuana, hashish, hashish oil, cocaine or other controlled dangerous substances, as defined by N.J.S.A. 24:21-1 et seq., and shall include, but not be limited to:

- (a) Metal, wooden, acrylic, glass, stone, plastic, or ceramic marijuana or hashish pipes with or without screens, permanent screens, hashish heads, or punctured metal bowls;
- (b) Water pipes designed for use or intended for use with marijuana, hashish, hashish oil, or cocaine;
- (c) Carburetion tubes and devices;
- (d) Smoking and carburetion masks;
- (e) Roach clips;
- (f) Separation gins designed for use or intended for use in cleaning marijuana;
- (g) Cocaine spoons and vials;
- (h) Chamber pipes;
- (i) Carburetor pipes;
- (j) Electric pipes;
- (k) Air driven pipes;

¹ Editor's Note: Former Article V, pertaining to gardeners, landscaping and lawn maintenance services, previously codified herein and containing portions of G.O. Nos. 1145, 1437 and 1464 was repealed in its entirety by G.O. No. 1580.

- (l) Chilams;
 - (m) Bongs;
 - (n) Ice pipes or chillers.
- (G.O. No. 1259, § 1.)

Sec. 9-21. Sale, display or advertising of drug paraphernalia prohibited.

It shall be unlawful for any person to advertise, display, sell or offer for sale any drug paraphernalia as defined in this article. (G.O. No. 1259, § 1.)

Sec. 9-22. Maintenance of premises for the sale, display, advertising or manufacture of drug paraphernalia prohibited.

It shall be unlawful for any person to use or maintain or suffer the use or maintenance of any building or premises whatever for the manufacture, distribution, dispensing, administration, display, sale, offer for sale, or advertising of any drug paraphernalia as defined in this article. (G.O. No. 1259, § 1.)

Sec. 9-23. Possession of drug paraphernalia.

Possession of any drug paraphernalia as defined herein with the intent to violate this article shall also be an offense under this article. (G.O. No. 1259, § 1.)

Sec. 9-24. Continuing nature of offense.

Each and every day in which a violation of this article occurs shall be deemed a separate offense hereunder. (G.O. No. 1259, § 1.)

Sec. 9-25. Penalties for violation.

Any person shall, upon conviction of a violation of this article, be subject to a fine of not more than five hundred dollars or to imprisonment for not more than ninety days or both, in the discretion of the judge of the municipal court. (G.O. No. 1259, § 1.)

Article VII. Dealers in Precious Metals.

Sec. 9-26. Definitions.

(a) *Precious metals* shall mean gold, silver, platinum, palladium and alloys thereof in any form, including items fabricated in whole or in part from such metals or alloys or combinations thereof.

(b) *Dealer* shall mean any person, partnership, corporation or other entity who through any means or method, including barter, engages in the business of buying, purchasing or acquiring precious metals in any form from any person who is not engaged in the regular business of selling such precious metals, or who makes or provides appraisals or tests of the weight and quality of precious metals, and includes anyone

advertising any such services or the purchase, acquisition or trade of any precious metals. (G.O. No. 1319, § 1.)

Sec. 9-27. License required; form; fee, etc.

(a) License required. No person, partnership, corporation or other entity shall conduct a business as a dealer in precious metals without first having obtained a license from the chief of police of the Town of Westfield for such purpose.

(b) Form of license. The license shall be on a form provided by the Westfield Police Department and shall include the following information:

(1) The name and address of the person, partnership, corporation, or other entity conducting said business or advertising same and any trade name used or to be used.

(2) In the case of a corporation, the names and addresses of all officers of the corporations and all stockholders holding more than ten percent of the stock of the corporation.

(3) The location at which said business will be conducted, and the hours of operation thereof.

(c) License fee. The fee required for said license shall be the sum of twenty-five dollars per year.

(d) License term. License shall be issued on an annual basis for a one-year period from the date of issuance or any renewal thereof.

(e) Display of license. The license when issued shall be displayed on the premises used to conduct the business of a dealer in precious metals, and the location of such license shall be in a conspicuous place readily accessible for view by potential customers. (G.O. No. 1319, § 1.)

Sec. 9-28. Log of transactions required.

Any person who conducts the business of a dealer in precious metals shall maintain on a daily basis on forms approved by the chief of police a legible and correct description of each purchase, or exchange of precious metal, and said forms shall contain the following additional information for each such purchase, or exchange. No such records are required where only an appraisal is made.

(a) Legal name and residence address of the person, partnership, corporation or other entity or for whom the precious metals dealer engages in a transaction, plus the following specific information regarding each such natural person: (1) occupation; (2) age; (3) height; (4) weight; (5) sex; (6) color of eyes, complexion and hair; (7) drivers license number and State.

(b) Date and time of transaction.

(c) Exact description of the article purchased by him, or acquired by trade.

(d) Any inscription, monogram, engraving or similar device containing letters or numbers shall be noted and located on the item and such letters or numbers shall be copied into the log.

(e) Net weight in terms of pounds troy, ounces troy, pennyweight troy, grams or kilograms for each such item.

