CITY LICENSE APPLICATION

City of Anoka Licensing Dept
2015 1st Ave
Anoka MN 55303
763-576-2720 * 763-576-2712
www.ci.anoka.mn.us

THIS APPLICATION, FEE AND REQUIRED DOCUMENTATION MUST BE FILED AND LICENSE OBTAINED BEFORE YOU CAN LEGALLY ENGAGE IN CERTAIN TYPES OF BUSINESSES IN THE CITY OF ANOKA, MINNESOTA.

APPLICATION FEES ARE ONLY REFUNDABLE IF APPLICATION IS WITHDRAWN PRIOR TO APPROVAL.

INCOMPLETE APPLICATIONS ARE NOT ACCEPTED

TRANSIENT MERCHANT LICENSE

Transient merchant. Means any person, firm or corporation who engages temporarily in the business of selling or delivering goods, wares, or merchandise within the City, and who, in the furtherance of such purposes, hires, leases, uses or occupies any of the following or any portion thereof: building, structure, lot, vacant lot, motor vehicle, trailer, railroad car, or tent.

- ☐ $25.00 Investigation Fee
- ☐ $60 per day ☐ $100 per month ☐ $500 per year
- ☐ Written permission from property owner (if applicable)
- ☐ Workers Compensation Form (required by State Law) Form attached
- ☐ SP:C1 Tax Clearance Form (required by State Law) Form attached
- ☐ Tennessen Warning (required by State Law) Form attached
- ☐ Copy of Anoka County Food/Beverage License or Reciprocity Agreement
  Contact Anoka County Environmental Services for Application 763-422-7063

NOTICE TO APPLICANTS: Providing false information will result in the denial of your license

(I) do hereby swear that I have submitted all of the required documentation as listed above and that the answers in this application are true and correct to the best of my knowledge. I do authorize the City of Anoka, its agents, and employees, to obtain any necessary information and to conduct an investigation, if necessary, into the truth of the statements set forth in this application and my qualifications for this license. I do understand that providing false information shall be grounds for denial of my license. I fully understand that it is my responsibility to be familiar with the requirements of the City, as are amended from time to time, and of which is detailed in the pertinent section of the Anoka City Code, which was provided to me with my original license application, and of which I may request additional copies of by contacting the office of the City Clerk.

Signature of Individual:_____Date: _____

APPLICANT INFORMATION:

_____

Name (Full, Middle, Last)

_____

Home Address City State Zip

_____

Home or Cell Phone Number (include area code)

_____

Date of Birth Driver's License Number State Issued

BACKGROUND INFORMATION:

1. Have you ever been convicted of any misdemeanor or felony violation of local ordinances (with the exception of misdemeanor traffic violations)? ☐ No ☐ Yes If yes, provide details;

_____

Type Conviction Date of Conviction Location (County & State)

2. Have you ever applied for or held a license to conduct a like or similar activity in any other City or State, not including in Anoka? ☐ No ☐ Yes If yes, provide details;

_____

Type of License Date held Location (City & State)

3. Have you ever been denied a license (or had a license suspended or revoked) to conduct a like or similar activity in any other City of State, not including Anoka? ☐ No ☐ Yes If yes, provide details;

_____

Type of License Reason for denial/sus/rev Date of denial/sus/rev Location (County & State)

BUSINESS INFORMATION: *(if applicable)*

_____

Business Name

_____

Business Street Address City State Zip

_____

Business Phone Number (include area code)

Location of Sales: _____

Date(s): _____ **Time(s)**: _____

Description of products to be sold: _____

I/Business is the owner of the property in which the sales will occur. ☐ Yes ☐ No
If no, you must attach written permission from the property owner

_____ (INITIAL) It is the licensee's responsibility to be aware of when their license expires. Licensee's must contact the City office at least thirty (30) days in advance of the expiration date of their license to obtain a license renewal packet.

