PEDDLER & SOLICITOR LICENSE APPLICATION PACKET

REQUIRED FORMS:

- ❑ License Application *(provided in this packet)*
- ❑ Authorization and Release Form; one for each applicant *(provided in this packet)*

Applicant provides the following items with this application:

- ❑ List of persons working for organization or business
- ❑ Colored picture (2" x 2") of each applicant
- ❑ Letter explaining your purpose to the City Council

LICENSE FEES: (PER COMPANY)

____$15.00 per day ____number of days Date(s):_____

____$175.00 per month (*30 consecutive days*) Dates:_____

____$300.00 per year (*Jan-Dec; not prorated*)

INVESTIGATION FEES: (PER PERSON)

If lived **in Minnesota** all of past 10 years: ____$62.00 Investigation fee for 1st applicant

____$25.00 each additional applicant

If lived **out of Minnesota** any of past 10 years: ____$125 each applicant (*fingerprinting may be required)*

Total $_____

Allow at least two weeks for the processing of your application. Criminal history checks must be conducted by the Police Department. All licenses must then be approved by the City Council before they are issued. Council meetings are typically held on the first and third Tuesdays of each month.

Questions?
Contact the administrative services coordinator at 763-531-1131 or trudy.tassoni@crystalmn.gov.

Mail completed application with fees to:
City of Crystal, Attn: Trudy Tassoni, 4141 Douglas Dr N, Crystal, MN 55422

APPLICATION FOR LICENSE

City of Crystal
4141 Douglas Drive N, Crystal, MN 55422
Telephone: (763) 531-1000 / Facsimile: (763) 531-1188
Deaf and hard of hearing callers may call Minnesota Relay at 711.

PLEASE PRINT CLEARLY

Applicant's Name:	Fee:* (0100-4105) (investigation fee: 0100-4105)	$ (including investigation fee)
Home Address:	Home Phone: ( )	
City/State/Zip:	Cell Phone: ( )	
Business Name:	Business Phone: ( )	
Doing Business As:	Fax Phone: ( )	
Business Address, including zip code:		
MN Tax ID #: **(NOTE: you must provide a copy of the confirmation letter from the State.)**	Federal Tax ID #:	
If a Minnesota Tax ID number is not required, please explain here and provide your social security number:		

I enclose the sum of _____ dollars to the City of Crystal as required by the Ordinances of said City and have complied with all the requirements of said Ordinances necessary for obtaining this License.

I hereby make application to **OPERATE AS A** *(select one)* **PEDDLER** *or* **SOLICITOR** at the above business address for the period _____, 20____ through _____, 20____, subject to all conditions and provisions of said Ordinance.

ADDITIONAL REQUIREMENTS

1. List of persons working for organization or business
2. Colored picture (2" x 2") of each applicant
3. Letter explaining your purpose to the City Council

The information in this Application For License is true and complete to the best of my knowledge.

_____ _____

Signature of Applicant ***Date***

***Fee** (per company): $15 per day; $175 per month; $300 per year (January – December)
Plus Investigation Fee (per person): If lived in MN all of past 10 years: $62/1st applicant; $25/each additional applicant
If lived out of MN any of past 10 years: $125/each applicant (*fingerprinting may be required*)

APPLICATION FOR LICENSE INVOLVING PRIVATE OR CONFIDENTIAL INFORMATION
(Includes Tennessen Warning)

Under Minnesota law (M.S. 270.72), the agency issuing you this license is required to provide to the Minnesota Commissioner of Revenue your Minnesota business tax identification number or the Social Security number of each license applicant.

Under the Minnesota Government Data Practices Act and the Federal Privacy Act of 1974, we must advise you that:

- This information may be used to deny the issuance, renewal or transfer of your license if you owe the Minnesota Department of Revenue delinquent taxes, penalties, or interest;
- The licensing agency will supply this information only to the Minnesota Department of Revenue. However, under the Federal Exchange of Information Act, the Department of Revenue is allowed to supply this information to the Internal Revenue Service;
- Failure to supply this information may jeopardize or delay the issuance of your license or the processing of your renewal application.

