

**CITY OF CHANHASSEN  
CARVER AND HENNEPIN COUNTIES, MINNESOTA**

**ORDINANCE NO. 707**

**AN ORDINANCE AMENDING ARTICLE 10-IV OF THE CHANHASSEN CITY CODE  
CONCERNING PEDDLERS, SOLICITORS, AND TRANSIENT MERCHANTS**

**THE CITY COUNCIL OF THE CITY OF CHANHASSEN ORDAINS:**

**SECTION 1:** ARTICLE 10-IV of the Chanhassen Municipal Code is hereby amended in its entirety to read as follows:

**Sec 10-141 Definitions**

Except as may otherwise be provided or clearly implied by context, all terms shall be given their commonly accepted definitions. For the purpose of this ordinance, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

*NON-COMMERCIAL DOOR-TO-DOOR ADVOCATE.* A person who goes door-to-door for the primary purpose of disseminating religious, political, social, or other ideological beliefs. For purpose of this ordinance, the term door-to-door advocate shall fall under the term solicitor and include door-to-door canvassing and pamphleteering intended for non-commercial purposes.

*PEDDLER.* 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 movement, for the purpose of offering for sale, displaying for exposing 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 otherwise transporting. For the purpose of this ordinance, the term peddler shall have the same common meaning as the term hawker.

*PERSON.* Any natural individual, group, organization, corporation, partnership, or similar association.

*REGULAR BUSINESS DAY.* Any day during which the city hall is normally open for the purpose of conducting public business. Holidays defined by state law shall not be considered regular business days.

*SOLICITOR.* 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 movement, for the purpose of obtaining or attempting to obtain orders for goods, wares, products, merchandise, other personal property, or services of which he or she 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 this provision if the actual purpose of the person's activity is to obtain or attempt to obtain orders as discussed above. For purposes of this ordinance, the term solicitor shall have the same meaning as the term canvasser.

*TRANSIENT MERCHANT.* A person who temporarily sets up business out of a vehicle, trailer, boxcar, tent, other portable shelter, or empty storefront for the purpose of exposing or displaying for sale, selling or attempting to sell, and delivering goods, wares, products, merchandise, or other personal property and who does not remain in any one location for more than fourteen (14) consecutive days.

**Sec 10-142 Exceptions To Definitions**

For the purpose of this chapter, the terms PEDDLER, SOLICITOR, and TRANSIENT MERCHANT shall not apply to:

- (a) Non-commercial door-to-door advocates. Nothing within this ordinance shall be interpreted to prohibit or restrict non-commercial door-to-door advocates.
- (b) Any person selling or attempting to sell at wholesale any goods, wares, products, merchandise, or other personal property to a retail seller of the items being sold by the wholesaler.
- (c) Any person who makes initial contacts with other people for the purpose of establishing or trying to establish a regular customer delivery route for the delivery of perishable food and dairy products, such as baked goods or milk.
- (d) Any person making deliveries of perishable food and dairy products to the customers on his or her established delivery route.
- (e) Any person making deliveries of newspapers, newsletters, or other similar publications on an established customer delivery route, when attempting to establish a regular delivery route, or when publications are delivered to the community at large.
- (f) Any person conducting the type of sale commonly known as garage sales, rummage sales, or estate sales.
- (g) Any person participating in an organized multi-person bazaar or flea market.
- (h) Any person conducting an auction as a properly licensed auctioneer
- (i) Any officer of the court conducting a court-ordered sale.

Exemption from these definitions shall not, for the scope of this chapter, excuse any person from complying with any other applicable statutory provision or requirement provided by another city ordinance.

**Sec 10-143 Licensing**

*County license required.* No person shall conduct business as a peddler, solicitor, or transient merchant within the city limits without first having obtained the appropriate license from the county as may be required by Minnesota Statutes Chapter 329 as it may be amended from time to time if the county issues a license for the activity.

**Sec 10-144 Prohibited Activities**

No peddler, solicitor, transient merchant, non-commercial door-to-door advocate, or other person engaged in other similar activities shall conduct business in any of the following manner:

- (a) Calling attention to his or her business or the items to be sold by means of blowing any horn or whistle, ringing any bell, crying out, or by any other noise, so as to be unreasonably audible within an enclosed structure.
- (b) Obstructing the free flow of traffic, either vehicular or pedestrian, on any street, sidewalk, alleyway, or other public right-of-way.
- (c) Conducting business in a way as to create a threat to the health, safety, and welfare of any

specific individual or the general public.

- (d) Conducting business before 8 a.m. or after 9 p.m.
- (e) Failing to provide proof of license, or registration, and identification when requested.
- (f) Using the license or registration of another person.
- (g) Alleging false or misleading statements about the products or services being sold, including untrue statements of endorsement. No peddler, solicitor, or transient merchant shall claim to have the endorsement of the city solely based on the city having issued a license or certificate of registration to that person.
- (h) Remaining on the property of another when requested to leave.
- (i) Otherwise operating their business in any manner that a reasonable person would find obscene, threatening, intimidating or abusive.

**Sec 10-145 Exclusion By Placard**

Unless specifically invited by the property owner or tenant, no peddler, solicitor, transient merchant, non-commercial door-to-door advocate, or other person engaged in other similar activities shall enter onto the property of another for the purpose of conducting business as a peddler, solicitor, transient merchant, non-commercial door-to-door advocate, or similar activity when the property is marked with a sign or placard:

- (a) At least four inches long.
- (b) At least four inches wide.
- (c) With print of at least 48 point in size.
- (d) Stating “No Peddlers, Solicitors or Transient Merchants,” “Peddlers, Solicitors, and Transient Merchants Prohibited,” or other comparable statement.

No person other than the property owner or tenant shall remove, deface, or otherwise tamper with any sign or placard under this section.

**Sec 10-146 Penalty**

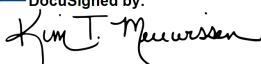
Any individual found in violation of any provision of this ordinance shall be guilty of a misdemeanor.


**Sec 10-147 Severability**

If any provision of this ordinance is found to be invalid for any reason by a court of competent jurisdiction, the validity of the remaining provisions shall not be affected.

**SECTION 2:** This ordinance shall be effective immediately upon its passage and publication.

**PASSED AND ADOPTED** this 24<sup>th</sup> day of April, 2023, by the City Council of the City of Chanhassen, Minnesota.

DocuSigned by:  
  
27A7BEAB6267418...  
Kim Meuwissen, City Clerk

DocuSigned by:  
  
D0665DC57B5943C...  
Elise Ryan, Mayor

(Published in the Chanhassen *Villager* on May 4, 2023)