



Peddler, Solicitor, and Transient Merchant Permit \$100/applicant

Please read below, as procedures and requirements have changed for 2024

All Peddler, Solicitor, and Transient Merchant permits
are valid from the date of issuance through December 31 of the current calendar year only.

To apply:

1. Application shall be made at least ten (10) regular business days before the applicant desires to begin conducting business operations within the city.
2. Applications must be signed by and submitted in person by the applicant. A valid photo ID is required.
3. Bring your completed application and full payment to City Hall, 430 Third Street, Farmington, Minnesota. Applications will only be accepted Monday through Friday, excluding holidays, between the hours of 8 a.m. and 4 p.m. **Applications will not be accepted without payment in full (check or cash only).**
4. Large groups (four or more applicants) require an appointment with the City Clerk. Contact City Clerk Shirley Buecksler at 651-280-6803 to schedule.
5. After a background check has been run and the permit has been approved, the applicant will be contacted via phone or email from information provided on the application.

License types:

Solicitor – going door-to-door taking orders.

Peddler – going door-to-door carrying merchandise with them.

Transient Merchant – selling from a fixed location (i.e., selling corn from a pickup truck in a parking lot)

On December 4, 2023, the Farmington City Council passed Ordinance 023-778 Amending Chapter 18 of the Farmington City Code Regarding Peddlers, Solicitors, and Transient Merchants. For more information and to read the ordinance in full, visit [Codes, Fees, and Policies - City of Farmington \(farmingtonmn.gov\)](https://www.farmingtonmn.gov/codes-fees-and-policies).

The following important information is included in Ordinance 023-778:

3-18-2: Exception. The terms peddler, solicitor, and transient merchant shall not apply to:

1. Any person engaging in non-commercial door-to-door advocacy.
2. Any person going from house-to-house, door-to-door, business-to-business, street-to-street, or any other type of place-to-place movement for the primary purpose of exercising that person's state or federal constitutional rights (i.e., freedom of speech, freedom of the press, freedom of religion). This exemption will not apply if the person's exercise of constitutional rights is merely incidental to what would properly be considered a commercial activity.
3. Any person selling or attempting to sell at wholesale any goods, wares, products, merchandise, or other personal property to a retail seller of the items being sold by the wholesaler.
4. 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 or milk.

5. Any person making deliveries of perishable food and dairy products to the customers on his or her established delivery route.
6. Any person making deliveries of newspapers, newsletters, or other similar publications on an established customer delivery route, when attempting to establish a regular delivery route, or when publications are delivered to the community at large.
7. Any person conducting the type of sale commonly known as garage sales, rummage sales, or estate sales.
8. Any person participating in an organized multi-person bazaar or flea market.
9. Any person selling or attempting to sell, or take or attempt to take orders for, any product grown, produced, cultivated, or raised on any farm.
10. Any person conducting an auction as a properly licensed auctioneer.
11. Any officer of the court conducting a court-ordered sale.

Exemption from these definitions shall not excuse any person from complying with any other applicable statutory provision or requirement provided by another city ordinance.

3-18-5: Prohibited Activities. No peddler, solicitor, non-commercial door-to-door advocate, or other person engaged in similar activities shall conduct business in any of the following manner:

1. Calling attention to his or her business or the items to be sold by means of blowing any horn or whistle, ringing any bell, crying out, or by any other noise, so as to be unreasonably audible within an enclosed structure.
2. Obstructing the free flow of traffic, either vehicular or pedestrian, on any street, sidewalk, alleyway, or other public right-of-way.
3. Conducting business in a way so as to create a threat to the health, safety, and welfare of any specific individual or the general public.
4. Conducting business outside of the following hours:
 - a. 9 a.m. to 7 p.m., Monday through Friday.
 - b. 10 a.m. to 5 p.m., Saturday and Sunday.
5. Failing to provide proof of license, registration, or identification when requested.
6. Using the license or registration of another person.
7. Alleging false or misleading statements about the products or services being sold, including untrue statements of endorsement. No peddler, solicitor, or transient merchant shall claim to have the endorsement of the city solely based on the city having issued a license or certificate of registration to that person.
8. Remaining on the property of another when requested to leave by the property owner, their designee, or tenant.
9. Otherwise operating their business in any manner that a reasonable person would find obscene, threatening, intimidating, or abusive.

3-18-6: License Transferability. No license under this chapter shall be transferred to any other person than the person to whom the license was issued.

3-18-7: Exclusion by Placard. Unless specifically invited by the property owner or tenant, no peddler, solicitor, transient merchant, non-commercial door-to-door advocate, or other person engaged in similar activities shall enter onto the property of another for the purpose of conducting business as a peddler, solicitor, transient merchant, non-commercial door-to-door advocate, or similar activity when the property is visibly marked with a sign or placard stating: "No peddlers, solicitors or transient merchants," "peddlers, solicitors, and transient merchants prohibited," or other comparable statement. No person other than the property owner, their designee, or tenant shall remove, deface, or otherwise tamper with any sign or placard under this section.

3-18-8: Penalty. Any individual found in violation of any provision of this article shall be guilty of a misdemeanor and/or subject to an administrative citation, pursuant to city code Title 1, Chapter 4, Penalty.