CERTIFICATE OF COMPLIANCE
MINNESOTA WORKERS' COMPENSATION LAW

PRINT LEGIBLY IN INK or TYPE

Minnesota Statutes, 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 any activity in Minnesota until the applicant presents acceptable evidence of compliance with the workers' compensation insurance coverage requirement of Minnesota Statutes, Chapter 176. The required workers' compensation insurance information is the name of the insurance company, the policy number, and the dates of coverage, or the permit to self-insure. 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.

ALL APPLICANTS: I certify that the information provide on this form is accurate and complete. If I am signing on behalf of a business, I certify that I am authorized to sign on behalf of the business.

APPLICANT SIGNATURE	PRINTED NAME	TITLE	DATE

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

☐ I have no employees

☐ I have employees but they are not covered by workers' compensation law.
(See Minn. Statute 176.041 for a list of excluded employees)
Explain why your employees are not covered: _____
_____

COMPLETE THIS PORTION IF YOU ARE INSURED:

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

BUSINESS NAME (Individual name only if no company name used)	LICENSE OR PERMIT # (if applicable)

DBA (doing business as name) (if applicable)

ADDRESS (PO Box must include street address)	CITY	STATE	ZIP

INSURANCE COMPANY NAME (not the insurance agent)

WORKERS' COMPENSATION INSURANCE POLICY NO.	EFFECTIVE DATE	EXPIRATION DATE

COMPLETE THIS PORTION IF SELF-INSURED:

☐ I have attached a copy of the permit to self-insure

NOTE: If your workers' compensation policy is cancelled within the license period, you must notify the agency who issued the license or permit by resubmitting this form.

MAY CONTAIN PRIVATE DATA – DO NOT RELEASE TO PUBLIC

Form SP:C1
LICENSE APPLICANT:

Pursuant to Minnesota Statute 270.72 Tax Clearance; Issuance of Licenses, the licensing authority is required to provide to the Minnesota Commissioner of Revenue your Minnesota Business Tax Identification Number and 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:

1. 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.

2. Upon receiving this information, the licensing authority 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.

3. Failure to supply this information may jeopardize or delay the processing of your licensing issuance or renewal application.

Please supply the following information and return along with your application to the agency issuing the license. **DO NOT RETURN TO THE DEPARTMENT OF REVENUE.**

Licensing Authority: **CITY OF ANOKA, MINNESOTA**

_____ _____

DATE **APPLICANT'S SIGNATURE AND TITLE (if any)**

PERSONAL INFORMATION: *(COMPLETE PERSONAL INFORMATION ONLY, IF YOU ARE APPLYING AS AN INDIVIDUAL AND/OR DO NOT HOLD A MN TAX IDENTIFICATION OR FEDERAL TAX IDENTIFICATION #)*

Applicant name: _____
Applicant address: _____
Social Security No: _____

BUSINESS INFORMATION: *(COMPLETE BUSINESS INFORMATION ONLY, IF YOU ARE APPLYING AS A BUSINESS)*

Business name: _____
Business address: _____

Minnesota Tax Identification No.: _____
Federal Tax Identification No.: _____

If a Minnesota Tax Identification Number is not required, <u>you must explain</u> on the reverse side.

REAL. CLASSIC.

APPLICATION FOR LICENSE INVOLVING PRIVATE OR CONFIDENTIAL INFORMATION

(Tennessen Warning)

In connection with your request for a license the City of Anoka has asked that you provide it with information about yourself which is classified as either *private* or *confidential* by the Minnesota Government Data Practices Act (M.S.A. 13.04). Accordingly, the City is required to inform you of the following:

1. The private or confidential information requested includes, but may not necessarily be limited to, the following: *Your social security number or Minnesota business identification number.*

2. The purpose and intended use of the information requested is: *To comply with Minnesota Statutes, Section 270.72.*

3. You are required to supply the requested information.

4. The known consequences of supplying the requested information is as follows: *Loss or denial of the requested license/registration if you owe the State of Minnesota delinquent taxes, penalties or interest.*

5. The known consequences of refusing to supply the requested information is: *Your request for a license/registration cannot be processed.*

6. The following persons and entities are authorized by law to receive the information if provided: *State of Minnesota - Department of Revenue and other government agencies as provided by law.*

The undersigned, by signing this notice, acknowledges that he/she has read and understands the contents of this notice.

