

ORDINANCE NO. 198

THE CITY COUNCIL OF THE CITY OF ARLINGTON, MINNESOTA TO PROMOTE THE PUBLIC SAFETY, HEALTH AND WELFARE, HEREBY ORDAIN AS FOLLOWS:

AN ORDINANCE REGULATING SOLICITORS, PEDDLERS, HAWKERS, ITINERANT MERCHANTS AND TRANSIENT VENDORS OF MERCHANDISE IN THE CITY OF ARLINGTON.

Section 1.

The practice of going in and upon private residences in the said City of Arlington, by solicitors, peddlers, hawkers, itinerant merchants and transient vendors of merchandise, not having received an advance request or invitation to do so by an owner or adult occupant of said private residence, for the purpose of soliciting orders for the sale of goods, services, wares, produce or merchandise is hereby declared to be a nuisance and is prohibited.

Section 2.

This ordinance does not prohibit the distribution of informational or advertising flyers or brochures on to the doorsteps or doors of private residences, but such distribution right shall not be used as a subterfuge to obtain the prohibited face to face contact with any owner or occupant of a personal residence. Therefore, anyone distributing any such advertising or informational flyer or brochure shall not attempt to physically hand such material to any owner or occupant of a personal residence, and shall not knock on the structure, ring the doorbell, or make any other physical attempt to alert any owner or occupant of a personal residence that the delivery of the flyer or brochure is being made, it being considered that any such physical activity is a deliberate attempt to achieve the physical contact with the owner or occupant which is prohibited under this ordinance.

Section 3.

The practice of selling goods, services, wares, produce or merchandise on city streets, boulevards, rights of way, city parks or any other public property is hereby prohibited, unless a permit to conduct such activity has been issued by the City of Arlington, it being in the public interest to avoid the traffic hazards, parking congestion and health hazards that such practices create if unlicensed. The decision to issue any such permits shall be in the sole discretion of the city, in keeping with the health, safety and welfare of the citizens of Arlington, and the rights and expectations of the citizens to use said public property unencumbered by any physical barriers, congestion or unwanted solitations that such private business enterprises may create. Permits for such temporary sales locations on public property may be obtained upon application to the City Administrator. Forms and fees for such permits shall be set from time to time by the City Council.

Section 4.

As an exception to the permit process set out in Section 3 above, the City of Arlington in its sole discretion may issue event permits to Arlington organizations sponsoring special events. Such organizations include, but are not limited to, the Arlington Area Chamber of Commerce, Arlington-based fraternal, religious, and other non-profit organizations, and special interest clubs. Such an event permit would be issued to the organization sponsoring the event, and would cover all vendors of merchandise or services invited by the sponsoring organization to participate in such event. It would be the responsibility of the permitted sponsoring organization to screen and supervise the participating vendors, to include the requirement that said vendors provide proof that they are properly licensed and insured as required by government regulations. Any such event permit would cover only a specific time frame and a clearly defined area of public property. Only those vendors invited to participate in the event by the sponsoring organization will be covered by such permit, and only for the time frame and location specified in the permit. If the city decides to grant such an event permit, it may do so with conditions, which may include requirements for crowd and traffic control, defined parking areas, and refuse disposal. Forms and fees for such permits shall be set from time to time by the City Council.

Section 5.

Any violation of this ordinance shall be considered a misdemeanor, punishable by a jail term and/or monetary fine as set out for misdemeanors under state law from time to time.

Section 6.

All ordinances and parts of ordinances in conflict with this ordinance are hereby repealed.

This ordinance shall become effective immediately upon publication.

For City of Arlington

/s/ David Czech

By David Czech
It's Mayor

/s/ David L. Krueger

By David L. Krueger
It's City Administrator

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