

The City of Rye
Do Not Knock - Frequently Asked Questions

Q: Who is prohibited from coming to my door if I join the registry?

A: Peddlers and solicitors would be prohibited from disturbing you at home by law.

Hawker & Peddler: means any person, either principal or agent, who, from any boat or in any public street or public place or by going from house to house or place of business to place of business, on foot or on or from any animal or vehicle, sells or barter, offers for sale or barter or carries or exposes for sale or barter any goods, wares or merchandise, except milk, newspapers, periodicals, books and pamphlets.

Solicitor: means any person whether a resident of the City or not, engaged in solicitation.

Solicitation: Includes the act of any person, whether a resident of the City or not, traveling by foot, vehicle or any other type of conveyance who goes from house to house, business to business, from place to place or in or along any highway, street or sidewalk within the City either;

1. requesting, either directly or indirectly, money, credit, funds, contributions, personal property or anything of value;
2. taking or attempting to take orders for the sale of any goods, wares, merchandise or services of any kind, or description for future delivery or for services to be performed in the future, either in person or by distributing flyers and leaflets; and
3. selling and making immediate delivery of any goods, wares, merchandise, services, of any kind or description, commonly referred to as “peddling.”

Q: How do peddlers and solicitors know they are not welcome at my home?

A: There are two ways in which peddlers and solicitors are provided notice. The first method is that the local law requires peddlers and solicitors to download the most current list of registrants on the “Do Not Knock” registry prior to commencing their canvassing. By law, peddlers and solicitors are required to first reference the registry before knocking. The second method is by the posting of a sign decal conspicuously displayed in the front window or door of the home. The sign decal indicates that peddlers and solicitors are unwelcome.

Q: How will this local law be enforced?

A: Enforcement will be primarily through complaints or calls to the Police Department by residents who have been wrongly disturbed by peddlers or solicitors in violation of the local law. The Police will respond accordingly to such calls or complaints.

Q: What will happen to violators?

A: Violators are guilty of a violation and will be subject to a maximum of \$250.00 fine and/or thirty (30) days in jail.

Q: If I join the registry and post the sign decal, are there any uninvited persons who can still come to my door?

A: Yes, the local law only addresses those individuals seeking funding. Individuals who wish to conduct polling or surveying, circulate petitions, engage in political or religious speech, or other similar conduct in which funds are not being sought are not prohibited by the local law on the basis of constitutional grounds.

Q: Is there anyway I can prohibit these persons from disturbing me at home as well?

A: While the City may not restrict access to your residence by individuals identified above, the homeowner still has a right to post “No Trespassing” signs or signs of similar import indicating these persons are unwelcome as well.

Q: When will my address come off the registry?

A: Since residents create an account when they sign up, they retain control of it. Therefore residents can remove his/her address when they want.

Q: How can I obtain the sign decal?

A: Sign decals will be available, during regular business hours, at City Hall. You must be signed up on the “No-Knock Registry” prior to receiving a sign decal.

Q: Are peddlers or solicitors required to register with the City?

A: Yes, both peddlers and solicitors are required to register with the City. Peddlers and solicitors must come in to City Hall to register.

Q: Are there restrictions on the hours of operation?

A: Yes, there can be no soliciting or peddling between the hours of 8:00 p.m. to 8:00 a.m.

Q: Are there any restrictions against leaving flyers in the mailbox or at the door?

A: When a person merely places a flyer in the mailbox or at the door, s/he is considered a canvasser who is not prohibited from dropping such literature.

Q: Why can't the City prohibit all solicitation after dark?

A: Federal cases interpreting the First Amendment have found that local laws prohibiting solicitation after dark unconstitutional.

Q: Why should I display a sign after I've signed up?

A: Although it is a violation of the local law to solicit or deliver handbills to any residence on the "Do Not Knock" registry, the signs displayed at residences help counter a solicitor's argument that he or she did not have prior notice that the resident did not want to receive information.

Q: What type of solicitation does a "No Soliciting" sign prevent?

Federal cases interpreting the First Amendment say that if a resident displays a "No Soliciting" sign, he or she has provided notice to solicitors and has the right to be free from solicitation at his or her home. The local law defines solicitation as: "requesting, either directly or indirectly, money, credit, funds, contributions, personal property or anything of value; taking or attempting to take orders for the sale of any goods, wares, merchandise or services of any kind, or description for future delivery or for services to be performed in the future, **either in person or by distributing flyers and leaflets**; and selling and making immediate delivery of any goods, wares, merchandise, services, of any kind or description, commonly referred to as "peddling."

Q: Is there any way I can ban all solicitors/peddlers from coming to my residence?

A: With regard to in person distribution of flyers and leaflets, a person is no "soliciting" if they are only leaving the flyer/leaflet for informational purposes.

Noncommercial Solicitation: a "No Soliciting" sign prohibits noncommercial solicitation, which includes political canvassing, religious proselytizing, opinion polling, and volunteers fundraising for non-profit organizations or other non-commercial causes.

Q: Are solicitors/peddlers required to carry his/her permit on them while soliciting/peddling?

A: Yes they must be licensed and are required to carry the license with them.

Q: How long is a permit good for?

A: 1 year from the date of permit.