_____ _____

Date Signature of Applicant

_____

Print Name

CHAPTER 22. LICENSING; BUSINESSES & SERVICES

ARTICLE IV. Peddlers, Solicitors and Transient Merchants

State law references--Hawkers, peddlers and transient merchants, Minn. Stats. ch. 329; authority relative to transient commerce, Minn. Stats. §§ 410.33, 412.221, subd. 19, 437.02; municipal regulation of hawkers, peddlers and transient merchants, Minn. Stats. § 329.15.

Section 22-151. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Peddler. Means any person who goes upon the streets, sidewalks or other property in the City showing goods or merchandise for sale and selling them. The term "peddler" also means any person who travels from place to place within the City carrying or transporting goods or merchandise and selling them.

Non-profit Canvasser/Solicitor. Means any organization, society, association or corporation that solicits, or has solicited in its name, 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, upon the streets, an office or business building, by house-to-house canvass or in public places for charitable, religious, patriotic philanthropic or other non-profit purpose.

Solicitor. Means any person who goes from residential house to house, business to business, or upon the streets and sidewalks or other public areas for the purpose of obtaining or attempting to obtain orders for goods, wares, products, merchandise, other personal property, or services, of which he may be carrying or transporting samples, or that may be described in a catalog or flyer, or by any means, and for which delivery or performance shall occur at a later date. The absence of samples or catalogs shall not remove a person from the scope of this provision if the actual purpose of the person's activity is to obtain or attempt to obtain orders as described in this definition.

Transient merchant. Means any person, firm or corporation who engages temporarily in the business of selling or delivering goods, wares, or merchandise within the City, and who, in the furtherance of such purposes, hires, leases, uses or occupies any of the following or any portion thereof: building, structure, lot, vacant lot, motor vehicle, trailer, railroad car, or tent.

Section 22-152. Exemptions.

This article does not apply to the following:

(a) Vendors of milk, groceries, bakery products, or other perishable commodities or vendors of soft water service or laundry and dry cleaning pick-up and delivery who make an uninvited call upon the occupant of a resident as a preliminary step to the establishment of a regular route service for the sale and delivery of such commodities or the providing of such services to regular customers; or for the sale of goods, merchandise or services to business, commercial, or industrial users at their place of business.

(b) Sidewalk sales authorized by the City Council.

(c) Garage sales or rummage sales when conducted in or by a nonprofit institution, or when conducted upon the premises of an owner of the articles being offered for sale provided that such sales do not last longer than 72 hours, and provided that no more than three sales be conducted at any given location within one year.

(d) Any bona fide auction sale by a City resident.

(e) Any sale under court order.

(f) The sale and display of merchandise as allowed by Anoka City Code.

(g) The sale of regularly published newspapers.

Section 22-153. Special events.

The following standards shall apply to events as designated by Council Resolution:

(a) Any peddler or transient merchant license application or solicitor registration, other than a non-profit canvasser/solicitor registration, which is applied for and scheduled to take place during a time which overlaps the days, geographical areas and times of approved special events, as designated by Council resolution, shall require approval by the governing board of the special event.

(1) Any previously issued peddler or transient merchant license or solicitor registration other than a non-profit canvasser/solicitor registration for a duration of time which overlaps the days, geographical areas and times of special events, as designated by Council Resolution, shall not be effective for the designated days, areas or times of such events.

(b) The governing board of the special event may designate where peddlers and transient merchants shall set up their outside booth or sales stand, including those located on private property. This section will apply to the designated areas of events as determined by Council Resolution.

(c) In addition to the registration requirements of this article, all solicitors, other than non-profit canvassers/solicitors, must have the written consent of the governing board of any special event as determined by City Council Resolution, to conduct regulated activities during the designated times and areas of the special event. The governing board of the special event may regulate the time, place and manner of solicitation activities.

