

**TOWNSHIP OF WILLINGBORO  
ORDINANCE NO. 2024-1**

**ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 257  
(PEDDLING AND SOLICITING) ARTICLES II OF THE TOWNSHIP OF  
WILLINGBORO MUNICIPAL CODE**

**WHEREAS** the Willingboro Township Council believes the current Municipal Code is inadequate in preventing unwanted door-to-door solicitation of residential neighborhoods; and,

**WHEREAS** the Township Council desires to update the Code to prohibit such door-to-door solicitation via a No-Knock Registry.

**NOW, THEREFORE BE IT RESOLVED** that the Township Council of Willingboro Township, gathered in open session on Tuesday, December 19, 2023, hereby authorizes such action and the following amendments and that two copies of this resolution be filed with the Division of Local Government Services, New Jersey Department of Community Affairs for approval.

Chapter 257 Peddling and Soliciting  
ARTICLE II  
Canvassers and Solicitors

**§ 257-19 Definitions.**

As used in this Article, the following terms shall have the meanings indicated:

**CANVASSER or SOLICITOR**

A person who goes from house to house or place to place selling goods, wares, and merchandise by sample or taking orders for future delivery, with or without accepting an advance payment for the goods or offering to purchase any real property or any interest in real property either on their own behalf or as an agent or broker on behalf of any third party. The provisions of this Article shall apply to the person who comes in personal contact with the buyer through the delivery of the goods or the acceptance of any money in payment thereof. For purposes of this Article, a canvasser or solicitor shall also be deemed to be anyone who is not in the business of selling goods but rather makes surveys, research analyses, opinion polls, rating data, and any similar work, the nature of which involves a door-to-door or place-to-place activity.

**§ 257-20 Exceptions.**

- A. This Article shall not apply to anyone who solicits support of a bona fide political candidate seeking public office.
- B. This Article shall not affect any person engaged in delivering wares, goods, or merchandise, or other Articles or things in the regular course of business, to the premises of the person ordering or entitled to receive the same.

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**§ 257-21 License required.**

Except as authorized pursuant to this Article, no person shall canvass, solicit, distribute circulars or other documents/materials, or call from house to house in the Township of Willingboro without first having reported to and received a written License from the Township Clerk or Director of Public Safety.

**§ 257-22 Application for License.**

- A. Applicants for a License under this Article must file with the Township Clerk or Director of Public Safety a sworn application, in writing, which shall give the following information:
- 1) Name and physical description of the Applicant.
  - 2) Complete permanent home and local address of the Applicant.
  - 3) A description of the nature of the business and the goods, services or wares to be sold.
  - 4) If employed or as a contractor, the name and address of the employer or contracting entity, together with credentials therefrom establishing the exact employment or business relationship.
  - 5) The length of time for which the right to do business is desired and the days of the week, and the hours of the day within which the business will be conducted.
  - 6) The source of supply of the goods or property or services proposed to be sold; where the goods, services, or products are located; and the method of delivery.
  - 7) Three copies of a recent photograph of the Applicant, which shall be approximately two inches by two inches, showing the head and shoulders of the Applicant in a clear and distinguishing manner.
  - 8) Appropriate evidence as to the good character and business responsibility of the Applicant will enable an investigator to properly evaluate their character and business responsibility.
  - 9) A statement as to whether the Applicant has been convicted of any crime, misdemeanor, or violation of any municipal ordinance other than traffic violations; the nature of the offense; and the punishment or penalty assessed therefor.
- B. The Applicant shall be fingerprinted, if requested by the Director of Public Safety, who shall determine whether the fingerprints are necessary for proper identification, which fingerprint records shall be immediately processed for classification and identification.
- C. No License shall be issued until the application shall have been approved by the Police Department, allowing adequate time for investigation of the facts set forth in the application.
- D. Applications for Partnerships or Limited Liability Companies shall be signed by all Partners or the Managing Partner, with the foregoing provisions of this section answered in detail as to each Partner, including the duly filed New Jersey corporate/business registration forms. Applications for Corporations shall have attached thereto all duly filed

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New Jersey corporate/business registration forms. All Applications shall include individual information in accordance with all the provisions of this section relating to each and every employee, agent or servant who shall engage in any of the functions authorized by this Article and signed by each agent, servant or employee, and full compliance herewith by each individual.

