



# Peddler, Solicitor, & Transient Merchant Regulations for Lake Crystal

## Purpose

Maintaining a safe and orderly community for all its residents and visitors is one of the goals of the City of Lake Crystal. The licensing of peddlers and transient merchants and registration of solicitors helps achieve this goal. This brochure outlines the requirements for peddlers, solicitors and transient merchants in Lake Crystal.

## Peddlers, Solicitors & Transient Merchants

### A Peddler

A peddler is a person who goes from place-to-place offering goods and services for sale. The definition of a peddler may also mean “hawker.”

### A Solicitor

A solicitor is a person who goes from place-to-place to solicit orders for goods, wares, products, merchandise or goods and services the person may be carrying or transporting. Often, these goods and services may be described in a catalog and might require delivery to occur at a later date. The absence of samples or catalogs does not remove a person from the definition of a solicitor if the actual purpose of the person's activity is to obtain, or attempt to obtain, orders as discussed above. The definition of a solicitor may also mean “canvasser.”

### A Transient Merchant

A transient merchant is a person who temporarily sets up business out of a vehicle, trailer, boxcar, tent, portable shelter or empty storefront. Often, the services provided are displayed for sale offering delivery, goods, wares, products and merchandise. A transient merchant does not remain or intend to remain in any one location for more than 14 consecutive days.

## License Requirements

**A license is required for all peddlers and transient merchants in the City of Lake Crystal.** Solicitors do not need a license, but are still required to register with the City.

License applications for a peddler or transient merchant in the City of Lake Crystal, must be submitted at least fourteen (14) regular business days before the applicant desires to begin conducting business.

Application forms are available at City Hall.

## License Fees and Duration

A license fee is required for peddlers and transient merchants. Please contact City Hall for information regarding fees. Solicitors are not required to pay a license fee, but must adhere to all other applicable requirements.

## License Exemptions

No license or registration is required for a person selling products of a farm or garden occupied and cultivated by that person.

No license or registration is required for a person whose activity is for the purpose of exercising their State or Federal constitutional rights, such as the freedom of speech, press, religion and the like. However, this exemption may be lost if the person's exercise of constitutional rights is merely incidental to a commercial activity.

No license or registration is required for a person engaging in a not-for-profit, local fundraiser.

All other exemptions listed in Section 2 of Ordinance Number 301.

## **Prohibited Activities**

It is unlawful for a peddler, solicitor or transient merchant to conduct business in any of the following manners:

- 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.
- Obstructing the free flow of traffic, either vehicular or pedestrian, on any street, sidewalk, alleyway, or other public right-of-way.
- Conducting business in a way as to create a threat to the health, safety, and welfare of any specific individual or the general public.
- Conducting business before 8 a.m. or after 8 p.m.
- Failing to provide proof of license, or registration, and identification when requested.
- Using the license or registration of another person.
- 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.
- Remaining on the property of another when requested to leave.
- Otherwise operating their business in any manner that a reasonable person would find obscene, threatening, intimidating or abusive.

## **“No Solicitation” Signage**

If you do not want peddlers or solicitors knocking at your door, you may post a sign at your door that states "No Peddlers, Solicitors, or Transient Merchants" or "Peddlers, Solicitors, and Transient Merchants Prohibited". This sign must be at least 4 inches long and 4 inches wide, with print of at least 48 point.

## **Contacts and Resources**

For more information regarding peddlers, solicitors and transient merchant regulations, please contact the following agencies:

### **Lake Crystal City Hall**

Licensing and fee information  
507-726-2538

### **Lake Crystal Police Department**

Enforcement information  
507-726-2056

### **Better Business Bureau**

651-699-1111

### **Attorney General’s Office**

651-296-3353

### **National Fraud Line**

1-800-876-7060

This brochure is intended only as a general guide. Other codes and ordinances may apply. You can reference ordinances at the city website by visiting <http://www.ci.lake-crystal.mn.us/>.