

CHAPTER 3. LICENSING, PERMITS AND FEES

SECTION 300 GENERAL PROVISIONS

300.01 License or Permit Required. No person may conduct any activity or use any property for which a license or permit is required by law or this Code without a currently valid license or permit for that activity or use. For the purpose of this Code, a person will be deemed to be engaged in a business for which a license is required if the person:

- (a) Sells any goods or service for which a license is required under this Code.
- (b) Solicits such business or offers such goods or services for sale or hire.
- (c) Acquires or uses a vehicle or any premises in the City for such business purposes.

Agents or other representatives of non-residents of the City who do business in the City will be personally responsible for any failure of their principals or the businesses they represent to comply with this Code. A license is required for each branch establishment or location of a business as if it were a separate business. No license is required for mere delivery in the City of any property purchased or acquired in good faith from a regular place of business outside the City if there is no intent to evade this Code.

300.02 Application. A person required to obtain a license under this Code will apply to the Clerk for the license. The application will:

- (a) Be on forms provided by the Clerk.
- (b) Include an affidavit sworn to by the applicant before a person authorized to administer an oath.
- (c) Contain all information necessary to comply with the Code and any other information required by the Clerk, including full identification of the applicant, the applicant's address, and the address of the business.
- (d) Be accompanied by the applicable license fee stated in Section 305.02.

300.03 Bond. Where a bond is required for a license or permit, the bond will be a corporate surety bond executed on a form approved by the City Attorney and will be filed with the Clerk before the license or permit is issued. The bond will be in the amount and with the penalty provisions as required by the Code.

300.04 Procedure for Issuance. If, after investigation, the Clerk is satisfied that all requirements of law and this Code have been met, the Clerk will present the application and a report of the investigation and findings to the Council for action. If the license or permit does not require Council approval, the Clerk may issue the license or permit.

300.05 Appeal Procedure. Upon denial of a license or permit by the Clerk, an applicant may appeal the denial to the Council by filing a request for review with the Clerk within 10 days after notice of the denial. The Council will hear the applicant at its next regular meeting, and review the determination of the Clerk. The Council may then grant or deny the license.

300.06 License Period. All licenses will terminate on December 31 of the year issued, unless otherwise indicated.

300.07 Renewal. Applications for renewal of a license will be made to the Clerk on forms provided. The renewal application will contain the information required for the original application plus any additional information required by the Clerk. The application for renewal will be accompanied by the applicable license fee stated in Section 305.02.

300.08 Duplicates. A duplicate license certificate or tag may be issued by the Clerk to replace any license certificate or tag previously issued which has been lost, stolen, defaced or destroyed, without any willful conduct on the part of the licensee, if the licensee files an affidavit with the Clerk attesting to such fact and pays to the Clerk a fee of seventy-five cents.

300.09 Refunds. License fees will not be refunded in whole or in part for non-use of a license, or for any change in the business or its location. The Clerk may refund a license fee collected through error, or in cases where the application for the license is denied.

300.10 Duties of Licensee. Every licensee will:

- (a) Permit reasonable inspections of the business and books and records of the business by City officers or employees or by duly authorized agents of the City.
- (b) Comply with all laws, ordinances, and regulations applicable to the licensed business.
- (c) Refrain from operating the licensed business after expiration or revocation of the license and during any suspension of the license.
- (d) Display the license in a conspicuous place on the licensed premises, vehicle, or device to which the license relates.
- (e) Pay prior to the date any penalty attaches for non-payment, all special assessments and real and personal property taxes levied against real and personal property owned by the licensee and used in the licensed business.

300.11 Unlawful Disposition. A licensee may not lend, sell, give or assign a license to any person, or allow any other person to use, display or possess the license.

300.12 Enforcement. Police officers and other appropriate officers of the City may inspect and examine all premises, businesses and enterprises subject to license under this Code.

300.13 Termination of License. If the Clerk determines that a licensee has not complied with some requirement of this Code, the Clerk will give the licensee written notice of the violation delivered either personally or by depositing the notice in the U.S. mail addressed to the address

stated on the license application, which will constitute valid service of the notice. If the licensee cannot be found, the notice also may be posted on the licensed premises. The notice will require compliance with the provisions of law stated in the notice within a reasonable time as specified by the Clerk. Upon expiration of the stated time, the Clerk may terminate the license if the license was issued by the Clerk. If the license was issued by the Council, the Clerk will report the matter to the Council and the Council may terminate the license.

