



CITY OF SPRING PARK

COMPLETE MFU LICENSE APPLICATION CHECKLIST

The following materials must be received for your application to be considered complete:

- Complete and signed application
- Signed 'Notice to Applicant' Form
- Copy of a valid photo ID
- Copy of a current **'Mobile Food Unit'** license from **Hennepin County Health Department**
 -) Starting in July 2019 Hennepin County required all MFU's operating within county limits to obtain a county MFU license.
- Copy of a Certificate of Liability Insurance (Commercial General Liability)
 -) The City does not need to be listed as an additional insured.
 -) COI must list coverage dates and limits.
 - o This is an annual food truck license; coverage dates need to be through December 31 of the current year.
- Complete and signed Certificate of Compliance Form for Worker's Compensation
- Written permission of the property/business owner to sell on their property
 -) If your food truck is posted on the property/business owner's website calendar, that satisfies the 'written permission' requirement.
- Application fee payment: \$75/annual license

Please note the following:

-) We do not accept credit card payments. Payments can be made by cash or check.
-) All other application materials can be sent via email to tschyma@ci.spring-park.mn.us.
-) Application materials should be received at least 14 days in advance of your event.
 - o For any applications received in fewer than 14 days, City staff will do their best to process all requests but cannot guarantee that your application will be approved without sufficient time to process. Please plan accordingly and contact City staff with any questions.



CITY OF SPRING PARK

MOBILE FOOD UNIT (MFU) LICENSE APPLICATION

APPLICANT INFORMATION:

Business Name, Business Phone, Applicant's Legal Name, Business Street Address, City, State, Zip Code, Business Mailing Address, Name/Title of Main Point of Contact, E-mail Address, Daytime Phone, Phone # Where Applicant Can Be Reached During Event

LOCATION, FOOD AND VEHICLE INFORMATION:

List the address where food will be sold*:

Description of the MFU's location on the property:

* Please note: If at any time during the year you wish to operate at a location that is not listed on this application, you are responsible for notifying the City Clerk, at least 14 days prior to the event, to ensure that operating an MFU is an allowable use (per Zoning Code) at the new location.

Describe the food that will be sold:

Is your MFU licensed by the Hennepin County Health Dept? Yes No *You are required to be licensed & to provide a copy.

Vehicle description:

Make, Model, Plate #, Color, Year

HOURS AND DATES OF OPERATION INFORMATION:

The Spring Park City Code states that MFU operations are prohibited between the hours of 10:00 p.m. and 8:00 a.m. And, no single MFU shall operate for more than twenty-one (21) consecutive days.

Anticipated first date of operation in the City of Spring Park:

PREVIOUS LICENSES HELD:

Please list the last 3 cities, including dates worked, where you have operated your MFU:

- 1. _____
- 2. _____
- 3. _____

CRIMINAL BACKGROUND*:

Have you ever been convicted of a crime, misdemeanor, or violation of any ordinances related to this type of business?

Yes No

If yes, provide details, location(s), and date(s) below:

** Please note: All ice cream vendors are required to undergo a criminal background investigation and complete the background consent form.*

REQUIRED ACKNOWLEDGMENTS AND SIGNATURES:

Property Owner/Property Owner's Agent Signature*

** Please note: If your food truck is posted on the property/ business owner's website calendar, the 'written permission' requirement has been fulfilled.*

The applicant has permission to sell on my property:

Property Owner/Agent Signature: _____ Date: _____

Printed Name: _____ Title: _____

Applicant Acknowledgment and Signature

By signing and submitting this form you are acknowledging that all information you have provided on this application is correct and that you have not knowingly omitted or provided false information. You further acknowledge that you have fully read and understand the Spring Park City Code regarding Mobile Food Units (MFU) in its entirety, and agree to respect and obey all regulations of Spring Park's City Code with regard to MFU:

Applicant Signature: _____ Date: _____

(For office use only)

Date application received: _____	Notice to Applicant received? _____ Yes _____ No
Address complies with 100 ft. rule? _____ Yes _____ No	Workers Comp Cert Form received? _____ Yes _____ No
Receipt / Check #: _____ Date fee rec'd: _____	Copy of ID received? _____ Yes _____ No
Staff Approval: _____ Date issued: _____	Health Dept. license received? _____ Yes _____ No
	Certificate of Insurance received? _____ Yes _____ No

Comments: _____

NOTICE TO APPLICANT:

In the course of your application for a license under Spring Park’s General Licensing requirement, you may be asked to supply non–public data. The purpose and intended use of this data is to provide a means for the City to evaluate whether you comply with the application requirements for the general license application. You may refuse to supply the requested data, but this may result in an incomplete application which may result in your application being denied. This non–public data may be reviewed by the City of Spring Park, employees of the City of Spring Park who are assigned to review such information, and the City of Spring Park’s legal consultant. In addition, this data may be reviewed by specific advisory boards and subcommittees of the City of Spring Park, who assist the City in evaluating your application. You hereby agree to release the data to those boards and subcommittees for the purpose of effectuating that review.

