



PEDDLER, SOLICITOR & TRANSIENT MERCHANT REGULATIONS FOR BROOKLYN PARK

Code Enforcement & Public Health

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

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 peddler may travel from:

- House to House
- Door to Door
- Business to Business
- Street to Street
- From place to place

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."

- House to House
- Door to Door
- Business to Business
- Street to Street
- From place to place

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.

"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.

Prohibited Activities

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

- Calling attention to the person's business or items to be sold by means of blowing any horn or whistle, ringing any bell, crying out or by any other noise that is unreasonably audible within an enclosed structure.
- Obstructing the free flow of either vehicular or pedestrian traffic on any street, alley, sidewalk or other public right-of-way.
- Conducting business in such a way as to create a threat to the health, safety and welfare of any individual or the general public.
- Conducting business before 7:00 a.m. or after 9:00 p.m.
- Failing to provide proof of a license, registration or identification when requested.

- Using the license or registration of another person is prohibited.
- Making any false or misleading statements about the product or service being sold, including untrue statements of endorsement. It is unlawful for a peddler, solicitor or transient merchant to 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, or to conduct business in a manner that is unreasonable or obscene, threatening, intimidating or abusive.
- It is unlawful for a peddler, solicitor or transient merchant to enter the property of another for the purpose of conducting business as a peddler, solicitor or transient merchant when the property is marked with a proper sign or placard as indicated in the next section.
- It is also unlawful for a person other than the property owner or tenant to remove, deface or otherwise tamper with any proper sign or placard.

License Requirements

A license is required for all peddlers and transient merchants in the City of Brooklyn Park. In addition, a license from Hennepin County may also be required for certain types of activities. Solicitors do not need a license, but are still required to register with the city. The Brooklyn Park Zoning Code requires a Conditional Use Permit and Administrative Permit for all outdoor sales, display or storage.

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

Application forms are available from the Licensing Division located at City Hall.

License Fees and Duration

A license fee is required for peddlers and transient merchants. Please contact the Licensing Division 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 is required for a person selling products of a farm or garden occupied and cultivated by that person.

No license 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.

Further, professional fundraisers working on behalf of an exempt person or group are exempt from the licensing requirements.

Contacts and Resources

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

Brooklyn Park Licensing Division

Licensing and fee information
763-493-8182

Hennepin County Licensing Division

612-348-8240

Code Enforcement & Public Health Division

General regulation information
763-493-8070

Planning Division

C.U.P and site information
763-493-8082

Better Business Bureau

651-699-1111

Attorney Generals 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 www.brooklynpark.org

