

# Application Information & Requirements for Peddlers, Solicitors & Transient Merchants



## City of Eden Prairie

Police Department • Licensing  
8080 Mitchell Road • Eden Prairie, MN 55344  
Phone: (952) 949-6200 • TDD: (952) 949-8399

### Information:

- Application must be **complete** and **legible**. (Indicate not applicable on application if appropriate.)
- **Make an appointment to present application in person.**
- Allow a minimum of three working days for application to be processed.
- No peddling, soliciting or selling until permit has been issued. Peddling or soliciting prior to issuance of a permit is a violation of the City Ordinance and is cause for denial of permit.
- Permit expires December 31<sup>st</sup> regardless of the date issued. (Or earlier if so designated.)
- Peddling, soliciting or selling in City parks is prohibited.
- Failure to provide true and complete information shall constitute a violation of the ordinance in question; and in addition to the penalties prescribed for violation of the ordinance in question, the license of any applicant may be revoked by reason of material falsification or omission of information for said application.

### Requirements:

- \$40.00 registration fee (Interstate exempted) *Note: When you pay by check, the City of Eden Prairie will present the check for payment to your bank electronically. Your original check will be destroyed once processed and you will not receive your cancelled check back.*
- Credentials establishing relationship to employer/supplier.
- Provide a copy of all literature about product or service that will be distributed to residents.
- Supply two recent color passport-style photos (head & shoulders) of self that are pre-cut to 2" x 2". Photos can be obtained from CVS, Wal-Mart, Walgreens, FedEx Kinko's, etc.
- Supply a government issued legitimate ID to be photo copied at time application is turned in.

### Acceptable ID's:

- State issued driver's license with photograph.
- Non-qualification card with photograph.
- Armed Forces (active duty or reserve) identification.
- Passport
- Alien ID

### Not acceptable:

- Any of the above if expired.
- Any of the above if physical evidence of tampering or copying exists.
- Photocopy of any of the above.
- Credit card or check cashing ID.



# Peddler & Solicitor Individual Permit Application City of Eden Prairie

*To be filled out by each peddler, solicitor, or transient merchant working in Eden Prairie.*

## Data Practices Warning

### READ THIS BEFORE COMPLETING THIS PACKET.

As an applicant for a license/permit at the City of Eden Prairie, you are being asked to provide information about yourself which will be used in evaluating your suitability for licensure/permit. The purpose of this request is to obtain information about you to permit us to thoroughly analyze your qualifications and suitability for licensure/permit.

Attached are several documents which ask for your signature and/or personal information. You are not legally required to supply any of the data requested or to sign any of the release and authorization forms. However, should you not provide that information, the City may be unable to fully and adequately determine your suitability for licensure/permit with this agency which may in turn reduce the chance you may have for licensure/permit with this agency.

You are being asked to provide public and private data about yourself as defined by the Minnesota Data Practices Act. The following information you are being asked to provide is defined as private: Social Security Number and Criminal History classified as private pursuant to Minn. Stat. 13.87.

Private data may be distributed to and used by personnel of the City of Eden Prairie who are involved directly and/or indirectly in the approval/denial of, and maintenance of records on licenses/permits. The data may be used and disseminated to individuals or agencies specifically authorized access to the data by state, local or federal law or when approved by the State Commissioner of Administration or by you.

Public data is data which is available to any person upon request.

This information will be maintained through the time of your licensure/permit with the City of Eden Prairie and thereafter. If granted a license/permit, the City may request that you supply this information at additional times in the future for the purpose indicated above. This information may also need to be updated periodically.

I HAVE READ AND UNDERSTAND THE DATA PRACTICES ADVISORY.

\_\_\_\_\_  
Applicant Signature

\_\_\_\_\_  
Date

**Directions:** Use a typewriter or print legibly in blue or black ink. Answer all questions and indicate not applicable if appropriate. *Any falsification of answers will result in denial of the application*