### **§ 257-23 License fee.**

License fees are listed in § 150-9A (4) of the Code of the Township of Willingboro. License fees are per person for each Licensed Canvasser/Solicitor within the Township. Application is required; however, License fees do not apply to nonprofit canvassers or solicitors or political canvassers.

### **§ 257-24 Rules and regulations.**

- A. Every person to whom a License is issued under the terms of this Article shall be governed by the following rules and regulations:
- B. All circulars, samples or other matter shall be handed to an occupant of the property or left in a secure place on the premises.
- C. No person subject to the provisions of this Article shall canvass, solicit, or distribute circulars or other matter except during the hours of 9:00 a.m. and 8:00 p.m., Monday through Saturday.
- D. No person subject to the terms of this Article shall enter or attempt to enter the house of any resident in the Township of Willingboro without an express invitation from the occupant of the house.
- E. No person subject to this Article shall behave in a manner so as to become objectionable to or annoy an occupant of any house.
- F. No Licensee shall canvass or solicit orders for any Articles from pedestrians or vehicular traffic other than when the vehicle is properly parked immediately adjacent to the curb of a public street in a permitted location, and the Licensee shall at no time double park when dealing with any of the trade and in no event shall transact business other than on the curb side of the vehicle.
- G. All Licensees and their respective vehicles or modes of transportation shall comply with all terms, covenants and conditions of this Article and all other applicable municipal ordinances and all applicable state statutes, laws and regulations pertaining thereto and particularly, but not in limitation thereof, that may deal with provisions of health, safety, and general welfare.

### **§ 257-25 Location restrictions.**

No Licensee shall have any exclusive right to any location in the public street, nor shall any Licensee be permitted a stationary location therein, nor shall any be permitted to operate in a congested area where such an operation might impede or inconvenience the public use of the streets. The discretion of a Police Officer shall be deemed conclusive as to whether the area is congested, and the public impeded or inconvenienced.

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**§ 257-26 Solicitation for charitable purposes.**

- A. Any charitable, religious, patriotic, community service or philanthropic organization, society or association desiring to solicit or have solicited in its name money, donations of money or property or financial assistance for which no merchandise, wares or services are offered or desiring to distribute literature for which a fee is charged or solicited from persons or members of such organizations for shall be exempt from §§ 257-22, 257-23, 257-27 and 257-28, provided there is filed a sworn application in writing with the Township Clerk which gives the following information:
- 1) Name and purpose of the cause for which the License is sought.
  - 2) A copy of the duly issued New Jersey non-profit registration for the charitable, religious, patriotic, community service or philanthropic entity.
  - 3) Names and addresses of the officers of the organization.
  - 4) Names and addresses of the agents or representatives who will solicit, canvass or distribute literature in the Township.
- B. Upon being satisfied that the purpose of the organization, society or association is charitable, religious, patriotic, community service or philanthropic in nature, the Township Clerk or Director of Public Safety shall endorse approval on the application.
- C. Each representative or agent of such charitable, religious, patriotic, community service or philanthropic entity shall carry proper identification indicating the name of the organization and the name and address of the representative and shall display same upon request.

**§ 257-27 Exemptions.**

Any veteran who holds a Special State Veterans License/Permit issued under the laws of the State of New Jersey shall be exempt from securing a Municipal License as provided herein but shall be required to comply with all other applicable sections of this Article and shall be required to deliver to the Township Clerk a copy of the Special Veterans permit.

**§ 257-28 Investigation of Applicants.**

Each application shall be referred to the Director of Public Safety or officer in charge of the Police Department, who shall immediately institute such investigation of the Applicant's business and moral character as the Director or officer in charge deems necessary for the protection of the public good and shall endorse the application in the manner prescribed in this Article within a reasonable period of time after it has been filed by the Applicant. If, as a result of the investigation, the Applicant's character or business responsibility is found to be unsatisfactory or the products or services are fraudulent, the Director of Public Safety shall endorse on the application the Director's disapproval and reasons for the same and shall return the application to the Township Clerk, who shall notify the Applicant that the application is disapproved and that no License will be issued.

