



## Regular Planning Commission Meeting & Public Hearings Agenda

Monday, June 1<sup>st</sup>, 2026 @ 6:00 PM

Commission Chair: Simon Stricker

**Commission:**

Joby Goerges  
Roman Siltman  
Victor Prociuk  
Corey Derksen

**City Clerk/Zoning Administrator:**

Cassandra Delougherty  
**City Community Development  
Administrator:** Katie Kostohryz  
**City Attorney:** Joe Langel

City of Jenkins  
33861 Cottage Avenue  
Jenkins, MN 56474  
(218) 568-4637

Join Zoom Meeting

<https://zoom.us/join>

Meeting ID: 353 029 2895

Password: 56474

Dial by location: (312) 626-6799 (US Chicago)

NOTE: PRINTED MATERIALS RELATING TO AGENDA ITEMS ARE AVAILABLE FOR PUBLIC INSPECTION IN A THREE-RING BINDER ON TABLE BY COUNCIL CHAMBER ENTRANCE.

1. CALL TO ORDER – PLEDGE OF ALLEGIANCE
2. ROLL CALL
3. APPROVAL
  - a. AGENDA
  - b. MINUTES FROM MAY 4TH, 2026 PLANNING COMMISSION MEETING & PUBLIC HEARINGS (NORTHLAND CUP, AND ORD. AMNDMNT O-26-50 SCREENING REQUIREMENTS IN THE C-2, HIGHWAY BUSINESS DISTRICT)
4. PUBLIC HEARING:
  - a. CONDITIONAL USE PERMIT AMENDMENT APPLICATION- RILEY PETERSON HOME OCCUPATION TYPE IV
    - i. OPEN HEARING FOR PUBLIC COMMENT
    - ii. CLOSE PUBLIC HEARING
    - iii. PLANNING COMMISSION DELIBERATION
    - iv. PLANNING COMMISSION ACTION
5. UNFINISHED BUSINESS
  - a. REVIEW OF CAMPING/RV ORDINANCE/PERMITTING
  - b. REVIEW OF DEFINITION AND LAND USE MATRIX RELATED TO “WAREHOUSING”
6. NEW BUSINESS
  - a. TRANSIENT MERCHANT/PEDDLER/MOBILE FOOD TRAILER PERMITTING
7. MISCELLANEOUS/COMMUNICATION
  - a. ZONING ADMINISTRATOR’S REPORT
8. ADJOURNMENT

**MAY 4<sup>TH</sup>, 2026**

**JENKINS PLANNING COMMISSION MEETING & PUBLIC HEARINGS  
MEETING MINUTES**

**CALL TO ORDER**

THE MEETING WAS CALLED TO ORDER AND THE PLEDGE OF ALLEGIANCE WAS RECITED.

**ROLL CALL**

PLANNING COMMISSION COMMISSIONERS GOERGES, SILTMAN, PROCIUK, AND DERKSEN WERE PRESENT. COMMISSION CHAIRMAN STRICKER WAS ABSENT.

**APPROVAL**

THE COMMISSION REVIEWED THE AGENDA AND THE MINUTES FROM THE APRIL 7<sup>TH</sup>, 2026 PLANNING COMMISSION MEETING & PUBLIC HEARINGS

*MOTION TO APPROVE THE AGENDA AND MINUTES WAS MADE BY COMMISSIONER GOERGES AND SECONDED BY COMMISSIONER PROCIUK. MOTION PASSED UNANIMOUSLY.*

**PUBLIC HEARINGS**

**PROPOSED AMENDMENT TO HIGHWAY BUSINESS (C-2) ZONING DISTRICT SCREENING REQUIREMENTS FOR TH371 O-26-50**

COMMISSIONER SILTMAN OPENED THE PUBLIC HEARING FOR PUBLIC AT 6:03PM.

WITH NO PUBLIC COMMENTS RECEIVED, THE HEARING WAS CLOSED AT 6:04PM.

THE COMMISSION DELIBERATED ON THE CONDITIONS TO BE ATTACHED TO THE APPROVAL. THE CENTRAL ISSUE CONCERNED THE OUTDOOR STORAGE AND SCREENING CONDITION, WHICH AS DRAFTED REQUIRED THAT OUTDOOR STORAGE IN DESIGNATED AREAS "SHALL BE ORDERLY AND FULLY SCREENED." CONCERN WAS RAISED THAT THE PHRASE "FULLY SCREENED" WAS OVERLY BROAD GIVEN THAT THE NEWLY ADOPTED C-2 SCREENING ORDINANCE AMENDMENT (O-26-50) HAD MOVED AWAY FROM BLANKET SCREENING REQUIREMENTS. COMMISSIONERS AGREED THAT SCREENING FROM THE HIGHWAY SIDE WOULD BE COUNTERPRODUCTIVE FOR A BUSINESS THAT BENEFITS FROM HIGHWAY VISIBILITY, AND THAT THE REQUIREMENT SHOULD INSTEAD ALIGN WITH THE UPDATED ORDINANCE. AFTER DISCUSSION, THE COMMISSION AGREED TO STRIKE THE WORD "FULLY" FROM THE OUTDOOR STORAGE AND SCREENING CONDITION, REPLACING IT WITH A STANDARD REQUIRING SCREENING PER THE ORDINANCE—WHICH WOULD APPLY SCREENING REQUIREMENTS TOWARD THE RESIDENTIAL SIDE RATHER THAN PRESCRIBING FULL SCREENING ACROSS ALL EXPOSURES. COMMISSIONERS NOTED IT DID NOT MAKE SENSE TO SCREEN A BUSINESS FROM THE HIGHWAY AND POTENTIAL CUSTOMERS.

