

1118. Solicitors, Canvassers, Hawkers and Peddlers

§1118.010 SOLICITORS, PEDDLERS AND TRANSIENT MERCHANTS. For the purposes of this chapter, certain words and terms are defined as follows:

Subd. 1. Peddler. Means any person, firm or corporation who goes from dwelling to dwelling, business to business, place to place, or from street to street, carrying or transporting goods, wares or merchandise and offering or exposing them for sale.

Subd. 2. Solicitor. Means any person, firm or corporation who goes from dwelling to dwelling, business to business, place to place or from street to street soliciting donations or attempting to take orders for any goods, wares or merchandise for future delivery.

Subd. 3. Transient Merchant. Means any person, firm or corporation who engages temporarily in the business of selling and delivering goods, wares or merchandise within the City, and who, in furtherance of such purpose, hires, leases, uses or occupies any building, structure, vacant lot, parking lot, motor vehicle, or trailer.

Subd. 4. Canvassers. Sometimes known as an advocate, means any person who goes from location to location with the primary purpose of furthering religious, social, or political advocacy. A canvasser may ask for signatures on a petition; request support for a political candidate or position; espouse religious beliefs or causes; seek donations, organization memberships, or other financial support for their religious, social, or political organization or take orders for sale in order to raise money for a non-profit or other charitable organization's operations. A canvasser does not receive compensation for the performance of these herein described. (Ref. Ord. No. 1059; 10/13/09)

Subd. 5. Professional Fundraiser. Any person, including a corporation or other entity, who, for compensation, performs any solicitations or other services for a religious, politician, social, or other charitable organization. A professional fundraiser shall not be exempt from the registration requirements of this ordinance. (Ref. Ord. No. 1059; 10/13/09)

§1118.020 SOLICITORS, PEDDLERS AND TRANSIENT MERCHANTS; REGISTRATION REQUIRED. It is unlawful for any peddler, solicitor or transient merchant to engage in any such activity within the City of White Bear Lake without first registering with the City Clerk in compliance with the provisions of this ordinance. Registration does not exempt compliance with all other applicable local, state and federal laws.

Subd. 1. Registration. Persons registering under this ordinance shall file a sworn statement with the City on a form to be furnished by the City. The sworn statement shall provide:

- A) Full name and date of birth of registrant(s)
- B) A photocopy of driver's license or other acceptable identification of the person(s) registering;
- C) The permanent home address of the registrant(s), local address if applicable and telephone number;
- D) The name and the address of the place of business or the firm or corporation which the applicant(s) represents, telephone number and credentials therefrom establishing the exact relationship with registrant(s);

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- E) If multiple individuals are registering under one business, firm or corporation, the name and telephone number of person responsible for the group;
- F) A description of the nature of the business and the goods to be sold;
- G) The length of time for which the right to do business is required;
- H) A copy of the firm or individual's sales tax permit;
- I) The source of supply of the goods or products to be sold, or orders taken from the sale thereof, where the goods or products are located at the time of said registration is filed, and the proposed methods of delivery;
- J) If a vehicle is to be used, a description of the vehicle, together with the license number;
- K) In cases of transient merchant sales, the applicant must also provide:
 - i) Proof of appropriate permission to operate on proposed site.
 - ii) A sketch layout of proposed set-up including signage and a list of equipment and supplies at the site for set-up. (Ref. Ord. No. 1059; 10/13/09)

§1118.030 SOLICITORS, PEDDLERS AND TRANSIENT MERCHANTS; REGISTRATION FEE. At the time of registration, the person registering shall pay a fee to cover the administrative costs of processing and investigation. The fee shall be in an amount determined by Council resolution.

§1118.040 PERSONS WORKING FOR OR ASSISTING REGISTRANT. The registrant shall also supply the name and address of all persons working for or assisting the registrant.

§1118.050 REGISTRATION IDENTIFICATION. To identify that they have duly registered with the City, all registered solicitors and peddlers and persons working for those registered shall wear identification issued by the City. All transient merchants shall conspicuously display a registration permit issued by the City.

§1118.060 PRACTICES PROHIBITED. No peddler, professional fundraiser, canvasser or solicitor shall enter in or upon any premises or attempt to enter in or upon any premises between 7:00 pm. and 8:00 a.m. or wherein a sign or placard bearing the notice, "Peddlers or Solicitors Prohibited", or language similar thereto, is located.

§1118.070 REGISTRATION PERIOD. Registration shall be valid for the calendar year. All registrations shall expire on the December 31st after their issue.

§1118.080 FARM AND GARDEN PRODUCTS EXCEPTION. In accordance with Minnesota Statute 329.08, the provision of this ordinance shall not apply to persons selling products of the farm or garden occupied and cultivated by themselves.

§1118.090 EXCEPTIONS.

Subd. 1. The provisions of this ordinance shall not apply to special events such as Manitou Days and Thursday Night Marketfest, which are City-side celebrations and which received special permission from the City Council.

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Subd. 2. The provision of this ordinance shall not apply to the initial contacts to establish delivery routes, businesses making deliveries on routes, or sales made pursuant to invitation issued by the owner or legal occupant.

§1118.100. PENALTY. Any person violating any provision of this ordinance shall be guilty of a misdemeanor. (Ref. Ord. No. 1059; 10/13/09)

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