City Use Only: JDE#_____ Date Entered: _____
PIMS ID#_____ Council Date: _____

PERSONAL APPLICANT INFORMATION

Full Name: _____
First *Middle* *Last*

Other names the applicant may conduct business under or answer to: _____

Applicant's physical description: Eye Color:_____ Height:_____Weight:_____ Hair Color:_____

Permanent Home Address:_____
Street *City* *State* *Zip Code*

Applicant's Local Address:_____
Street *City* *State* *Zip Code*

Applicant's phone number(s): _____

Name of Employer: _____

Address of Employer: _____
Street *City* *State* *Zip Code*

Employer phone number(s): _____

Number of agents/employees under this company who are participating in peddling/soliciting:_____

Dates to conduct peddling/soliciting: _____

Description of the nature of the business and the goods or services to be sold:

_____

_____

Supply source of goods to be sold:_____
Company name *Phone number*

Method of delivery:_____

Have you ever been convicted of any crime or violated any municipal ordinance, other than a traffic offense?
☐ Yes *or* ☐ No
If yes, state the place, nature of the offense, and penalty assessed:_____

_____

Name up to three other cities where the applicant conducted similar business immediately preceding the date of this application.

_____

_____

Applicant's driver's license or state-issued ID#: _____
State where issued

Description of vehicle to be used:_____
Year *Make* *Model* *License Plate Number*

Attach a recent 2" x 2" photo of yourself, showing your head and shoulders.

_____ _____
Signature of Applicant Date of Application

Certificate of Compliance
Minnesota Workers' Compensation Law

THIS FORM MUST BE COMPLETED BY THE BUSINESS LICENSE APPLICANT

PRINT IN INK or TYPE.

Minnesota Statutes, Section 176.182 requires every state and local licensing agency to withhold the issuance or renewal of a license or permit to operate a business in Minnesota until the applicant presents acceptable evidence of compliance with the workers' compensation insurance coverage requirement of Minnesota Statutes, Chapter 176. If the required information is not provided or is falsely stated, it shall result in a $2,000 penalty assessed against the applicant by the commissioner of the Department of Labor and Industry.

A valid workers' compensation policy must be kept in effect at all times by employers as required by law.

LICENSE or CERTIFICATE NO (if applicable)	BUSINESS TELEPHONE NO.	FAX TELEPHONE NO.

BUSINESS NAME (Use the person(s) name if business structure is sole proprietor or partnership (i.e., John Doe, or John Doe and Jane Doe), otherwise it is the legal name of the business entity.)

DBA ("doing business as" or also known as an assumed name) (if applicable)

BUSINESS ADDRESS (must be physical street address, no PO boxes)	CITY	STATE	ZIP CODE

COUNTY	E-MAIL ADDRESS

YOUR LICENSE OR CERTIFICATE WILL NOT BE ISSUED WITHOUT THE FOLLOWING INFORMATION. *You must complete number 1 or 2 below.*

NUMBER 1 – Workers' compensation insurance policy information

INSURANCE COMPANY NAME (not the insurance agent)		NAIC Number
POLICY NO.	EFFECTIVE DATE	EXPIRATION DATE

NUMBER 2 – Reason for exemption from workers' compensation insurance

If you have questions regarding the need to obtain workers' compensation coverage, including exemptions, contact 651.284.5032 or 1-800-342-5354.

☐ I have no employees. (See Minn. Stat. § 176.011, subd. 9 for the definition of an employee.)

☐ I am self-insured for workers' compensation (attach a copy of the authorization to self-insure from the Minnesota Department of Commerce).

☐ I have employees but they are not covered by the workers' compensation law. (See Minn. Stat. § 176.041 for a list of excluded employees.) Explain why your employees are not covered:

_____

☐ Other: _____

I certify that the information provided on this form is accurate and complete. If I am signing on behalf of a business, I certify that I am authorized to sign on behalf of the business.

PRINT NAME		
APPLICANT SIGNATURE (required)	**TITLE**	**DATE**

NOTE: You must notify us if there is any change to your Workers' Compensation Insurance Information or Employee Status Change by resubmitting this form. This material can be made available in different forms, such as large print, Braille or on a tape.

CITY of CRYSTAL

4141 Douglas Drive North • Crystal, Minnesota 55422-1696

Tel: (763) 531-1000 • Fax: (763) 531-1188 • www.crystalmn.gov

The following information is required per Crystal City Code Section 311.01, Subd. 3, which authorizes a Minnesota Computerized Criminal History background investigation for approval or denial of a city license or permit.

AUTHORIZATION AND RELEASE

The undersigned, having filed an application with the City of Crystal ("City") for a city license, does hereby authorize and request anyone having control of any documents or information pertaining to me to furnish copies of any such documents or information to representatives of the City, and to permit said representatives of the City to inspect and make copies of any such documents or information. I further authorize any such persons to answer any inquiries concerning the undersigned, which may be submitted to them by representatives of the City. I fully understand that the City may use this information in its evaluation of my city license application. I hereby release and exonerate any person who complies with this Authorization and Release from any and all liability pertaining to the furnishing or inspection of such documents or information.