SILTMAN ASKED IF ANY COMMISSIONERS HAD QUESTIONS BEYOND WHAT WAS PREVIOUSLY DISCUSSED. HE NOTED THAT AFTER READING THROUGH ALL MATERIALS, HE HAD NO FURTHER QUESTIONS OR THOUGHTS BEYOND WHAT WAS PREVIOUSLY COVERED REGARDING THE VARIANCE REQUEST.

WITH NO ADDITIONAL QUESTIONS OR CONCERNS FROM COMMISSIONERS, SILTMAN CALLED FOR A MOTION.

***MOTION TO RECOMMEND APPROVAL OF ORDINANCE AMENDMENT O-26-50 TO THE CITY COUNCIL BASED ON FINDINGS OF FACT AND SUBJECT TO THE STATED CONDITIONS, WITH THE AMENDMENT TO THE OUTDOOR STORAGE AND SCREENING CONDITION STRIKING THE WORD "FULLY" SO THAT SCREENING SHALL BE PER ORDINANCE, WAS MADE BY COMMISSIONER GOERGES AND SECONDED BY COMMISSIONER PROCIUK. THE MOTION CARRIED UNANIMOUSLY.***

CONDITIONAL USE PERMIT AMENDMENT APPLICATION – NATHAN LANGE, NORTHLAND CUP  
THE PUBLIC HEARING WAS OPENED AT 6:10PM.

NATHAN LANGE, THE APPLICANT, ADDRESSED THE COMMISSION. HE PROVIDED CONTEXT REGARDING SITE CONDITIONS, NOTING ONGOING CLEANUP OF TREE DEBRIS AND MATERIAL FROM ACROSS THE ROAD AND FROM NEIGHBORING PROPERTIES. HE INDICATED THAT BURN PILES AND TEMPORARY DEBRIS ACCUMULATION WERE RELATED TO ONGOING SITE MAINTENANCE AND CONSTRUCTION-RELATED ACTIVITY, AND THAT HE DID NOT FORESEE THE SITUATION CONTINUING INDEFINITELY. HE ALSO DISCUSSED THE AREA TO THE RIGHT OF THE ENTRY SCESS, STATING IT CURRENTLY HELD A SEMI AND SOME PALLETS BUT WAS OTHERWISE RELATIVELY CLEAR, AND AGREED WITH A COMMISSIONER'S SUGGESTION TO DESIGNATE THAT AREA AS OPEN STORAGE ON THE SITE PLAN FOR TRANSPARENCY.

PUBLIC HEARING WAS CLOSED AT 6:18PM

THE COMMISSION REVIEWED THE CONDITIONS PRESENTED IN THE STAFF REPORT. DISCUSSION CENTERED ON THREE CONDITIONS: (1) THE SITE PLAN, REQUIRING THE PROPERTY TO MAINTAIN AN APPROVED PLAN WITH NO CHANGES WITHOUT CITY APPROVAL; (2) ALLOWED USES, LIMITING THE PROPERTY TO C-2-COMPATIBLE COMMERCIAL AND SERVICE USES; AND (3) OUTDOOR STORAGE AND SCREENING. COMMISSIONERS CONFIRMED THEY WERE SATISFIED WITH THE CONDITIONS AS PRESENTED, WITH THE MODIFICATION TO THE OUTDOOR STORAGE AND SCREENING LANGUAGE DISCUSSED UNDER THE PRIOR AGENDA ITEM—STRIKING "FULLY SCREENED" IN FAVOR OF SCREENING PER ORDINANCE. THE APPLICANT ASKED FOR CONFIRMATION THAT THE NEW SCREENING ORDINANCE WOULD REMOVE THE REQUIREMENT TO SCREEN TOWARD THE HIGHWAY, AND THE COMMISSION CONFIRMED THIS WAS THE CASE. COMMISSIONERS OBSERVED THAT IT MADE LITTLE SENSE TO SCREEN A BUSINESS FROM THE HIGHWAY GIVEN THE INTENT OF THE C-2 DISTRICT. THE COMMISSION ALSO DISCUSSED WHETHER THE OPEN FIELD AREA NEAR THE SITE ENTRANCE SHOULD BE LABELED AS OPEN STORAGE ON THE SITE PLAN. THE APPLICANT AGREED TO ADD THAT DESIGNATION, NOTING THAT OCCASIONAL PALLETS AND STAGED MATERIALS ARE SOMETIMES LOCATED THERE.

