

ORDINANCE NO. 02-2020

**AN ORDINANCE AMENDING THE  
PEDDLERS AND SOLICITORS ORDINANCE  
TO ESTABLISH A “NO KNOCK REGISTRY”  
WITHIN CHAPTER 151 OF THE CODE OF  
THE BOROUGH OF KINNELON**

**WHEREAS**, pursuant to N.J.S.A. 40:48-1, *et. seq.*, N.J.S.A. 40:52-1; and N.J.S.A. 45:24-1, *et. seq.* the governing body of a municipality may make, amend, repeal, and enforce ordinances to regulate the conduct of peddlers and solicitors; and

**WHEREAS**, Borough of Kinnelon desires to amend Chapter 151 "Peddlers and Solicitors" in order to add a new section to establish a “No Knock Registry” to enable owners of premises within the Borough who do not wish to allow soliciting on their premises to register with the Borough Clerk, and the list of such premises will be provided to those holding a peddlers and solicitors permit and no solicitation or peddling shall be permitted on the premises so listed.

**NOW, THEREFORE, BE IT ORDAINED**, by the Governing Body of the Borough of Kinnelon, County of Morris, State of New Jersey as follows:

**SECTION ONE.** A new Section shall be included within Chapter 151 and the new Section shall be numbered Section 151-12. The existing Section 151-12 shall be renumbered “151-13”; the existing Section 151-13 shall be renumbered “151-14” and the existing Section 151-14 shall be renumbered “151-15”.

**SECTION TWO.** The new Section 151-12 shall be added to the Borough Code of the Borough of Kinnelon, in the County of Morris, State of New Jersey, and shall read as follows:

151-12. NO KNOCK REGISTRY

A. The Borough Clerk ("Clerk") shall prepare a list of addresses of those premises within the Borough where the owner and /or occupant has notified the Clerk that peddling, hawking, canvassing or soliciting business (hereinafter collectively "soliciting/solicit") is not permitted on the premises. Said list shall hereinafter be referred to as the "No Knock Registry". Owners/occupants of premises who desire to participate in the "No Knock Registry" shall complete and submit a form which has been prepared by the Clerk, and which is available at the Clerk's office during normal business hours. The Borough's "No Knock Registry" shall be maintained as follows:

- (1) The Borough Clerk shall update the list on a monthly basis.
- (2) The Kinnelon Borough "No Knock Registry" shall consist solely of property addresses, and shall include no further identifying information concerning the ownership of each property listed.
- (3) The Borough Tax Assessor shall notify the Clerk of any change in ownership of property which is listed on the "No Knock Registry". The Clerk shall remove from the "No Knock Registry" any property which has changed ownership, until and unless the new owner has registered pursuant to Subsection 151-12 (A) above.
- (4) Other than by sale of property, a property once listed may be removed from the "No Knock Registry" by submitting a written, sworn and notarized request to the Borough Clerk.

B. The Borough Clerk shall distribute the current Kinnelon Borough "No Knock Registry" to each permittee at the time of issuance of a Peddlers and Solicitors permit. The permittee shall not solicit at any premises identified on the then current Borough "No Knock Registry". Updated "No Knock Registry" lists may be provided by the Clerk to the licensee at the mailing address, or email address provided in the permittee's application, on a periodic basis.

C. Although the most current list of registrants on the "No Knock Registry" shall be provided by the Borough Clerk to the permittee at the time the permit is issued, it is the obligation of the permittee to secure the most current list of registrants on the Borough "No Knock Registry" prior to commencing solicitation, and each time, within the Borough.

D. Violation of this Section 151-12 shall be grounds for permit revocation, fines and penalties as set forth below.

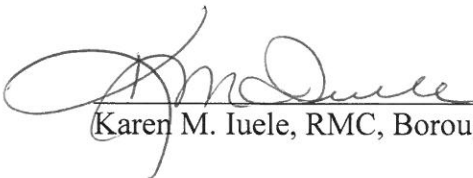
**SECTION TWO.** All Ordinances of the Borough of Kinnelon which are inconsistent with the provisions of this Ordinance are hereby repealed as to the extent of such inconsistency.

**SECTION THREE.** If any section, subsection, clause, or phrase of this Ordinance is for any reason held to be unconstitutional or invalid by any Court of competent jurisdiction, such decision shall not affect the remaining portions of this Ordinance.

**SECTION FOUR.** This Ordinance shall take effect as provided by law

ATTEST:

BOROUGH OF KINNELON

  
\_\_\_\_\_  
Karen M. Iuele, RMC, Borough Clerk

  
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James J. Freda, Mayor

### CERTIFICATION

I, Karen M. Iuele, Borough Clerk of the Borough of Kinnelon, County of Morris, State of New Jersey, do hereby certify the foregoing to be a true copy of an Ordinance introduced, read by title and passed on the first reading at the regular meeting of the Borough held on February 20, 2020 and adopted by the Governing Body at a regular meeting of the Borough held on April 16, 2020.

  
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Karen M. Iuele, RMC, Borough Clerk