300.14 Hearing. A licensee may by written notice request a hearing by the Council before termination. The hearing will be held not less than 10 days and not more than 20 days after the request. At the hearing the licensee will be advised of all information upon which the alleged violation is based, and the licensee will be given the opportunity to offer evidence regarding the alleged violation. After the hearing, the Council may make a final order suspending, terminating or reinstating the license.

SECTION 305 FEES

305.01 License Fees. The fee for any license, permit or application required under this Code will be the amount stated in Section 305.02, which amount will be paid by the applicant at the time the application is submitted to the Clerk. All fees paid are non-refundable if the license has been correctly issued.

305.02 Establishment of Fee Amounts. The dollar amounts of fees required by this Code are as stated in the following table.

Animal Licenses & Fees				
Fee No.	Code No.	Purpose of Fee	Item	Amount
1	405.03	Dog license – Multiple Dog	Annual license	\$ 25.00
2	405.03	Release of impounded dog	0 impounds last 12 months	\$ 40.00
			1 impound last 12 months	\$ 65.00
			2 or more impounds last 12 months	\$ 90.00
3	405.03	Impounded animals	Monthly retainer fee	\$100.00
			Euthanasia & disposal	\$ 75.00
			Cremation only	\$ 60.00
			Daily fee for boarding of cats	\$ 23.00
			Daily fee for boarding of dogs	\$ 25.00
			Minimum daily fee per animal	\$ 25.00

Building Permit Fees			
Fee No.	Code No.	Item	Amount
4	700.03	Minimum Building Permit Fee	\$23.50

		All Building Permit Fees based on 1997 UBC/SBC Standards	Fee per Building Valuation Standards per Current I.C.B.O. Data
		Plan Review Fee	65% of Building Permit Fee
	705.05	Individual Sewage Treatment Permit (New or Repair)	Fee per Building Valuation Standards per Current I.C.B.O. Data

Contractor's Licenses				
Fee No.	Code No.	Purpose of Fee	Item	Amount
5	315.01	Annual Tree Trimming / Removal		\$ 50.00
6	314.02	Gas Fitter's License	Class A	0
7	314.02	Heating/ventilation installer	Class B	0
8	313.01	Plumbers License		0

Electrical Permit Fees				
Fee No.	Code No.	Item	Amount	
9	312.03	Minimum Residential Fee		\$40.00
		Swimming pool flat rate		\$45.00

False Alarm Fees & Fire Call Charges				
Fee No.	Code No.	Purpose of Fee	Item	Amount
10	445.02	3-6 false alarms	Within one calendar year	\$50.00
		7-10 false alarms	Within one calendar year	\$100.00
		In excess of 10 false alarms	Within one calendar year	\$150.00
11	430.02	Fire Call Charge Minimum (false alarm or actual fire)	First Summons within one calendar year	\$250.00
12	430.02	Fire Call Charge	Second and subsequent summons within one calendar year	\$500.00
13	430.02	Delinquent Fire Call Charge	Per each unpaid Fire Call Charge within one calendar year	\$100.00

Heating and Gas Fitting Permit Fees				
14	415.08	Heating, Ventilating, Air-conditioning and Refrigeration		
	(1) Central System	2% of estimated cost with a minimum of		\$ 40.00

	(2) Additions, Alterations & Repairs	2% of estimated cost with a minimum of	\$ 40.00
	(3) Addition of A/C to heating system	2% of estimated cost with a minimum of	\$ 40.00
	(4) Furnace or boiler replacement	1.25% of estimated cost with a minimum of	\$ 40.00
	(5) Gas Piping	First (3) units	\$ 7.50
		Each additional unit	\$ 4.00

Parking Permits				
Fee No.	Code No.	Purpose of Fee	Item	Amount
15	500.05	Temporary on-street parking permits (designated zones)	Per Day All purpose Contractors or residents	\$ 5.00
16		Temporary on-street parking permits (designated zones)	Monthly (30 day period) Contractors or residents	\$ 25.00

