

TOWNSHIP OF RARITAN
COUNTY OF HUNTERDON, NEW JERSEY

ORDINANCE No. 24-21

An Ordinance of the Township of Raritan, County of Hunterdon, State of New Jersey, amending and updating *The Code of the Township of Raritan* to Establish a “No Knock” List for Residential Properties.

BE IT ORDAINED by the Township Committee of the Township of Raritan, in the County of Hunterdon and State of New Jersey, as follows:

Section 1. Chapter 347 entitled “Peddlers, Solicitors, Canvassers and Transient Merchants” of Part II entitled “General Legislation” of *The Code of the Township of Raritan* is hereby supplemented and amended to read as follows: [New language in **bold and underlined**; deleted language in ~~double-strikethrough~~.]

Chapter 347. Peddlers, Solicitors, Canvassers and Transient Merchants.

§347-1. Purpose.

The operations of transient merchants, peddlers, solicitors and canvassers raises valid public concerns related to public safety, public health, crime and fraudulent business practices. It is the purpose of this chapter to regulate these activities for the benefit of the residents of the Township of Raritan.

§347-2. Definitions.

As used in this section:

APPLICANT

Every person who has applied for a License to peddle, solicit and canvass in the Township or act as a transient merchant.

CANVASS

Going from door to door, or from place to place, by traveling on the streets and roads, or standing within the streets and roads or public rights-of-way, for the purpose of obtaining the views of any person upon any economic or social question or project or for the purpose of distributing literature, leaflets, pamphlets, advertisements, circulars, samples, door hangers or other written material for the purposes of information and/or advertising.

COMMERCIAL PUPROSES

For the purpose of selling goods, services or wares or advertising goods, services or wares with intent of profit-making. However, no peddling, canvassing, or soliciting by non-profit or charitable organizations shall be considered a “commercial purpose.”

MERCHANDISE

Any and all goods or wares which are ordinarily the objects of trade and commerce. “Merchandise” shall also mean and refer to orders or contracts for a service, home improvement or alteration.

NONCOMMERCIAL PURPOSES

Those purposes which are not commercial.

PEDDLE

Going from door to door, or from place to place, by traveling on the streets and roads, or standing within the streets and roads or public rights-of-way, in an effort to take orders for present or future delivery of merchandise, as defined hereinafter.

SOLICIT

Going door to door, or from place to place, by traveling on the streets and roads, or standing within the streets and roads or public rights-of-way, to plead or ask for contributions or donations, monetary or otherwise, for any person, group, association or corporation.

TRANSIENT MERCHANT

A person, corporation or partnership who engages in a merchandising business in New Jersey with intent to close out or discontinue the business in the Township within one year from date of commencement and for the purpose of carrying out such business, hire, lease or occupy any building or structure for the exhibition and sale of goods. Transient merchants who also lease or occupy motel facilities for the conduct of their business shall be deemed as intending to temporarily be located within Raritan Township for less than one year. Operating as a transient merchant is, presumptively, a commercial purpose, pursuant to this Chapter.

§347-3. License Required.

- A. Any person desiring to peddle, solicit, canvass, or operate as a transient merchant for a commercial purpose within the Township must apply for and receive, prior to such activity taking place, a license from the Township Clerk.
- B. A separate application shall be required for each entity or person peddling, soliciting, canvassing or operating as a transient merchant. Applications shall be filed pursuant to the requirements of Chapter 301, Licensing. Each application shall be accompanied by a fee as provided in Chapter 245, Fees, §245-5. This fee shall not be prorated.
- C. License issued pursuant to this Chapter shall expire on December 31 of the calendar year in which the license is issued.

- D. Exhibition of License. Each license holder shall prominently display the license whenever soliciting, canvassing or peddling in the Township so that same is observable to any person addressed by the licensees.
- E. Notwithstanding any contrary provisions of the Revised General Ordinances of the Township of Raritan, no license to solicit, canvass, or peddle, or act as a transient merchant shall issue unless:
 - (1) The applicant provides the Raritan Township Police Department with a fingerprint criminal background check.
 - (2) The applicant provides a two thousand dollar (\$2,000.00) bond to the Township of Raritan in a form approved by the Township Attorney. Such bond may be subject to forfeiture upon proof of:
 - (a) Falsification in the application for a license; or
 - (b) Willful violation of a Township ordinance or a State or Federal law.

§347-4. Persons exempt from licensing requirements.

- A. The following entities are exempt from the requirements of this Chapter:
 - (1) Any person honorably discharged from the military services of the United States possessing a peddler's license issued in conformity with N.J.S.A. 45:24-9 and -10.
 - (2) Any person who is an exempt fireman of a volunteer fire department as defined by N.J.S.A. 45:24-9 and -10, possessing a license in conformity with said law.
 - (3) Any public utility or its employees, which public utility is subject to regulation by the State Board of Public Utility Commissioners; provided, however, such employees shall display the identification badge or card issued by their employer. Third party suppliers of electrical services are not exempt under this provision.
 - (4) Any person engaged in the delivery of goods, wares or merchandise or other articles or things, in the regular course of business, to the premises of persons who had previously ordered same or were entitled to receive same by reason of a prior agreement.
 - (5) Any person soliciting snow shoveling services within 24 hours of a snowstorm.
 - (6) Any person soliciting, peddling or canvassing for a non-commercial purpose.
- B. The exemptions provided for by this section shall not be applicable to any person operating as a transient merchant.

