BOROUGH OF UNION BEACH
MONMOUTH COUNTY, NEW JERSEY
PUBLIC NOTICE

The Following was introduced and passed upon first reading at a meeting of the governing body of the Borough of Union Beach, in the County of Monmouth, State of New Jersey, on September 17, 2026. It will be further considered for final passage, after public hearing thereon, at a meeting of the governing body to be held at the Municipal Building, 650 Poole Avenue, Union Beach on October 15, 2026 at 7:00 p.m.

ORDINANCE NO. 2026-385

AN ORDINANCE AMENDING AND SUPPLEMENTING SECTION 4-1 OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF UNION BEACH TO ESTABLISH A NO-KNOCK REGISTRY AND REGULATE COMMERCIAL SOLICITATION AT PARTICIPATING RESIDENCES

WHEREAS, the Mayor and Council of the Borough of Union Beach recognize the right of residents to enjoy the privacy, safety, security, and quiet enjoyment of their homes free from unwanted commercial solicitation; and

WHEREAS, the Mayor and Council recognize that political, religious, charitable, educational, civic, labor, governmental, and other constitutionally protected activities are afforded protections under the Constitutions of the United States and the State of New Jersey and should not be burdened by municipal licensing requirements; and

WHEREAS, the Mayor and Council find that a content-neutral regulatory system governing commercial solicitation, together with the establishment of a Borough No-Knock Registry and No Solicitation Decal Program, serves the public health, safety, and welfare of Borough residents; and,

WHEREAS, nothing contained within this Ordinance shall be interpreted or applied to regulate, restrict, license, burden or prohibit constitutionally protected speech or activities, including political activity, religious activity, charitable activity, petition circulation, labor activity, educational outreach or governmental activity.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Union Beach, County of Monmouth, State of New Jersey, as follows:

SECTION 1. Section 4-1.1 of the Revised General Ordinances of the Borough of Union Beach entitled "Definitions" is hereby amended and supplemented to include the following definitions:

COMMERCIAL SOLICITATION: Any door-to-door activity undertaken for a commercial purpose involving the sale, offer for sale, advertisement, marketing, promotion or solicitation of orders or contracts for goods, wares, merchandise, services, subscriptions, home improvements, energy services, telecommunications services, alarm systems, roofing services, solar services, financial products, or any other commercial product or service offered for profit.

NO-KNOCK REGISTRY: The official registry maintained by the Borough Clerk identifying residences whose owners or occupants have elected not to receive commercial solicitation.

RESIDENCE: Any dwelling unit, single-family home, apartment, condominium, townhouse, duplex, mobile home or other residential property used for human habitation.

For purposes of the provisions governing the No-Knock Registry, the terms "solicitor" and "commercial solicitor" shall mean any person engaged in Commercial Solicitation and shall include any solicitor, canvasser, peddler, hawker, vendor or itinerant vendor otherwise regulated by this Section when engaged in Commercial Solicitation.

SECTION 2. No-Knock Registry.

Section 4-1 of the Revised General Ordinances of the Borough of Union Beach is hereby amended to add the following new section entitled "No Knock Registry":

§ 4-1.__. No-Knock Registry.

a. The Borough Clerk shall establish and maintain a Borough No-Knock Registry.

b. Any owner or occupant of a residence within the Borough may register that residence on the No-Knock Registry with a $5.00 fee charged.

c. Registration shall remain effective until revoked by an owner or occupant of the residence. A resident shall not be required to renew the registration annually.

d. The Borough Clerk shall maintain a current record of all addresses appearing on the No-Knock Registry.

e. The Borough Clerk may make the current No-Knock Registry available electronically or by such other means as the Clerk determines appropriate for purposes of compliance with this Section.

f. Each person receiving a license or permit from the Borough authorizing commercial solicitation shall be provided access to the current No-Knock Registry and shall execute a written acknowledgment confirming receipt of or access to the Registry.

g. Every person engaged in commercial solicitation shall be responsible for reviewing the current No-Knock Registry before beginning solicitation activities within the Borough and for complying with the Registry at all times.

h. No person engaged in commercial solicitation shall approach, enter upon, knock upon, ring the doorbell of, leave advertising or promotional materials at, or otherwise attempt to engage in commercial solicitation at any residence appearing on the Borough No-Knock Registry.

i. A person or business employing, retaining, directing or supervising individuals engaged in commercial solicitation within the Borough shall be responsible for providing those individuals with the current No-Knock Registry and instructing them to comply with its requirements.

SECTION 3. No Solicitation Decal.

Section 4-1 of the Revised General Ordinances of the Borough of Union Beach is hereby amended to add the following new section entitled “No Solicitation Decal”:

§ 4-1.__. No-Solicitation Decal.

a. The Borough Clerk may establish the rules for a Borough No-Solicitation Decal Program, and shall be charged with the responsibility of administrating that program.

b. Any owner or occupant of a residence may obtain and display an official Borough No-Solicitation Decal at or near the principal entrance to the residence.

c. The Mayor and Council may establish by resolution a reasonable fee for the issuance or replacement of such decal.

d. Display of an official Borough No-Solicitation Decal shall constitute notice that commercial solicitation is prohibited at the residence.

e. No person engaged in commercial solicitation shall approach, enter upon, knock upon, ring the doorbell of, leave advertising or promotional materials at, or otherwise attempt commercial solicitation at a residence displaying an official Borough No-Solicitation Decal.

f. The protections provided by this subsection are in addition to, and not in lieu of, registration on the Borough No-Knock Registry.

