

TOWN OF MOHAWK

Local Law No. 05 of 2026

A Local Law Regulating Door-to-Door Commercial Solicitation, Peddling, and Canvassing

Section 1. Purpose

The purpose of this local law is to protect the privacy, safety, and welfare of the residents of the Town of Mohawk by regulating commercial door-to-door solicitation while preserving the constitutional rights of individuals engaged in political, religious, charitable, or other protected speech.

Section 2. Definitions

Peddler: Any person who travels from place to place or door-to-door selling or offering for sale goods, wares, merchandise, or services for immediate or future delivery.

Solicitor: Any person who goes from door-to-door seeking orders, contracts, subscriptions, or offering services or merchandise for compensation.

Commercial Solicitation: Any door-to-door activity conducted for the purpose of selling goods or services or obtaining commercial benefit.

Canvasser: Any person engaged in political, religious, charitable, or other constitutionally protected non-commercial speech.

Section 3. License Required

A. No person shall engage in door-to-door peddling or commercial solicitation within the Town of Mohawk without first obtaining a Solicitor's License from the Town Clerk.

B. The license shall be valid for one year unless sooner revoked.

C. The peddler or solicitor shall display the license while soliciting. A peddler or solicitor shall not display the license provided by the town after the expiration or revocation thereof.

Section 4. Application Requirements

Applicants shall provide:

- Name, address, and telephone number.
- Government-issued photo identification.
- Employer or business information, if applicable.
- Description of the goods or services offered.
- Dates during which solicitation will occur.

- Any permits required by state law.

The Town may conduct a background review as permitted by law.

Applicant shall also pay an application fee as may be set and amended from time to time by the Town Board.

Section 5. Hours of Solicitation

Commercial solicitation shall only occur between **9:00 a.m. and 6:00 p.m., Monday through Saturday.**

No commercial solicitation shall occur on Sundays or legal holidays.

Section 6. Respect for Private Property

No peddler or solicitor shall:

- Enter property displaying a "No Soliciting," "No Trespassing," or similar sign.
- Remain on property after being asked to leave.
- Use abusive, threatening, or deceptive practices.
- Block sidewalks, driveways, or roadways.

Section 7. Exemptions

This local law shall not require a license for:

- Political candidates or campaign volunteers.
- Religious organizations engaged in religious outreach.
- Charitable organizations registered as required by law.
- Persons distributing non-commercial literature protected by the United States or New York Constitutions.
- Government employees acting within the scope of their duties.

All exempt persons shall honor posted "No Soliciting" signs and requests to leave private property.

Section 8. Revocation

The Town Clerk may suspend or revoke a license for:

- False information on the application.
- Violation of this local law.

- Fraudulent or deceptive business practices.
- Conduct threatening public safety.

Section 9. Penalties

Any violation shall constitute an offense punishable by:

- First offense: Fine not exceeding \$250.
- Second offense within 12 months: Fine not exceeding \$500.
- Third or subsequent offense within 12 months: Fine not exceeding \$1,000 and/or revocation of the license.

Each day a violation continues shall constitute a separate offense.

Section 10. Enforcement

This local law may be enforced by the Town Code Enforcement Officer, Montgomery County Sheriff's Office, or any other law enforcement agency having jurisdiction.

Section 11. Severability

If any provision of this local law is declared invalid by a court of competent jurisdiction, the remaining provisions shall remain in full force and effect.

Section 12. Effective Date

This local law shall take effect upon filing with the New York State Secretary of State in accordance with the Municipal Home Rule Law.