

**BOROUGH OF TINTON FALLS
MONMOUTH COUNTY
NEW JERSEY**

ORDINANCE NO. 2026-1547

**AN ORDINANCE AMENDING SECTION 5-6 OF THE BOROUGH CODE,
ENTITLED “PEDDLING, CANVASSING AND SOLICITING”**

BE IT ORDAINED by the Borough Council of the Borough of Tinton Falls as follows:

SECTION 1. Section 5-6 of the Borough Code, entitled “Peddling, Canvassing and Soliciting” is hereby amended to read as follows (underlined portions to added; ~~strikethroughs~~ to be deleted):

§ 5-6. PEDDLING, CANVASSING AND SOLICITING.

§ 5-6.1. Registration Required.

It shall be unlawful for any solicitor, canvasser, hawker or peddler selling products or services, or soliciting support for a charitable cause door to door to engage in such activity within the Borough without first registering with the Police Department to obtain a permit as prescribed herein.

§ 5-6.2. Registration Process; Fee; Investigation.

- a. Any registrant under this section shall first obtain the necessary application form from the Police Department upon payment of a fee of \$100 ~~\$10~~ for a permit to be kept on file by the Police Department and carried by the applicant for identification purposes. The permit will display both the date of issuance and the expiration date. It will be issued by the Police Department and will remain valid for one month from the date it is issued. In the event of any change in any of the facts set forth in the application during the time of registration, the applicant shall, within five days of the change, notify the Police Department. The application shall be in affidavit form, but may be electronically filed, and shall contain the following minimum information:
1. The name, address, phone number and email address, if available, of the individual or entity registering with a copy of any documents demonstrating it is licensed to do business or solicit charitable contributions in the State of New Jersey.
 2. The names and addresses of all individuals who will be soliciting, canvassing, hawking or peddling under the registration being made.
 3. Any individuals soliciting, hawking or peddling shall carry a copy of their permit on their person while conducting such activity and produce a copy of it if requested by a resident or police officer.

- b. No permits shall be unreasonably denied. Should a denial for good cause be made, it may be appealed to the Borough Administrator who must make a decision within three days, or be referred to the governing body's next public meeting.
- c. The application fee required at the time of application may be waived for non-profit organizations, such as the Boy Scouts, Girl Scouts, local sports leagues and veterans groups.
- d. The Chief of Police shall cause such investigation to be made of the applicant's business and moral character as deemed necessary for the protection of the public good. This investigation shall include the fingerprinting of the applicant, the costs of which shall be borne by the applicant. However, if the applicant has been fingerprinted within six months of the date of the application by another municipality for similar purposes, the Chief of Police shall accept the results of the other municipality's fingerprint inquiry in lieu of re-fingerprinting the applicant. If, as a result of such investigation, the applicant's character or business responsibility is found to be unsatisfactory, the Chief of Police shall endorse his disapproval and the reasons therefor on the application, and the permit shall not be issued.

§ 5-6.3. Hours and Restrictions.

- a. No solicitor, canvasser, hawker or peddler shall conduct door to door business or canvassing outside of the hours of 10:00 a.m. and 6:00 p.m. or sundown (whichever is earlier). No solicitor, canvasser, hawker or peddler shall engage in door-to-door activities on Sundays.
- b. No solicitor, canvasser, hawker or peddler shall enter private property where a sign is posted stating: "no solicitation" "no trespassing" or a similar message clearly evidencing a resident's intent that their property not be entered for such purposes.
- c. Any person subject to the provisions of this section shall be responsible for any minors, aged 16 and under, participating in any peddling or soliciting under the terms of this section, and shall ensure that such minors shall be accompanied by an adult at all times.
- d. All persons licensed under this section shall use only the front door of any residence and shall be prohibited from using or knocking on any side door or back door and also shall be prohibited from entering the side yard or backyard of any property.

§ 5-6.4. Exceptions.

Political candidates and committees are exempt from these registration requirements.

§ 5-6.5. No Knock Registry.

The Police Department shall maintain a list of addresses of those premises where the owner and/or occupant has notified the Police Department that peddling, canvassing or soliciting are not permitted on the premises (hereinafter referred to as the "no-knock registry"). A request by owners or occupants to be included on the no-knock registry shall be by completion and

submission of a form made available by the Police Department. The list shall be updated on January 15 and July 15 of each year.

- a. Any owner and/or occupant who has requested enlistment on the no-knock registry, pursuant to paragraph a herein, shall be able to purchase, for a nominal fee, a sticker for display at his/ her/its premises indicating enlistment on the no-knock registry.
- b. The Police Department shall distribute the current no-knock registry to a licensee at the time of issuance of a license to peddle, canvass or solicit pursuant to the provisions of this section. The licensee shall not peddle, canvass or solicit at any premises identified on the current no-knock registry.

§ 5-6.6. Expiration of Registration.

All permits issued under the provisions of this section shall expire on the date set forth in the permit application but in no case shall remain valid for more than one month beyond the date of issuance.

§ 5-6.7. Violations.

Any violations of this section shall be addressed by the penalties imposed under Section 1-5 of the General Revised Ordinances of the Borough of Tinton Falls.

SECTION 2. Repealer.

All ordinances or parts of ordinances which are inconsistent with the provisions of this Ordinance are, to the extent of such inconsistency, hereby repealed.

SECTION 3. Severability.

Each section, subsection, sentence, clause and phrase of this Ordinance is declared to be an independent section, subsection, sentence, clause and phrase, and the finding or holding of any such portion of this Ordinance to be unconstitutional, void, or ineffective for any cause, or reason, shall not affect any other portion of this Ordinance.

SECTION 4. Effective Date.

This Ordinance shall take effect upon final passage, adoption and publication in the manner prescribed by law.

Introduced:

Adopted:

MICHAEL J. NESCI
COUNCIL PRESIDENT

RISA CLAY
MAYOR

ATTEST:

MICHELLE HUTCHINSON
BOROUGH CLERK

APPROVED AS TO FORM:

KEVIN N. STARKEY, ESQ.
DIRECTOR OF LAW