(f) Fineness in terms of “karat” for gold and “sterling or coin” for silver, in accordance with N.J.S.A. 51:5-1 et seq. and 51:6-1 et seq.

(g) The price or the consideration paid or received by the precious metals dealer for the described item.

Every precious metals dealer shall maintain the records required by this section, and shall at all times have same available on the premises and open for inspection by any police officer of the Town of Westfield. In addition, such precious metals dealer shall daily at the close of business deliver a copy of said list to the Westfield Police Department. (G.O. No. 1319, § 1.)

Sec. 9-29. Prohibition on dealing with minors.

No precious metals dealer shall buy, exchange, appraise or otherwise engage or enter into any precious metals transaction with a person under the age of eighteen, and a dealer shall have the responsibility to verify the age of the customer with whom they are dealing and shall note on their records the documentary verification of such age. (G.O. No. 1319, § 1.)

Sec. 9-30. Holding period.

No precious metals dealer shall sell, melt, or otherwise change the form of or dispose of any articles purchased or received for a period of seven calendar days from the date of the daily notification made to the police department concerning the purchase or appraisal of such items, and such items shall remain on the premises where purchase was made for at least seven calendar days after this daily notification. (G.O. No. 1319, § 1.)

Sec. 9-31. Exceptions.

Nothing contained herein shall apply to the wholesale purchase of jewelry or precious metals by regularly established businesses from wholesale dealers and suppliers, which purchases are made for retail sale to the public in the regular course of business. Nothing contained herein shall apply to the casual purchase of precious metals by a person, partnership or corporation not regularly engaged in that business. This article shall not apply to the purchase of coins now or formerly used as money if the aggregate value of the coins purchased is less than five hundred dollars in one transaction. This article shall not apply to the purchase of automobiles with catalytic mufflers or to fabricated products or goods containing precious metals which constitute only a minor part of the value of the item. (G.O. No. 1319, § 1.)

Sec. 9-32. Penalty.

Any person as defined above who violates any provisions of this article shall upon conviction thereof be punished by a fine not exceeding five hundred dollars or by imprisonment for a term not exceeding ninety days, or both, within the discretion of the municipal judge. A separate offense shall be deemed committed in each day during or on which a violation occurs or continues. (G.O. No. 1319, § 1.)

Article VIII. Gasoline Service Stations and Automobile Body Repair Shops and Public Garages.

Sec. 9-33. Purpose.

The purpose of this article is to ameliorate and to mitigate negative impacts to adjacent residential property caused by the nighttime activities of automobile body repair shops and gasoline service stations and public garages. The nuisance factors associated with these uses, including vehicular traffic and customer-related activities and noise, repair equipment noise and night lighting would have a detrimental effect on residential uses located in close proximity to the public garage, automobile body repair shops and gasoline service stations. (G.O. No. 1489, § I.)

Sec. 9-34. Definitions.

For purposes of this article the following definitions shall apply:

(a) *Public garage* shall mean any building structure, lot or land on or upon which a business service or industry involving the storage, maintenance, washing or servicing and storage in connection therewith of motor vehicles or boats is maintained, conducted, or rendered but where motor fuel is not offered for sale to the public, but shall not include a building structure, lot or land on which a business is conducted which involves automobile body repair or painting.

(b) *Gasoline service station* shall mean any building structure, lot or land on or upon which a business, service or industry involving the storage, maintenance, washing or servicing and storage in connection therewith of motor vehicles is maintained, conducted, operated or rendered and is associated therewith, motor fuel is offered for sale to the public or where only gasoline is offered for sale. Gasoline service stations shall not include any building structure, lot or land on or upon which a business is conducted which involves automobile body repair or painting.

(c) *Automobile body repair shop* shall mean any building structure, lot or land on or upon which a business, service or industry involving the repair and/or painting of motor vehicle bodies, and storage in connection therewith is maintained, conducted, operated or rendered.

(d) *Residential dwelling* shall mean any space in a building or structure suitable or intended for human habitation, whether actually occupied or not.
(G.O. No. 1489, § I.)

Sec. 9-35. Hours of operation restricted.

All gasoline service stations, public garages or automobile body repair shops, that are located less than one hundred feet from a residential dwelling as measured from the perimeter of the lot line of the property containing the residential dwelling to the perimeter of the lot line of the property containing the gas service station, public garage, or automobile body repair shop shall be closed between the hours of 11:00 P.M. and 6:00 A.M. on every day of the year. (G.O. No. 1489, I.)

Article IX. Cigarette Vending Machines.

Sec. 9-36. Cigarette vending machines prohibited.

In view of the indiscriminate sales of cigarettes to minors by automatic vending machines, all cigarette vending machines are hereby prohibited in the Town of Westfield. (G.O. No. 1657, § I.)

Sec. 9-37. Penalty.

Any person owning, operating, renting or permitting the use of a cigarette vending machine on premises under his or her control shall be subject to a fine of two hundred fifty dollars for each offense. Each day during which such a machine is owned, operated, rented or permitted on the premises shall result in a separate offense. (G.O. No. 1657, § I.)