**Section 1: Applicant**

1. Name \_\_\_\_\_ Phone ( \_\_\_\_\_ ) \_\_\_\_\_  
Last First Full middle Maiden name

2. Permanent Residence Address \_\_\_\_\_  
Should match Driver's License Street  
 \_\_\_\_\_  
City State County Zip

3. Local Address (if not same as above) \_\_\_\_\_  
Street  
 \_\_\_\_\_  
City State County Zip

4. Sex \_\_\_\_\_ Race \_\_\_\_\_ Height \_\_\_\_\_ Weight \_\_\_\_\_ Color of hair \_\_\_\_\_ Color of eyes \_\_\_\_\_

5. Date of birth \_\_\_\_\_ Place of birth (City, State, Country) \_\_\_\_\_

6. Driver's License/State ID Number \_\_\_\_\_ State of Issue \_\_\_\_\_

7. Home Phone: \_\_\_\_\_ Cell Phone: \_\_\_\_\_ Business Phone: \_\_\_\_\_

8. **Address(es) at which you have lived during the preceding five years.**

\_\_\_\_\_  
Street City County State Zip  
 \_\_\_\_\_  
Street City County State Zip  
 \_\_\_\_\_  
Street City County State Zip

9. **Are you a U.S. citizen?** *If yes, but birthplace was not in the U.S., please provide a Certificate of Naturalization, Certificate of Citizenship, or current passport. If no, present proof of immigration/employment status.*  Yes  No

10. **Have you ever used or been known by a name or names other than the name given above?** *If yes, list such name(s) and information concerning dates and places used (maiden, nickname, etc)*  Yes  No

\_\_\_\_\_  
 \_\_\_\_\_

**Section 2: Business Info**

*Supply the following information about business, employer, principal or supplier of applicant.*

11. Business Name \_\_\_\_\_ Phone ( \_\_\_\_\_ ) \_\_\_\_\_  
 Address \_\_\_\_\_  
Street City County State Zip

12. Any other names the business is affiliated, owned, managed or operated by \_\_\_\_\_  
 \_\_\_\_\_

13. MN Sales Tax Number \_\_\_\_\_ Federal Tax ID Number \_\_\_\_\_

14. Is the Business registered with the MN Secretary of State's Office? *If no, provide proof of exemption*  Yes  No

- 15. Applicant's relationship to business (employee, owner, manager, etc) \_\_\_\_\_
- 16. Supervisor or Manager's Name \_\_\_\_\_ Phone ( \_\_\_\_\_ ) \_\_\_\_\_
- 17. A brief description of the nature of the business and the products to be sold \_\_\_\_\_  
\_\_\_\_\_
- 18. Will you have the merchandise in your possession when you are going door to door?  Yes  No
- 19. What is the source of supply of the products to be sold? \_\_\_\_\_  
\_\_\_\_\_
- 20. Where is the local point of distribution & proposed method of delivery? \_\_\_\_\_  
\_\_\_\_\_

**Section 3: Application Information**

- 21. Dates of selling or soliciting \_\_\_\_\_ Hours of selling or soliciting \_\_\_\_\_
- 22. **Have you or the firm or business employing you been the subject of an investigation by a consumer protection agency or state attorney general office?**  Yes  No *If yes, give dates and places. Attach additional sheet if necessary.*  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- 23. **Have you had a registration, license and/or identification card for peddler or solicitor denied or revoked by the City or any other government body within three years before the application date?**  Yes  No *If yes, provide the details & locations*  
\_\_\_\_\_  
\_\_\_\_\_
- 24. **Have you ever been convicted of any felony, crime or violation of any ordinance, other than a minor traffic offense?**  Yes  No *If yes, give date, place and nature of conviction. Attach additional sheet if necessary.*  
\_\_\_\_\_  
\_\_\_\_\_
- 25. **List the last five cities or other localities where applicant conducted peddling or soliciting immediately preceding the date of application.**  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- 26. **Description of vehicle to be used in business**  
Year \_\_\_\_\_ Make \_\_\_\_\_ Model \_\_\_\_\_ Color \_\_\_\_\_ State of Registration \_\_\_\_\_  
License Plate Number \_\_\_\_\_ Registered Owner Name(s) \_\_\_\_\_  
Driver of vehicle (if other than self) \_\_\_\_\_

**Documentation Needed**

**Attach:**

1. Color photocopy of Government Issued Driver’s License or State ID (copy will be taken at the Police Department at time of application).
2. Credentials establishing relationship to employer/supplier (company issued ID card, paystub, etc).
3. A copy of all literature about products and/or services that will be shown or distributed to residents.
4. 2 color photos (head & shoulders) of self that are pre-cut to 2” x 2”. *Passport style photos work great.*
5. Application/Investigation fee of \$40.00. Make check payable to the City of Eden Prairie

*Note: When you pay by check, the City of Eden Prairie will present the check for payment to your bank electronically. Your original check will be destroyed once processed and you will not receive your cancelled check back.*

**Notice**

*Note:* A photo ID card will be issued to each peddler/solicitor/transient merchant.  
All applicants **must apply in person** at the Police Department.