THE COMMISSION ALSO TOOK UP A SEPARATE QUESTION REGARDING THE APPLICATION FEE. CITY CLERK/ZONING ADMINISTRATOR DELOUGHERTY NOTED SHE HAD BEEN HOLDING A \$500 APPLICATION CHECK, PENDING THE COMMISSION'S REVIEW AND DECISION. THE APPLICANT REQUESTED THAT THE FEE BE WAIVED, ARGUING THAT THE ORIGINAL CUP FROM 2021 HAD NOT

BEEN PROPERLY DOCUMENTED—CONDITIONS DISCUSSED AND AGREED TO AT THAT TIME, INCLUDING SCREENING, WERE NOT CARRIED OVER INTO THE RECORDED PERMIT. A COMMISSIONER CORROBORATED THIS, NOTING THEY HAD BEEN PRESENT AT THE EARLIER MEETINGS AND CONFIRMED THAT THE ORIGINAL CONDITIONS HAD NOT BEEN ACCURATELY MEMORIALIZED. THE COMMISSION CHAIR ACKNOWLEDGED THE DOCUMENTATION FAILURE BUT ALSO NOTED THAT THERE HAD BEEN ITEMS ON THE APPLICANT'S END THAT HAD NOT BEEN ADDRESSED OVER THE FIVE YEARS SINCE THE ORIGINAL CUP WAS ISSUED. THE COMMISSION REACHED A CONSENSUS THAT RESPONSIBILITY EXISTED ON BOTH SIDES, AND AGREED TO RECOMMEND TO THE CITY COUNCIL THAT THE FEE BE REDUCED BY HALF—TO \$250—RATHER THAN WAIVED ENTIRELY. CITY CLERK/ZONING ADMINISTRATOR DELOUGHERTY INFORMED THE APPLICANT THAT THE MATTER WOULD GO BEFORE THE CITY COUNCIL THE FOLLOWING MONDAY AND THAT HE COULD ATTEND IN PERSON OR PARTICIPATE VIA ZOOM.

#### IV. PLANNING COMMISSION ACTION

***MOTION TO RECOMMEND APPROVAL OF THE CONDITIONAL USE PERMIT AMENDMENT FOR NATHAN LANGE / NORTHLAND PROPERTIES BASED ON FINDINGS OF FACT AND SUBJECT TO THE STATED CONDITIONS, WITH THE MODIFICATION STRIKING "FULLY" FROM THE OUTDOOR STORAGE AND SCREENING CONDITION SO THAT SCREENING SHALL BE PER ORDINANCE, WAS MADE BY COMMISSIONER GOERGES AND SECONDED BY A COMMISSIONER PROCIUK. COMMISSIONER DERKSEN ABSTAINED. MOTION PASSED.***

***MOTION TO RECOMMEND TO THE CITY COUNCIL THAT THE \$500 APPLICATION FEE BE REDUCED TO \$250, MEETING IN THE MIDDLE GIVEN THAT DOCUMENTATION FAILURES EXISTED AT THE TIME OF THE ORIGINAL CUP WHILE ALSO RECOGNIZING THAT COMPLIANCE ITEMS ON THE APPLICANT'S END HAD REMAINED UNADDRESSED, WAS MADE BY COMMISSIONER PROCIUK AND SECONDED BY COMMISSIONER GOERGES. COMMISSIONER DERKSEN ABSTAINED. MOTION PASSED.***

### **NEW BUSINESS**

#### **REVIEW OF CAMPING/RV ORDINANCE/PERMITTING**

CITY CLERK/ZONING ADMINISTRATOR DELOUGHERTY PRESENTED A SUMMARY OF CITY CODE §150.112 GOVERNING CAMPERS AND RECREATIONAL VEHICLES. SHE NOTED THE ITEM WAS BROUGHT FORWARD AT THE COMMISSION CHAIR'S REQUEST FOLLOWING OBSERVATIONS OF RVs APPEARING TO BE INHABITED ON PROPERTIES WITHIN THE CITY. SHE REVIEWED THE KEY PROVISIONS OF THE ORDINANCE: CAMPERS MUST BE LICENSED AND ROAD-READY, NOT PERMANENTLY PLACED OR SKIRTED, AND MUST COMPLY WITH SETBACK REQUIREMENTS. ON PROPERTIES WITH A PRINCIPAL STRUCTURE, INDIVIDUAL UNITS MAY NOT BE USED MORE THAN 14 DAYS WITHIN ANY 60-DAY PERIOD, WITH ONE UNIT ALLOWED IN YEAR-ROUND OUTDOOR STORAGE. ON VACANT LOTS, USE WITHOUT A PERMIT IS LIMITED TO 14 DAYS PER CALENDAR YEAR; A PERMIT ALLOWS UP TO NINE MONTHS OF USE ANNUALLY, BUT REQUIRES INSTALLATION OF A PERMANENT SEWAGE TREATMENT SYSTEM. THE CURRENT FEE SCHEDULE SETS THE PERMIT COST AT \$1.00 PER DAY FOR UP TO 180 DAYS AND \$2.00 PER DAY THEREAFTER.

