

Transient Merchant (Temporary Vendor)

The undersigned hereby makes application for a license and agrees to operate in the City of Alexandria in accordance with the regulations governing this enterprise as set forth in the Alexandria City Code. It is understood that failure to conform renders this license null and void.

Contact Person Information

Legal Name First _____ Middle _____ Last _____

Primary Phone _____ Alt. Phone _____ Email _____

Street Address _____ City _____ State _____ Zip _____

Mailing Address (where future correspondence should be sent):

Street Address _____ City _____ State _____ Zip _____

Business Information: Corporation Limited Liability Company Partnership Other _____

Name of Company _____

Business Address _____ City _____ State _____ Zip _____

Phone _____ Email _____ Website _____

List all other names under which you conduct business (*legal names, mobile food unit signage, parent companies DBA, etc.*).

Applicant/Licensee Signature _____

Title (if signing on behalf of an organization) _____ Date _____

*If you have any questions, please contact Amy Riedel at 320-759-3622 or email at ariedel@alexandriamn.city. On behalf of the City of Alexandria, thank you for your prompt attention in returning your application.

***Please make sure all the necessary documents accompany your license application and the forms are filled out completely and signed. Incomplete applications will not be approved.**

(FOR OFFICE USE ONLY)

Date Received _____ Date of City Council Approval _____ License # _____

COPY OF DRIVER'S LICENSE IS REQUIRED

Application for Transient Merchant License – Under City Code Section 4.35

In support of my application for license under this Ordinance, I hereby make the following representations:

1. Local Address from which sales will be made: _____

2. Vehicle Information: Model _____ Year _____ License Plate No. _____

3. Brief description of the nature of business and goods sold _____

4. If employed as agent, give name and address of employer _____

Name of Crew Manager _____

Address of Crew Manager _____

5. Length of time for which license is requested: From _____ To _____

6. Source of goods to be sold: _____

Proposed method of delivery _____ Is cash deposit taken _____

7. Names and addresses of two Douglas County property owners who will certify as to applicants good character:

1. _____

2. _____

If these are not available, furnish other references as to good character and business responsibility:

1. _____

2. _____

8. Have you ever been convicted of a crime _____ Misdemeanor _____

Violation of any municipal ordinance other than traffic violation: _____

If so, give date, place, and penalty imposed: _____

9. List three cities or villages where applicant carried on business immediately preceding the date of this application and list dates:

1. _____

2. _____

3. _____

10. Have you previously conducted this or similar business in the City of Alexandria? Yes No

If so, give date(s): _____

11. If license is granted, will you avoid soliciting at residential premises that have been posted?

Yes No

12. Do you represent a religious or charitable organization as defined by Subd. 7, in the City Code? If so, give:

a. Name and purpose of cause for which permit is sought _____

b. Names and addresses of officers or directors or organization

c. Does applicant receive any wages, fees, commissions or other emolument from this solicitation:

Yes No If so, give basis of your remuneration _____

I _____ (PRINT NAME LEGIBLY) hereby certify that the above information is true and correct and I understand that any false representation may be grounds for refusing this license or for revoking it at any time.

Signature of Applicant

Date

Subscribed and sworn to before me

This _____ day of _____, 20____

Notary Public

My Commission expires _____

CITY OF ALEXANDRIA DEPARTMENTAL APPROVAL:

Referred to Chief of Police Date: _____

Recommendation: Granted _____ Refused _____

Give reason if refused _____

Chief of Police

Horizon Public Health notified: Yes No

General Application For License

CITY OF ALEXANDRIA

Section A

Certification of Compliance—Minnesota Workers' Compensation Law

Minnesota Statute, 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 or engage in an activity in Minnesota until the applicant presents acceptable evidence of compliance with the workers' compensation insurance coverage requirement of MSS Chapter 176. The information required is: the name of the insurance company, the policy number, and dates of coverage or the permit to self-insure. This information will be collected by the licensing agency and retained in their files.

This information is required by law, and licenses and permits to operate a business may not be issued or renewed if it is not provided and/or is falsely reported. Furthermore, if this information is not provided or falsely stated, it may result in a \$2,000 penalty assessed against the applicant by the Commissioner of the Department of Labor and Industry.

Insurance Company Name (not the agent):	Policy Number:
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Dates of Coverage: to

OR

I am not required to have workers' compensation liability coverage because:

- I have no employees
- I am self insured (include permit to self-insure)
- I have no employees who are covered by the workers' compensation law (these include spouse, parents, children, and certain farm employees)

I certify that the information provided above is accurate and complete and that a valid workers compensation policy will be kept in effect at all times as required by law.

Section B

Tax Identification Information

Pursuant to Minnesota Statute 270C.72, the City of Alexandria is required upon request 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 are required to advise you of the following regarding the use of this information:

- This information may be used to deny the issuance, renewal or transfer of your license in the event you owe the Minnesota Department of Revenue delinquent taxes, penalties, or interest;
- Upon receiving this information, the City of Alexandria will supply it only to the Minnesota Department of Revenue. However, under the Federal Exchange of Information Agreement, the Department of Revenue may supply this information to the Internal Revenue Service;
- Failure to supply this information may jeopardize or delay the processing of your license application.