SECTION 4. Prohibited Conduct.

Section 4-1 of the Revised General Ordinances of the Borough of Union Beach is hereby amended to add the following new section entitled "Prohibited Conduct":

§ 4-1.__. Prohibited Conduct.

In addition to any conduct otherwise prohibited by this Section, no person engaged in commercial solicitation shall:

a. Solicit at a residence appearing on the Borough No-Knock Registry;

b. Solicit at a residence displaying an official Borough No-Solicitation Decal;

c. Ignore a sign stating "No Soliciting," "No Peddlers," "No Salespersons," "No Trespassing," or other language reasonably communicating that solicitation is prohibited;

d. Remain upon private property after being requested to leave by an owner, occupant or other person authorized to control the premises;

e. Fail to review the current No-Knock Registry before engaging in commercial solicitation within the Borough; or

f. Engage in fraud, deception, threats, harassment or intimidation in connection with commercial solicitation.

SECTION 5. Notice and Proof.

Section 4-1 of the Revised General Ordinances of the Borough of Union Beach is hereby amended to add the following new section entitled "Notice and Proof":

§ 4-1.__. Notice of No-Knock Registration.

a. Proof that a residence appeared on the Borough No-Knock Registry on the date of an alleged violation shall constitute prima facie evidence that commercial solicitation at the residence was prohibited.

b. Proof that the Borough provided a solicitor, licensee, employer or sponsoring business with the No-Knock Registry, or provided electronic access thereto, shall constitute prima facie evidence of notice of the Registry.

c. Failure of a solicitor to review the current No-Knock Registry shall not constitute a defense to a violation.

d. Nothing in this subsection shall prevent the Borough from establishing actual notice by any other competent evidence, including the display of a No-Solicitation Decal or other sign at the residence.

SECTION 6. Exempt and Protected Activities.

Section 4-1 of the Revised General Ordinances of the Borough of Union Beach is hereby amended to add the following new section entitled "Exempt and Protected Activities":

The No-Knock Registry and related provisions of this Ordinance regulate commercial solicitation only and shall not apply to:

a. Political campaigns, political advocacy, candidate activities, voter registration activities or petition circulation;

b. Religious speech, ministry, evangelism, religious outreach or distribution of religious literature;

c. Charitable, educational, nonprofit, civic, veterans, labor, advocacy or community organizations engaged in constitutionally protected activities;

d. Federal, State, County, municipal, school district or other governmental activities;

e. Members of the Union Beach Police Department, Union Beach Fire Department, Union Beach Emergency Medical Services, Union Beach Office of Emergency Management, volunteer emergency service organizations, or other governmental, mutual-aid, fire, rescue, emergency medical or law-enforcement organizations acting in an official capacity;

f. Public utilities and other entities acting pursuant to lawful authority or providing service to the property;

g. Persons delivering goods or performing services previously requested or ordered by an owner or occupant of the residence; and

h. Any activity protected by the Constitution or laws of the United States or the State of New Jersey.

SECTION 7. Suspension.

Section 4-1 of the Revised General Ordinances of the Borough of Union Beach is hereby amended to add the following new section entitled "Suspension":

A violation of the Borough No-Knock Registry requirements or other commercial solicitation requirements contained in this Section may constitute grounds for suspension or revocation of any license or permit issued pursuant to § 4-1, following such notice and opportunity to be heard as may be required by law. Nothing herein shall prohibit the Chief of Police from taking immediate action otherwise authorized by law when necessary to protect the public health, safety or welfare.

SECTION 8. Enforcement and Penalties.

Section 4-1 of the Revised General Ordinances of the Borough of Union Beach is hereby amended to add the following new section entitled "Enforcement and Penalties":

a. The provisions of this Ordinance may be enforced by the Union Beach Police Department, Borough Clerk, Code Enforcement Officer, or any other Borough official authorized by law.

b. Any person violating the No-Knock provisions of this Section shall, upon conviction, be subject to the penalties provided by the general penalty provisions of the Revised General Ordinances of the Borough of Union Beach, unless a different penalty is otherwise provided by law.

c. Each residence solicited in violation of the No-Knock Registry or a posted No-Solicitation notice shall constitute a separate offense.

d. In addition to any monetary penalty, a violation may constitute grounds for suspension or revocation of a license issued pursuant to § 4-1.

SECTION 9. Construction.

Nothing contained in this Ordinance shall be construed to prohibit an owner or occupant of a residence from inviting or permitting any person to enter upon the property or engage in otherwise lawful activity at the residence.

Nothing contained herein shall be construed to authorize entry upon private property where entry is otherwise prohibited.

