

**CITY OF UNION CITY
COUNTY OF HUDSON, STATE OF NEW JERSEY**

ORDINANCE 2018- 04

**ORDINANCE AMENDING CHAPTER 301
AND ESTABLISHING A "NO-KNOCK REGISTRY"**

WHEREAS, the City of Union City (the "City") regulates canvassing and soliciting within the City, by a through Chapter 301 of the Code of the City of Union City (the "Code"); and

WHEREAS, the City wishes to supplement Chapter 301, to create a "No-Knock Registry" to permit City residents to register with the City Clerk, indicating that they do not want solicitors or canvassers to approach their homes and/or seek contact with the occupants of the registered home; and

WHEREAS, pursuant to N.J.S.A. 40:48-2, a municipality may make, amend, repeal and enforce ordinances not contrary to the laws of this State or of the United States, as it may deem necessary and proper for order and protection of persons and property, and for the preservation of the public health, safety and welfare of the municipality and its inhabitants; and

WHEREAS, the City of Union City is a municipality as defined by Title 40 of the New Jersey Statutes; and

WHEREAS, the City finds that it is in the best interest of the health, safety, and welfare of its residents to amend Chapter 301 to provide City residents with the option of registering for a "No-Knock Registry;" and

NOW, THEREFORE, BE IT ORDAINED, by the Board of Commissioners of the City of Union City, County of Hudson, State of New Jersey that the Code of the City of Union City is hereby amended and revised as follows:

SECTION ONE:

Chapter 301 is hereby supplemented to include § 301-19, "Establishment of a 'No-Knock Registry.'" The provision shall read as follows:

§ 301-19 Establishment of a "No-Knock Registry"

- A. For the purpose of protecting residents from criminal activities and safeguarding their privacy, there is hereby established a "No-Knock Registry" of properties where canvassing and soliciting are prohibited. The "No-Knock Registry" shall be maintained by the City Clerk.

B. The City Clerk shall prepare a list of addresses of those premises whose owners or occupants have notified the Clerk that canvassing or soliciting are not permitted on their premises. Notification shall be by the completion of a form, available online and at the City Clerk's office during normal business hours. The premises shall remain on the "No-Knock Registry" unless the owners or occupants notify the City Clerk, in writing, that they wish the property to be removed from the "No-Knock Registry." The City Clerk shall update the list monthly. The inclusion of a premises on the "No-Knock Registry" shall be deemed a revocation of any privilege or license to enter or attempt to enter the property; specifically, canvassers and solicitors have no express or implied license to enter a property listed on the "No-Knock Registry."

C. Owners or occupants who have requested to be listed on the Union City "No-Knock Registry" pursuant to Subsection A herein may procure from the Clerk's office a notice for display on the premises indicating the enlistment on the Union City "No-Knock Registry." The notice shall indicate which solicitors may contact residents and shall read substantially as follows:

These premises are listed on the City of Union City's "No-Knock Registry" (City of Union City Code § 301-19). You may not enter or attempt to enter these premises for the purpose of canvassing or soliciting, which includes offering to purchase real estate on behalf of any person or organization. Charitable, political, and religious organizations are exempt from this law. Violation of the City of Union City Code § 301-19 may result in a fine of up to \$2,000 and/or up to 90 days of community service.

D. The first notice shall be provided free of charge and may be picked up in person during regular business hours. If a replacement notice is required, the individual may pick up the replacement notice at the Clerk's office for a fee of \$5.00, which shall be payable to the City Clerk. A fee of an additional \$1.00 per notice will be applied for any individual who desires to have a notice mailed to him or her, payable to the City Clerk.

E. The City Clerk shall distribute the then-current Union City "No-Knock Registry" to a licensed canvasser or solicitor at the time of issuance of a license.

F. Although the most current list of registrants on the Union City "No-Knock Registry" shall be provided by the City Clerk, it is the responsibility of the canvasser or solicitor to have the most up-to-date list prior to engaging in any canvassing or soliciting.

G. Any person convicted of violating this section shall be subject to the following:

- (1) First Offense: a minimum fine of \$100.00, with a maximum fine of up to \$1,250.00;
- (2) Subsequent Offense: a minimum fine of \$100.00, with a maximum fine of up to \$2,000.00 for each offense, together with community service for a period of up to 90 days; and
- (3) Any offense: in addition to the above, a permanent revocation of any license issued under the within Chapter.

- H. The City shall post a "No-Knock Registry" application on the City webpage and distribution to other media outlets as designated by the City. The City shall provide copies of the application to the public and undertake reasonable efforts in education and distribution in order to further public awareness of the "No-Knock Registry."
- I. This section does not preclude an owner or occupants from filing other appropriate complaint(s) with the Prosecutor, including, without limit, a complaint for trespass.

SECTION TWO:

Severability. If any term or provision of this Ordinance is held to be illegal, invalid, or unenforceable by a court of competent jurisdiction, in whole or in part, such determination shall not affect the validity of the remaining terms and provisions of this Ordinance.

SECTION THREE:

Repealer. To the extent that any provision of the Code of the City of Union City is found to conflict with this Ordinance, in whole or in part, this Ordinance shall control.

SECTION FOUR:

In order to avoid accidental repeal of existing provisions, the City Clerk and the Corporation Counsel are hereby authorized to change any chapter numbers, article numbers and/or section numbers in the event that the codification of this Ordinance reveals that there is a conflict between those numbers and the existing Code.

SECTION FIVE:

This Ordinance shall take effect upon passage and publication as required by law.

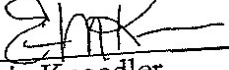
Commissioners	Yea	Nay	Abstain/Present	Absent
Lucio P. Fernandez	X			
Tilo E. Rivas	X			
Celin J. Valdivia	X			
Maryury A. Martinetti	X			
Mayor Brian P. Stack	X			

I HEREBY CERTIFY this to be a true and correct Ordinance of the City of Union City Board of Commissioners, adopted on January 30, 2018 and was further considered after a Public Hearing held on February 13, 2018 at the Union City Housing Authority Pavilion, 3911 Kennedy Boulevard, Union City, New Jersey 07087.

INTRODUCED: January 30, 2018

ADOPTED: February 13, 2018

ATTEST:



Erin Knoedler
City Clerk

February 13, 2018
DATE

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SUMMARY OF ORDINANCE

This Ordinance establishes a "No-Knock List" —a register which allows residents to indicate that they have revoked express and implied consent—thereby preventing canvassers and solicitors from entering the property.