



CITY of CRYSTAL

TRANSIENT MERCHANT APPLICATION PACKET

REQUIRED FORMS:

1. License Application (provided in this packet)
2. Authorization and Release form (make enough copies to be filled out and signed by all persons having an interest in the business, i.e. owners, managers, solicitors, etc.) (attached).
3. City of Crystal Certification of Financial Responsibility form (attached).
4. MN Certificate of Compliance form for Workers' Compensation (attached).

Include the following information with your application. Any missing information will delay the processing of your license.

5. Copy of Hennepin County license (*applies only to out-of-state businesses coming into Hennepin County*)
6. List of persons working for organization or business.
7. Letter of permission from property owner(s) where transient sales will be conducted
8. A recent 2" x 2" color photograph, showing applicant's head and shoulders in a clear and distinguishing manner.

FEES

Submit applicable fees with the completed application.

- Transient Merchants: \$15/day X # of days = \$_____. (Limited to 4 events/year of 1-4 days/each.)
- Background Investigation (per person) (0100.4605):
If lived in MN for all of the last 10 years = \$120 for 1st applicant + \$25 for each additional applicant who has also lived in MN for all of the last 10 years;
For anyone who has lived out of MN for any of the last 10 years = \$125/each applicant.

LICENSE APPROVAL

Upon receipt of the completed application and fee and a successful background investigation, the license application will be presented to the City Council for consideration of approval. City Council meetings are typically conducted on the first and third Tuesday of the month. License application materials must be submitted at least three weeks prior to a City Council meeting.

QUESTIONS?

For more information, contact the permit and licensing technician at 763-531-1148 or tracy.thorstenson@crystalmn.gov



CITY of CRYSTAL

APPLICATION FOR LICENSE

City of Crystal

4141 Douglas Drive N, Crystal, MN 55422

Telephone: (763) 531-1000 / Facsimile: (763) 531-1188

Deaf and hard of hearing callers may call Minnesota Relay at 711.

PLEASE PRINT CLEARLY

Applicant's Name:	Fee:* (0100-4105) (investigation fee: 0100-4605)	\$ (including investigation fee)
Home Address:	Home Phone: () ()	
City/State/Zip:	Cell Phone: () ()	
Business Name:	Business Phone: () ()	
Doing Business As:	Email:	
Business Address, including zip code:		
MN Tax ID #: (NOTE: you must provide a copy of the confirmation letter from the State.)	Federal Tax ID #:	
If a Minnesota Tax ID number is not required, please explain here and provide your social security number:		

I enclose the sum of _____ dollars to the City of Crystal as required by the ordinances of said city and have complied with all the requirements of said ordinances necessary for obtaining this license.

I hereby make application to **OPERATE AS A TRANSIENT MERCHANT** at the above business address for the period _____, 20____ through _____, 20____ subject to all conditions and provisions of said ordinance.

ADDITIONAL REQUIREMENTS

1. Authorization and Release form (s)
2. City of Crystal Certification of Financial Responsibility form.
3. MN Certificate of Compliance form for Workers' Compensation.
4. Copy of Hennepin County license (*applies only to out-of-state businesses coming into Hennepin County*)
5. List of persons working for organization or business.
6. Letter of permission from property owner(s) where transient sales will be conducted
7. A recent 2" x 2" color photograph, showing applicant's head and shoulders in a clear and distinguishing manner.

The information in this Application for License is true and complete to the best of my knowledge.

Signature of Applicant

Date

*Fee: \$15 per day (limited to 4 sales per year of 1-4 days each)
Plus Investigation Fee: If lived in MN all of past 10 years, \$120 /1st applicant; \$25/each additional applicant. \$125 if resident outside of MN for any of past 10 years

APPLICATION FOR LICENSE INVOLVING PRIVATE OR CONFIDENTIAL INFORMATION (Includes Tennesen Warning)

Under Minnesota law (M.S. 270.72), the agency issuing you this license is required 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 must advise you that:

- This information may be used to deny the issuance, renewal or transfer of your license if you owe the Minnesota Department of Revenue delinquent taxes, penalties, or interest;
- The licensing agency will supply this information only to the Minnesota Department of Revenue. However, under the Federal Exchange of Information Act, the Department of Revenue is allowed to supply this information to the Internal Revenue Service;
- Failure to supply this information may jeopardize or delay the issuance of your license or the processing of your renewal application.