Planning and Zoning Fees				
Fee No.	Code No.	Purpose of Fee	Item	Amount
17	800.05	Subdivision	Filing fee plus direct costs	\$150.00
18	900.06	Alteration of Nonconforming Use	Filing fee	\$250.00
19	900.14	Variance	Filing fee	\$250.00
20	900.15	Special Use Permit	Filing fee	\$250.00
21	900.16	Application for Wetland Alteration	Filing fee	\$ 50.00
22	900.17	Land Alteration Permit	Filing fee	\$ 50.00
23	900.19	Permit for Vegetation Clearing	Filing fee	\$ 25.00

Plumbing Fees				
Fee No.	Code No.	Purpose of Fee	Item	Amount
24	313.04	Residential plumbing fee	Minimum fee	\$40.00
			Fee per fixture	\$8.50
		Water softener	Minimum fee	\$15.50
		Water heater	Minimum fee	\$15.50

Police Service Fees & Other Fees				
Fee No.	Code No.	Purpose of Fee	Item	Amount
25	215.03	Release of impounded property	Fee includes cost + \$2.00 per day	\$50.00
26	320.01	Peddler, canvassers and transient merchant	Per peddler for 14 day period	\$50.00

Utility Fees and Permits				
Fee No.	Code No.	Purpose of Fee	Item	Amount
27	1205.03	Sewer Use Rates	130% of current Minnetonka Rate Per quarter, 15,000 gallon minimum	
28	1205.04	Sewer Use – Past Due	Delinquent sewer bill charge / per quarter	\$ 5.00
29	1205.01	Sewer Connection Permit Fee	Stub in	\$50.00
30	1205.01	Sewer Disconnect Permit Fee (CAP)	Physical disconnect from main service line	\$50.00
	1200.02	New Sewer Connection Charge	Fees based on Minnetonka Trunk and Lateral Charge (Agreement)	
	1205.02	Sewer Availability Charge	Met Council - charge calculated annually	
	1210.01	User Fee Charge	1997 sewer and water project / per quarter	\$115.00
31	1200.06	Water System Use Rates	130% of current Minnetonka Rate Per quarter unit, 15,000 gallon minimum	
32	1200.06	Water Use – Past Due	Delinquent water bill charge / per quarter	\$5.00
33	1200.05	Water Service Charge	Turning water on or off per request of property owner	\$15.00
34	1200.06 (Subd. 8)	Annual safe water surcharge per State Statute	Calculated by MN Department of Health annually	
35	1200.08	Water Meter Charge	City's cost of meter plus 15%	
36	1200.10	Water Connection Permit Fee	Stub in	\$50.00
	1200.05 (Subd. 2)	Water Disconnect Permit Fee	Physical disconnect from main service line (excavation permit)	\$50.00
			5/8" meter deposit	\$90.00
			Larger than 1" service	\$50.00
			Fire sprinkler with service connect	\$50.00
			Surcharge	\$0.50

37	1200.04	New Water Connection Charge	Fee based on Minnetonka Trunk and Lateral Charge (Agreement)	

305.03 Fees Established by Resolution. Fees other than those set forth in Section 305.02 will be payable to the City in amounts established by resolution of the Council for miscellaneous items and administrative services, including without limitation, special assessment searches, accident reports, copying, ordinances, maps, minutes of Council and various commission meetings, printed forms, and certified copies.

SECTION 310 CONTRACTORS FOR SEWAGE TREATMENT SYSTEMS

Section 310.01 Contractor’s License.

Subd. 1. License Required. No person may engage in the business of installing, constructing, upgrading, inspecting, pumping or cleaning sewage treatment systems within the City without first obtaining a license from the State of Minnesota in accordance with state law.

Subd. 2. Insurance. Applicants must file with the Clerk a policy of public liability and property damage insurance which will remain in force and effect during the entire term of the license. Public liability insurance will not be less than \$500,000 for injury to person, \$50,000 for injury to property, and \$500,000 for any single occurrence.

Subd. 3. MPCA Certificate. Applicants shall hold a current “Individual Sewage Treatment Systems Certificate” issued by the Minnesota Pollution Control Agency. Applicants holding a ‘provisional’ certificate shall be subject to staff review of the applicant to determine their competence.

