



# INFO

## GENERAL RESTRICTIONS FOR MOBILE VENDORS

### TRANSIENT MERCHANTS, PEDDLERS & SOLICITORS

Duluth City Code Chapter 27 regulates the business activities of mobile vendors. Under the code, transient merchants, peddlers & solicitors are subject to restrictions on when, where, and how they conduct business within the city.

#### LICENSE REQUIRED

No person may conduct business as a peddler or transient merchant within the city of Duluth without a license:

- ❖ **Transient Merchant:** A person who temporarily sets up business out of a vehicle, trailer, boxcar, tent, or other portable shelter, or empty store front, building, hotel or motel 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 14 days.
- ❖ **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 or exposing the 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.
- ❖ **Solicitor:** A person who goes about from house-to-house, business-to-business, street-to-street, or any other type of place-to-place movement within the city for the purpose of obtaining, or attempting to obtain orders for the retail sale of services or personal property of any nature whatsoever, for future performance or delivery. *\* Solicitors need not be licensed, but must register with the city pursuant to City Code §27-6(g)*

#### APPLICATION PROCESS

Applications are to be submitted to the Duluth City Clerk's Office at the following address:

City Hall 318  
411 West First Street  
Duluth, MN 55802.

Applications are to be made at least 14 regular business days before the applicant desires to conduct business within the city.

## **EXCEPTIONS FROM THE LICENSURE REQUIREMENT**

- No license is required for any person to sell or attempt to sell, or to take or attempt to take orders, for any product grown, cultivated, or raised on any farm.
- No license is required for any person going from door-to-door or any other type of place-to-place movement for the purposes of non-commercial advocacy or for the primary purpose of exercising that person's state or federal constitutional rights such as the freedom of speech.

## **GENERAL RESTRICTIONS**

- No peddler or solicitor shall call on or solicit business from any private residence or dwelling unit before 9:00 am or after 9:00 pm unless he has been invited to do so by the owner or occupier of said residence or dwelling unit.
- Any person holding a peddler or transient merchant license must carry their license with them while engaged in licensed activities and must display said license to any police officer or citizen upon request.
- No peddler or solicitor may intentionally misrepresent to any prospective customer the purpose of their visit or solicitation, nor the name or business of their principal, nor the source of supply of the goods, wares, merchandise, or services which they sell or offer for sale, nor the disposition of the proceeds or profits of such sales.
- No peddler, solicitor, or transient merchant may conduct their business in such a manner as to interfere with the free passage of pedestrians or vehicles along streets or sidewalks in the city.
- No peddler or transient merchant may operate in any skywalk, public park, or trail.
- No peddler or transient merchant may operate on private property without the permission of the property owner.
- No peddler or transient merchant may operate in an area permitted as part of a special event without the express permission of the holder of the special event permit.
- No peddler or transient merchant may operate on the Army Corps of Engineer's property adjacent to the Aerial Lift Bridge.