



Application for Permit and Identification Card for Peddlers, Solicitors, and Transient Merchants

This application, including all required documentation, must be submitted by any person desiring to obtain a Peddlers, Solicitors, and Transient Merchant permit within the City of Fergus Falls. Applications for a permit and identification card must be made at least five (5) working days before the regulated activity is proposed to begin.

A copy of Chapter 112 of the Fergus Falls City Code is enclosed for your reference. As an applicant, please read through this Code in its entirety prior to completing the application form.

Within five working days after the completed application has been submitted to the city, the City Administrator and the Chief of Police (or their designee) will conduct an investigation regarding the information provided in the application. Permits and an identification card will be provided to eligible people.

Each peddler, solicitor, or transient merchant must secure a personal permit and identification card. Each person issued a permit must carry it on his or her person while conducting or engaging in any regulated activities within the city.

No permit or identification card shall be used at any time by any person other than the one to whom it is issued.

Activities shall be conducted under the permit only during the times and the day and days of the week as stated in the applicant's application. No regulated activities shall be permitted between the hours of 8:00 pm and 9:00 am.

**Effective Jan 1, 2024, there is a fee for these permits:
\$100.00 for up to 14 days or \$250.00 for an annual permit**

If you have any questions or need additional information, please contact:

City of Fergus Falls
Attention: Licensing
112 W Washington Avenue
Fergus Falls, MN 56537
Phone: 218-332-5436
Email: city.hall@fergusfallsmn.gov

**Application for Permit and Identification Card
for Peddlers, Solicitors, and Transient Merchants
City of Fergus Falls, Minnesota**

Business/Organization Information:

Business or Organization Name: _____

Home/Office Address: _____

City State Zip

Supervisor Name: _____

Phone Number: _____

Description of nature of the business or solicitation and the goods to be sold or given away:

Source of goods proposed for sale and proposed method of delivery:

Location of proposed activity: _____

Dates and times applicant intends to conduct business in Fergus Falls:

_____ to _____
Month Date Year Month Date Year am/pm am/pm

Individual Sales Representative Information:

Full Legal Name: _____
First Middle Name Last

Maiden Name/Alias/Former Names: _____

Permanent Address: _____

City State Zip

Address while conducting business in Fergus Falls: _____

Phone Numbers: _____
Home Phone Cell Phone

Email Address: _____

Date of Birth: _____ Place of Birth: _____

Driver's License #: _____ State of Issuance: _____

Hair Color: _____ Eye Color: _____ Height: _____ Weight: _____

Have you ever been convicted within the last five years of any felony, gross misdemeanor or misdemeanor for violation of any federal, state or local ordinance other than minor traffic ordinances? Yes No

If yes, give information as to the date, place or offense for each conviction and the penalty imposed:

List the names of the last three cities where you have registered and conducted business for your proposed activity or activity similar to proposed activity immediately preceding this application:

City Name	State	Name and Phone of Contact Person
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City Name	State	Name and Phone of Contact Person
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City Name	State	Name and Phone of Contact Person
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Have you ever had a previous permit, license or identification card for regulated activity revoked by the city or another governmental body within three years of this application date? Yes No

If yes, state the name of the city or governmental group that issued the permit or license and the reason for the revocation:

Have you ever been denied a permit, license or identification card for regulated activity by the city or another governmental body within three years of this application date? Yes No

If yes, state the name of the city or governmental group that denied the permit or license and the reason for the denial:

Describe the vehicles used in your activities:

Vehicle One

Make:	Year:
Model:	License Plate Number:
Color:	State:

Vehicle Two

Make:	Year:
Model:	License Plate Number:
Color:	State:

Each application must include the following:

- Copy of drivers license or state or tribal identification card
- Passport information and visa status if the applicant is not a United States citizen

I HEREBY UNDERSTAND AND AGREE THAT:

1. Information revealed herein for a Peddler, Solicitor or Transient Merchant License in the City of Fergus Falls will be handled by the City in accordance with federal and state laws regarding privacy of criminal records.
2. Failure to reveal a criminal conviction will be considered falsification of the application and may be used as grounds for denial of the license.

I do hereby swear that I have submitted all of the required documentation as listed above and that the answers in this application are true and correct to the best of my knowledge. I do authorize as the City of Fergus Falls, its agents and employees, to obtain any necessary information and to conduct an investigation, if necessary, into the truth of the statements set forth in this application and my qualifications for this license. I do understand that providing false information shall be grounds for denial of my license.