Failures to complete, supply, or falsify any or all information contained within this application will result in a delay or denial or revocation of your license and / or application.

The undersigned, an applicant for a license under the rules and regulations of the City of Spring Park, understands and consents to the release and use of private or confidential data, as described above and acknowledges receipt of a copy of excerpts of City Code Chapter 13, Peddlers, Solicitors, and Transient Merchants.

Also, the undersigned does hereby agree to defend, indemnify, and hold harmless, the City of Spring Park, its officers, employees and agents, for any and all claims, causes of action, lawsuits, losses or expenses, including reasonable attorney’s fees and costs, on account of bodily injury, sickness, disease, death, and property damage as the result of any action of the undersigned.

Applicant Signature: _____

Date: _____

Certificate of Compliance

Minnesota Workers' Compensation Law

This form must be completed by the business license applicant.

Print in ink or type

Minnesota Statutes § 176.182 requires every state and local licensing agency to withhold the issuance or renewal of a license or permit to operate a business in Minnesota until the applicant presents acceptable evidence of compliance with the workers' compensation insurance coverage requirement of Minn. Stat. chapter 176. If the required information is not provided or is falsely stated, it shall result in a \$2,000 penalty assessed against the applicant by the commissioner of the Department of Labor and Industry.

A valid workers' compensation policy must be kept in effect at all times by employers as required by law.

License or certificate number (if applicable)	Business telephone number	Alternate telephone number
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Business name (Provide the legal name of the business entity. If the business is a sole proprietor or partnership, provide the owner's name(s), for example John Doe, or John Doe and Jane Doe.)

DBA ("doing business as" or "also known as" an assumed name), if applicable

Business address (must be physical street address, no P.O. boxes)	City	State	ZIP code
County	Email address		

You must complete number 1 or 2 below.

Note: You must resubmit this form to the authority issuing your license if any of the information you have provided changes.

1. **I have a workers' compensation insurance policy.**

Insurance company name (not the insurance agent)

Policy number	Effective date	Expiration date
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I am self-insured for workers' compensation. (Attach a copy of the authorization to self-insure from the Minnesota Department of Commerce; see www.mn.gov/commerce/industries/insurance/licensing/self-insurance.)

2. **I am not required to have workers' compensation insurance because:**

- I only use independent contractors and do not have employees. (See [Minn. Stat. § 176.043](#) for trucking and messenger courier industries; [Minn. Stat. § 181.723, subd. 4](#), for building construction; and [Minnesota Rules chapter 5224](#) for other industries.)
- I do not use independent contractors and have no employees. (See [Minn. Stat. § 176.011, subd. 9](#), for the definition of an employee.)
- I use independent contractors and I have employees who are not required to be covered by the workers' compensation law. (Explain below.)
- I only have employees who are not required to be covered by the workers' compensation law. (Explain below.) (See [Minn. Stat. § 176.041](#) for a list of excluded employees.)

Explain why your employees are not required to be covered

I certify the information provided on this form is accurate and complete. If I am signing on behalf of a business, I certify I am authorized to sign on behalf of the business.

Print name

Applicant signature (required)	Title	Date
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If you have questions about completing this form or to request this form in Braille, large print or audio, call (651) 284-5032 or 1-800-342-5354.

**CITY OF SPRING PARK
SPRING PARK, MN**

ORDINANCE 18-01

**AMENDMENT AND RESTATEMENT OF CITY CODE
APPENDIX A – SCHEDULE OF FEES AND CHARGES**

Chapter 13. Peddlers, Solicitors and Transient Merchants		
§13-32	Food Truck License	75.00

**CITY OF SPRING PARK
STATE OF MINNESOTA**

ORDINANCE NO. 17-03 & 18-02 & 19-03

**AN ORDINANCE AMENDING CITY OF SPRING PARK CITY CODE SECTION 13-2
DEFINITIONS, SECTION 13-31 APPLICATION, 13-34 DURATION, 13-35 LICENSE
EXEMPTION, FOR MOBILE FOOD TRUCKS WITHIN THE CITY OF SPRING PARK**

THE CITY COUNCIL OF THE CITY OF SPRING PARK ORDAINS:

Section 1. Sec. 13-2 - Definitions. The following definitions are hereby added to the Spring Park City Code:

Limited mobile food vehicle vendor: A mobile food vehicle that is licensed for a limited time period.