Subd. 4. Reporting. Each sewage treatment systems contractor completing any pumping, construction, relocation or repair work performed within the City, will provide monthly a report to the City covering any such work done in the previous month, identifying the property, the property owner or other person contracting for the work, and describing the work performed. Any report with respect to pumping shall also include all of the information required under Section 705.06, Subd. 3(d). Each licensed contractor who pumps or otherwise performs any work with respect to a system in the City shall also check to see that its baffles are in proper position, and will, in such report, notify the City with respect to any systems which are discovered by the contractor not to be in proper working order.

SECTION 312 LICENSING AND REGULATION OF ELECTRICIANS

312.01 Inspection Required. Any person making a new electrical installation in the City of Woodland that is governed by the provisions of the Minnesota Electrical Act, Minnesota Statutes, Section 326.241 through 326.48 inclusive, shall request inspection of such work by the

City before commencement of any installation required to be inspected. Such request shall be made according to standardized procedures specified by the Building Official.

312.02 License to be Filed. Each person doing electrical work in the City of Woodland governed by this Section shall file with the City before commencement of any such work a copy of that person's current license issued by the State Board of Electricity pursuant to the Minnesota Electrical Act or such other evidence of such license as may be provided by said Board. This requirement may be satisfied by the submission of a written statement signed and dated by the person required to make said filing that the required license or evidence thereof was previously filed with the City, the address in connection with which that information was filed, and that all the information contained on said license or evidence thereof is still current.

312.03 Permit Fee. No requested inspection will be made until the applicant has paid to the City the required permit fees as set forth in Section 305.02 of this Code.

312.04 Violations and Penalties. The activities described as crimes in Minnesota Statutes, Section 326.246, shall also constitute violations of this Section 312.

312.05 Electrical Inspector. Pursuant to authority set forth in Minnesota Statutes, Section 326.244, Subd. 4 and the Minnesota Electrical Act, the City of Woodland hereby creates the position of Electrical Inspector.

Subd. 1. The Electrical Inspector shall inspect new electrical installations for compliance with the Minnesota Electrical Act, the ordinances of the City of Woodland, and accepted standards of construction for safety to life and property.

Subd. 2. The Electrical Inspector must be a licensed master or journeyman electrician under Minnesota Statutes, Section 326.242, Subd. 1 (1) or Subd. 2 (1) and may not otherwise engage or be employed in the sale or installation of electrical wiring, devices, appliances or equipment, and shall have no financial interest in any concern engaged in any such business.

Subd. 3. The Electrical Inspector shall be responsible for the enforcement and administration of the laws, ordinances and standards referred to in Subd. 1 above.

Subd. 4. In addition to any powers or duties given the Electrical Inspector, the inspector shall have the powers and duties set forth in Minnesota Statutes, Section 326.244, Subd. 2. For purposes of administering those Statutes, any reference to the "board" shall mean the City of Woodland.

SECTION 313 LICENSING AND REGULATION OF PLUMBERS

313.01 License Required. No person may engage in the business of plumbing, or construct, extend, alter or repair any plumbing work or house drainage, or construct cesspools, or connect any house drainage with cesspools, or with the sewer or water supply system of the City without first obtaining a license from the Clerk.

313.02 Insurance. The applicant must provide evidence of public liability insurance written by an insurer licensed to do business in the State, including products liability insurance, with limits

of at least \$50,000 per person and \$100,000 per occurrence and property damage insurance with limits of at least \$10,000. The term of the insurance must include the entire term of the license.

313.03 Bond. A license will not be effective until the applicant has furnished the Clerk with a copy of the bond given to the State for the issuance of a Master Plumber's License. The City and its residents may look to the bond to insure the performance of all plumbing work undertaken in the City (including all water and sewer connections), to insure that any streets and sidewalks excavated by the licensee are restored to their former condition to the satisfaction of the Director of Public Works with a warranty for one year, and to insure the performance of all other requirements of this Code.

313.04 Permits. Every licensed plumber, before constructing, extending, altering or repairing any plumbing work or connecting any plumbing work with a cesspool or City water or sewer system, except as provided in this Code, will apply to the Building Inspector for a permit that purpose, and will pay the permit fee required under Section 305.02.