COMMISSIONERS DISCUSSED SEVERAL ASPECTS OF THE ORDINANCE. THE CHAIR RAISED A QUESTION ABOUT THE SEWAGE TREATMENT REQUIREMENT FOR VACANT LOT CAMPING PERMITS, NOTING IT SEEMED BURDENSOME FOR WHAT MIGHT BE OCCASIONAL OR SEASONAL USE SUCH AS A HUNTING CAMPER. COMMISSIONERS ALSO DISCUSSED THE GROWING PREVALENCE OF ICE CASTLES AND OTHER NON-TRADITIONAL CAMPING STRUCTURES AND WHETHER THOSE WERE ADEQUATELY ADDRESSED. THE CHAIR RAISED THE BROADER ISSUE OF ENFORCEMENT, NOTING THAT THE ORDINANCE COULD BE DIFFICULT TO APPLY IN PRACTICE GIVEN THAT COMPLAINTS DRIVE MUCH OF THE ENFORCEMENT ACTIVITY.

THE COMMISSION AGREED TO TABLE A FORMAL DECISION AND DIRECTED CITY CLERK/ZONING ADMINISTRATOR DELOUGHERTY TO DISTRIBUTE A COPY OF THE FULL ORDINANCE FOR COMMISSIONERS TO REVIEW PRIOR TO THE NEXT MEETING. COMMISSIONERS INDICATED THEY WOULD REVIEW THE ORDINANCE AND COME PREPARED WITH THOUGHTS ON POTENTIAL AMENDMENTS. DELOUGHERTY OFFERED TO ALSO RESEARCH HOW OTHER CITIES HANDLE RV AND CAMPING REGULATIONS, INCLUDING FEE STRUCTURES, IF THE COMMISSION DESIRED.

#### REVIEW OF DEFINITION AND LAND USE MATRIX RELATED TO "WAREHOUSING"

CITY CLERK/ZONING ADMINISTRATOR DELOUGHERTY PRESENTED THE CURRENT ORDINANCE DEFINITIONS AND LAND USE MATRIX CLASSIFICATIONS FOR WAREHOUSING. UNDER THE CURRENT CODE, "WAREHOUSING" IS DEFINED AS A PRINCIPAL USE INVOLVING STORAGE OF MATERIALS OR EQUIPMENT WITHIN A BUILDING, WHILE "WAREHOUSING, COMMERCIAL" IS DEFINED AS THE RENTAL OR SALE OF WAREHOUSING SPACE. THE LAND USE MATRIX CURRENTLY ALLOWS PRIVATE WAREHOUSING IN ALL DISTRICTS EXCEPT PUBLIC (WHERE IT IS EXCLUDED), AND COMMERCIAL WAREHOUSING AS A CONDITIONAL USE IN C-2, INDUSTRIAL, AND AGRICULTURAL DISTRICTS. COMMISSIONERS EXPRESSED CONCERN THAT THE EXISTING FRAMEWORK WAS TOO PERMISSIVE AND POTENTIALLY INCONSISTENT WITH THE CITY'S LAND USE GOALS. THE COMMISSIONERS NOTED THAT ALLOWING WAREHOUSING AS A PRINCIPAL USE ACROSS MOST DISTRICTS COULD LEAD TO THE PROLIFERATION OF STORAGE BUILDINGS IN AREAS WHERE THE CITY WOULD PREFER OTHER COMMERCIAL USES, AND SUGGESTED THAT WAREHOUSING SHOULD PERHAPS BE TREATED MORE LIKE A CONDITIONAL OR ACCESSORY USE RATHER THAN A PERMITTED-BY-RIGHT USE. COMMISSIONERS OBSERVED THAT PRIVATE WAREHOUSING AS CURRENTLY DEFINED—COVERING ANY BUILDING USED PRINCIPALLY FOR STORING ONE'S OWN MATERIALS—WAS SO BROAD THAT IT COULD EFFECTIVELY DESCRIBE ANY ACCESSORY SHED, AND THAT THE DEFINITION MAY NOT SERVE A MEANINGFUL REGULATORY PURPOSE AS WRITTEN.