Signature of Applicant

Date

Amount Paid \$ _____

For Office Use Only:


Date Submitted: _____

Approved by the Fergus Falls Police Department: _____

Approved by the City Administrator's Office: _____

Comments:

Release Type 1 Form- Fergus Falls Police Department Record Checks-Licensing
 General Authorization and Release-MN Statute 13.05 Subd. 4- MN Data Practices Act

 <p>CITY OF FERGUS FALLS 112 W WASHINGTON AVENUE FERGUS FALLS MN 56537 (218) 332-5400</p>	BUSINESS NAME:
	APPLICANTS FIRST/MIDDLE/LAST NAME:
	MAIDEN NAME/OTHER NAMES:
	HOME ADDRESS:
	CITY/STATE/ZIP:

I, _____ hereby authorize and grant my informed consent to permit you, the City of Fergus Falls Police Department to release to and make available to the City of Fergus Falls and/or their agents and/or their representative's data classified as private which concerns me and which may be in your possession. The data which I authorize to be released consists of private data, as defined by MS 13.02 and has been collected by you as a result of my contacts and associations with you and/or your agents and representatives. The information for which release is authorized includes all data which has been collected, created, received, retained or disseminated in whatever form which in any way relates to my dealings with you or your agency. I understand that the purpose of permitting the Fergus Falls Police Department to have access to this information is to determine my suitability for licensing within the City of Fergus Falls.

I understand that criminal history information, Predatory Offender Registration information and driver's license information is obtained through DVS or the BCA will be obtained through this release.

This authorization shall be valid for a period of one year, but I reserve the right to, at any time prior to that expiration, cancel the written authorization by providing a written notice to the department or to you of that fact. A photocopy of this authorization will be treated in the same manner as the original.

Signature:	Date:
Date of Birth:	

CHAPTER 112: PEDDLERS AND SOLICITORS

Section

- 112.01 Definitions
- 112.02 Exceptions to definitions
- 112.03 Licensing; exemptions
- 112.04 License ineligibility
- 112.05 License suspension and revocation
- 112.06 License transferability
- 112.07 Registration
- 112.08 Prohibited activities
- 112.09 Exclusion by placard
- 112.10 Effectiveness

112.01 DEFINITIONS.

Except as may otherwise be provided or clearly implied by context, all terms shall be given their commonly accepted definitions. For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

PEDDLER. 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 movement, for the purpose of offering for sale, displaying or exposing 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 otherwise transporting. The term **PEDDLER** shall mean the same as the term Ahawker.@

PERSON. Any natural individual, group, organization, corporation, partnership or association. As applied to groups, organizations, corporations, partnerships and associations, the term shall include each member, officer, partner, associate, agent or employee.

REGULAR BUSINESS DAY. Any day during which the city hall is normally open for the purpose of conducting public business. Holidays defined by state law shall not be counted as regular business days.

SOLICITOR. 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 movement, for the purpose of obtaining or attempting to obtain orders for goods, wares, products, merchandise, other personal property or services of which he or she 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 provision if the actual purpose of the person's activity is to obtain or attempt to obtain orders as discussed above. The term shall mean the same as the term Acanvasser.@

TRANSIENT MERCHANT. A person who temporarily sets up business out of a vehicle, trailer, boxcar, tent, other portable shelter, or empty store front for the purpose of exposing or displaying for sale, selling or

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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 14 consecutive days.

112.02 EXCEPTIONS TO DEFINITIONS.

(A) For the purpose of the requirements of this chapter, the terms **PEDDLER**, **SOLICITOR**, and **TRANSIENT MERCHANT** shall not apply to any person selling or attempting to sell at wholesale any goods, wares, products, merchandise or other personal property to a retailer of the items being sold by the wholesaler. The terms also shall 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 for the delivery of perishable food and dairy products such as baked goods and milk, nor shall they apply to any person making deliveries of perishable food and dairy products to the customers on his or her established regular delivery route.

(B) In addition, persons conducting the type of 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, shall be exempt from the definitions of **PEDDLERS**, **SOLICITORS**, and **TRANSIENT MERCHANTS**, as shall be anyone conducting an auction as a properly licensed auctioneer, or any officer of the court conducting a court-ordered sale. Exemption from the definitions for the scope of this chapter shall not excuse any person from complying with any other applicable statutory provision or local ordinance.

(C) Nothing in this chapter shall be interpreted to prohibit or restrict door-to-door advocacy. Persons engaging in door-to-door advocacy shall not be required to register as solicitors under ' 112.07. The term **DOOR-TO-DOOR ADVOCACY** includes door-to-door canvassing and pamphleteering as vehicles for the dissemination of religious, political and other ideas.

