

**BOROUGH OF HILLSDALE
BERGEN COUNTY, NEW JERSEY
ORDINANCE 16-13
(ADOPTION)**

AN ORDINANCE TO AMEND CHAPTER 224: PEDDLING AND SOLICITING OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF HILLSDALE SO AS TO PROVIDE FOR THE CREATION AND MAINTENANCE OF A NON-SOLICITION LIST, COMMONLY KNOWN AS A “DO NOT KNOCK” LIST FOR RESIDENTS DESIRING TO BE PLACED THEREON

WHEREAS, the Borough of Hillsdale is desirous of establishing and maintaining a “Non-Solicitation” list, so as to allow residents to determine if they desire to prevent solicitors from approaching persons in their home.

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

§224-1 shall be amended to revise the definition of “solicitor” which shall read as:

SOLICITOR

A person who goes from house to house or from place to place selling merchandise by sample or by taking orders for future delivery, with or without accepting advance payments for the goods, regardless of whether the solicitation is made by mail, telephone or personal contact. The provisions of this chapter shall apply to the person who comes in personal contact with the buyer, whether he obtains the order, delivers the goods or accepts money in payment for them. Solicitor shall also mean any person who goes from house to house or from place to place for the purpose of offering services, makes inquiries concerning real estate, obtaining alms, contributions or subscriptions or who does research analyses, makes surveys or opinion polls, obtains rating data or similar information or who engages in any similar work which involves a door-to-door or place-to-place activity.

§224-11 shall be added as follows:

§224-11 Entering on Posted Property Prohibited

No trade solicitor or canvasser shall enter onto any property on which is located a sign or signs stating “no solicitors” or carrying a similar message forbidding the entry of any persons onto the property.

§224-12 shall be added as follows:

§224-12 Collection, Preparation and Maintenance of a Nonsolicitation List.

- A. Collection, preparation and maintenance of a nonsolicitation list. The Office of the Borough Administrator/Clerk shall collect, prepare and maintain a list of addresses of those premises where the owner and/or occupant has notified the Clerk that soliciting and canvassing is not permitted on his/her premises. To be included on the nonsolicitation list, residents shall

complete a form supplied and maintained by the Borough, without cost to the resident. With the adoption of this section, the Office of the Clerk shall make the form available to all residential property owners or occupants and may distribute same thereafter in any manner directed by the Governing Body.

- B. The Borough Administrator/Clerk, or their designees, shall submit the nonsolicitation list to the Chief of Police on a quarterly basis, which nonsolicitation listing shall be distributed to applicants seeking a license to solicit or canvass pursuant to the provisions of this chapter. The applicant shall acknowledge, in writing, receipt of this list as part of the application process. The licensee shall not solicit or canvass at any address on the nonsolicitation list.
- C. On or about January 1, April 1, July 1 and October 1 of each year, the Office of the Clerk shall update the list. The updated list shall then be forwarded to the Chief of Police for distribution to solicitors and/or canvassers. Nothing herein shall prohibit the more frequent updating of the list by the appropriate Borough Official.
- D. Any solicitor or canvasser violating the provisions of this section as described above shall be punishable by a fine and/or imprisonment as prescribed in § 226.

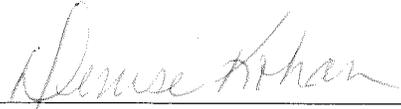
All Ordinances of parts of Ordinances inconsistent herewith are hereby repealed as to such inconsistencies only.

In the event that any word, phrase, clause, section or provision of this Ordinance is found by any Court of competent jurisdiction to be unenforceable, illegal or unconstitutional, such word, phrase, clause or provision shall be severable from the balance of this Ordinance and the remainder of this Ordinance shall remain in full force and effect.

This Ordinance shall take effect upon passage and publication as provided by Law.

Council member	Motion	Second	Yes	No	Absent	Abstain	Recuse
DeRosa, Anthony			X				
Karcich, Scott			X				
Looes, Chrisoula	X		✓				
Lundy, Abby			X				
Pizzella, Frank		X	X				
Ruocco, John			✓				
Douglas Frank							

Adopted: October 18, 2016

Attest: 
 Denise Kohan
 Acting Municipal Clerk


 Douglas E. Frank
 Mayor