I have received from the City of Eden Prairie a copy of the *Peddlers Ordinance, Chapter 5.37* of the *City Code* and will familiarize myself with the provisions. I understand that a criminal conviction will not bar me from obtaining a permit unless the conviction is directly related to the occupation for which the permit is sought and there is no showing of sufficient rehabilitation and present fitness to perform the duties of the occupation (*Minnesota Statute 364.03*). I understand that falsification of the application, including failure to reveal a criminal conviction, constitutes grounds for denial of the permit.

The information I have provided on this application is truthful. I authorize the City of Eden Prairie to investigate the information and contact persons/organizations named on this application.

Signature of Applicant \_\_\_\_\_ Date \_\_\_\_\_

State of \_\_\_\_\_

County of \_\_\_\_\_

This instrument was acknowledged before me on \_\_\_\_\_ by \_\_\_\_\_  
*Date Name of Applicant*

\_\_\_\_\_  
Signature of Notarial Officer

Title or Rank \_\_\_\_\_

My Commission Expires: \_\_\_\_\_

(Stamp)



**Criminal History Authorization and Release Pursuant to Minnesota State Statute 13.05, Subd. 4, Minnesota Data Practices Act**

**TO:**

Eden Prairie Police Department  
8080 Mitchell Road  
Eden Prairie, MN 55344

And

Bureau of Criminal Apprehension  
1430 Maryland Ave. East  
St. Paul, MN 55106

**FROM:**

Full Name: \_\_\_\_\_

Date of Birth: \_\_\_\_\_

Sex: \_\_\_\_\_

I hereby authorize and grant my informed consent to permit you to perform a criminal history background check on me. I further authorize and grant my informed consent to permit you to release and to make available to the City of Eden Prairie a summary of the criminal history record information from the check, whether that data is public or private. I understand that the purpose of permitting the City of Eden Prairie and/or the Bureau of Criminal Apprehension to have access to this information is to determine my suitability for licensure/permit with the City of Eden Prairie. I further understand that this information may subsequently be utilized for other purposes relating to my possible licensure/permit with the City of Eden Prairie including verification of my records and analysis by the City of Eden Prairie who may review my suitability for licensure/permit.

I hereby release you, your organization, or others from any liability for any damage which may result from furnishing the information requested above.

This authorization shall be valid for a period of one year, but I reserve the right to, at any time prior to that expiration, cancel the written authorization by providing written notice to the City or to you of that fact.

Signature of Applicant \_\_\_\_\_ Date \_\_\_\_\_

State of \_\_\_\_\_

County of \_\_\_\_\_

This instrument was acknowledged before me on \_\_\_\_\_ by \_\_\_\_\_  
*Date* *Name of Applicant*

\_\_\_\_\_  
Signature of Notarial Officer

Title or Rank \_\_\_\_\_

My Commission Expires: \_\_\_\_\_

(Stamp)

**Authorization and Release Pursuant to  
Minnesota State Statute 13.05, Subd. 4,  
Minnesota Data Practices Act**



**TO:**

**FROM:**

Full Name: \_\_\_\_\_

Date of Birth: \_\_\_\_\_

Sex: \_\_\_\_\_

I hereby authorize and grant my informed consent to permit you to release and to make available to the City of Eden Prairie and/or its agents and/or representatives all data which concerns me and which may be in your possession, whether the data is public or private. I understand that the purpose of permitting the City of Eden Prairie to have access to this information is to determine my suitability for licensure/permit with the City of Eden Prairie. I further understand that this information may subsequently be utilized for other purposes relating to my possible licensure/permit with the City of Eden Prairie including verification of my records and analysis by the City of Eden Prairie who may review my suitability for licensure/permit.

I hereby release you, your organization, or others from any liability for any damage which may result from furnishing the information requested above.

This authorization shall be valid for a period of one year, but I reserve the right to, at any time prior to that expiration, cancel the written authorization by providing written notice to the City or to you of that fact.