THE COMMISSION REACHED CONSENSUS THAT THE DEFINITIONS AND LAND USE MATRIX CLASSIFICATIONS FOR WAREHOUSING SHOULD BE REVISITED AND AMENDED TO BETTER REFLECT THE CITY'S INTENT AND ALIGN WITH RECENT UPDATES TO THE ZONING ORDINANCE. CITY CLERK/ZONING ADMINISTRATOR DELOUGHERTY WAS DIRECTED TO PREPARE ALTERNATE DEFINITIONS AND PROPOSED MATRIX CHANGES FOR REVIEW AT THE NEXT MEETING.

## UNFINISHED BUSINESS

THERE WAS NO UNFINISHED BUSINESS DISCUSSED.

## MISCELLANEOUS/COMMUNICATION

### ZONING ADMINISTRATOR'S REPORT

CITY CLERK/ZONING ADMINISTRATOR DELOUGHERTY PRESENTED THE ZONING ADMINISTRATOR'S REPORT DATED APRIL 28, 2026, HIGHLIGHTING THE FOLLOWING RECENT PERMITS AND APPROVALS:

- JEFF & ANNETTE HANSON, HALF MILE RD. - DETACHED 30FT X 44FT GARAGE; SIDE YARD SETBACK VARIANCE APPROVED BY CITY COUNCIL ON APRIL 13, 2026.
- MARK TURNER, ADVENTURE TIME VEHICLES, LLC., CHARLES AVE. - ZONING COMPLIANCE CONFIRMATION COMPLETED FOR THE MN VEHICLE DEALER LICENSE; CUP APPROVED BY CITY COUNCIL ON APRIL 13, 2026.
- MIKE EICHEN, ACKERMAN TRAIL - TWO ACCESSORY STRUCTURES (12X16FT AND 12X24FT).
- JOEL FERGUSON, SUMMER AVE. - 12FT X 24FT GARAGE ADDITION.
- TW MILLER CORP., TBD NORWAY DR. - TWO SHOP BUILDINGS (32X48FT AND 30X56FT), SSTS DESIGN, DRIVEWAY ACCESS PERMIT, AND E911 ADDRESSING. DELOUGHERTY NOTED THAT TW MILLER CORP. HAD PURCHASED THE COMMERCIAL LOTS AT WHITETAIL HOLLOW, WITH THE INTENT OF RELOCATING AN EXISTING BUSINESS FROM JENKINS AVENUE—INCLUDING CONSTRUCTION EQUIPMENT AND CNC MACHINING OPERATIONS—TO THE NEW LOCATION. THE DEVELOPMENT WOULD FUNCTION AS A SHOP AND WAREHOUSE WITHOUT RETAIL SPACE. THE SEPTIC DESIGN HAD BEEN SUBMITTED FOR REVIEW.
- JEAN HUMMEL, CEMETERY RD.- 10FT X 20FT GARDEN SHED WITH AN ATTACHED 12FT X 8FT GREENHOUSE.
- DAVE ACKERMAN, BLUE WATER WELLS - DRIVEWAY ACCESS PERMIT FOR PID 26340555 AT CHARLES AVE./PINE TREE ST. DELOUGHERTY EXPLAINED THAT THE PROPERTY OWNER WISHED TO ACCESS THE PARCEL FROM PINE TREE STREET RATHER THAN CHARLES AVENUE TO ALLOW FOR BETTER BUILDING PLACEMENT AND MULTI-BAY CONFIGURATION. PUBLIC WORKS HAD REVIEWED THE PROPOSED ACCESS LOCATION AND INDICATED IT WAS A SUITABLE SPOT. A SKETCH PLAN REVIEW HAD BEEN COMPLETED, AND A VARIANCE PREVIOUSLY CONTEMPLATED MAY NO LONGER BE NECESSARY WITH THE REVISED ACCESS APPROACH.

DELOUGHERTY ALSO NOTED THAT E911 ADDRESSING CALLS HAD BEEN COMING IN AND THAT PARK PAVILION RESERVATIONS FOR THE SUMMER WERE BOOKING QUICKLY.

DELOUGHERTY THEN PRESENTED A CONCEPTUAL SKETCH FOR AN UNIDENTIFIED POTENTIAL APPLICANT INTERESTED IN PURCHASING A PARCEL IN THE HIGHWAY BUSINESS (C-2) ZONED AREA ADJACENT TO AN EXISTING RESIDENTIAL STORAGE DISTRICT. THE APPLICANT—IDENTIFIED AS KEVIN McDONALD, WHO PARTICIPATED BY PHONE—IS CONSIDERING PURCHASING THE PROPERTY CONTINGENT ON THE ABILITY TO REZONE THE NORTHWEST CORNER OF THE PARCEL FROM HIGHWAY BUSINESS TO RESIDENTIAL STORAGE IN ORDER TO DEVELOP A RESIDENTIAL STORAGE FACILITY. THE PROPERTY DOES NOT HAVE AND WILL NOT BE SEEKING ACCESS FROM TH 371; ACCESS WOULD

BE FROM SUMMER AVENUE. MR. McDONALD CONFIRMED THIS ON THE CALL, STATING CLEARLY THAT ACCESSING FROM HIGHWAY 371 WAS NOT THEIR INTENT.

