

Jack Trotta, Mayor
Eric Sorchik, Deputy Mayor
Vincent Lotito, Committeeman
Herbert Marinari, Committeeman
Michael Wysong, Committeeman

Pride in Plumsted



The States Center

121 Evergreen Road
New Egypt, NJ 08533
609-758-2241
609-758-0123 (fax)
www.plumsted.org

March 28, 2016

Dear Plumsted Resident:

The Plumsted Township Committee adopted an Ordinance at their March 2, 2016 Township Committee meeting establishing a “No Knock Registry” within the Township of Plumsted. Please review the attached Ordinance. If you would like to be included on the “No Knock Registry” list please complete the attached “No Knock Registry” application and return to the Municipal Clerk’s Office, 121 Evergreen Road, New Egypt, NJ 08533 with a self addressed stamped envelope. The decals have been ordered and will be sent you as soon as they are received in this office.

If you have any questions, please do not hesitate to contact the Municipal Clerk’s Office at 609-758-2241 ext. 101 or email the Municipal Clerk at municipalclerk@plumsted.org. Thank you.

Very truly yours,

Dorothy J. Hendrickson, RMC

Dorothy J. Hendrickson, RMC
Municipal Clerk

djh
[attachments](#)



**TOWNSHIP OF PLUMSTED
OFFICE OF THE MUNICIPAL CLERK**

121 Evergreen Road
New Egypt, New Jersey 08533
(609) 758-2241 ext. 131
Fax (609) 758-0123

APPLICATION FOR “NO KNOCK REGISTRY”

PURSUANT TO CHAPTER 45, SECTION 14-20 OF THE GENERAL
ORDINANCES OF THE TOWNSHIP OF PLUMSTED ENTITLED
“PEDDLING & SOLICITING – NO KNOCK REGISTRY”

NAME: _____

ADDRESS: _____

TELEPHONE (DAY): _____ TELEPHONE (EVENING): _____

To receive your decal please complete this application and bring to the Plumsted Township
Municipal Clerk’s Office or mail (please include a self addressed stamped envelope) to the
above address.

Date: _____

Signature of Resident

Decal issued: ()

Decal Mailed: () Include a self addressed stamped envelope

Date Issued: _____

Date Mailed: _____

*The above owner and/or occupant has notified the Township Clerk that canvassing, peddling,
itinerant vending and door-to-door sales enterprising are not permitted on the above
referenced premises.*

Please do not write below this line

I, Dorothy J. Hendrickson, RMC, Municipal Clerk of Plumsted Township in the County of Ocean, State
of New Jersey, declare that the above referenced applicant has satisfied the requirements set forth in
Ordinance #2016-03 regarding “Peddling and Soliciting – No Knock Registry”

Date

Dorothy J. Hendrickson, RMC
Municipal Clerk

ORDINANCE NO. 2016-03

AN ORDINANCE OF THE TOWNSHIP OF PLUMSTED, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER 45 OF THE TOWNSHIP CODE TO INCLUDE THE REGULATION OF THE PRACTICE OF REAL ESTATE SOLICITATIONS AND TO ESTABLISH A “NO KNOCK” REGISTRY

WHEREAS, protecting the private residents and taxpayers of the Township of Plumsted from unwanted annoyance of itinerant merchants and solicitors protects the peace in the community; and

WHEREAS, requiring canvassers and solicitors, to register may deter inappropriate conduct; and

WHEREAS, the Township of Plumsted does not have any desire to interfere with an individual’s First Amendment or free speech rights, open dialogue, and or the free and open exchange of opinions or ideas; and

WHEREAS, the Township desires to ensure the protection of the health, safety, and welfare of its citizenry; and

WHEREAS, after consideration, the Plumsted Township Committee has determined that it is in the best interest of the citizens of Plumsted to amend the current Chapter 45 with the addition of these provisions to provide for new and updated regulations which outline guidelines for canvassers and solicitors and the creation of a “No Knock” Registry within the Township of Plumsted;

NOW THEREFORE, BE IT ORDAINED, by the governing body of the Township of Plumsted, County of Ocean, State of New Jersey, as follows:

SECTION I. The Township Code of the Township of Plumsted is hereby amended and supplemented so as to amend Chapter 45, entitled, “Peddling and Soliciting,” which shall be re- titled “Peddling and Soliciting and No Knock Registry” and which amendments read as follows:

The following definitions shall be added to Section 45-1

§45-1. Definitions

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

CANVASSING – Door-to-door soliciting or soliciting by the use of circulars, visitations, or any other means, where the canvasser or his or her employer has not been invited or requested by the owner (as defined below), to obtain a listing of real property or to confer with the owner regarding a real estate transaction. This applies to private, personal and professional activity alike.

