

Local Law 4 (2025)

A local law amending Chapter 151 of the Code of the Town of Niskayuna entitled “Peddlers and Solicitors”

Section 1. Amend Section 151-1 entitled “Definitions” by adding the following:

COMMERCIAL SOLICITATION

A commercial activity that involves selling or promoting products or services, or raising funds for an entity. It can also include encouraging membership in a group or organization. Political activity is not commercial solicitation.

Section 2. Amend Section 151-2 entitled “Applicability” as follows:

A. Generally, nothing in this chapter shall apply to sales conducted pursuant to statute or by order of any court or to any person selling personal property at wholesale to dealers in such article.

B. The licensing provisions of this chapter shall not apply to merchants having an established place of business within the Town of Niskayuna or their employees; to farmers and truck gardeners who, themselves or through their employees, vend, sell or dispose of the products of their own farms or gardens; to any veteran who has procured a license from the State of New York pursuant to § 32 of the General Business Law; to party plans; or to calls in response to a prior invitation.

C. This chapter shall not apply to a mobile industrial caterer. The term "mobile industrial caterer," as used in this chapter, shall mean and include any retail dealer operating from a motor vehicle with which to travel from place to place on a regularly scheduled basis in order to stop at business locations and construction sites in the Town for the purpose of selling or offering for sale such items as coffee, doughnuts, sandwiches, milk, candy, cigarettes and snacks. A "business location," as used in this definition, shall not mean a retail store or an office area but shall be limited to factories, warehouses and places of manufacturing and construction.

D. This chapter shall not apply to any event duly licensed under the Town of Niskayuna ordinance regulating circuses, carnivals and public dance halls.

Section 3. Add a new section: Section 151-13 and entitle it “No Solicitation Registry” and it shall state as follows:

§151-13. No Solicitation Registry

- A. Any owner or lawful occupant of any residence within the Town who wishes to prohibit door-to-door commercial solicitation at his or her residence may register the address of such residence within the Town by completing a form prepared by the Town, which form may be submitted to the Town either in person, by mail or on the Town’s website.

- B. The Town Clerk shall maintain a no-solicitation list consisting of all residential addresses that have been registered under Subsection A of this section, The list shall be provided to all persons obtaining a vending permit.
- C. For all addresses registered under Subsection A of this section, all door-to-door commercial solicitation at such address shall be prohibited.
- D. Door-to-door commercial solicitation shall be prohibited on residential property which has displayed a sign bearing the words “No Soliciting” or words of like intent. No solicitor shall remain on the premises after the owner or occupant thereof shall have requested his/her departure therefrom.
- E. Neither the Town nor any of its officers, employees, agents or authorized volunteers shall be liable to any person for any injuries, damages or liabilities of any kind arising from or relating to any errors or omissions that may occur in compiling or maintaining the no-solicitation registry.