

§ 154-4

WAKEFIELD CODE

§ 154-5

district of the Town or within 100 yards of such a district as shown on the then-current Zoning Map.<sup>1</sup>

**§ 154-5. Door-to-door solicitors and canvassers. [Added 11-1-2004 RTM by Art. 29]**

**A. Definitions; applicability.**

- (1) As used in this section, the terms "solicit" and "canvas" shall mean and include any one or more of the following activities conducted at residences without the previous consent of the owner:
  - (a) Seeking to obtain the purchase, or orders for the purchase, of goods, wares, merchandise, foodstuffs or services of any kind, character or description whatever for any kind of consideration whatever; or
  - (b) Seeking to obtain subscriptions to books, magazines, periodicals, newspapers and every other type or kind of publication.
- (2) The provisions of this section shall not apply to officers or employees of the Town, county, state or federal government, or any subdivision thereof when on official business, or to neighborhood youth and students who solicit for the shoveling of snow or cutting of lawns or similar services to residents, nor shall it be construed to prevent route salespersons or other persons having established customers to whom they make periodic deliveries from calling upon such customers.
- (3) If any solicitor or canvasser is under the age of 18 years and is selling goods or periodicals for a commercial purpose, the provisions of M.G.L. c. 101, § 34 shall apply.
- (4) The provisions of this section shall not apply to any person soliciting solely for religious, charitable or political purposes.

**B. Registration required. It shall be unlawful for any person to solicit or canvas or engage in or conduct business as a canvasser or solicitor without first having obtained a certificate of registration from the Chief of Police as provided in this section.**

**C. Application for certificate of registration.**

- (1) Application for a certificate of registration shall be made upon a form provided by the Police Department along with a nonrefundable application fee of \$25.
- (2) An authorized representative of the sponsoring organization shall apply to the Chief of Police or his/her designee either in person or by mail. All statements on the application or in connection therewith shall be under oath. The applicant shall provide all information requested on the application, including:

---

1. Editor's Note: The Zoning Map is available in the office of the Building Inspector.

§ 154-5

## PEACE AND GOOD ORDER

§ 154-5

- (a) Name, address and telephone number of the sponsoring organization, along with a listing of all officers and directors;
  - (b) State and/or federal tax identification number of the sponsoring organization;
  - (c) Name, residential and business address, length of residence at such residential address, telephone number, social security number and date of birth of each representative of the sponsoring organization who will be soliciting or canvassing in the Town;
  - (d) Description sufficient for identification of the subject matter of the soliciting or canvassing in which the organization will engage;
  - (e) Period of time for which the certificate is applied (every certificate shall expire within one year of date of issue);
  - (f) The date of the most recent previous application for a certificate under this section;
  - (g) Any previous revocation of a certificate of registration issued to the organization or to any officer, director or representative of the organization by any city or Town and the reasons therefor;
  - (h) Any convictions for a felony, either state or federal, within five years of the application, by the sponsoring organization, any of its officers or directors, or any representative who will be soliciting or canvassing in the Town;
  - (i) Names of the three communities where the organization has solicited or canvassed most recently;
  - (j) Proposed dates, hours and method of operation in the Town;
  - (k) Signature of authorized representative of the sponsoring organization.
- (3) A photograph or an acceptable photocopy of a photograph of each representative of the sponsoring organization who will be soliciting or canvassing in the Town shall be attached to the application.
  - (4) No certificate of registration shall be issued to any person, or to any organization having an officer or director, who was convicted of commission of a felony, either state or federal, within five years of the date of the application, nor to any organization or person whose certificate of registration has previously been revoked as provided below.
  - (5) Fully completed applications for certificates shall be acted upon within five business days of receipt. The Chief of Police shall cause to be kept in his office accurate records of every application received, together with all other information and data pertinent thereto and of all certificates of registration issued under this section and of all denials.
  - (6) Upon approval of an application, each solicitor or canvasser shall be issued a certificate of registration to carry upon his/her person at all times while soliciting

§ 154-5

## WAKEFIELD CODE

§ 154-6

or canvassing in the Town and to display the certificate whenever asked by any police officer or any person solicited.

D. Revocation of certificate.

- (1) Any certificate of registration issued hereunder may be revoked by the Chief of Police for good cause, including conviction of the holder of the certificate of violation of any of the provisions of this section or a false material statement in the application. Immediately upon such revocation, the Chief of Police shall give written notice to the holder of the certificate in person or by certified mail addressed to his/her residence address set forth in the application.
- (2) Immediately upon the giving of such notice, the certificate of registration shall become null and void. In any event, every certificate of registration shall state its expiration date, which shall be no later than one year from date of issue.

E. Deceptive practices. No solicitor or canvasser registered or exempt from registering may use any plan, scheme, or ruse which misrepresents the true status or mission of any person conducting the solicitation or canvas in order to gain admission to the home, office or other establishment of any person in the Town.

F. Duties of solicitors and canvassers.

- (1) It shall be the duty of every solicitor and canvasser going onto any premises in the Town to first examine whether there is a notice posted stating that no solicitors are welcome. If such notice is present, then the solicitor or canvasser shall immediately and peacefully depart from the premises.
- (2) Any solicitor or canvasser who has gained entrance to any residence, whether invited or not, shall immediately and peacefully depart from the premises when requested to do so by the occupant.

G. Lawful hours to conduct solicitation or canvas. All canvassing or soliciting under this section shall be confined to the hours between 10:00 a.m. and 8:00 p.m. throughout the year.

H. Penalty for violations. Any solicitor or canvasser who violates any provision of this section shall be punishable in accordance with § 1-6 of Chapter 1, or, in certain cases, by arrest as provided in M.G.L. c. 101.

**§ 154-6. Construction hours and noise limits. [Added 11-7-2005 RTM by Art. 8]**

- A. Purpose. The intent of this bylaw is to regulate the hours during which construction and demolition activities may take place within the Town and otherwise to limit the impact of such activities on nearby residents and businesses.
- B. Definition. "Construction" shall mean and include the construction, reconstruction, alteration, repair, demolition and/or removal of any building, structure or substantial part thereof if such work requires a building permit, razing permit, electrical permit, plumbing permit, gas permit or mechanical permit. "Construction" shall also include excavation