APPLICATION FOR PEDDLER, SOLICITOR, OR TRANSIENT MERCHANT PERMIT

For Office Use Only:

For Office Use Only:

Date of Application: _____ Case File #: _____ Permit #: _____

Choose Permit Type: ☐ Pedder ☐ Solicitor ☐ Transient Merchant

Permit Fee: ☐ \$100/person annually

Permit Term: From date of issuance through December 31 of current year

Section 1: Applicant Information

Full Name: _____ Date of Birth: _____

(Last, First, Middle)

Address _____, City _____, State _____ Zip _____

Phone () _____ Email _____

Applicant's Social Security No. _____ or Individual Taxpayer ID No. _____

(Required by MN Statutes 270C.72)

Do you have a valid driver's license? Yes _____ No _____

Driver's License No. _____ Issued by State _____

If no, provide: ID Card No. _____ Issued by State _____

Do you drive a vehicle in connection with this work? Yes _____ No _____

If yes, describe vehicle: Color _____ Make _____ Model _____ Year _____

Registration No. _____ License Plate No. _____

Issued by State: _____ Registered Owner _____

List the color, make, model, year, registration and license plate numbers of all vehicles to be used in conjunction with this license: _____

List applicant's places of residence for the five (5) years next preceding the date of application:

Address: _____ From: _____ To: _____

Address: _____ From: _____ To: _____

Address: _____ From: _____ To: _____

(Attach additional page, if necessary.)

Section 2: Business Information

Business Name _____ Phone _____

Address _____, City _____, State ____ Zip _____

Supervisor Name _____ Phone _____ Email _____

Minnesota Business Tax ID No. _____ Federal Business Tax ID No. _____
(if applicable)

Describe the nature of the business: _____

Describe the nature of the goods being sold: _____

Attach any literature, flyers or pamphlets that will be distributed

Location of sales or where business will be carried on: _____

Have you or the firm or business employing you been the subject of an investigation by a consumer protection agency or State Attorney General's Office? Yes ____ No ____ *If yes, provide the details and locations (city or other governmental body):*

Have you ever been convicted of any felony, crime or violation of any ordinance other than a minor traffic offense? Yes ____ No ____ *If yes, provide the time, place, offense and penalty imposed:*

"I hereby certify that all statements made in this application are true and complete to the best of my knowledge. I understand that any misstatements or omissions of material facts may result in the disqualification or denial of the license. I authorize the City of Farmington to investigate the information and contact persons or organizations named on this application."

Printed Name of Applicant

Signature of Applicant

Date

APPROVALS—THIS SECTION FOR OFFICE USE ONLY

Permit No.: _____ Date Issued: _____ Expiration Date: _____ Fee paid: _____ Date Paid: _____

Police Chief Approval

Date

City Clerk Approval

Date

Comments: _____

CITY OF FARMINGTON
GENERAL AUTHORIZATION AND RELEASE OF DATA

In order to comply with State and Federal Data Privacy Act Laws, the City of Farmington is requesting your authorization and consent to permit the City to conduct a background investigation. Please provide the following personal data, read the paragraphs below and sign where indicated.

Full Name: _____
(First, Middle, Last)

Address: _____
Number Street City County State Zip Code

Date of Birth: _____ Driver's License Number: _____
Month/Date/Year

Have you ever been convicted of any crime, either felony or misdemeanor? _____ If yes, please state place and nature of offense: _____

I, the undersigned, hereby authorize and grant my informed consent to permit the Bureau of Criminal Apprehension (hereafter "BCA") and the Farmington Police Department (hereafter "FPD") to release to and make available to the City of Farmington, Minnesota (hereafter "City") and/or its representatives all data classified as private which concerns me and which may be in your possession. The data, classified as private under M.S. 13.02, Subd. 12, includes all data which has been collected, created, received, retained or disseminated in whatever form which in any way relates to my dealings with the BCA and/or the FPD. I understand the purpose of permitting the City to have access to this information is to determine my suitability for licensure.

By signing this authorization, I hereby release the BCA and the FPD from any and all liability which otherwise may or does accrue as a result of the release of any and all data, regardless of its accuracy. I also release the City from any and all liability for its receipt and use of data received pursuant to this consent. I understand that if I am rejected on the basis of a criminal conviction, I will be notified in writing and be given rights of redress subject to applicable laws. I also understand that I am not legally required to sign this form, but if I do not, the City will not be able to determine whether my conviction record is a license-related consideration.

This authorization shall be valid for a period of one year, but I reserve the right, at any time prior to that expiration, to cancel the written authorization by providing written notice to the City of that intent.

(Signature)

(Date)

(Full Name Printed)

Please return to:
City of Farmington
430 Third St
Farmington, MN 55024

CITY OF FARMINGTON – DATA PRACTICES ACT NOTICE

Minnesota law requires that you be informed of your rights as they pertain to private information (“private data”) collected from you by the City of Farmington (“the City”). Private data is that information held by the City which is available to you, but not to the public.

You have the right to refuse to provide the information requested on this application form, however, without certain information, the City may be unable to approve the license applied for. If you feel that certain information requested is an unwarranted invasion of privacy, please contact the Human Resources Director.

The dissemination and the use of private data we collect is limited to that necessary for the administration and management of the City’s licensing program. Persons or agencies with whom this information may be shared include:

- City personnel, including law enforcement personnel, administering the license program;
- The Bureau of Criminal Apprehension;
- The City Attorney and support staff of the City Attorney’s office;
- Federal, state, local, and contracted private auditors;
- Federal and State agencies with oversight or responsibility related to the licensed business;
- Those individuals or agencies as to whom you give your express written permission for release of the information.

Unless otherwise authorized by state statute or federal law, other governmental agencies utilizing the reported private data must also treat the information as private.

You may wish to exercise your rights as contained in the Minnesota Government Data Practices Act. These rights include:

- The right to see and obtain copies of data maintained about you;
- The right to be told the contents and meaning of the data; and
- The right to contest the accuracy and completeness of the data.

To exercise these rights, contact the Farmington Human Resources Director at 430 Third Street, Farmington, MN 55024 651-280-6800. I have read and I understand the above information regarding my rights as a subject of government data.

Applicant

Date