Applicant's Signature:_____ Dated:_____, 20_____

PLEASE PRINT:

Applicant's name:_____
First Middle Last Suffix

If known by previous name, provide:_____

Home Address:_____
Street City State Zip

Daytime Telephone Number: (_____)_____ Date of Birth:_____

Driver's License:_____
Number State Where Issued

Organization Associated With:_____

Type of City License Applied For:_____

I have lived in MN for _____ years. If less than 10 years, list previous addresses:

_____

_____

CITY of CRYSTAL

4141 Douglas Drive North • Crystal, Minnesota 55422-1696

Tel: (763) 531-1000 • Fax: (763) 531-1188 • www.crystalmn.gov

Certification of Financial Responsibility

This form must be completed and returned with a City license application.

To the best of my knowledge, based upon a review of the status of the property/business located in the City of Crystal at _____, I attest that the foregoing property/business is financially responsible as outlined in Crystal City Code 1005.29 (a), printed in full on the reverse of this form.

I hereby certify that I/we are current on the following financial obligations:

(Circle answers)

Yes	No	Property Taxes paid
Yes	No	Utility Bills paid
Yes	No	State Taxes paid
Yes	No	Federal Taxes paid
Yes	No	Other governmental obligations or claims concerning me or the business entity named on this license application

If "NO" is circled for any of the above, describe the payment plan or other agreement approved by the applicable governmental entity.

_____

_____

_____

_____

See entire Crystal City Code 1005.29 (a) on the reverse side of this form.

I certify under penalty of perjury that the foregoing is true and correct.

Executed on:_____ (date)

_____ _____

Print Name Signature

Note: Filing a false statement with a government agency is a criminal offense.

Staff use only:

__UB __PrevUB __UB Cert __Tax __PrevTax

Verified compliance _____*<date>*

Staff initials: _____

The City of Crystal has adopted the following ordinance:

Crystal City Code 1005.29 Financial responsibility; applicability. (a) Prior to the issuance of a license the applicant must file with the city clerk satisfactory evidence of financial responsibility. "Satisfactory evidence of financial responsibility" shall be shown by a certification under oath that the property taxes, public utility bills, and all state and federal taxes or other governmental obligations or claims concerning the business entity applying for the license are current, and that no notice of delinquency or default has been issued, or if any of the financial obligations stated in this subsection are delinquent or in default, that any such delinquency or default is subject to a payment plan or other agreement approved by the applicable governmental entity. "Satisfactory evidence of financial responsibility" as required by this subsection shall in addition be shown by any individual applicant and all individual owners and/or shareholders of the business entity. Operation of a business licensed under this section without having on-going evidence on file with the City of the financial responsibility required by this subsection is grounds for revocation or suspension of the license.

What does this mean for a City-issued business license?

Prior to issuance of a City-issued business license or renewal license, license holders are required to certify that the property taxes, utility bill, and all state and federal taxes for the property or the business entity applying are current. Also, the applicant must certify that no notice of delinquency or default has been issued or is subject to a payment plan.

What will happen if a license holder is not financially responsible?

A hearing is granted before the City Council. The Council may deny, suspend or revoke the City-issued business license. Upon providing satisfactory evidence of financial responsibility, the business owner may re-apply for the license.

Section 1160 - Peddlers, solicitors and transient merchants
(Repealed, Ord. 2007-05)
(Added, Ord. 2007-05)

1160.01. Definitions. For purposes of this section, the terms defined in this subsection have the meanings given them. Subdivision 1. "Person" means any person, individual, co-partnership, limited liability company and corporation, both as principal and agent, who engage in, do, or transact any temporary and transient business in the state or city regulated by this section.

Subd. 2. "Peddler" means a person who goes from house to house, door to door, business to business, street to street, or any other type of place to place for the purpose of offering for sale, selling or attempting to sell, and delivering immediately upon sale the goods, wares, products, merchandise, or other personal property that the person is carrying or transporting; the term does not include vendors of milk, bakery products or groceries who distribute their products to regular customers on established routes. The term Peddler shall mean the same as the term "hawker".

