

TENNESSEN WARNING

(General)

- 1.) **Background:** The Minnesota Government Data Practices Act required the City of Crookston to inform you of your rights relating to private or confidential data collected from you. Private data is information collected by the City which is available to you, but not to the public. Confidential data is information collected by the City which is not available to you or the public. Most of the personal information we collect from you is private.
- 2.) **Need for information:** The information we collect or have collected from you or from other sources authorized by you is needed for one or more of the following purposes:
 - a. To distinguish you from all other applicants and identify you in our personnel files.
 - b. To enable us to verify that you are the individual who makes the application.
 - c. To enable us to contact you when additional information is required, send you notices and/or schedule you for interviews.
 - d. To determine if you meet the minimum age requirements if any.
 - e. To conduct proper investigations if you are applying for a position.
 - f. To determine whether or not your conviction record may be a job related consideration affecting your suitability for the position you applied for.
 - g. To enable us to ensure your rights to equal opportunities.
 - h. To meet federal and state reporting requirements and to make processing more efficient.
 - i. To do anything else which may be determined to be necessary for proper personnel administration in the City.
- 3.) **Refusal:** You have the right to refuse to supply information we request. However, without all of the information requested, we may be unable to provide a particular service or to fulfill the requirements of a program.
- 4.) **Access to data:** Private or confidential information we collect on you may be shared, as a matter of program or service necessity with other agencies or individuals. Private or confidential data we collect on you will be available to persons in the City offices who have a bona fide need for the information. Private or confidential information we collect on you will not be given to another agency or individual without your written consent unless specifically authorized by state or federal law or under valid court order. Unless otherwise authorized by law, government agencies with whom we share private or confidential information must also treat the information they receive as private or confidential. You, as the subject of collected private data, unless otherwise specified by law or court order, may view the private information we have concerning you and may make written comments about the accuracy of the private information. Copies of private information we have concerning you may be made, for a reasonable fee, upon your request.
- 5.) **Retention:** All information on you will be kept until federal, state or city retention requirements have been met, at which time the information will be destroyed.

I have been informed of and understand my rights as a subject of data;

Signature

Date

SEC. 117.03

(E) *Procedure.* Upon receipt of the completed application and payment of the license fee, the Clerk-Treasurer, within two regular business days, must determine if the application is complete. An application is determined to be complete only if all required information is provided. If the Clerk-Treasurer determines that the application is incomplete, the Clerk-Treasurer must inform the applicant of the required necessary information that is missing. If the application is complete, the Clerk-Treasurer must order any investigation, including background checks, necessary to verify the information provided with the application. Within ten regular business days of receiving a complete application the Clerk-Treasurer must issue the license unless there exist grounds for denying the license under SEC. 117.04, in which case the Clerk-Treasurer must deny the license. If the Clerk-Treasurer denies the license, the applicant must be notified in writing of the decision, the reason for denial, and of the applicant's right to appeal the denial by requesting, within 20 days of receiving notice of rejection, a public hearing before the City Council. The City Council shall hear the appeal within 20 days of the date of the request. The decision of the City Council following the public hearing can be appealed by petitioning the Minnesota Court of Appeals for a Writ of Certiorari.

SEC. 117.08 REGISTRATION.

All solicitors, and any person exempt from the licensing requirements of this chapter under SEC. 117.03, shall be required to register with the city. Registration shall be made on the same form required for a license application, but no fee shall be required. Immediately upon completion of the registration form, the Clerk-Treasurer shall issue to the registrant a Certificate of registration as proof of the registration. Certificates of registration shall be non-transferable. Penalty, see SEC. 110.99

SEC. 117.09 PROHIBITED ACTIVITIES.

No peddler, solicitor or transient merchant shall conduct business in any of the following manners:

- (A) Calling attention to his or her business or 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 either vehicular or pedestrian traffic on any street, alley, sidewalk 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 individual or the general public.
- (D) Conducting business before 8:00 a.m. or after 8:00 p.m.
- (E) Failing to provide proof of license or registration, and identification, when requested; or using the license or registration of another person.
- (F) Making any false or misleading statements about the product or service 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.
- (G) Remaining on the property of another when requested to leave, or to otherwise conduct business in a manner a reasonable person would find obscene, threatening, intimidating or abusive.
Penalty, see SEC. 110.99
- (H) Violations of other non-traffic related city ordinances, state statutes, or federal law.
- (I) Selling products not contained in the manufacturer's original packaging.

SEC. 117.10 EXCLUSION BY PLACARD.

No peddler, solicitor or transient merchant, unless invited to do so by the property owner or tenant, shall enter the property of another for the purpose of conducting business as a peddler, solicitor or transient merchant when the property is marked with a sign or placard at least four inches long and four inches wide with print of at least 48 point in size stating “No Peddlers, Solicitors or Transient Merchants,” or “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. (Penalty, see SEC. 110.99)

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, for the purpose of offering for sale, displaying or 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. The term peddler shall mean the same as the term hawker.

PERSON. Any natural individual, group, organization, corporation, partnership or association. As applied to groups, organizations, corporations, partnerships and associations, the term shall include each member, officer, partner, associate, agent or employee.

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 counted as 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, 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. The term shall mean the same 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 store front 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 or intend to remain in any one location for more than 14 consecutive days.