

CHAPTER 23A
LOCAL LAW NO.7 OF 2017
A LOCAL LAW ENTITLED
SOLICITATION

BE IT ENACTED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF SHOREHAM, AS FOLLOWS:

SECTION 1. PURPOSE.

The Village Board finds that Village residents' interest in privacy outweighs any rights of any third party to engage in uninvited solicitation on private property. The purpose of this local law is to protect the privacy of residents and prevent fraud by prohibiting the uninvited presence of commercial vendors on private property within the Village.

SECTION 2. ENACTMENT.

A **Chapter 23A of the Village Code entitled Solicitation** is enacted, as follows:

§ 23A-1. Definitions.

As used in this Chapter 23A, the following defined terms shall have the meaning indicated:

(1) **person** - any individual, organization, society, association, company, corporation or other business entity or their agents or representatives.

(2) **solicitation** - any of the following:

(a) the selling or offering for sale or soliciting orders for the sale of any goods, wares, property or merchandise.

(b) the soliciting for subscriptions for any book, publication, paper, magazine or periodical.

(c) the seeking of employment or the soliciting of orders for work, labor or services, whether to be performed within or without the Village.

(3) **Village** - Village of Shoreham.

§ 23A-2. Prohibited Acts.

It shall be unlawful for any person to engage in solicitation by going from house to house upon private property within the Village.

§ 23A-3. Penalties.

Any person committing an offense against or violating any section or provision of this Chapter 23A shall, upon conviction thereof, be subject to a fine not exceeding two hundred fifty (250) dollars or imprisonment not exceeding fifteen (15) days, or both. In lieu of or in addition to any fine or imprisonment, or both, imposed hereunder, each such offense may be punishable by a civil penalty not to exceed two hundred fifty (250) dollars to be recovered in an action or proceeding in a court of competent jurisdiction. For each day such offense or violation continues, the violator shall be subject to a separate civil penalty.

§ 23A-4. Supersession.

This local law shall supersede any inconsistent law, state or local. This declaration of supersession is made by authority of the Village's municipal home rule law powers, pursuant to §§ 10(1)(ii)(a)(14) and 10(1)(ii)(e)(3) of the Municipal Home Rule Law, § 10(6) of the Statute of Local Governments, and Article 9, § 2(b)(3) of the New York State Constitution.

§ 23A-5. Severability.

If any provision of this Chapter 23A is ruled unconstitutional or invalid, such ruling shall not affect the validity of any other provision of said chapter or said chapter as a whole.

SECTION 2. EFFECTIVE DATE.

This local law shall take effect immediately upon filing with the Secretary of State as provided by law.

Dated: December 12 2017

BY ORDER OF THE BOARD OF TRUSTEES
OF THE VILLAGE OF SHOREHAM

BY: Cathy Donahue-Spier,
Village Clerk

Effective Date: January 18, 2018