DELOUGHERTY RAISED SEVERAL RELEVANT CONSIDERATIONS: THE COUNTY SHORELAND ORDINANCE REQUIRES A 300-FOOT SETBACK FROM THE GENERAL DEVELOPMENT LAKE (HICKORY CLEAR), WHICH COULD SIGNIFICANTLY LIMIT THE BUILDABLE AREA; MINIMUM LOT SIZE WITHIN THE 300-FOOT SHORELAND DISTRICT INCREASES TO 30,000 SQUARE FEET COMPARED TO THE CITY'S 12,000 SQUARE FOOT MINIMUM FOR RESIDENTIAL STORAGE LOTS; AND A WETLAND DELINEATION WOULD BE REQUIRED. SHE NOTED SHE HAD REACHED OUT TO THE DNR AND WAS AWAITING A PHONE CONSULTATION TO CLARIFY APPLICABLE STANDARDS.

DELOUGHERTY CONFIRMED THAT THE REZONING WOULD NOT CONSTITUTE SPOT ZONING BECAUSE THE PROPOSED AREA ABUTS AN EXISTING RESIDENTIAL STORAGE DISTRICT. SHE ALSO CLARIFIED THAT REZONING TO RESIDENTIAL STORAGE WOULD REQUIRE A FULL PUBLIC HEARING AND ORDINANCE AMENDMENT PROCESS, AND THAT A FULL DEVELOPMENT PLAN WOULD NEED TO BE IN PLACE PRIOR TO REZONING—CONSISTENT WITH HOW PRIOR RESIDENTIAL STORAGE REZONINGS HAD BEEN HANDLED.

COMMISSIONERS GENERALLY INDICATED THEY DID NOT SEE A FUNDAMENTAL OBJECTION TO THE CONCEPT. A COMMISSIONER NOTED THE PROPERTY'S PROXIMITY TO HIGHWAY 371 MAKES IT A POOR FIT FOR RESIDENTIAL USE, AND THAT A RESIDENTIAL STORAGE USE COULD REPRESENT A BETTER AND MORE PRODUCTIVE USE OF THE LAND WHILE GENERATING REVENUE FOR THE CITY. THE COMMISSION DIRECTED DELOUGHERTY TO CONTINUE COORDINATING WITH THE DNR AND TO KEEP THE COMMISSION APPRISED AS THE APPLICANT ADVANCES THROUGH THE REQUIRED PLANNING PROCESS.

NO CODE ENFORCEMENT MATTERS WERE REPORTED AT THIS TIME.

### **ADJOURNMENT**

***MOTION: COMMISSIONER GOERGES MADE A MOTION TO ADJOURN AT 7:07PM.  
COMMISSIONER PROCIUK SECONDED. MOTION PASSED UNANIMOUSLY.***

RESPECTFULLY SUBMITTED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 202\_\_.

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CASSANDRA M. DELOUGHERTY, CITY CLERK-TREASURER  
ZONING ADMINISTRATOR



**JUNR 1<sup>ST</sup>, 2026 PUBLIC HEARING  
RILEY PETERSON  
CONDITIONAL USE PERMIT APPLICATION  
REPORT TO PLANNING COMMISSION**

**PARCEL INFORMATION**

ADDRESS: 35187 DRAKE CIRCLE, JENKINS MN 56474  
 APPLICANT: RILEY PETERSON  
 PROPERTY OWNER: RILEY PETERSON

**APPLICATION**

THE APPLICANT, RILEY PETERSON, HAS SUBMITTED A REQUEST FOR A CONDITIONAL USE PERMIT (CUP) TO ALLOW A HOME OCCUPATION, TYPE IV FOR STORING AND TRANSPORTING OF EXCAVATION EQUIPMENT ON HIS 4.01-ACRE PROPERTY LOCATED AT 35187 DRAKE CIRCLE, IN THE RURAL RESIDENTIAL (RR) DISTRICT OF JENKINS, MN.



**BACKGROUND INFORMATION**

THE SUBJECT PROPERTY IS 4.01-ACRE, OR 174,605.11FT<sup>2</sup> WITH A PRIMARY DWELLING AND ACCESSORY BUILDING, MEETING ALL SETBACKS. A HOME OCCUPATION, TYPE IV IS IDENTIFIED AND DEFINED IN THE JENKINS CITY CODE OF ORDINANCES AS:

**HOME OCCUPATION, TYPE IV.** A HOME OCCUPATION, THE COMMERCIAL NATURE OF WHICH INVOLVES PROVIDING A SERVICE OR PRODUCT TO PEOPLE OR ORGANIZATIONS OFF SITE. GENERATES LESS THAN 60 AUTO TRIPS PER WEEK, INCLUDING DELIVERIES. ALL EMPLOYEES DO THE MAJORITY OF THEIR WORK OFFSITE. MAY INCLUDE ONSITE STORAGE OR WAREHOUSING OF WORK RELATED MATERIALS. WOULD INCLUDE BUSINESSES THAT ARE SIMILAR IN NATURE TO LAWN CARE SERVICES AND OFFSITE SANDBLASTING SERVICES.

