

**TOWN OF HARRISON  
VILLAGE OF HARRISON  
ATTORNEY'S OFFICE**

**MEMORANDUM**

TO: Ronald Belmont, Supervisor  
Members of the Town Board

FROM: Frank P. Allegretti, Town Attorney 

DATE: June 7, 2013

RE: **Proposed Local Law No. \_\_ of 2013  
Amending Chapter 183 entitled "Peddling and Soliciting and  
Do Not Knock Registry"**

Attached herewith is a proposed local law regarding the above referenced matter. If acceptable, please schedule this matter for a Public Hearing for the July 18, 2013 Town Board meeting.

If you have any questions or comments, please contact me.

FPA:ap  
Attachment

**PUBLIC NOTICE**

**Proposed Local Law No. \_\_\_ of 2013**

**Amending Chapter 183, entitled  
“Peddling and Soliciting and Do Not Knock Registry”**

NOTICE IS HEREBY GIVEN that the Town Board of the Town of Harrison, at its meeting to be held at 7:30 P.M., on July 18, 2013, at the Municipal Building, 1 Heineman Place, Harrison, New York, will hold a Public Hearing pursuant to Article 2, Section 10 and Article 3, Section 20 of the Municipal Home Rule Law, to enact Local Law No. \_\_\_ of 2013 amending Chapter 183, entitled “Peddling and Soliciting and Do Not Knock Registry” of the Town Code of the Town of Harrison as follows: (deletions are [bracketed], new material is underlined).

§ 183-4. Application requirements.

B. Upon submitting a completed application, each applicant shall be given a copy of the completed application by the Town Clerk, and each applicant shall personally deliver the copy of the completed application to the Town of Harrison Police Department. The Town Clerk should also deliver a duplicate copy of the completed application to the Town of Harrison Police Department. [The Town of Harrison Police Department shall conduct a criminal records search to determine the applicant’s fitness and suitability to conduct solicitation sales or to peddle wares and shall confirm that proper liability insurance is carried by the applicant. The Harrison Police Department will return to the Town Clerk, within three (3) business days of the receipt of a completed application, the result of the criminal records search and the Town of Harrison’s Police Chief’s determination as to fitness. The Police Chief will forward a copy of the applications that are approved as to fitness to the Town Clerk’s office. Provided all other requirements have been satisfied, the Town Clerk will then issue the appropriate permit(s) upon payment of the appropriate fees. The permit fee is in addition to the application fee.

Identification Badges will not be issued by the Harrison Police Department until the permit has been issued by the Town Clerk.] All applicants for a permit pursuant to Chapter 183 "Peddling, Soliciting and Do Not Knock Registry" from the Town of Harrison shall submit to fingerprinting and shall be subject to a review of their criminal history record by the Chief of Police of the Town of Harrison Police Department, or his/her designee. All fingerprints and any applicable fees must be submitted in the form and manner as prescribed by Division of Criminal Justice Services ("DCJS"). Any decision regarding a prospective applicant's fitness for a permit based upon a conviction contained in the criminal history background information obtained from the DCJS must be made upon consideration of New York State Correctoin Law Sections 701-703-b and Sections 751-753.

[C. A person whose criminal history record background check reveals a conviction for any criminal offence including, but not limited to, violent crimes, sexual assault, possession of a controlled substance, theft, fraud, or burglary shall be disqualified from receiving a permit to solicit or peddle within the town. The Harrison Chief of Police will make the determination of the applicant's fitness to receive the applied for permit. The Harrison Police Chief will submit the specific reasons for disqualification in writing to the Town Clerk's office within the time as stated in §183-4B]

#### E. Time Limitations

(1) Peddling hereby is prohibited, except between the hours of 10:00 a.m. and [sunset] 8:00 p.m. House to house peddling is prohibited altogether on Sundays and holidays and on other days, except between the hours of 10:00 a.m. [and the earlier of 7:00 p.m. or sunset, respectively; either standard time or daylight savings time, whichever then is effective, as the case may be] 8:00 p.m.

(2) Soliciting hereby is prohibited altogether on Sundays and holidays and on other days except between the hours of 10:00 a.m. and [the earlier of 7:00 p.m. or sunset, respectively; either standard time or daylight saving time, whichever then is effective, as the case may be] 8:00 p.m.

§ 183-7 Permit period.

No permit shall be issued and none shall be valid for a period longer than ~~[30 days]~~ one year from the date of issuance thereof, [for soliciting. No permit shall be issued and none shall be valid for a period longer than one (1) year for peddlers] but in no event longer than until the first day of January next succeeding such date of issuance.

§183-9. Permit Fees.

C. All applicants are required to pay all fingerprinting and processing fees as prescribed by the Division of Criminal Justice Service of New York State.

This law shall take effect immediately upon filing with the Secretary of the State of New York.

ALL PERSONS HAVING AN INTEREST IN THE MATTER ARE INVITED TO ATTEND AND BE HEARD.

BY ORDER OF THE TOWN/VILLAGE BOARD OF THE TOWN/VILLAGE OF HARRISON.

Jacqueline Greer  
Town Clerk

Dated: Harrison New York  
June 7, 2013