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**§ 257-29 License display.**

Licensees are required to exhibit the License certificate at the request of any citizen or member of the Police Department.

~~§ 257-30 Records and reports.~~

~~The Director of Public Safety shall report to the Township Clerk all convictions for violation of this Article, and the Township Clerk shall maintain a record for each License issued and shall record the reports of violation therein.~~

~~§ 257-31 Violations and penalties.~~

~~Any person violating the provisions of this Article shall, upon conviction, be punishable as provided in Chapter 1, Article II, General Penalty.~~

**§ 257-30 Establishment of a No-Knock Registry.**

- A. To protect residents from unwanted and potentially criminal activities and safeguard their privacy, there is hereby established a No-Knock Registry of properties where canvassing and soliciting are prohibited. The Township Clerk shall maintain the No-Knock Registry.
- B. The Township 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 accomplished by filling out and filing the form available online, or at the Clerk's Office during regular business hours. The premises shall remain on the Registry unless the owners or occupants notify the Township Clerk in writing that they wish the property to be removed from the Registry. The inclusion of a premises on the Registry shall be deemed a revocation of any privilege of any or Licensee or other person to enter or attempt to enter the property to canvass or solicit as regulated by the Article.
- C. Owners or occupants who have requested to be listed on the Willingboro Township 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 Township's No-Knock Registry. The notice shall indicate which solicitors may contact residents and shall read substantially as follows:

“These premises are listed on the Township of Willingboro's ‘No-Knock Registry’ (Township of Willingboro Code Sec. § 257-30). 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. Any person found in violation of Township of Willingboro Code Sec. § 257-30 shall, upon conviction, be punished as provided in Chapter 1, Article II, General Penalty.”

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- D. The Township Clerk shall distribute the current Willingboro Township No-Knock Registry to a Licensed canvasser or solicitor at the time of License issuance.
- E. The Township shall post a No-Knock Registry application form on the Township webpage, provide copies of the application to the public and undertake reasonable efforts in education and distribution, to further public awareness of the No-Knock Registry.

**§ 257-31 Records and reports.**

The Director of Public Safety shall report to the Township Clerk all convictions for violation of this Article, and the Township Clerk shall maintain a record for each License issued and shall record the reports of violation therein.

**§ 257-32 Violations and penalties.**

Any person violating the provisions of this Article shall, upon conviction, be punishable as provided in Chapter 1, Article II, General Penalty.

This Ordinance shall take effect after the publication of the final adoption in the time and manner provided by law.

**FIRST READING 1/19/2024**

<b>Council Member</b>	<b>Motion</b>	<b>2<sup>nd</sup></b>	<b>Aye</b>	<b>Nay</b>	<b>Recuse</b>	<b>Abstain</b>	<b>Absent</b>
Councilwoman Perrone			X				
Councilwoman Whitfield							X
Councilwoman Worthy		X	X				
Deputy Mayor Anderson	X		X				
Mayor McIntosh			X				

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**FINAL PASSAGE 2/6/2024**

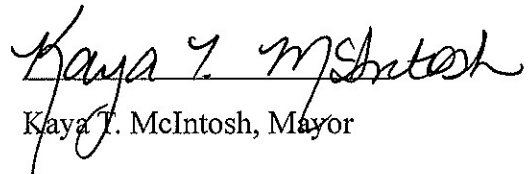
<b>Council Member</b>	<b>Motion</b>	<b>2<sup>nd</sup></b>	<b>Aye</b>	<b>Nay</b>	<b>Recuse</b>	<b>Abstain</b>	<b>Absent</b>
Councilwoman Perrone			X				
Councilwoman Whitfield	X		X				
Councilwoman Worthy			X				
Deputy Mayor Anderson		X	X				
Mayor McIntosh			X				

Attest:



LaToya Cooper-McBride

Deputy Township Clerk



Kaya J. McIntosh, Mayor