**PERTINENT ORDINANCE ARTICLES:**

**§ 150.027 RURAL RESIDENTIAL ZONING DISTRICT.**

(A) THE (RR) RURAL RESIDENTIAL DISTRICT IS INTENDED TO BE SEMI-RURAL IN CHARACTER AND TO ALLOW LOW DENSITY RESIDENTIAL AND COMPATIBLE AGRICULTURAL USES IN SHORE LAND AND NON- SHORE LAND AREAS. OTHER COMPATIBLE USES MAY BE ALLOWED UNDER CONDITIONAL USE PERMITS. FRONT YARDS SHALL BE LANDSCAPED, AND NO OFF-STREET PARKING SHALL BE



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PERMITTED, EXCEPT AS WOULD BE CHARACTERISTIC AND IN HARMONY WITH THE PURPOSES OF AN RR DISTRICT.

**(B) LOT, USE, AND DENSITY REQUIREMENTS.**

	<i>Single Family Dwelling</i>	<i>Duplex</i>	<i>Triplex</i>	<i>Four Plex</i>
Front/side yard minimum setback to right-of-way	30 feet	30 feet	30 feet	30 feet
Lot area minimum square foot	2 acres	3 acres	4 acres	5 acres
Lot width minimum foot	150 feet	225 feet	300 feet	375 feet
Maximum building height*	35 feet	35 feet	35 feet	35 feet
Maximum lot coverage	20%	20%	20%	20%
Minimum width of structures**	20 feet	20 feet	20 feet	20 feet
Rear yard minimum setback	30 feet	30 feet	30 feet	30 feet
Side yard minimum setback	20 feet	20 feet	20 feet	20 feet

**Notes to table:**

\* Church spires, belfries, domes which do not contain usable space, chimneys, and similar structures not intended for human occupancy, may be of a height which does not conflict with airport requirements.

\*\* Manufactured homes located in a manufactured home park are excluded.

**§ 150.283 CONDITIONAL USE PERMITS.**

(A) ANY USE LISTED AS A CONDITIONAL USE IN THIS CHAPTER SHALL BE PERMITTED ONLY UPON APPLICATION TO THE ZONING ADMINISTRATOR, PUBLIC HEARING REVIEW AND RECOMMENDATION OF THE PLANNING COMMISSION, AND APPROVAL AND ISSUANCE OF A CONDITIONAL USE PERMIT BY THE CITY COUNCIL.

(B) ALL APPLICATIONS FOR A CONDITIONAL USE PERMIT SHALL BE SUBMITTED TO THE ZONING ADMINISTRATOR 30 DAYS AHEAD OF THE HEARING DATE, ACCOMPANIED BY A CERTIFICATE OF SURVEY (UNLESS WAIVED BY THE ZONING ADMINISTRATOR) SHOWING THE DETAILS OF THE PROPOSAL AND AN ACCURATE LEGAL DESCRIPTION, ALONG WITH THE APPROPRIATE FEE. THE FEE OR CONTRACT OWNER OF THE PROPERTY SHALL SIGN THE APPLICATION. THE ZONING ADMINISTRATOR SHALL NOTIFY ALL PROPERTY OWNERS WITHIN A MINIMUM OF 350 FEET BY REGULAR MAIL AND SHALL ADVERTISE THE HEARING ONCE IN THE LEGAL SECTION OF THE OFFICIAL NEWSPAPER AT LEAST TEN DAYS AHEAD OF THE PUBLIC HEARING. THE ZONING ADMINISTRATOR SHALL SEND THE SAME NOTICE TEN DAYS IN ADVANCE OF THIS HEARING TO THE DNR IF THE PROPOSED IS IN SHORELAND. AT THE APPLICANT'S OPTION, THE APPLICANT MAY REQUEST A SKETCH PLAN REVIEW WITH NO ACTION BY THE PLANNING COMMISSION AND WITH NO FEE BY GIVING 14 DAYS' NOTICE THEREOF TO THE ZONING ADMINISTRATOR, MEETING TIME PERMITTED.

(C) THE APPLICANT SHALL COMPLETE THE CONDITIONAL USE PERMIT APPLICATION APPROVED BY THE CITY COUNCIL. THE APPLICATION SHALL CONTAIN SUBMITTAL REQUIREMENTS, CRITERIA FOR APPROVAL, PROCEDURE FOR CONSIDERATION, AND CITY CONTACT INFORMATION. THE CITY SHALL NOT ACCEPT APPLICATIONS WHERE THE APPLICANT HAS PAST DUE FEES OR CHARGES DUE TO THE CITY UNTIL THE ACCOUNT IS MADE CURRENT.