Signature of Applicant \_\_\_\_\_ Date \_\_\_\_\_

State of \_\_\_\_\_

County of \_\_\_\_\_

This instrument was acknowledged before me on \_\_\_\_\_ by \_\_\_\_\_  
*Date* *Name of Applicant*

\_\_\_\_\_  
Signature of Notarial Officer

Title or Rank \_\_\_\_\_

My Commission Expires: \_\_\_\_\_

(Stamp)

# Eden Prairie City Code



## Section Title: Peddlers

### Section: 5.37

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

**Subd. 2. Definitions.** When used in this Section, the following terms have the following meanings:

- A. "Chief of Police" means the Chief of Police pursuant to City Code Section 2.30, Subd. 3 and/or the Chief of Police's designee.
- B. "City Clerk" means the City Clerk appointed by the City Manager pursuant to City Code Section 2.30, Subd. 1 F and/or the City Clerk's designee.
- C. "City Manager" means the City Manager appointed by the City Council pursuant to City Code Section 2.30, Subd. 1, and/or the City Manager's designee.
- D. "Non-Commercial Door-to-Door Advocate" means any person who goes door-to-door for the primary purpose of disseminating religious, political, social, or other ideological beliefs. For purposes of this Section, the term non-commercial door-to-door advocate shall include door-to-door canvassing, pamphleteering intended for non-commercial purposes, and seeking donations for which no product or service is given in return.
- E. "Peddler" means any person, whether a resident of the City of Eden Prairie or not, who goes from house to house, from place to place, or from street to street, conveying or transporting goods, wares or merchandise or offering or exposing the same for sale, or making sales where payment is received immediately for future delivery to purchasers.
- F. "Permit Activities" means all activities requiring a permit pursuant to this Section.
- G. "Person" means a Person as defined in City Code Section 1.02, Subd. 5.
- H. "Solicitor" means any person, whether a resident of the City of Eden Prairie or not, who goes from house to house, from place to place, or from street to street with the intention of taking orders or scheduling future visits for taking orders for services or goods for future delivery and payment.
- I. "Transient merchant" includes any person, firm or corporation, whether as owner, agent, consignee, or employee, whether a resident of the City of Eden Prairie or not, who engages in a temporary business of selling and delivering goods, wares and merchandise within the City, and who, in furtherance of such purpose, hires, leases, uses or occupies any building, structure, motor vehicle, trailer, tent, railroad boxcar, boat, public room in hotels, lodging houses, apartments, shops, or any street, alley or other place within the City, for the exhibition and sale of such goods, wares and merchandise, either privately or at public auction, provided however that such definition does not include any person, firm or corporation who sells such goods, wares, or merchandise from within the confines of a lawfully established and operating permanent retail sales operation.

**Subd. 3. Permit Required.** It is unlawful for any peddler, solicitor, or transient merchant to engage in permit activities within the City of Eden Prairie without first obtaining a permit therefor in compliance with the provisions of this Section. Each peddler, solicitor, or transient merchant engaged in permit activities, whether independently or on behalf of another, must have a separate permit.

**Subd. 4. Exemptions.**

- A. The permit requirement in Subd. 3 and the General Permit Provisions in Subd. 7 of this Section do not apply to the following: (i) the acts of persons selling personal property at wholesale to dealers in such articles, nor the delivery of newspapers, nor to the acts of merchants or their employees in delivering goods in the regular course of business, nor to the sale of farm or garden products by the person producing the same at the location where such products are produced, which production shall be proven by the vendor, nor; (ii) persons employed at a bakery, dairy or grocery making an uninvited initiatory visit in an effort to establish regular route service for future delivery of perishables.

## Eden Prairie City Code: Peddlers - Section: 5.37

- B. The permit requirement in Subd. 3 and the General Permit Provisions in Subd. 7 of this Section do not apply to non-commercial door-to-door advocates. This exemption will not apply if the person's exercise of constitutional rights is merely incidental to what would properly be considered a commercial activity.
- C. The permit requirement in Subd. 3 and the General Permit Provisions in Subd. 7 of this Section do not apply to peddlers or solicitors who are 17 years of age or younger, who are engaged in permit activities on behalf of a public school or private school, philanthropic organization, or community organization, which private school, philanthropic organization or community organization or its parent organization is on file with the Minnesota Secretary of State as a Minnesota domestic or a foreign business organization or has filed an assumed name, where the proceeds of the sales are mainly devoted to the benefit of the children engaged in the permit activities.
- D. Nothing contained in this Section prohibits any sale required by statute or by order of any court, or prevents any person conducting a bona fide auction sale pursuant to law.

