

ORDINANCE NO. 131

AN ORDINANCE RELATING TO THE LICENSING AND REGULATION OF ITINERANT SALESMEN AND PROVIDING PENALTIES FOR THE VIOLATION THEREOF.

The Village Council of the Village of Falcon Heights does ordain as follows:

Section 1. Purpose. The purpose of this Ordinance is to regulate and control the conduct of selling goods and merchandise in any manner where the sale or solicitation does not occur within a building, store or structure owned or leased by a business entity and properly zoned for commercial uses.

Section 2. Definition. As used herein, the term "itinerant salesman" shall mean any person who sells or attempts to sell any goods where the solicitation or sale does not occur within a building, store or structure owned or leased by a business entity and properly zoned for commercial uses. The term shall not include persons delivering goods sold upon commercial premises prior to the delivery, nor shall the term include persons distributing their products to regular customers on established routes, such as vendors of milk, groceries, or newspapers.

Section 3. Permit Required. Every itinerant salesman shall obtain a permit from the Village of Falcon Heights

prior to selling or soliciting the sale of goods within the Village, unless the provisions of this Ordinance are waived for good cause shown.

Section 4. Permit Procedures. Every itinerant salesman desiring a permit shall apply for a permit with the Clerk-Administrator on forms to be provided. The Clerk-Administrator shall submit the application and fee to the Village Council, which will have power to issue or deny the permit. For extraordinary reasons, the Clerk-Administrator shall have the authority to issue a conditional permit which shall be either ratified or revoked at the following regular Council meeting. If a permit is issued by the Council, the Clerk-Administrator shall issue the itinerant salesman a certificate showing his name and address, type of goods to be sold, registration number and description of any vehicle used in the business, and the length of time not to exceed twelve (12) months from the date of issuance that the same shall be operative. The certificate shall be carried by the salesman or be in his vehicle at all times. If a business entity employs more than one itinerant salesman in the Village, separate certificates will be issued to each salesman.

Section 5. Permit Fee. A fee of \$25 shall be charged per year for a permit under this Ordinance. The fee will not be pro-rated for any lesser period of time. If a business entity employs more than one itinerant salesman in the

Village, an additional fee of \$5 shall be charged for each such additional permit in excess of the initial permit.

Section 6. Expiration. All permits shall expire on June 30 of each year. The permit may be renewed by the Clerk-Administrator upon payment of the permit fee, and upon ratification by the Council.

Section 7. Revocation. A permit may be revoked by the Village Council for good cause shown, including conviction of any crime by the itinerant salesman, numerous citizen complaints, or creation of traffic hazards in the course of selling or soliciting.

Section 8. Exemptions. Itinerant salesmen acting for or on behalf of any religious association or any non-profit corporation registered as such with the State of Minnesota shall not be subject to this Ordinance, provided the proceeds of any sales are being used for such charitable, religious, or philanthropic purposes. Upon proper proof shown as to this exemption, however, the Clerk-Administrator shall issue a certificate to the organization, similar to the permit certificate, listing the names and addresses of all salesmen acting on behalf of the organization. A copy of this certificate shall be carried by the salesman or be in his vehicle at all times.

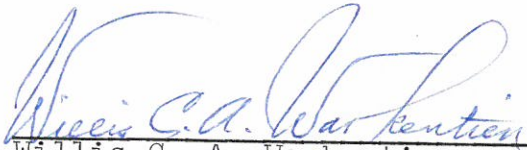
Section 9. Violations. Any violation of this Ordinance shall be a misdemeanor.

Section 10. Other Permits. If an itinerant salesman has obtained a permit or license to sell certain goods under any other Ordinance of this Village, he need not obtain a permit under this Ordinance.

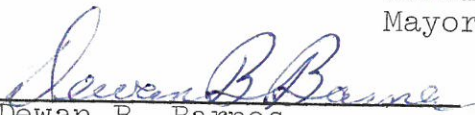
Section 11. Repealer. Ordinance No. 93 is hereby repealed.

Section 12. Effective Date. This Ordinance shall take effect from and after its passage and publication.

Passed by the Village Council this 29th day of November, 1973.



Willis C. A. Warkentien
Mayor

Attest: 
Dewan B. Barnes
Clerk-Administrator