OWNER – The lessee, sublessee, assignee, managing agent or other person having the right of ownership or possession or to sell, rent, or lease any real property.

PERSON – Any individual, but not a corporation, partnership, or any form of business entity.

RESIDENCE – any separate living unit occupied for residential purposes by one (1) or more persons, contained within any type of building or structure.

and is used for the displaying, storing or transporting of articles offered for sale by a vendor.

§45-14 CANVASSING AND “NO KNOCK” REGISTRY.

License and Notice requirements

A. Any person, corporation, partnership, limited liability company, or other institution or entity that canvasses in order to obtain listings of real property, or to bring about the sale, lease, or purchase of real property, must provide advanced written notice to the Township Clerk before engaging in such activities. The advanced notice must provide the following information:

1. The names and addresses of the persons engaging in the canvassing, or soliciting; and

2. The names and addresses of the individuals or companies by which such persons are employed; and
 3. A listing of the roads or streets in the Township in which the canvassing, or soliciting will take place and when; and
 4. The starting and ending dates in which the canvassing or soliciting will take place; and
 5. A complete description of any motor vehicle to be used, including the make, model, color and registration number and all insurance information, including the name and address of the carrier, policy number.
 6. Whether or not the applicant has ever had an application to conduct solicitation or canvassing denied or revoked and, if so, the details thereof.
- B. The notice required hereunder must be filed with the Township Clerk no less than 14 business days prior to the scheduled start date.
- C. Provided the notice requirements have been satisfied, the Township Clerk shall issue a permit allowing the canvassing, or soliciting to take place. This permit shall be valid for a period not to exceed thirty (30) days from the date of issuance. Once expired, the permit must be renewed following the same notice requirements.
- D. Upon issuance of the permit the canvasser(s), shall wear or maintain in their possession a copy of the permit at all times while Canvassing

§45-15. Time, Place, and Manner Restrictions

No individual that has been given a permit to canvass or solicit may operate beyond the timeframe outlined below:

1. 10:00 am – 6:00 pm Monday through Saturday.
2. 12:00 pm – 2:00 pm On Sunday.
3. No Canvassing shall occur on any Federal or State Holiday.

Further, no individual or group of individuals may knowingly enter private property that has displayed a “no knock” sticker or is on the “no knock” registry set forth in **§45-16**.

§45-16. Plumsted Township “No Knock” Registry.

- A. The Township Clerk shall prepare and maintain a list of addresses of those premises where the owner and/or occupant has notified the Clerk that canvassing, peddling, itinerant vending, and door-to-door sales enterprises are not permitted on the premises (hereinafter referred to as the Plumsted Township “No Knock” Registry). Notification shall be completion of a form available at the Township Clerk’s office during normal business hours.
- B. Any owner and/or occupant who has requested enlistment on the Plumsted Township “No Knock” Registry pursuant to Subsection **A** herein shall be able to procure from the Clerk’s office a sticker for display at his/her/its premises indicating enlistment on the Plumsted Township “No Knock” Registry. The first sticker shall be provided free of charge and may picked up in person during regular business hours. If a replacement sticker is required, a fee of \$1 will be charged to any individual requesting such replacement and which shall be payable to the Township Clerk.
- C. The Township Clerk shall distribute the current Plumsted Township “No Knock” Registry to a canvasser at the time of issuance of a license to canvass pursuant to the provisions of this chapter. The licensee shall not canvass or conduct door-to-door sales at any premises identified on the then-current Plumsted Township “No Knock” Registry.
- D. Although the most current list of registrants on the Plumsted Township “No Knock” Registry shall be provided by the Township Clerk, it is the responsibility of the canvasser, or solicitor to have the most up-to-date list prior to performing their business.

§45-17. Prohibited discrimination.

No person shall engage in the following acts:

- A. The promoting, influencing, or attempt to promote or influence a property owner, occupant, or tenant to list for sale, sell, or remove from a lease real property by referring to race, color, sexual orientation, ethnicity, or religious affiliation of neighbors, prospective buyers, or other occupants of prospective occupants of real property.