### Subd. 5. Application and Fee.

- A. Applicants for a peddler, solicitor, or transient merchant permit under this Section shall file with the City Clerk a sworn application in writing on a form to be furnished by the City Clerk.
- B. At the time of filing an application for a peddler, solicitor, or transient merchant permit, a fee shall be paid to the City Clerk to cover the cost of administering the permit and investigation of the facts stated therein. The fee shall be as set forth in the City fee schedule and may be amended from time to time. No fees are required of individuals taking orders for the shipment of goods through interstate commerce.

### Subd. 6. Investigation and Issuance.

- A. Upon receipt of each peddler, solicitor or transient merchant application, it shall be referred to the Chief of Police who shall institute such investigation of the applicant's business and moral character as s/he deems necessary including, but not limited to, a criminal history and wanted persons check with the Bureau of Criminal Apprehension for the protection of the public good, and shall endorse the application in the manner prescribed in this Section within a reasonable period of time.
- B. If, as a result of such investigation, the business and moral character of the applicant are found to be satisfactory, the Chief of Police shall endorse on the application his/her approval and return the application to the City Clerk, who shall issue the permit to the applicant. Such permit shall contain the information and be in the form required by the City.
- C. If, as a result of such investigation, the applicant's business or moral character are found to be unsatisfactory, the Chief of Police shall endorse on such application his/her disapproval and his/her reasons for the same, and return the application to the City Clerk, who shall notify the applicant that his/her application is denied and that no permit will be issued. Any applicant's business or moral character may be found to be unsatisfactory for reasons including, but not solely limited to:
  - 1. Fraud, misrepresentation or incorrect statement contained in the application for permit.
  - 2. The failure of an applicant to fully complete or to sign the permit application.
  - 3. The failure of an applicant to pay the required fee at the time of application.
  - 4. A conviction or adjudication within five (5) years of the date of application for any violation of any federal or state statute or regulation, or of any local ordinance, which adversely reflects upon the person's ability to conduct the business for which the permit is being sought in a legal manner. Such violations shall include, but are not limited to, burglary, theft, larceny, swindling, fraud, unlawful business practices, and any form of actual or threatened physical harm against another person.
  - 5. The revocation, within the past five (5) years, of any license or permit issued to an applicant for the purpose of conducting business as a peddler, solicitor, or transient merchant.
  - 6. The denial, within the last year, of any license or permit application for the purpose of conducting business as a peddler, solicitor, or transient merchant.
  - 7. When an applicant has a bad business reputation, evidence of which shall include, but is not limited to, the existence of more than three (3) substantiated complaints against an applicant with the Better Business Bureau,

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the Office of the Minnesota Attorney General or another state's regulatory office or department (such as another state's attorney general's office), or other business or consumer rights office or agency, within the preceding twelve (12) months, or three (3) substantiated complaints filed with the city or another city, town, or other political subdivision against an applicant within the preceding five (5) years.

8. Failure to follow all Federal, State and Local regulations, including failure to be registered, licensed or permitted if such registration, license or permit is required by any Federal, State or Local regulation.
- D. Any permit holder aggrieved by the denial of a permit may appeal to the City Manager. Such appeal shall be taken by filing with the City Clerk within ten (10) days after the denial of a permit, a written statement requesting a hearing before the City Manager and setting forth fully the grounds for the appeal. A hearing shall be held within fifteen (15) days of receipt of the request. Notice of the hearing shall be given by the City Clerk in writing, setting forth the time and place of hearing. Such notice shall be mailed, postage prepaid, to the permit holder at his/her last known address at least five (5) days prior to the date set for hearing, or shall be delivered by a police officer in the same manner as a summons at least three (3) days prior to the date set for hearing.

### Subd. 7. General Permit Provisions.

- A. Each person engaged in permit activities must be permitted as provided herein and may not be accompanied by a person who is not permitted while engaging in such activities. No permit may be transferred between persons or businesses.
- B. Each person engaged in permit activities must carry the City issued permit on his or her person and must display the permit between the waist and the neck on the front of his or her outer garment while engaged in permit activities.
- C. All permits shall expire on December 31 in the year the permit is issued.
- D. The permit issued by the City is the property of the City and must be returned to the City within seven (7) days of its expiration.
- E. Each person engaged in permit activities must provide a sales slip, receipt, or other documentation to any person to whom they make a sale, or from whom they take an order or receive funds. The sales slip, receipt, or documentation must include the name of the person engaged in permit activities, his or her affiliated organization, the organization's address and phone number, and a description of the transaction.