313.05 Restoring Water Service. If water service is restored after it has been discontinued, the owner will pay to the City a service fee for restoring the service.

SECTION 314 LICENSING AND REGULATION OF GAS FITTERS

314.01 Definition. The term "Gas Fitter" means any person engaged in the business of installing, altering, repairing, testing or extending any fuel tanks, power plants, gas or oil piping or gas or oil appliance items or connections.

314.02 License Required. No person, firm or corporation may engage in the business of a gas fitter within the City without first obtaining a license.

314.03 Classes of Licenses. There are two classes of gas fitter's licenses: Class A and Class B.

Subd. 1. Class A. The holder of a Class A license may perform "Hayes Orsatt" safety tests on gas and oil burners and may, after first obtaining the proper permit, install, alter, repair, test or extend fuel tanks, power plants, gas or oil burners, gas or oil piping and gas or oil appliance items and connections, including clothes dryers, gas ranges, gas water heaters and barbeque grills.

Subd. 2. Class B. The holder of a Class B license may only install, alter or repair only gas or oil appliance items and connections, such as clothes dryers, gas ranges, gas water heaters and barbecue grills.

314.04 Issuance. Licenses will be issued according to the following requirements.

Subd. 1. Applicant's Training. Application for the license will include a description of the applicant's training and experience as a gas fitter.

Subd. 2. Examination. The Building Inspector may require the applicant to take an examination given by the Building Inspector to test the applicant's knowledge and experience as a gas fitter. If the examination is required, a score satisfactory to the

Building Inspector will be a condition to issuance of the license. If the applicant does not obtain a satisfactory score, the applicant may not take the examination against within the next 30 days.

Subd. 3. Bond, Insurance. No license will be issued until the applicant has delivered to the City:

- (a) A performance bond in the amount of at least \$2,000 in favor of the City and in favor of all persons suffering damages by reason of the breach of the conditions of the bond. The bond will be in a form prescribed by the City and will be conditioned upon the faithful performance of all contracts performed in the City and upon compliance with this section. A copy of the bond given to the State for the issuance of a master plumber's license will satisfy the requirements of this Section.
- (b) A certificate of comprehensive liability insurance issued by an insurance company licensed to do business in the State and naming the applicant and the City as insured. The minimum limits of coverage for such insurance are:
 - (1) Each claim, at least \$100,000
 - (2) Each occurrence, at least \$200,000
 - (3) Property damage, at least \$50,000

This insurance must be kept in force during the term of the license and must provide for notification to the City 10 days before termination or cancellation. Any license issued under this Section will automatically be revoked upon notification of termination or cancellation of the insurance and will remain revoked until the required insurance is provided.

314.05 Duration. The license will be issued for a calendar year or the remaining portion thereof and will be renewable annually on or before January 1st of each year.

314.06 Revocation. The license may be revoked or refused renewal by the Council for cause. Any work done in violation of State Law or Section 314, or refusal on the part of a license to correct any defective work, may be cause for revocation of or refusal to grant or renew a license. Any revocation or suspension of or refusal to grant or renew a license may be appealed to the Council for a hearing on the matter conducted according to Section 300.05.

314.07 Transfer. No person, firm or corporation licensed under Section 314 may allow any other person, firm or corporation other than a bona fide employee to use the license.

314.08 Permits for Class A License Work. A person having a Class A license may do work which can be performed only with a Class A license only if a permit for the job is issued according to the following requirements.

- (a) At the discretion of the Building Inspector, the applicant for the job permit may be required to take and complete, to the satisfaction of the Building Inspector, an examination given by the Building Inspector.
- (b) A fee for the job permit will be paid according to Section 302.
- (c) Every permit issued under this Subsection 314.08 will expire in accordance with Section 300.06.

SECTION 315 TREE REMOVAL

315.01 License Required. No person may engage in the business of trimming or removing trees in the City without first obtaining a license from the City to do so, and paying the license fee set forth in Section 305.02.

315.02 Insurance. Each applicant for a license will include with his application policies or certificates of insurance by an insurance company authorized to do business in the State evidencing the following insurance coverage:

- (a) Workers compensation insurance as required by State law.
- (b) Insurance against claims for death, bodily injury and property damage liability in the amounts of at least \$500,000 for injury to or death of any one person, \$500,000 for injury to or death of more than one person in any one accident, and \$100,000 for damage to property.