Mobile food cart: A non-motorized push cart that sells prepackaged or ready-to-eat foods.

Mobile food vehicle: All of the defined vehicles in this section.

Mobile food vehicle vendor truck or trailer: A self-contained truck or trailer use to prepare and serve food that is readily moveable without disassembling.

Prepackaged mobile food vendor: A parked vehicle from which prepackaged items such as ice cream, pop and candy are sold.

Transient merchant means any person who temporarily or intermittently sets up business out of a vehicle, trailer, boxcar, tent, portable shelter, or empty storefront for the purpose of exposing or displaying for sale, selling, offering for sale or attempting to sell, and/or delivering goods, wares, products, merchandise, or other personal property including mobile food units.

Section 2. Sec. 13-31. - Application. The following section is hereby amended to add the following to the Spring Park City Code:

Application for a city license to conduct business as a peddler or transient merchant shall be made at least 14 regular business days before the applicant desires to begin conducting business within the city. Each individual seeking to conduct business as a peddler, solicitor, or transient merchant shall complete an application. Application for a license shall be made on a form provided by the city clerk. All applications must be signed by the applicant and shall include the following information:

- (1) Applicant's full legal name.
- (2) All other names under which the applicant has conducted or does conducts business or to which applicant officially answers.
- (3) A physical description of the applicant (hair color, eye color, height, weight, and any distinguishing marks or features).
- (4) Full address of applicant's current residence, permanent residence and addresses for the five years immediately preceding the date of the application.
- (5) Telephone number of applicant's permanent residence.
- (6) Full legal name of any and all business operations owned, managed or operated by applicant, or for which the applicant is an employee or agent.
- (7) Full address of applicant's regular place of business (if any).
- (8) Any and all business-related telephone numbers of the applicant, including cellular phones.
- (9) The type of business for which the applicant is applying for a license.
- (10) The dates during which the applicant intends to conduct business (maximum of 14-consecutive days).
- (11) Any and all addresses and telephone numbers where the applicant can be reached while conducting business within the city, including the location where a transient merchant intends to set up business.
- (12) A statement as to whether or not the applicant has been convicted within the last five years of any felony, gross misdemeanor, or misdemeanor for violation of any state or federal statute or any local ordinance, other than minor traffic offenses.
- (13) A list of the three most recent locations where the applicant has conducted business as a peddler or transient merchant.
- (14) Proof of any required county license.
- (15) Whether the applicant has been the subject of an investigation by any consumer protection agency, state attorney general, better business bureau or similar group, and if so, the type of investigation, the date of the investigation, the agency or office conducting the investigation, and the outcome.

- (16) Whether the applicant or any of its agents, employees, or sub-contractors has applied for a license pursuant to Minn. Stat. ch. 326.
- (17) An executed data privacy advisory and consent form authorizing the release of criminal history information from each of the applicant's officers, partners, employees, agents, and subcontractors.
- (18) Written permission of the property owner or the property owner's agent for any property to be used by a transient merchant.
- (19) A general description of the items to be sold or services to be provided.
- (20) One of the following valid forms of legal identification of the applicant:
 - a. Driver's license or identification card issued by Minnesota, another state, or a province of Canada, and including the photograph and date of birth of the licensed person;
 - b. A military identification card issued by the United States Department of Defense;
 - c. Passport issued by the United States; or
 - d. In the case of a foreign national, by a valid passport.

An expired photo ID will be accepted only with valid temporary permit showing renewal of ID is in process.

- (21) The license plate number, registration information, vehicle identification number and physical description for any vehicle to be used in conjunction with the licensed business.
- (22) All additional information deemed necessary by the city council.
- (23) Mobile food units are required to meet the following additional standards:
 - a. Mobile food units must be licensed by the Minnesota Department of Health and must adhere to state regulations for food trucks as provided in the Minnesota Food Code, Minnesota Rules part 4626.1860, Mobile food establishments; seasonal temporary food stands; seasonal permanent food stands. Evidence of the state license must be provided to the city as part of the local license application.