Subd. 3. "Solicitor" means a person who goes from house to house, door to door, business to business, street to street, or any other type of place to place for the purpose of obtaining or attempting to obtain orders for the sale of goods, wares, or merchandise including magazines, books, periodicals, other personal property or services of which they may be carrying or transporting samples, or that may be described in a catalog or by other means, and for which delivery or performance shall occur at a later time. The absence of samples or catalogs shall not remove a person from the scope of this provisions if the actual purpose of the person's activity is to obtain or attempt to obt6ain orders as discussed above. The term solicitor shall mean the same as the term "canvasser".

Subd. 4. "Transient merchant" means a person, whether as owner, agent, consignee, or employee who engages in a temporary business out of a vehicle, trailer, box car, tent, other portable shelter, store front, or from a parking lot for the purpose of displaying for sale, selling or attempting to sell, and delivering goods, wares, products, merchandise or other personal property and who does not remain or intend to remain in any one location for more than four consecutive days as part of four sale events each year.

1160.03. License required. It is unlawful to engage in the business of peddler, solicitor, or transient merchant in the city without first obtaining a license therefore as provided by this section, unless exempt from such license pursuant to the requirements of subsection 1160.09. In addition, no person shall conduct business as a transient merchant within the city limits without first having obtained the appropriate license from Hennepin County as required by Minnesota Statutes, Chapter 329, as amended.

1160.05. Application. Applications for a city license under this section must be filed with the city clerk on a sworn application in writing on a form provided by the city clerk. The application must contain the following information:

a) Applicant's full legal name and other names under which the applicant conducts business or to which the applicant officially answers;

b) Physical description of the applicant (hair color, eye color, height, weight, distinguishing marks or features);

c) Complete permanent home and local address of the applicant; and in the case of transient merchants, the local address from which proposed sales will be made with a letter of signed permission from the property owner;

d) applicant's phone number(s);

e) A brief description of the nature of the business and the goods to be sold or services to be provided;

f) The name, address, and phone number of the employer, principal, or supplier of the applicant, together with credentials establishing the exact relationship;

g) The dates during which the applicant intends to conduct business and the names of its agents conducting business in the city;

h) The supply source of the goods, or property prepared to be sold, or orders taken for the sale thereof, the location of such goods or products at the time of the application, and the proposed method of delivery;

i) A recent photograph (approximately two inches by two inches) of the applicant, showing the head and shoulders of the applicant in a clear and distinguishing manner;

j) A statement as to whether or not the applicant has been convicted of any crime or violation of any municipal ordinance other than traffic violations, the nature of the offense, and the punishment or penalty assessed therefore;

k) The names of up to three other municipalities where the applicant conducted similar business immediately preceding the date of the current application and the addresses from which such business was conducted within those municipalities;

l) The applicant's driver's license number or other acceptable state-issued identification;

m) The license plate number(s) and description of the vehicle(s) to be used in conjunction with the licensed business, if applicable;

n) Proof of county license (applicable to transient merchants only).

1160.07. License fee. At the time of filing the application, the license fee set by subsection 1160.19, must be paid to the city clerk.

11.60.09. Exemptions. Subdivision 1. General exemption. For the purpose of the requirements of this section, the terms "peddler, solicitor, and transient merchant" shall not apply to and shall not include the following:

a) Sale of personal property at wholesale to dealers in such articles;

b) The sale of papers or newspaper subscriptions;

c) Calling upon residents in connection with a regular route service for the sale and delivery of perishable daily necessities of life such as food, bakery products and dairy products. This section shall also not apply to any person who makes initial contacts with other people for the purpose of establishing or trying to establish a regular customer delivery route;

d) Calling upon residents at the request of said residents;

e) A sale required by statute or by order of any court or prevent the conduct of a bona fide auction sale pursuant to law;

f) Sales commonly known as garage sales, rummage sales, or estate sales as well as those persons participating in an organized, multi-person bazaar or flea market;

g) A person issued an invitation by the owner or legal occupant of a residential premise shall be exempt from the definitions of peddlers, solicitors, and transient merchants.

Exemptions from this section shall not excuse any person from complying with any other applicable statutory provision or local ordinance.

Subd. 2. Non-profit organizations and free expression exemption. Any organization, society, association, or corporation with a non-profit status approved by the state or federal government desiring to solicit or to have solicited in its name money, donations of money or property, or financial assistance of any kind or desiring to sell or distribute any item of literature of merchandise for which a fee is charged or solicited from persons other than members of such organizations for a charitable, religious, patriotic, or philanthropic purpose by going from house to house, door to door, business to business, street to street, or other type of place to place, or when such activity is for the purpose of exercising that person's state or federal constitutional rights relating to the free exercise of religion or speech, is exempt from the licensing requirements of subsection 1160.03, provided there is a registration filed in writing on a form to be provided by the city clerk which contains the following information:

a) Organization's name and specific cause for which exemption is sought;

b) Names and addresses of the officers and directors of the organization;

c) Period during which solicitation is to be conducted;

d) Whether or not any commission, fee, wages, or emoluments are to be expended in connection with such solicitation and the amount thereof; and

e) Names and addresses of all persons involved in canvassing efforts.

