

DEALING WITH UNWANTED SOLICITORS DOOR-TO-DOOR

This responds to a large number of our residents who were angry, anxious, and disturbed by recent teams of solicitors. There were two recent episodes of solicitors in a persistent mode, or violating “No Soliciting” signs, or appearing beyond allowed soliciting hours. Both episodes were related to extermination services (Moxie and Aptive) and had young men on segway scooters.

Below is what we learned and what you can do if you want to take action if you are disturbed.

Background & Regulations

In the process of defining what actions may be taken by individuals, we spoke with County officials at:

- County Court Clerk’s Office, which issues licenses to (only) individuals to solicit but has no enforcement power
- The head of Zoning Code Enforcement, which has no power over soliciting
- Police Pct. 3 Capt. Jamerson and Ofcr. Andy Kaufman, who heads up community relations

- 1- Individual solicitors are required to have a “Huckster License”, issued by the County Court Clerk’s office; they are required to carry the license on them. The sponsoring company does **not** need a license and technically bears no responsibility for the individuals. However, neither the County Court Clerk’s office nor Zoning Code Enforcement has any enforcement powers.
- 2- Solicitors may not operate earlier than 9:00AM or later than 7:00PM or sunset, whichever is earlier.
- 3- Solicitors are to obey signs for “No Soliciting” and not approach a residence if such a sign is posted.

Actions YOU May Take

- 1- Post a “No Soliciting” sign in front of your home, available on Amazon and at Home Depot
- 2- If harassed and/or a code is violated:
 - a. Get descriptions and ideally a photo of the individual and any vehicle
 - b. The Police encourage calling 911; they in turn, will determine priority, and also accumulate similar calls for the same person or company to enable at least a warning call to the sponsor company
- 3- Contact us at Velvet.na@gmail.com, and we will (a) send out an alert to the neighborhood, and (b) accumulate case information on multiple incidents to also turn over to our police precinct.

The VVNA Board discussed posting “Solicitors Unwelcome” signs at the neighborhood entrances, and decided that this would send undesirable signals about our community. So, we encourage each resident to take steps that are appropriate for them.

Below is a discussion of the issues, relevant County Code sections, and information with Ofcr. Kaufman.

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From: **Andrew K. Kauffman**
Date: Mon, Aug 7, 2023
Subject: Solicitor Concerns

Good Afternoon Mr. Brickman,

SECTION 1. BE IT ENACTED BY THE COUNTY COUNCIL OF BALTIMORE COUNTY, 2 MARYLAND, that

Section 21-11-101(a) of Article 21 - Permits, Licenses, and Business Regulation, 3 Title 11 - Hucksters and Peddlers, of the Baltimore County Code 2003, be and it is hereby repealed and 4 re-enacted, with amendments, to read as follows: §21- 11 - 101. **License Required; Exception.** (a) In general. Except as

otherwise provided in this title, a person shall be licensed by the Clerk of the Court before the person may hawk, sell, peddle, vend, or offer for sale at retail, any fruits, vegetables, fish, meat, poultry, oysters, goods, wares, or merchandise OR SERVICE of any kind: (1) In or on the streets or highways of the county; or (2) By going from house to house, either in a vehicle or on foot, on the streets or highways of the county. SECTION 2. AND BE IT FURTHER ENACTED, that Section 21-11-106(c) be and it is hereby added to Article 21 - Permits, Licenses, and Business Regulation, Title 11 - Hucksters and Peddlers, of the Baltimore County Code 2003, to read as follows:

15 §21- 11 - 106. PROHIBITED ACTS. 16 (C) (1)

A PERSON SUBJECT TO THIS TITLE MAY NOT OFFER ANY SERVICE OR ITEM OF MERCHANDISE FOR SALE TO THE OCCUPANT OF A RESIDENTIAL PROPERTY IN THE COUNTY IF THE OWNER OR OCCUPANT HAS VISIBLY DISPLAYED ON THE PROPERTY A “**NO SOLICITING**” SIGN, OR A SIGN CONTAINING SIMILAR WORDS. (2) THE PROHIBITION OF PARAGRAPH (1) APPLIES TO ALL RESIDENCES IN A NEIGHBORHOOD OR COMMUNITY IF THE NEIGHBORHOOD OR COMMUNITY HAS DISPLAYED A “NO SOLICITING” SIGN, OR A SIGN CONTAINING SIMILAR WORDS, AT EACH VEHICLE ENTRANCE TO THE NEIGHBORHOOD OR COMMUNITY. (3) A PERSON SUBJECT TO THIS TITLE **MAY NOT OFFER** ANY SERVICE OR ITEM 5 OF MERCHANDISE FOR SALE TO THE OCCUPANT OF A RESIDENTIAL PROPERTY IN THE COUNTY **BEFORE 9 A.M. OR AFTER 7 P.M., OR SUNSET** ON ANY DAY, WHICHEVER IS EARLIER. “SUNSET” MEANS THE TIME OF DAY IDENTIFIED BY THE NATIONAL 8 WEATHER SERVICE AS THE TIME FOR SUNSET ON THAT DAY IN THE BALTIMORE METROPOLITAN AREA.

With regards to your and residents’ questions:

Our neighborhood association board has voted against posting community-entry signs that say "No Soliciting." We are led to believe that actions and remedies need to be taken by each resident--which is the advice I want to provide them as president of the HOA, with your help.

I DO believe that a general common community sign at each vehicle entrance outlining that Soliciting is Prohibited in the community would be of great help in deterring this kind of activity; however you have explained that the HOA board voted against doing this. While the general community sign does according to the Baltimore County Code meet the posted signage requirement for enforcement action, we have always been told by the States Attorney’s office that **each house independently needs to have their own signage indicating that “No Soliciting” (Private Property, No Trespassing, etc...) signs somewhere easily visible on their property.**

A person subject to this title may not offer any service or item of merchandise for sale to the occupant of a residential property in the county before 9:00 a.m. or after 7 p.m. or sunset on any day, whichever is earlier.

You are correct in the limits pertaining to times of the day and restrictions to soliciting prior to 9am, and beyond 7pm (or sunset, whichever is earlier).

Licenses are required and should be displayed by the solicitors while they are out in the neighborhoods and going door to door.

While the laws seem to be very specific and easy for the average person to understand, prevention [of] violations of solicitation is sometimes difficult, and often requires violations to occur with a response and sometimes enforcement action to follow. It is one of those nuisance issues that are difficult to prevent due to some aggressive marketing and hungry salespeople.

My advice in addressing these concerns are:

Please ask all those that do not wish to be bothered or harassed by solicitors to post signage on their property; to call 911 to report any violators of this County Code Violation, with as much information as they can regarding the physical description of the person soliciting, their vehicle, company or product, and direction of travel. While you are correct that this sometimes is not a high priority call based on whatever else is going on at that very time, we most certainly will respond and address this issue. **We will follow up**

with the companies that seem to be frequent violators or anyone that has not heeded the warnings of No Soliciting. I know often times people don't feel comfortable calling 911, as that is the emergency number, however, this is the only way that we can document the calls in the system, and dispatch a car out to the location, as we cannot do that from the precinct telephone number.

I hope this helps a little, please let me know if you would like additional explanation or if I have missed anything.

Thank You,

Officer Andy Kauffman
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