Draft: 7/6/17

**LOCAL LAW NO. ____ OF 2017**

**CITY COUNCIL**
**CITY OF BEACON**

**PROPOSED LOCAL LAW AMENDING**
**CHAPTER 163 OF THE CODE OF THE CITY OF BEACON**

A LOCAL LAW to amend Chapter 163 of the Code of the City of Beacon concerning Peddling and Soliciting

BE IT ENACTED by the City Council of the City of Beacon as follows:

**Section 1**. Chapter 163 of the Code of the City of Beacon, entitled "Peddling and Soliciting" is hereby amended to add subsection 9.1 as follows:

**§ 163-9.1** "Do Not Solicit" list.

A. The City Clerk shall maintain a "Do Not Solicit" list of City residents who do not wish to allow registrants under this chapter upon their property. The "Do Not Solicit list shall contain only the street address of the property and no personal ownership information.

B. All residents shall be permitted to have their property listed on the "Do Not Solicit" list by submitting a written or electronic request to the office of the City Clerk.

C. On a quarterly basis, the City Assessor shall notify the City Clerk of any change in ownership of property within the City, and the City Clerk shall remove from the "Do Not Solicit" list any property for which ownership shall have changed subsequent to the time of listing.

D. Every registrant under this chapter shall be issued a copy of the then-current "Do Not Solicit" list simultaneously with the license issued by the City Clerk pursuant to § 163-10 hereof. Where more than one individual will be engaged in canvassing or soliciting activities on behalf of an organization, group, company or other entity, it shall be the obligation of that entity to provide true copies of the "Do Not Solicit" list to each such

individual. No canvasser or solicitor licensed under § 163-7 of this Chapter shall enter onto or into any property that is listed on the "Do Not Solicit" list.

E. No canvasser or solicitor registered under this Chapter shall enter onto or into any property on which there is a sign or signs posted stating "No Solicitors" or conveying a similar message forbidding the entry of any person onto the property. It shall be the responsibility of registered canvassers and solicitors to check each residence for the presence of any such notice.

F. Being listed on the "Do Not Solicit" list or the presence of such a sign shall constitute sufficient notice to any registered canvasser or solicitor of the intent of the occupant of the residence to be free from such solicitation or canvassing.

G. It shall constitute a violation of this chapter punishable under § 163-12 for any registered canvasser or solicitor to go upon any premises and ring a doorbell, knock, or make or create any sound designed to attract the attention of the occupant with the purpose of gaining access to the occupant or entering onto or into the premises for the purpose of engaging in soliciting or canvassing where the premises is either included on the "Do Not Solicit" list or posted in the manner described in Subsection E of this section.

**Section 2**. Ratification, Readoption and Confirmation

Except as specifically modified by the amendments contained herein, Chapter 163 of the City of Beacon is otherwise to remain in full force and effect and is otherwise ratified, readopted and confirmed.

**Section 3**. Numbering for Codification

It is the intention of the City of Beacon and it is hereby enacted that the provisions of this Local Law shall be included in the Code of the City of Beacon; that the sections and subsections of this Local Law may be re-numbered or re-lettered by the Codifier to accomplish such intention; that the Codifier shall make no substantive changes to this Local Law; that the word "Local Law" shall be changed to "Chapter," "Section" or other appropriate word as required for codification; and that any such rearranging of the numbering and editing shall not affect the validity of this Local Law or the provisions of the Code affected thereby.

**Section 4**. Severability

The provisions of this Local Law are separable and if any provision, clause, sentence, subsection, word or part thereof is held illegal, invalid or unconstitutional, or inapplicable to any person or circumstance, such illegality, invalidity or unconstitutionality, or inapplicability shall not affect or impair any of the remaining provisions, clauses, sentences, subsections, words or parts of this Local Law or their petition to other persons or circumstances. It is hereby declared to be the legislative intent that this Local law would have been adopted if such illegal, invalid or unconstitutional provision, clause, sentence, subsection, word or part had not been included therein, and if such person or circumstance to which the Local Law or part hereof is held inapplicable had been specifically exempt there from.

**Section 5**. Effective Date

This local law shall take effect immediately upon filing with the Office of the Secretary of State.