City Use Only:	JDE# _____	Date Entered: _____
	PIMS ID# _____	Council Date: _____

1. Describe the nature of the business and the goods to be sold or services to be provided.

2. Name, address and phone number of your employer, principal, or the supplier of the goods to be sold or services to be provided.

Business Name

Manager's Name Manager's Phone number

Street Address City State Zip code

3. Provide the supply source of the goods, or property prepared to be sold, or orders taken for the sale thereof, and the current location of such goods or products.

Company name Phone number

Current location of goods or products

4. Method of delivery: _____

SECTION II – APPLICANT INFORMATION

1. Applicant's local address and phone number, if different from permanent home address as given in Section I of *Application for a City License*:

Street City State Zip code

Phone

2. Names of up to three other cities where you conducted similar business immediately preceding this application and the addresses from which such business was conducted within those cities.

3. Description of vehicle to be used in conjunction with the activity proposed in this application.

Year Make Model Color License Plate Number

4. Transient merchants only: Crystal address from which the proposed sales will be made:

I certify that the information in this Supplemental Application for a City License is true and complete to the best of my knowledge. I have read, understand and agree to abide by Crystal City Code Section 1110 – Peddlers, Solicitors and Transient Merchants (attached).

Applicant's Signature

_____, 20____
Date

Title (if applicable)

Certificate of Compliance

Minnesota Workers' Compensation Law

This form must be completed by the business license applicant.

Print in ink or type

Minnesota Statutes § 176.182 requires every state and local licensing agency to withhold the issuance or renewal of a license or permit to operate a business in Minnesota until the applicant presents acceptable evidence of compliance with the workers' compensation insurance coverage requirement of Minn. Stat. chapter 176. If the required information is not provided or is falsely stated, it shall result in a \$2,000 penalty assessed against the applicant by the commissioner of the Department of Labor and Industry.

A valid workers' compensation policy must be kept in effect at all times by employers as required by law.

License or certificate number (if applicable)	Business telephone number	Alternate telephone number
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Business name (Provide the legal name of the business entity. If the business is a sole proprietor or partnership, provide the owner's name(s), for example John Doe, or John Doe and Jane Doe.)

DBA ("doing business as" or "also known as" an assumed name), if applicable

Business address (must be physical street address, no P.O. boxes)	City	State	ZIP code
County	Email address		

You must complete number 1 or 2 below.

Note: You must resubmit this form to the authority issuing your license if any of the information you have provided changes.

1. I have a workers' compensation insurance policy.

Insurance company name (not the insurance agent)		
Policy number	Effective date	Expiration date

I am self-insured for workers' compensation. (Attach a copy of the authorization to self-insure from the Minnesota Department of Commerce; see www.mn.gov/commerce/industries/insurance/licensing/self-insurance.)

2. I am not required to have workers' compensation insurance because:

- I only use independent contractors and do not have employees. (See [Minn. Stat. § 176.043](#) for trucking and messenger courier industries; [Minn. Stat. § 181.723, subd. 4](#), for building construction; and [Minnesota Rules chapter 5224](#) for other industries.)
- I do not use independent contractors and have no employees. (See [Minn. Stat. § 176.011, subd. 9](#), for the definition of an employee.)
- I use independent contractors and I have employees who are not required to be covered by the workers' compensation law. (Explain below.)
- I only have employees who are not required to be covered by the workers' compensation law. (Explain below.) (See [Minn. Stat. § 176.041](#) for a list of excluded employees.)

Explain why your employees are not required to be covered

I certify the information provided on this form is accurate and complete. If I am signing on behalf of a business, I certify I am authorized to sign on behalf of the business.

Print name

Applicant signature (required)	Title	Date
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If you have questions about completing this form or to request this form in Braille, large print or audio, call (651) 284-5032 or 1-800-342-5354.



CITY of CRYSTAL

4141 Douglas Drive North • Crystal, Minnesota 55422-1696

Tel: (763) 531-1000 • Fax: (763) 531-1188 • www.crystalmn.gov

Authorization and Release

The following information is required per Crystal City Code section 311.01, subd. 3, which authorizes a Minnesota computerized criminal history background investigation for approval or denial of a city license or permit.