112.03 LICENSING; EXEMPTIONS.

(A) *County license required.* No person shall conduct business as a peddler, solicitor or transient merchant within the city limits without first having obtained the appropriate license from the county as required by M.S. Ch. 329, as it may be amended from time to time, if the county issues a license for the activity.

(B) *City license required.* Pursuant to M.S. ' 437.02, as it may be amended from time to time, except as otherwise provided for by this chapter, no person shall conduct business as either a peddler or a transient merchant without first having obtained a license from the city. Solicitors need not be licensed, but are still required to register pursuant to ' 112.07.

(C) *Application.* Application for a city license to conduct business as a peddler or transient merchant shall be made at least 14 regular business days before the applicant desires to begin conducting business operations in the city. Application for a license shall be made on a form approved by the City Council and available from the office of the City Administrator. All applications shall be signed by the applicant. All applications shall include the following information:

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- (1) Applicant's full legal name.
- (2) All other names under which the applicant conducts business or to which applicant officially answers.
- (3) A physical description of the applicant (hair color, eye color, height, weight, distinguishing marks and features, and the like).
- (4) Full address of applicant's permanent residence.
- (5) Telephone number of applicant's permanent residence.
- (6) Full legal name of any and all business operations owned, managed or operated by applicant, or for which the applicant is an employee or agent.
- (7) Full address of applicant's regular place of business (if any).
- (8) Any and all business related telephone numbers of the applicant, including cellular phones and facsimile (fax) machines.
- (9) The type of business for which the applicant is applying for a license.
- (10) Whether the applicant is applying for an annual or daily license.
- (11) The dates during which the applicant intends to conduct business, and if the applicant is applying for a daily license, the number of days he or she will be conducting business in the city, with a maximum 14 consecutive days.
- (12) Any and all addresses and telephone numbers where the applicant can be reached while conducting business within the city, including the location where a transient merchant intends to set up business.
- (13) A statement as to whether or not the applicant has been convicted within the last five years of any felony, gross misdemeanor, or misdemeanor for violation of any state or federal statute or any local ordinance, other than traffic offenses.
- (14) A list of the three most recent locations where the applicant has conducted business as a peddler or transient merchant.
- (15) Proof of any required county license.
- (16) Written permission of the property owner or the property owner's agent for any property to be used by a transient merchant.

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(17) A general description of the items to be sold or services to be provided.

(18) All additional information deemed necessary by the City Council.

(19) The applicant's drivers license number or other acceptable form of identification.

(20) The license plate number, registration information and vehicle identification number (VIN) for any vehicle to be used in conjunction with the licensed business, and a physical description of the vehicle.

(D) *Fee.* All applications for a license under this chapter shall be accompanied by the fee established in the Ordinance Establishing Fees and Charges, as it may be amended from time to time.

(E) *Procedure.* Upon receipt of the completed application and payment of the license fee, the City Administrator, within two regular business days, must determine if the application is complete. An application is determined to be complete only if all required information is provided. If the City Administrator determines that the application is incomplete, the City Administrator must inform the applicant of the required necessary information that is missing. If the application is complete, the City Administrator must order any investigation, including background checks, necessary to verify the information provided with the application. Within ten regular business days of receiving a complete application the City Administrator must issue the license unless there exist grounds for denying the license under ' 112.04, in which case the Administrator must deny the license application. If the City Administrator denies the license application, the applicant must be notified in writing of the decision, the reason for denial, and of the applicant's right to appeal the denial by requesting, within 20 days of receiving notice of rejection, a public hearing before the City Council. The City Council shall hear the appeal within 20 days of the date of the request for a public hearing. The decision of the City Council following the public hearing can be appealed by petitioning the Minnesota Court of Appeals for a writ of certiorari.

(F) *Duration.* An annual license granted under this chapter shall be valid for one calendar year from the date of issue. All other licenses granted to peddlers and transient merchants under this chapter shall be valid only during the time period indicated on the license.

Peddlers and Solicitors*(G) License exemptions.*

(1) 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.

(2) No license shall be required of any person going from house-to-house, door-to-door, business-to-business, street-to-street, or other type of place-to-place movement when the activity is for the purpose of exercising that person's State or Federal Constitutional rights such as the freedom of speech, press, religion and the like, except that this exemption may be lost if the person's exercise of Constitutional rights is merely incidental to a commercial activity.

Penalty, see ' 10.99