(d) Any person violating any provision of this section is guilty of a petty misdemeanor and upon conviction shall be subject to the penalties set forth in Minn. Stats. § 609.02, subd. 4a., as amended, and shall be subject to a fine as set forth in the City's Master Fee Schedule. Any subsequent violation of this section shall be a misdemeanor and upon conviction shall be subject to the penalties set forth in Minn. Stats. § 609.02, subd. 3, as amended.

Section 22-154. Peddlers and solicitors may be prohibited by placard.

Any resident of the City who wishes to exclude peddlers, solicitors or non-profit canvassers/solicitors from premises occupied by the resident may place upon or near the usual entrance to such premises a printed placard or sign bearing the following notice: "Peddlers and Solicitors Prohibited," in letters at least one-half inch high. No peddler or

solicitor shall enter in or upon any premises or attempt to enter in or upon any premises where such a placard or sign is placed and maintained. No person other than the person occupying such premises shall remove, injure, or deface such placard or sign.

Section 22-155. Permission of property owner required.

In addition to all other requirements and prohibitions of this Article, no transient merchant shall sell or offer for sale any goods, wares, or merchandise within the City from a stationary location on public or private property without first obtaining the written consent of the property owner or occupant.

Section 22-156. Prohibited Conduct.

No peddler, solicitor, non-profit canvasser/solicitor, or transient merchant shall create a public nuisance as that term is defined by State and/or Local Law, nor shall any person engage in business after the hour of 8:00 p.m. or before 9:00 a.m. unless a previous appointment has been made; nor shall any person furnish false information on the application required in Section 22-178; nor shall any such person sell merchandise or services by means of statements which the person making them knows or should know are false or misleading; nor shall any such person violate any provision of Chapter 74. No transient merchant shall occupy any area within a sight triangle at any intersection for the purpose of advertising and/or conducting business.

For purpose of this section, a sight triangle is the area located at the corner of intersecting streets contained by a triangle composed of sides measuring 50 feet in length from the corner along the curb line or edge of the street and the line connecting the non-joining ends of those two sides.

Sections 22-157 thru 22-175. Reserved.

Section 22-176. License/registration required.

(a) No peddler or transient merchant shall sell or offer for sale any goods, wares, or merchandise within the City unless a license therefore shall first be secured as provided by this article.

(b) No person shall conduct business as a peddler, solicitor, or transient merchant within the City limits without first having obtained the appropriate license.

(c) All For-Profit solicitors shall be required to register with the City. Registration shall be made on a form supplied by the City. A registration processing fee shall be required. Such fee shall be established by the Council to offset administrative costs and the costs of investigations. No additional licensing fee shall be required. The City shall conduct background investigations on all solicitors listed in the application and upon successful investigations, shall issue to the registrant proof of registration, which shall be nontransferable.

(d) Non-profit Canvasser/Solicitor:

1. Any organization, society, association or corporation desiring to solicit, or 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, upon the streets, an office or business building, by house-to-house canvass or in public places for charitable, religious, patriotic philanthropic or other non-

profit purpose shall be exempt from licensing and fees as stated in this Article, provided a registration application in writing on a form furnished by the City is filed, which shall include the following information:

a. Name and purpose of the cause for which the license is sought.
b. Names and addresses of the officers and/or directors of the organization.
c. The period during which the solicitation is to be carried on.
d. Whether or not any commissions, fees, wages or emoluments are to be expended in connection with such solicitation.
e. The names and addresses of all persons conducting the canvassing/solicitation.

Local church and school related entities shall be exempt from the registration application of this Section.

2. Upon the foregoing being satisfied, such organization, association or corporation shall furnish all its members, agents or representatives conducting the solicitation, credentials in writing stating the name of the organization, name of agent, and the purpose of the solicitation. Such credentials shall be kept on the person of the members, agents or representatives during the actual solicitation and be presented to anyone requesting to see the same.

Section 22-177. Group sales.