SECTION 10. COMMERICAL SOLICITATION

Section 4-1 of the Revised Ordinance of the Borough of Union Beach is hereby amended to add the following new section entitled “Commercial Solicitation.”

§ ___-3. License Required.

A. No person shall engage in commercial solicitation within the Borough without first obtaining a Commercial Solicitor License from the Borough Clerk.

B. A separate license shall be required for each individual solicitor.

C. Licenses shall not be transferable.

SECTION 11

§ ___-4. Exempt Activities.

The provisions of this Section shall not apply to:

A. Political campaigns, political advocacy, candidate activities, voter registration activities, and petition circulation.

B. Religious speech, ministry, evangelism, religious outreach, and distribution of religious literature.

C. Charitable, educational, nonprofit, civic, veterans, labor, advocacy, and community organizations engaged in constitutionally protected activities.

D. Federal, state, county, municipal, school district, and other governmental activities.

E. Utility companies, public utilities, cable providers, and telecommunications providers operating pursuant to law.

F. Members of the Union Beach Police Department, Union Beach Fire Department, Union Beach Emergency Medical Services, Union Beach Office of Emergency Management, Union Beach volunteer emergency service organizations, and any federal, state, county, municipal, volunteer, mutual aid, emergency management, fire, rescue, emergency medical services, or law enforcement agency or organization acting in an official capacity or providing services within the Borough of Union Beach.

G. Fundraising, educational, public safety, recruitment, membership drives, emergency preparedness outreach, community awareness programs, and related activities conducted by the organizations identified in Subsection F.

H. Persons delivering goods or services previously ordered by the resident.

I. Any activity protected by the Constitutions of the United States or the State of New Jersey.

SECTION 12

§ ___-5. License Application.

A. Applications shall be submitted to the Borough Clerk.

B. The application shall include:

(1) Applicant’s name, address, telephone number, and email address;

(2) Government-issued photo identification; **(2) Passport photos**, one photo gets attached to our copy of the license and one photo gets attached to the solicitor’s license, which they carry with them at all times.

(3) Name, address, and telephone number of employer or sponsoring business;

(4) Description of products or services to be offered;

(5) Dates during which solicitation is proposed; and

(6) Written authorization from the business represented.

C. No applicant shall be required to provide physician certifications, medical records, property-owner references, character references, or similar information unrelated to commercial solicitation.

D. The Chief of Police or designee may conduct a reasonable review limited to convictions involving fraud, theft, burglary, robbery, identity theft, forgery, consumer fraud, deceptive business practices, or similar offenses directly related to commercial solicitation.

E. Applications shall be approved or denied within ten (10) business days.

SECTION 13

§ ___-6. License Fee.

A. The annual Commercial Solicitor License fee is One Hundred Dollars ($100.00).

B. The Mayor and Council may amend such fee by resolution.

SECTION 14

§ ___-9. Hours of Solicitation.

Commercial solicitation shall be permitted only between 9:00 a.m. and one-half hour after sunset, Monday through Saturday.

No commercial solicitation shall occur on Sundays or federal holidays.

SECTION 15

§ ___-11. Prohibited Conduct.

No solicitor shall:

A. Use amplified sound, loudspeakers, bells, horns, or similar attention-getting devices;

B. Misrepresent the nature of any product, service, or organization;

C. Ignore a posted “No Soliciting,” “No Peddlers,” “No Salespersons,” “No Trespassing,” or similar sign;

D. Solicit a residence listed on the Borough No-Knock Registry;

E. Solicit a residence displaying a Borough No Solicitation Decal;

F. Remain upon private property after being requested to leave;

G. Fail to review the current No-Knock Registry before engaging in solicitation.

SECTION 16

§ ___-14. Enforcement.

This Chapter may be enforced by:

A. The Union Beach Police Department;

B. The Borough Clerk;

C. The Code Enforcement Officer;

D. The Zoning Officer; and

E. Any other official designated by the Borough Administrator.

SECTION 17

§ ___-15. Violations and Penalties.

A. Any person violating any provision of this Chapter shall be subject to a fine of not less than Two Hundred Fifty Dollars ($250.00) and not more than One Thousand Dollars ($1,000.00).

B. Each residence solicited in violation of this Chapter shall constitute a separate offense.

C. Each day a violation continues shall constitute a separate offense.

D. In addition to fines, the Borough may suspend or revoke any license issued pursuant to this Chapter.

E. The Borough may seek injunctive relief, equitable relief, or any other remedy authorized by law.

SECTION 18

§ ___-16. Severability.

If any section, subsection, paragraph, sentence, clause, or phrase of this Chapter is declared invalid by a court of competent jurisdiction, the remaining portions shall remain in full force and effect. Any determination affecting commercial solicitation regulations shall not impair the exemptions and protections afforded to constitutionally protected activities.

SECTION 19. Repealer.

All ordinances or parts of ordinances inconsistent herewith are repealed to the extent of such inconsistency.

SECTION 20. Effective Date.

This Ordinance shall take effect upon final passage and publication according to law

Ordinance 2026-385 was introduced on First Reading by Councilwoman Woodruff seconded by Councilwoman Roche and approved by the following Roll Call Vote