The undersigned, having filed an application with the City of Crystal ("City") for a city license, does hereby authorize and request anyone having control of any documents or information pertaining to me to furnish copies of any such documents or information to representatives of the City, and to permit said representatives of the City to inspect and make copies of any such documents or information. I further authorize any such persons to answer any inquiries concerning the undersigned, which may be submitted to them by representatives of the City. I fully understand that the City may use this information in its evaluation of my city license application. I hereby release and exonerate any person who complies with this Authorization and Release from any and all liability pertaining to the furnishing or inspection of such documents or information.

Applicant's signature: _____ **Date:** ____/____/20__

Applicant's name: _____
(Print legibly) First Middle Last Suffix (i.e. Jr., Sr., III)

Have you ever been known by a name other than the name provided above? Yes or No

If yes, list name(s) and information concerning dates and places used. _____

Home address: _____
 House Number Street Name City State Zip

Day telephone: (_____) _____ Email: _____

Date of birth: ____/____/____ Driver's license: _____
 Month Day Year Number State

Organization associated with: _____

Type of city license applied for: _____

Have you lived in Minnesota for all of the past 10 years? Yes or No

If no, list previous addresses over the past 10 years (*include street, city, state and dates at each address*).



CITY of CRYSTAL

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Certification of Financial Responsibility

This form must be completed and returned with a City license application.

To the best of my knowledge, based upon a review of the status of the property/business located in the City of Crystal at _____, I attest that the foregoing property/business is financially responsible as outlined in Crystal City Code Section 1000.39, which is printed in full on the reverse side of this form.

I hereby certify that I/we are current on the following financial obligations:	YES	NO
All real estate and personal property taxes are paid.		
If "NO," provide the years and amounts that are unpaid:		
Utility bills are paid.		
State taxes are paid.		
Federal taxes are paid.		
Other governmental obligations or claims concerning me or the business entity named in this license application are paid.		

If you or the business entity named in this license application have received a notice of delinquency or default, provide details: _____

If "NO" is checked for any of the items in the table above, describe the payment plan or other agreement approved by the applicable governmental entity: _____

I certify under penalty of perjury that the foregoing is true and correct.

Dated: _____, 20____

Signature

Printed Name

Note: Filing a false statement with a government agency is a criminal offense.

Staff use only:

__UB __Prev UB __UB Cert __Tax __Prev Tax

Verified compliance on: _____ <date>

Staff initials: _____

Crystal City Code Section 1000.39 – Financial responsibility. Prior to the issuance of a license the applicant must file with the city clerk satisfactory evidence of financial responsibility. Satisfactory evidence of financial responsibility shall be shown by a certification under oath that the property taxes, public utility bills, and all state and federal taxes or other governmental obligations or claims concerning the business entity applying for the license are current, and that no notice of delinquency or default has been issued, or if any of the financial obligations stated in this subsection are delinquent or in default, that any such delinquency or default is subject to a payment plan or other agreement approved by the applicable governmental entity. The certification shall be signed by an individual applicant or all individual owners and/or shareholders of the business entity. Operation of a business licensed by the city without having updated evidence on file with the city of the financial responsibility required by this subsection is grounds for revocation or suspension of the license. This subsection shall apply to all licenses issued by the city except for intoxicating liquor licenses regulated by Crystal city code, chapter XII, which are regulated by that chapter.

What does this mean for a City-issued business license?

Prior to the issuance of a City-issued business license or renewal license, license holders are required to certify that the property taxes, utility bills, and all state and federal taxes for the property or the business entity applying are current. Also, the applicant must certify that no notice of delinquency or default has been issued or is subject to a payment plan.

What will happen if a license holder is not financially responsible?

A hearing is granted before the City Council. The Council may deny, suspend, or revoke the City-issued business license. Upon providing satisfactory evidence of financial responsibility, the business owner may reapply for the license.