Persons exercising constitutional rights may lose their exemption from licensing if the person's exercise of constitutional rights is merely incidental to a commercial activity. Professional fund raisers working on behalf of an otherwise exempt person or group shall not be exempt from the licensing requirements of subsection 1160.03.

Subd. 3. Farm produce, horticultural, fireworks exemption. No license shall be required for any person to sell or attempt to sell or to take or attempt to take orders for any product grown, produced, cultivated, or raised on any farm. For the purposes of this section, "product" shall also mean any horticultural product grown, produced or cultivated and/or sold by any person in this state. Persons exempt under this subdivision shall register with the city as required by subdivision 2 of this subsection. The sale of fireworks shall be regulated by section 1131 of the city code. Not withstanding any provision of the city's zoning code to the contrary, no conditional use permit or zoning approvals relating to accessory uses shall be required for sales regulated by this subsection.

1160.11. Investigation and issuance. The license application for non-exempt applicants must be referred to the chief of police or delegate who must immediately conduct a CCH Investigation of the applicant as authorized by section 311 of the city code and promptly return the application to the city clerk with a recommendation. The application will then be presented to the city council. (Amended, Ord. No. 2007-11, Sec. 3)

1160.13. License requirements. Subdivision 1. The license must contain the signature of the issuing officer and show the name, address, and photograph of the licensee, the date of issuance and expiration, and the license number.

Subd. 2. Duration. Each license shall be valid only for the period specified therein, and no license may extend beyond the 31st day of December of the year in which it is granted.

Subd. 3. License non-transferable. No license is transferable from one person to another. Each person involved in any activity regulated by this section shall be separately licensed even though associated with an organization licensed hereunder.

Subd. 4. Identification. Licensees must wear some type of identification conspicuously showing their name and the organization for which they are working and must carry their city issued license when conducting the business or activity required to be licensed.

1160.15. Prohibited activities. Subdivision 1. Loud noises and speaking devices. A person licensed under this section may not shout, cry out, blow a horn, ring a bell, or use any sound amplifying device upon any of the streets, alleys, parks, or other public places of the city or upon private premises where sound of sufficient volume is emitted or produced therefrom to be capable of being plainly heard upon the streets, alleys, parks, or other public places, for the purpose of attracting attention to any goods, wares, or merchandise which such licensee proposes to sell.

Subd. 2. Use of streets. A person licensed or regulated under this section does not have an exclusive right to any location in the public streets, nor is such person permitted a permanent stationary location thereon. A person licensed under this section may not operate in a congested area where such operation might impede or inconvenience the public use of streets.

Subd. 3. Private property. Issuance of a license under this section does not permit the license holder to conduct the licensed activity on private property without the on-going permission of the property owner or the property owner's authorized agent. If such property is conspicuously posted by the owner or person in control with a sign stating "No trespassing", or "No solicitors or peddlers" or similar language, the entry thereon by any person subject to the licensing or registration requirements of this section without the permission of the owner or agent shall be a public nuisance punishable as a misdemeanor.

Subd. 4. Practices prohibited. No peddler, solicitor or transient merchant shall conduct business in any of the following manners:

a) Obstructing the free flow of either vehicular or pedestrian traffic on any street, alley, sidewalk, or other public right-of-way;

b) Creating a direct threat to the health, safety, or welfare of any individual or the general public;

c) Entering upon any residential premises for the purpose of carrying on the licensee's or registrant's trade or business between the hours of 8:00 p.m. and 9:00 a.m. of the following day, unless such person has been expressly invited to do so by the property owner or occupant thereof;

d) Harassing, intimidating, abusing, or threatening a person, continuing to offer merchandise for sale to any person after being told not to do so by that person, or failing or refusing to leave the premises of the resident occupant after being told to do so by the resident occupant.

1160.17. Records. The chief of police must report to the city clerk all convictions for violation of this section. The city clerk must maintain a record for each license issued and record the reports of violation therein.

1160.19. Fee. The fees for licenses issued pursuant to this section are set by appendix IV.