SECTION 320 LICENSING OF PEDDLERS, TRANSIENT MERCHANTS AND CANVASSERS

320.01 General. No person may engage in the activities of a peddler, transient merchant or canvasser without first obtaining a license under Section 320 and paying the license fee set forth in Section 305.02 and without obtaining a license under Minnesota Statutes, Chapter 329.

320.02 Definitions.

Subd. 1. Peddler. A person who goes from house to house, from place to place, or from street to street to sell goods, wares, merchandise or personal service or to make sales and deliveries to purchasers.

Subd. 2. Transient Merchant. A person who uses a structure, car, trailer or vacant lot for the exhibition and sale of merchandise or for offering service, and who is engaged in a temporary business either traveling from place to place or in one locality.

Subd.3. Canvasser. A person who goes from door to door or place to place to sell merchandise or other property or services, and who solicits, takes or attempts to take orders.

320.03 Application and Issuance. In addition to the information required under Section 300.02, the application will include:

- (a) State of incorporation and registration.
- (b) Principal place of business, registered place of business, and local place of business.
- (c) Position with corporation or other business entity.
- (d) Name and address of supplier or owner of property, or provider of services, to be sold.
- (e) Description of property or services to be sold and the days and the hours during the day sale is intended.
- (f) Physical description of applicant.
- (g) Criminal convictions, if any, other than traffic violations.

The application must be filed together with evidence of a license under Minnesota Statutes, Chapter 329.

320.04 Duration and Conditions.

Subd. 1. Dates. The license will expire fourteen (14) consecutive calendar days after the date of issuance. The license will specify the commencement and expiration dates.

Subd. 2. Number. The license will be issued to only one individual.

Subd. 3. Carried or Posted. The license must be carried by the licensee or conspicuously posted in the licensee's place of business.

Subd. 4. Hours. Business activities may be conducted under the license only during the hours of 9:00 a.m. and 8:00 p.m.

Subd. 5. Access. No peddler or solicitor shall walk on or about any side or rear yard or attempt to make contact at any point other than the main point of entrance or front door of a residence.

Subd. 6. Departure. All peddlers or solicitors shall promptly depart from the premises following completion of a transaction or following an unsuccessful attempt to contact the resident of the premises.

Subd. 7. Harassment. No peddler or solicitor shall commit any act or conduct constituting harassment, a nuisance theft, deceit, or menacing or otherwise unlawful activities or violate any other provisions of this Code or State law.

320.05 Exclusion of Peddlers from Private Premises.

Subd. 1. Placard. Any resident of the City who wishes to exclude peddlers and canvassers from the resident's premises may place near the usual entrance to the premises a printed placard or sign bearing the following notice: "Peddlers and canvassers prohibited." The placard will be at least 3-3/4 inches long and 3-3/4 inches wide and the printing will not be smaller than forty-eight point type.

Subd. 2. Exclusion List. Any resident of the City who wishes to exclude peddlers and canvassers from the resident's premise may request to be placed on a list maintained by the City that would prohibit peddlers and canvassers from entering onto the resident's premises.

Subd. 3. Peddler Prohibited. No peddler or canvasser may enter upon any premises where such a placard or sign is placed. No peddler or canvasser may enter upon any premises where such a placard or sign is placed or enter upon any premises of any resident whose name and address is listed on the Exclusion List.

Subd. 4. Placard Removal. No person other than the person occupying the premises may remove, injure or deface such a placard or sign.

320.06 Exemptions.

Subd.1. Exempt Persons. Sections 320.01 through 320.04 do not apply to:

- (a) Newspaper carriers.
- (b) Farm and garden product vendors.
- (c) Charitable, political or religious vendors or solicitors, unless done primarily for the profit of the individual, corporation or other business entity engaged in the activity.
- (d) Vendors of perishable food products who have regular routes in the City.
- (e) Persons having licenses or permits under other applicable sections of the Code or under State laws or regulations.

Subd.2. Law, Regulations and Ordinance Compliance Required. The license exemptions stated in this Section do not relieve any person from compliance with State laws and regulations or other applicable ordinances.