**Section 1110 - Peddlers, solicitors
and transient merchants**

1110.01. Definitions. For purposes of this section, the terms defined in this subsection have the meanings given them.

Subd. 1. Person. "Person" means any person, individual, co-partnership, limited liability company and corporation, both as principal and agent, who engage in, do, or transact any temporary and transient business in the state or city regulated by this section.

Subd. 2. Peddler. "Peddler" means a person who goes from house to house, door to door, business to business, street to street, or any other type of place to place for the purpose of offering for sale, selling or attempting to sell, and delivering immediately upon sale the goods, wares, products, merchandise, or other personal property that the person is carrying or transporting; the term does not include vendors of milk, bakery products or groceries who distribute their products to regular customers on established routes. The term Peddler shall mean the same as the term "hawker."

Subd. 3. Solicitor. "Solicitor" means a person who goes from house to house, door to door, business to business, street to street, or any other type of place to place for the purpose of obtaining or attempting to obtain orders for the sale of goods, wares, or merchandise including magazines, books, periodicals, other personal property or services of which they may be carrying or transporting samples, or that may be described in a catalog or by other means, and for which delivery or performance shall occur at a later time. The absence of samples or catalogs shall not remove a person from the scope of these provisions if the actual purpose of the person's activity is to obtain or attempt to obtain orders as discussed above. The term solicitor shall mean the same as the term "canvasser."

Subd. 4. Transient merchant. "Transient merchant" means a person, whether as owner, agent, consignee, or employee who engages in a temporary business out of a vehicle, trailer, box car, tent, other portable shelter, store front, or from a parking lot for the purpose of displaying for sale, selling or attempting to sell, and delivering goods, wares, products, merchandise or other personal property and who does not remain or intend to remain in any one location for more than four consecutive days as part of four sale events each year.

1110.03. License required. It is unlawful to engage in the business of peddler, solicitor, or transient merchant in the city without first obtaining a license therefore as provided by this section, unless exempt from such license pursuant to Crystal city code, subsection 1110.07. In addition, no person shall conduct business as a transient merchant for an out-of-state business within the city limits without first having obtained the appropriate licensure from Hennepin County.

1110.05. Application. Applications for a city license under this section must be filed with the city clerk and must contain all information required in the city's application form, including:

- (a) Physical description of the applicant (hair color, eye color, height, weight, distinguishing marks or features);
- (b) Complete permanent home and local address of the applicant; and in the case of transient merchants, the local address from which proposed sales will be made with a letter of signed permission from the property owner;
- (c) A brief description of the nature of the business and the goods to be sold or services to be provided;
- (d) The name, address, and phone number of the employer, principal, or supplier of the applicant, together with credentials establishing the exact relationship;
- (e) The dates during which the applicant intends to conduct business and the names of its agents conducting business in the city;
- (f) The supply source of the goods, or property prepared to be sold, or orders taken for the sale thereof, the location of such goods or products at the time of the application, and the proposed method of delivery;
- (g) A recent photograph (approximately two inches by two inches) of the applicant, showing the head and shoulders of the applicant in a clear and distinguishing manner;
- (h) A statement as to whether the applicant has been convicted of any crime or violation of any municipal ordinance other than traffic violations, the nature of the offense, and the punishment or penalty assessed therefore;
- (i) The names of up to three other municipalities where the applicant conducted similar business immediately preceding the date of the current application and the addresses from which such business was conducted within those municipalities;
- (j) The applicant's driver's license number or other acceptable state-issued identification;
- (k) The license plate number(s) and description of the vehicle(s) to be used in conjunction with the licensed business, if applicable; and
- (l) Proof of county license (applicable to out-of-state transient merchants only).

1110.07. Exemptions.

Subd. 1. General exemptions. No license under this section shall be required for:

- (a) Any person selling or attempting to sell, or taking or attempting to take orders for, any product grown, produced, cultivated, or raised on any farm;
- (b) Sales exempt under Minnesota Statutes, section 329.14; or
- (c) 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 such as the freedom of speech, freedom of the press, freedom of religion, and the like. 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.

Exemptions from this section shall not excuse any person from complying with any other applicable statutory provision or local ordinance.