- B. Induce directly or indirectly, or attempt to induce directly or indirectly, the sale or listing for sale of real property by representing that the presence or anticipated presence of persons of any particular race, religion, or national origin in the area has resulted or may result in:
 - 1. The lowering or property values;
 - 2. A change in the racial, religious, or ethnic composition of the block, neighborhood, or area in which the property is located;
 - 3. An increase in criminal or antisocial behavior in the area.
 - 4. A decline in the quality of the schools in the area.
- C. Make any representation to any prospective purchaser that any block, neighborhood or area has, will, or might undergo an adverse change with respect to the religious, racial, or ethnic composition of the block, neighborhood or area for the purpose of discouraging the purchase of property in a particular area.
- D. Place a sign purporting to offer for sale any property that is not in fact offered for sale.
- E. Advertise for sale or rental, a property which is non-existent or which is not actually for sale or rental.
- F. To solicit or canvass any owner whose name and property address is included on the list maintained by the Township Clerk of persons requesting that they not be canvassed or solicited.
- G. To aid, abet, incite, compel or coerce any person to engage in any of the practices forbidden by this article or to obstruct or prevent any person from complying with the provisions of this article.
- H. Solicit or attempt to solicit the sale or rental or the listing for sale or rental of real property without furnishing in written form to the owner or occupier of such real property the name of the person or organization soliciting such sale, rental, or listing.

§45-18. Enforcement.

- A. The Plumsted Township Police Department is charged with enforcing the provisions of this article.
- B. Any person claiming to be aggrieved by an alleged unlawful practice forbidden by any section of this article may, by themselves, or by their attorney-at-law, make, sign, and file a complaint directly with the Police Department, or with the Township Clerk, who shall forward the complaint to the Police Department for a full investigation.
- C. In addition to any other enforcement actions, the Police Department or the Township Clerk may refer the complaint to the Real Estate Commission, the New Jersey Division of Civil Rights, or any other appropriate state or federal agency for disposition.

§45-19. Suspension or revocation of registration.

Any Permit issued in accordance with the provision of this section may be suspended or revoked for any of the following reasons:

- A. Fraud or misrepresentation in the application process.
- B. Fraud or misrepresentation made during the course of conducting canvassing, itinerant vending, or soliciting.
- C. Conducting the business of canvassing, itinerant vending, or soliciting in such a manner as to create a public nuisance or jeopardize the public's health safety or welfare.
- D. Operating beyond the time, place, and manner restrictions outlined in §45-15.

§45-20. Violations and Penalties.

Any canvasser, or owner or employee of a door-to-door solicitation entity, who violates any provision of this section, if convicted, shall be:

1. Subject to a maximum ordinance violation fine of \$1,250.00 for the first offense;
2. Subject to ninety (90) days in the county jail or in any place provided by the municipality for the detention of prisoners, for any term not exceeding 90 days for any offense thereafter; and
3. Subject to a revocation of any license issued to the within chapter;

§45-20. Exemptions.

This article does not apply to real estate that is publicly advertised by sale or to “open houses,” sponsored by the owner or listed by licensed real estate agents for a specific home on a specific date and time.

SECTION 2. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

SECTION 3. If any section, subsection, sentence, clause, phrase, or portion of this ordinance is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

SECTION 4. This ordinance shall take effect after second reading and publication as required by law.

NOTICE

NOTICE IS HEREBY GIVEN that the foregoing ordinance was introduced and passed by the Township Committee on first reading at a meeting of the Township Committee of the Township of Plumsted held on the **3rd** day of **FEBRUARY, 2016** and will be considered for second reading and final passage at a regular meeting of the Township Committee to be held on the **2ND** day of **MARCH, 2016**, at 7:00 p.m., at the Municipal Building located on 121 Evergreen Road, in Plumsted, New Jersey, at which time and place any persons desiring to be heard upon the same will be given the opportunity to be so heard.

Pursuant to N.J.S.A. 40:49-2, as amended, further notice is hereby given that the purpose of the foregoing ordinance is to establish a no knock registry and to set guidelines.

Members of the general public may obtain a copy of the ordinance without cost during the normal business hours from the Municipal Clerk's Office, 121 Evergreen Road, New Egypt, New Jersey.

DOROTHY J. HENDRICKSON, RMC
Municipal Clerk