In the case of group sales where two or more transient merchants are engaged in business at the same time and location, it shall not be necessary for any such transient merchant to obtain a license under this article provided that the sponsor, promoter, or organizer of the group sale has obtained a license as required under this article and has submitted such information for all other transient merchants involved in the group sale as may be required by the City Manager.

Section 22-178. Application and issuance.

(a) Application for such license shall be made to the City Clerk on a form supplied by the City. The applicant shall include:

(1) The name, address, and date of birth of the applicant and of all persons associated with the license;

(2) A photocopy of a current State issued identification, Driver's License or Passport for each individual listed in the application.

(3) A brief description of the nature of the business and the goods to be sold;

(4) The name, address and phone number of the employer or business, if any;

(5) Any felonies or gross misdemeanors, or any crimes of theft, fraud or crimes of physical danger or threat, of which the registrant has been convicted, and the nature of the crime or crimes of which the registrant was convicted and the date and place of each conviction;

(6) In the case of transient merchants, the place where the business is to be carried on;

(b) Applications shall be investigated by the City. Upon completion of a successful investigation, a license or proof of registration will be granted by the City to the applicant. Such proof of registration for Peddlers and For-profit Solicitors must be conspicuously worn at all times when peddling and/or soliciting in the City.

Section 22-179. Denial of license.

(a) Reasons for Denial.

(1) The applicant, or anyone whose activity would be covered by the license, has been convicted of a felony, gross misdemeanor or any crime of theft, fraud or conviction of any crime that may endanger the safety of the public.

(2) The applicant has furnished false information on the application.

(3) The applicant has previously sold goods in the City without a license if one was required.

(4) No transient merchant license shall be issued unless the applicant submits written consent of the property owner, as required under in this Article, along with the license application.

(5) No peddler's license shall be issued to peddlers whose sales occur directly from vehicles on any City street outside of residential districts.

(6) No transient merchant license shall be issued for sales from any location which does not have sufficient parking for customers or for areas where customers and/or customer parking would interfere with normal traffic flow as determined by the City.

(b) Appeal of Denial.

In the event of the denial of the application, the applicant shall have the right to appeal such decision to the City Council within ten (10) days after receipt of such denial. The City Council shall consider the appeal by the applicant at a regularly scheduled meeting. The decision of the City Council shall be final.

Section 22-180. License fees.

Fees for licenses shall be established by the City Council. Events identified by City staff that will require additional police services or Community Service Officers services will be charged a fee as established in the Master Fee Schedule or determined by City Council or staff.

Section 22-181. Duration of license.

Each license shall be valid only for the period specified in such license.

Section 22-182. License to be carried or displayed.

All licenses shall be carried by the licensee and the license shall be exhibited to any officer or citizen upon request. If any business is conducted from a stationary location the license shall be conspicuously posted and displayed.

Section 22-183. License not transferable.

All licenses under this article shall be nontransferable. No refunds shall be made on unused portions of license. Each peddler, solicitor, or transient merchant shall secure a separate license.

Section 22-184. Revocation of license.

The license issued pursuant to this article may be revoked by the City Council after notice and hearing, for any of the following reasons:

(a) Any fraud, misrepresentation, or false statement contained in the registration or in the application for license;

(b) Any fraud, misrepresentation, or false statement made in connection with the selling of goods, wares or merchandise;

(c) Any violations of this article;

(d) Conviction of the licensee of any crime involving moral turpitude, fraud, or theft;

(e) Conducting the business licensed under this article in any unlawful manner or in such manner as to constitute a breach of the peace or a menace to the health, safety or general welfare of the public.

Sections 22-185. Suspension.

The City has the right to suspend a license during the pendency of any criminal charges alleging acts of dishonestly, assaultive type behavior, disorderly conduct, or any other violations of State or Local Laws as the City deems reasonable or necessary.

Applicant will be notified of said suspension with the right to petition the City Council for reinstatement. The City Council shall consider the petition for reinstatement at a regularly scheduled meeting. T he City Council decision shall be final.

Sections 22-185 thru 22-210. Reserved.