**Subd. 8. Restrictions.** No peddler, solicitor, transient merchant, non-commercial door-to-door advocate, any person acting on his or her behalf, or other person engaged in similar activities shall, while engaged in such activities:

- A. Shout, cry out, blow a horn, ring a bell, or use any sound amplifying device upon any of the streets, alleys, parks or other public places of the City or upon private property where sound of sufficient volume is emitted or produced therefrom to be capable of being plainly heard upon the streets, avenues, alleys, parks, or other public places.
- B. Enter in or upon the property of another or attempt to enter in or upon the property of another if a placard or sign has been posted excluding peddlers and solicitors. The printed placard or sign must bear the notice: "Peddlers and Solicitors Prohibited". Such placard shall be at least 3-3/4 inches long and 3-3/4 inches wide and the printing thereon shall not be smaller than 48-point type. No person other than the person occupying such property shall remove, injure or deface such placard or sign.
- C. Enter in or upon the property of another or attempt to enter in or upon the property of another before 9:00 a.m. or after 7:00 p.m. local time year-round
- D. Obstruct the free flow of traffic, either vehicular or pedestrian in any public right of way.
- E. Make false or misleading statements about the activities or the products or services being sold.
- F. State or imply that the City, by issuance of a permit, has endorsed his/her activities or products.
- G. Operate in a manner a reasonable person would find harassing, intimidating, abusive or threatening.
- H. Operate in a manner a reasonable person would find offensive, obscene, or abusive, push open a door not opened by an occupant, place any portion of the person's body through an opened doorway without the invitation of an occupant, or physically attempt to stop an occupant from closing a door.

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- I. Enter onto the property of another through any side or rear yard or attempt to make contact with a person at any point other than the main point of entrance of the building or property being approached.
- J. Remain on the property of another after instructed to leave.
- K. Act in a manner that threatens the health, safety, or welfare of any person or the general public.
- L. Conduct permit activities in any city park without prior written authorization from the City Manager.

### **Subd. 9. Revocation of Permit.**

- A. Permits issued under the provisions of this Section may be revoked after notice and a hearing conducted by the City Manager, for any of the following causes: violation of this Section; violation of federal, state, or local law rule or regulation relating to peddlers, solicitors, or transient merchants; or any action identified in Subd. 6 C.
- B. The Chief of Police may recommend revocation of a permit to the City Manager. Notice of the hearing for revocation of a permit shall be given by the City Clerk in writing, setting forth specifically the grounds of complaint and the time and place of hearing. Such notice shall be mailed, postage prepaid, to the permit holder at his/her last known address at least five (5) days prior to the date set for hearing, or shall be delivered by a police officer in the same manner as a summons at least three (3) days prior to the date set for hearing.

**Subd. 10. Appeal.** The decision of the City Manager following a hearing as provided for in this Section can be appealed by petitioning the Minnesota Court of Appeals for a writ of certiorari.

**Subd. 11. Emergency.** If, in the discretion of the City Manager, imminent harm to the health or safety of the public may occur because of the actions of any person permitted under this Section, the City Manager may immediately suspend the person's permit and in such event shall provide notice to the person of the right to a post-suspension hearing pursuant to the procedures in Subd. 9.

**Subd. 12. Severability.** If any provision of this Section is found to be invalid for any reason by a court of competent jurisdiction, the validity of the remaining provisions shall not be affected.

### **Subd. 13. Penalty.**

- A. Failure to perform, meet or comply with any condition or obligation imposed upon a permit holder by the City Code shall constitute a sufficient ground to withhold issuance, suspend, or revoke the permit.
- B. A person who commits or attempts to commit, conspires to commit or aids or abets in the commission of an act constituting a violation of this Section, whether individually or in connection with one or more other persons or as principal, agent, or accessory is guilty of a misdemeanor. A person who falsely, fraudulently, forcibly or willfully induces, causes, coerces, permits or directs another to violate a provision of Section is guilty of a misdemeanor.

Source: Ordinance No. 01-2015

Effective Date: 2-26-2015

## **SECTION 5.99. VIOLATION A MISDEMEANOR.**

Every person violates a section, subdivision, paragraph or provision of this Chapter when he performs an act thereby prohibited or declared unlawful or fails to act when such failure is thereby prohibited or declared unlawful, and upon conviction thereof shall be punished as for a misdemeanor except as otherwise stated in specific provisions hereof.

Source: City Code

Effective Date: 9-17-82