Subd. 2. Non-profit organizations and free expression exemption. Any organization, society, association, or corporation with a non-profit status approved by the state or federal government desiring to solicit or to have solicited in its name money, donations of money or property, or financial assistance of any kind or desiring to sell or distribute any item of literature or merchandise for which a fee is charged or solicited from persons other than members of such organizations for a charitable, religious, patriotic, or philanthropic purpose by going from house to house, door to door, business to business, street to street, or other type of place to place, or when such activity is for the purpose of exercising that person's state or federal constitutional rights relating to the free exercise of religion or speech, is exempt from the licensing requirements of this section, provided there is a registration filed in writing on a form provided by the city clerk which contains the following information:

- (a) Organization's name and specific cause for which exemption is sought;
- (b) Names and addresses of the officers and directors of the organization;
- (c) Period during which solicitation is to be conducted;
- (d) Whether any commission, fee, wages, or emoluments are to be expended in connection with such solicitation and the amount thereof; and
- (e) Names and addresses of all persons involved in canvassing efforts. Persons exercising constitutional rights may lose their exemption from licensing if the person's exercise of constitutional rights is merely incidental to a commercial activity. Professional fundraisers working on behalf of an otherwise exempt person or group shall not be exempt from the licensing requirements of Crystal city code, subsection 1110.03.

1110.09. Investigation and issuance. A background investigation of all interested individuals for nonexempt licenses is required and shall be conducted pursuant to Crystal city code, subsection 1000.19 prior to the issuance of a license or license renewal.

1110.11. License requirements. The license will contain information deemed necessary by the city and shall be valid only for the period specified, though no license may extend beyond the 31st day of December of the year in which it is granted. Licensees must wear some type of identification conspicuously showing their name and the organization for which they are working and must carry their city-issued license when conducting the licensed business or activity.

1110.13. Prohibited activities.

Subd. 1. Loud noises and speaking devices. A person licensed under this section may not shout, cry out, blow a horn, ring a bell, or use any sound amplifying device upon any of the streets, alleys, parks, or other public places of the city or upon private premises where sound of sufficient volume is emitted or produced therefrom to be capable of being plainly heard upon the streets, alleys, parks, or other public places, for the purpose of attracting attention to any goods, wares, or merchandise which such licensee proposes to sell.

Subd. 2. Use of streets. A person licensed or regulated under this section does not have an exclusive right to any location in the public streets, nor is such person permitted a permanent stationary location thereon. A person licensed under this section may not operate in a congested area where such operation might impede or inconvenience the public use of streets.

Subd. 3. Private property. Issuance of a license under this section does not permit the license holder to conduct the licensed activity on private property without the ongoing permission of the property owner or the property owner's authorized agent. If such property is conspicuously posted by the owner or person in control with a sign stating "no trespassing", "no solicitors", "no solicitors or peddlers", or similar language, the entry thereon by any person subject to the licensing or registration requirements of this section without the permission of the owner or agent shall be unlawful and deemed a public nuisance. To be conspicuously posted, the sign shall be least 3¾ inches long, 3¾ inches wide, the printing must not be smaller than 48 point type, and placed near the principal entrance to the premises such that it is plainly visible prior to reaching the door of the premises. No person other than the owner or occupant of the premises shall remove, injure, or deface the sign.

Subd. 4. Practices prohibited. No peddler, solicitor or transient merchant shall conduct business in any of the following manners:

- (a) Obstructing the free flow of either vehicular or pedestrian traffic on any street, alley, sidewalk, or other public right-of-way;
- (b) Creating a direct threat to the health, safety, or welfare of any individual or the general public;
- (c) Entering upon any residential premises for the purpose of carrying on the licensee's or registrant's trade or business between the hours of 8:00 p.m. and 9:00 a.m., unless such person has been expressly invited to do so by the property owner or occupant thereof;
- (d) Ringing the doorbell, knocking on the door, or entering any residential or commercial premises that is conspicuously posted as provided in subdivision 3 of this subsection; or
- (e) Harassing, intimidating, abusing, or threatening a person, continuing to offer merchandise for sale to any person after being told not to do so by that person, or failing or refusing to leave the premises of the resident occupant after being told to do so by the resident occupant.

1110.15. Records. The chief of police must report to the city clerk all convictions for violation of this section. The city clerk must maintain a record for each license issued and record the reports of violation therein.