Minnesota Business ID Number:	Federal Tax ID Number:
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If a Minnesota Tax ID number is not required, please explain:	Social Security Number:
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Section C

Tennessee Warning

Under the Minnesota Government Data Practices Act, some of the data you are being asked to provide on this application, including any social security number, are private data. You are being asked to provide this data so that the City of Alexandria may evaluate your eligibility for the license for which you are applying. By signing below, you are consenting to allow this data to be shared with City of Alexandria staff, councilmembers and mayor so that they may process and evaluate your application and eligibility for the license. In addition, you are being asked to provide this data because the City may be required to provide it to the Minnesota Commissioner of Revenue. It is also possible that the City may be required to share the data with the state or legislative auditor or upon court order. You may choose not to provide some or all of this private data, but withholding it or providing incomplete information may prevent you from obtaining the license for which you are applying.

Signature:	Date of Birth:	Date:
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Section 4.35. Transient Merchants.

Source: Ord. 764-2nd Series
Effective Date: 06/12/17

Subd. 1. **Purpose.** This section is not intended to interfere with legitimate business activities or transient merchant as the same are herein defined, whether the same be local or interstate. These provisions are intended only to, as nearly as possible, ferret out the illegitimate or confidence operators and to regulate and control all those who would use their unique presence on property within the City, be it public or private property, either in person or by means of a telephone contact, or use their unique proximity to its residences, for purposes of harassment, nuisance, theft, or other unlawful activities.

Source: Ord. 764-2nd Series
Effective Date: 06/12/17

Subd. 2. **Definition.** The term "transient merchant" as used in this chapter means and includes door-to-door, street-to-street, place-to-place or temporary vendors without a fixed, determined and permanent location at which the person transacts business, carries on his or her occupation or practices his or her profession, and includes, but is not limited to, persons commonly referred to as peddlers, solicitors, transient merchants or canvassers regardless of whether the said transient merchant shall be operating their business upon public or private property.

Source: Ord. 764-2nd Series
Effective Date: 06/12/17

Subd. 3. **License Required.** It is unlawful for any person to engage in, do, or transact any business without a license therefore from the City. To be eligible as a transient merchant, a person must:

- A. Be at least eighteen (18) years old.
- B. Not be under sentence or have been discharged for any gross misdemeanor or felony conviction within the ten (10) years immediately preceding application for a license for any offense that would indicate that the applicant has a history of physical abuse or unfair acts or dealings, including, but not limited to:
 - i) murder, assault, domestic assault, any crime against a vulnerable adult, robbery, kidnapping or criminal sexual conduct;
 - ii) sexual abuse, physical abuse, malicious punishment or maltreatment of a child;
 - iii) neglect or endangerment of a child;

- iv) the manufacture, distribution, sale, gift, delivery, transportation, exchange or barter of a controlled substance as defined in Minnesota Statutes chapter 152;
 - v) the possession of a controlled substance as defined in Minnesota Statutes chapter 152 in such quantities or under circumstances giving rise to a reasonable inference that the possession was for the purpose of sale or distribution to others;
 - vi) theft, fraud, or any related crime;
 - vii) trespass, arson, damage to property;
 - viii) forgery; or
 - ix) disorderly conduct, terroristic threats, harassment, stalking;
- C. Not have shown by the abuse of alcohol or other drugs that the person is not of the good moral character or fitness required to engage in, do, or transact any business.

Source: Ord. 764-2nd Series
 Effective Date: 06/12/17

Subd. 4. **License Fee.** A license fee for a transient merchant shall be set by Resolution of the City Council. The transient merchant shall designate on the license application, and the license granted shall reflect, the dates on which the transient merchant shall be licensed to operate in the City of Alexandria.

Source: Ord. 764-2nd Series
 Effective Date: 06/12/17

Subd. 5. This subdivision was deleted in its entirety.

Source: Ord. 837-2nd Series
 Effective Date: 10/26/2020

Subd. 6. **Conditions of Licensing.**

A. **Separate Licenses.** Each individual engaged as a transient merchant or accompanying a licensee at work must secure a separate license.

Source: Ord. 764-2nd Series
 Effective Date: 06/12/17

B. **Practices Prohibited.** It is unlawful for any person, licensed under this Chapter, to:

11/11/2020 THIS PAGE REPLACES PAGE 4-21

- i) call attention to their business or to their merchandise by crying out, blowing a horn, ringing a bell, or by any loud or unusual noise, or by use of any amplifying device;
- ii) conduct their activities in a manner that creates a serious danger to the public health, safety or welfare; or
- iii) conduct their activities in a way that unreasonably annoys, injures or endangers the safety, health, morals, comfort or repose of any considerable number of members of the public.

Commission of any of the foregoing, or of any offense listed in Subdivision 3 of this Section, shall be grounds for revocation of any license granted hereunder.

Source: Ord. 671-2nd Series
Effective Date: 10/11/2011

Subd. 7. **Exceptions.** This Section shall not apply to any sale under court order, nor to any bona fide auction sale, nor to newspaper delivery, nor to sale at wholesale to a retail dealer in the articles sold, nor to the sale of farm or garden products by the person producing the same, nor sales of admissions by local school students to a school function. Nor shall this Section apply to solicitations for philanthropic, religious, and educational charitable causes.

Source: Ord. 837-2nd Series
Effective Date: 10/26/2020