§347-5. General Regulations.

- A. No peddler, solicitor or canvasser that is subject to the licensing requirements of this Chapter shall peddle, solicit or canvass before 9:00 a.m. or after 4:00 p.m. Monday through Friday or before 10:00 a.m. or after 3:00 p.m. on Saturdays. All other peddlers, solicitors or canvassers that are not subject to the licensing requirements pursuant to this Chapter shall only peddle, solicit or canvass between 9:00 a.m. and 9:00 p.m. on any given day.
- B. No peddler, solicitor or canvasser, whether or not subject to the licensing requirements of this Chapter, shall solicit, canvass or peddle upon premises whereupon a sign is posted which indicates that the peddler's, solicitor's or canvasser's activities are not welcome. Such a sign may, but is not required to, state: "No Peddlers, Solicitors, and Canvassers Invited."
- C. No peddler, solicitor or canvasser, whether or not subject to the licensing requirements of this Chapter, shall walk upon front yards or back yards to move from property to property or building to building unless invited to do so by the property owner.
- D. No peddler, solicitor or canvasser, whether or not subject to the licensing requirements of this Chapter, shall enter or attempt to enter the house or apartment of any resident of the Township without an express invitation from an occupant thereof.
- E. All literature, leaflets, pamphlets, advertisements, circulars, samples, door hangers or other written material being canvassed or peddled shall be handed to an occupant of the property or left in a secure place thereon.
- F. No peddler, solicitor or canvasser that is subject to the licensing requirements of this Chapter shall peddle, solicit or canvas on the street, roadway, or public right-of-way in the same place, i.e. stationary, for more than eight **(8)** hours.
- G. No peddler, solicitor or canvasser, whether or not subject to the licensing requirements of this Chapter, shall substantially impair the ability of the public to use the Township's rights-of-way.
- H. No peddler, solicitor or canvasser, whether or not subject to the licensing requirements of this Chapter, shall violate the provisions of the "No Knock" list as established in Section 347-6 herein below.**

§347-6. "No Knock" List Established.

- A. There is hereby established a "No Knock" list in the Township of Raritan to be maintained by the Township Clerk's office. The "No Knock" list herein established shall be updated at least twice a year, on or about April 1st and December 1st of each year.**

- B. All residents of the Township of Raritan may register his/her address and/or unit/apartment number with the Township Clerk's office to be placed on the "No Knock" list, indicating that they do not want persons to approach their homes and/or seek personal contact with the occupants of the registered residence. A registered address will remain on the "No Knock" list until the resident requests to be removed from the list. Residents registered on the "No Knock" list shall notify the purchasers of the property of the fact that said property is on the list when selling the property.**
- C. Once the resident has been approved and added to the "No Knock" list, such resident shall be provided with a "No Knock" notice to post by the front entrance of the residents to warn peddlers, solicitors, canvassers and transient merchants.**
- D. It shall be unlawful for any peddler, solicitor, canvasser, and transient merchant to approach or seek personal contact with the occupants of any resident of a property that is registered on the "No Knock" list, or if the resident has posted a "No Knock" sign or notice.**
- E. A copy of the "No Knock" list shall be provided to all peddlers, solicitors, canvassers, and transient merchants, whether or not subject to the licensing requirements of this Chapter. A copy of the "No Knock" list shall be provided to the Police Department and made available on the Township website after same has been updated by the Township Clerk.**

§347-67. Violations and penalties.

Any violation of this Chapter shall be punishable by a fine of ~~\$2,000~~ and/or imprisonment as prescribed in §1-5, General penalty, of the **Township Code** ~~Revised General Ordinances of the Township of Raritan.~~

Section 2. If any article, section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be unconstitutional or invalid in any court of competent jurisdiction, such decision shall not affect the remaining portions of this Ordinance and they shall remain in full force and effect, except so far as the section or provision so declared invalid shall be inseparable from the remainder or any portion thereof.

Section 3. In the event of any inconsistencies between the provisions of this Ordinance and any prior ordinance of the Township of Raritan, the provisions hereof shall be determined to govern, and the inconsistencies of the prior ordinance are hereby repealed. All other parts, portions and provisions of the Ordinances of the Township of Raritan are hereby ratified and confirmed, except where inconsistent with the terms hereof.

Section 4. This Ordinance shall take effect immediately upon: (i) adoption; and (ii) publication in accordance with the laws of the State of New Jersey.

CERTIFICATION

I HEREBY CERTIFY that the attached Ordinance was adopted by the Township Committee of the Township of Raritan, County of Hunterdon, State of New Jersey on second reading at their meeting held in the Meeting Room of the Municipal Complex, One Municipal Drive, Flemington, NJ 08822 on September 3, 2024.

Donna Kukla
Raritan Township Clerk