

ORDINANCE # 2118-2023

AN ORDINANCE ADDING CHAPTER 141, ARTICLE 1, SUB-SECTIONS 141-9 & 141-10 CANVASSING, PEDDLING AND SOLICITING OF THE GALLOWAY TOWNSHIP CODE

WHEREAS, it is appropriate for the Township of Galloway to protect the safety of its residents and to prevent fraud from being perpetrated upon them and protect them from criminal activity, while not inappropriately interfering with the exercise of free speech.

NOW, THEREFORE, BE IT ORDAINED by the Municipal Council for the Township of Galloway, County of Atlantic and State of New Jersey that Chapter 141 Canvassing, Peddling and Soliciting creating Sub-Sections 141-9 and 141-10 is hereby added as follows:

1. Section 141-9 – Notices Regulating Canvassing and Soliciting.
 - A. No canvasser or trade solicitor shall enter into 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. Such sign so exhibited shall constitute sufficient notice to any trade solicitor or canvasser of the determination by the occupant of the residence of the information contained thereon.
 - B. Duty of canvassers and solicitors.
 - (1) It shall be the duty of every canvasser or solicitor, upon entering onto any premise in the Township of Galloway on which a residence is located, to examine and look for the notice provided in Subsection A of the section, if any is posted, and the governed by the statement “No Solicitors or Canvassing Allowed” or similar message.
 - (2) Any solicitor or canvasser who has gained entrance to any residence, whether invited or not, shall immediately and peacefully depart from the premises when requested to do so by the occupant or managing office.
 - C. Uninvited soliciting is prohibited in certain sections of Township of Galloway and those areas shall be duly posted “No Solicitors or Canvassing”.
2. Section 141-10 - Violations and penalties.
 - A. Any canvasser, peddler, solicitor, itinerant vender or owner or employee of a door-to-door sales enterprise who violates any provision of this article shall be:
 - (1) Subject to a maximum ordinance violation fine of \$1,000 per offense;
 - (2) Subject to a one-year revocation of any license issued pursuant to this chapter; and
 - (3) Ineligible to receive a new license, pursuant to this chapter, for a period of one year, coinciding with the term of the one-year revocation noted in this chapter.
3. All Ordinances and parts of Ordinances in conflict with this Ordinance are hereby repealed.

4. To the extent that any part or parts of this Ordinance are repealed or otherwise modified or voided by State Statute or case law, the remaining portions or sections of this Ordinance shall remain in full force and effect.

5. If any section, sentence or any part of this Ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, such judgment shall not affect, impair or invalidate the remainder of the Ordinance, but shall be confined in its effect to the section, sentence or other part of this Ordinance directly involved in the controversy in which judgment shall have been rendered.

6. This Ordinance shall take effect twenty (20) days after final passage and publication according to law, except as provided in for N.J.S.A. 40:69A-181.

NOTICE IS HEREBY GIVEN that the foregoing Ordinance was introduced in and passed the first reading at a meeting of the Township Council of the Township of Galloway, County of Atlantic and State of New Jersey, held on October 10, 2023, and said Ordinance will be further considered for final passage and adoption at a public hearing to be held at the Municipal Complex located at 300 East Jimmie Leeds Road, Galloway, New Jersey 08205, on October 24th, 2023 at 6:30 PM or as soon thereafter as the matter may be reached.

BY ORDER OF THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF GALLOWAY

TOWNSHIP OF GALLOWAY

Kelli Danieli, RMC /s/
 Kelli Danieli, RMC
 Township Clerk

Recorded Vote:	MOTIONS	AYE	NAY	ABSTAIN	ABSENT
Amato		X			
Bassford	1	X			
Clute		X			
Coppola		X			
Dipietro	2	X			
Sudler		X			
Umar		X			

