



**SHAKOPEE CITY CODE**  
**SECTION 6.21 : PEDDLERS**

**Subd. 1. Purpose.** This Section is not intended to interfere with legitimate business activities of peddlers as the same are herein defined, whether same be local or interstate. These provisions are intended only to, as nearly as possible, ferret out the illegitimate or confidence operators and to regulate and control all those who would use their unique presence on property within the City, either in person or by means of a telephone contact, or their unique proximity to its residents, for purposes of harassment, nuisance, theft, or other unlawful activities.

**Subd. 2. Definitions.** The following terms, as used in this Section, shall have the meanings stated:

- A.** The term "**peddler**" as used in this Section, means and includes door-to-door, street-to-street, place-to-place, or temporary vendors of sales or services without a fixed, determined and permanent location within Scott County at which the vendor transacts business, carries on the vendor's occupation, or practices the vendor's profession, and includes, but is not limited to, persons commonly referred to as peddlers, solicitors, transient merchants or canvassers.
- B.** The term "**telephone solicitation**" means any contact by telephone to secure an appointment or to make a sale of any service or merchandise, which call results in the delivery of any merchandise, performance of any service, arranging an appointment, meeting or other confrontation between the telephone solicitor, and the person contacted for the purpose of selling any such service or merchandise.

**Subd. 3. License Required.** It is unlawful for any person to engage in peddling without a license therefore from the City. A license must be applied for at least five (5) days prior to the date when the activity to be carried on is to commence. The applicant shall completely fill out an application for a license as prepared by the City.

**Subd. 4.** Repealed.

**Subd. 5. Conditions of Licensing.**

- A. Separate Licenses.** Each individual engaged as a peddler or accompanying a licensee at work must secure a separate license.

- B. Practices Prohibited.** It is unlawful for any person, licensed under this Section, to call attention to that person's business or merchandise by crying out, blowing a horn, ringing a bell, or by any loud or unusual noise, or by use of any amplifying device.

**Subd. 6. Exceptions.** This Section does not apply to any canvassing or soliciting for the purpose of charitable, religious, political, or educational organizations if such an organization is registered with the Secretary of State pursuant to the provisions of Section 309.52 M.S.A. as a charitable organization or exempted pursuant to the provisions of Section 309.515 M.S.A. or to solicitation of orders for future door-to-door delivery of newspapers or to any person who may sell or peddle the products of the farm or garden occupied and cultivated by such person. This Section shall not apply to persons licensed for the sale of milk, cream, dairy products and bakery products. (Ord. 1, April 1, 1978; Ord. 79, November 17, 1981; Ord. 337, July 23, 1992)

**Subd. 7. Suspension or Revocation of a License.** Any license issued under and pursuant to this Section may be suspended by a police officer if the licensee is conducting business in such a manner as to constitute a breach of peace, is engaging in fraudulent conduct, or any other conduct that is prohibited by local, state or federal laws or regulations. The license shall be automatically revoked if the licensee does not file an appeal pursuant to this subdivision.

When taking action on any license issued under this Section, the police officer shall provide the licensee with verbal or written notice of the alleged violation. The notice shall inform the licensee of his or her right to be heard before the City Council. The notice shall also inform the licensee that his or her license shall be automatically revoked if no appeal is filed by the licensee within twenty-one (21) days of the date of the notice by the police officer. Verbal notice shall be confirmed within five (5) days by a mailed written notice to the licensee. The City Council shall not conduct a hearing on the license suspension unless a request is made by the licensee in writing. If a request for a hearing is made, the City Council shall conduct the hearing at the next available City Council session. No City Council resolution or other notice calling for a hearing shall be required.

A licensee may also be criminally charged for violation of Section 10.26 Disorderly Conduct of City Ordinance Chapter 10, Public Protection, Crimes and Offenses or violation of other local, state or federal laws or regulations.

**Subd. 8. Hours of Operation.** No peddler shall enter upon any residential premises for the purpose of conducting business no later than eight o'clock (8:00) p.m., until nine o'clock (9:00) a.m. of the following day, unless such person has been expressly invited to do so by the owner or occupant thereof.

**Subd. 9. Posting of Placard Prohibiting Peddlers.**

- A.** Any City resident who wishes to exclude peddlers 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 Prohibited." Such placard shall be at least 3½ inches long and 3½ inches wide and the printing thereon shall be at least ½ inch in height. No peddler 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.

- B.** Violation of this subdivision shall result in the City temporarily suspending the license pursuant to Subdivision 7 of this Section or initiating revocation proceedings.