Section 3. Sec. 13-34. - Duration. The following section is hereby amended to add the following to the Spring Park City Code:

All licenses issued under this chapter shall be valid only during the time period indicated on the license up to a maximum of 14 days per calendar year. The city council at its sole discretion may grant an extension for up to 45 additional days per calendar year upon application for an extension.

Licenses for mobile food units are issued per calendar year and do not have a maximum annual number of operating days. However, in no case shall an individual mobile food unit operate for more than twenty-one (21) consecutive days.

Section 4. Sec. 13-35. - License exemptions. The following section is hereby amended to add the following to the Spring Park City Code:

- (a) *Farm products.* No license shall be required for any person to sell or attempt to sell, or to take or attempt to take orders for, any product grown, produced, cultivated, or raised on any farm.
- (b) *Canvassers.* No license, shall be required of any person going from house-to-house, door-to-door, business-to-business, street-to-street, or any other type of place-to-place when the activity is for the purpose of exercising that person's state or federal Constitutional rights such as the freedom of speech, press, religion and the like. This exemption will not apply if the person's exercise of Constitutional rights is merely incidental to a commercial activity.
- (c) *Exempt organizations.* No license shall be required of any person soliciting for a charitable, religious, political or educational organization if such organization is registered with the secretary of state pursuant to the provisions of Minn. Stat. § 309.52 as a charitable organization or is exempted therefore pursuant to the provisions of Minn. Stat. § 309.515.
- (d) *Professional fundraisers not exempt.* Professional fundraisers working on behalf of an otherwise exempt person or group shall not be exempt from the licensing requirements of this chapter.
- (e) Mobile food units associated with city-sponsored events or nonprofit events not to exceed seven days where a temporary use permit has been issued by the City Administrator are not required to obtain a transient merchant permit for the duration of the event. Mobile food units participating in these events must comply with all other standards in this section.

Section 5. Sec. 13-40 Mobile Food Units. The following section is hereby amended to add the following to the Spring Park City Code:

- (a) Mobile food units must adhere to the following regulations:
 - (1) Mobile food units must be licensed by the Hennepin County Health Department and must adhere to state regulations for food trucks as provided in the Minnesota Food Code, Minnesota Rules part 4626.1860, Mobile food establishments; seasonal temporary food stands; seasonal permanent food stands. Evidence of the county license must be provided to the city as part of the local license application.
 - (2) Mobile food unit operations are permitted in all commercial and industrial districts. Mobile food units may operate in residential districts, public parks, school sites, church sites, or in conjunction with a block party or special event where a temporary use permit has been issued by the City Administrator and subject to the conditions of this section. Ice cream truck vendors may operate in all zoning districts, but must adhere to the described hours of operation.
 - (3) Mobile food units must be located on private property, and the applicant must provide written consent from the property owner. Ice cream trucks are allowed to operate within the public right-of-way in residential districts. Mobile food units

may be located in a public park or within the public right-of-way in residential districts with approval from the city.

- (4) Mobile food units shall not be located within 100 feet of the main entrance of any other permanent food establishment on a separate lot. The setback shall be measured from the vehicle to the main entrance of the building.
- (5) Mobile food unit operations are not permitted between the hours of 10:00 p.m. and 8:00 a.m. except by approval from the city.
- (6) Mobile food units operating at a site for more than one day or in conjunction with events identified in Section 13.35(e) of this ordinance shall be prohibited from using an electrical generator and must rely on an electric power source available from the principal building on the site.
- (7) Mobile food unit sites shall be kept in a neat and orderly manner, and shall adhere to the following site requirements:
 1. Trash and/or recycling collection and cleanup must be provided.
 2. Mobile food units must provide independent power supply which is screened from view. Generators are permitted.
 3. Mobile food units shall be located on an asphalt or concrete surface.
 4. Mobile food units must close during adverse weather conditions when shelter is not provided.
 5. Mobile food units may not occupy parking spaces where the remaining parking will not meet minimum standards required by Section 42-67 of this Code.
- (8) Noise from mobile food units shall not exceed MPCA noise standards for night time activities measured at the property line.
- (9) Ice cream truck vendors are required to undergo a criminal background check prior to operating in the community at the cost of the applicant-vendor.
- (10) If mobile food unit sites are found to be in noncompliance with any conditions as provided in this section, the city reserves the right to revoke the mobile food unit transient merchant license.