(D) IN PERMITTING A NEW CONDITIONAL USE OR ALTERATION OF AN EXISTING CONDITIONAL USE, THE PLANNING COMMISSION MAY IMPOSE, IN ADDITION TO THE STANDARDS AND REQUIREMENTS EXPRESSLY SPECIFIED BY THIS CHAPTER, ADDITIONAL CONDITIONS THAT THE



**JUNR 1<sup>ST</sup>, 2026 PUBLIC HEARING  
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PLANNING COMMISSION CONSIDERS NECESSARY TO PROTECT THE BEST INTEREST OF THE SURROUNDING AREA OR THE CITY AS A WHOLE. THESE CONDITIONS MAY INCLUDE, BUT ARE NOT LIMITED TO, THE FOLLOWING:

- (1) INCREASING THE REQUIRED LOT SIZE OR YARD DIMENSION;
  - (2) LIMITING THE HEIGHT, SIZE, OR LOCATION OF BUILDINGS;
  - (3) CONTROLLING THE LOCATION AND NUMBER OF VEHICLE ACCESS POINTS;
  - (4) INCREASING THE STREET WIDTH;
  - (5) INCREASING OR DECREASING THE NUMBER OF REQUIRED OFF-STREET PARKING SPACES;
  - (6) LIMITING THE NUMBER, SIZE, LOCATION, OR LIGHTING OF SIGNS;
  - (7) REQUIRING BERMING, FENCING SCREENING, LANDSCAPING, OR OTHER FACILITIES TO PROTECT ADJACENT OR NEARBY PROPERTY; AND
  - (8) DESIGNATING SITES FOR OPEN SPACE.
- (E) THE PLANNING AND ZONING COMMISSION SHALL DECIDE THE ISSUE WITH CONSIDERATION TO THE FOLLOWING.
- (1) THE FOLLOWING MUST BE MET.
    - (A) THE USE OR DEVELOPMENT IS AN APPROPRIATE CONDITIONAL USE IN THE LAND USE ZONE.
    - (B) THE USE OR DEVELOPMENT, WITH CONDITIONS, CONFORMS TO THE COMPREHENSIVE LAND USE PLAN.
    - (C) THE USE, WITH CONDITIONS, IS COMPATIBLE WITH THE EXISTING NEIGHBORHOOD.
    - (D) THE USE, WITH CONDITIONS, WOULD NOT BE INJURIOUS TO THE PUBLIC HEALTH, SAFETY, WELFARE, DECENCY, ORDER, COMFORT, CONVENIENCE, APPEARANCE, OR PROSPERITY OF THE CITY.
  - (2) THE FOLLOWING MUST BE CONSIDERED.
    - (A) THE CONDITIONAL USE SHOULD NOT BE INJURIOUS TO THE USE AND ENJOYMENT OF OTHER PROPERTY IN THE IMMEDIATE VICINITY FOR THE PURPOSE PERMITTED ON THAT PROPERTY, NOR SUBSTANTIALLY DIMINISH OR IMPAIR VALUES IN THE IMMEDIATE VICINITY.
    - (B) THE CONDITIONAL USE WILL NOT IMPEDE THE NORMAL AND ORDERLY DEVELOPMENT AND IMPROVEMENT OF SURROUNDING VACANT PROPERTY FOR USES PREDOMINANT IN THE AREA.
    - (C) THE CONDITIONAL REQUIREMENTS AT PUBLIC COST FOR PUBLIC FACILITIES AND SERVICES AND WILL NOT BE DETRIMENTAL TO THE ECONOMIC WELFARE OF THE COMMUNITY.
    - (D) THE CONDITIONAL USE WILL HAVE VEHICULAR APPROACHES TO THE PROPERTY WHICH ARE SO DESIGNED AS NOT TO CREATE TRAFFIC CONGESTION OR AN INDIFFERENCE WITH TRAFFIC ON SURROUNDING PUBLIC THOROUGHFARES.
    - (E) ADEQUATE MEASURES HAVE BEEN TAKEN TO PROVIDE SUFFICIENT OFF-STREET PARKING AND LOADING SPACE TO SERVE THE PROPOSED USE.
    - (F) ADEQUATE MEASURES HAVE BEEN TAKEN OR WILL BE TAKEN TO PREVENT OR



**JUNR 1<sup>ST</sup>, 2026 PUBLIC HEARING**  
**RILEY PETERSON**  
**CONDITIONAL USE PERMIT APPLICATION**  
**REPORT TO PLANNING COMMISSION**

CONTROL OFFENSIVE ODOR, FUMES, DUST, NOISE, AND VIBRATION, SO NONE OF THESE WILL CONSTITUTE A NUISANCE AND TO CONTROL LIGHTS AND SIGNS IN SUCH A MANNER THAT NO DISTURBANCE TO NEIGHBORING PROPERTIES WILL RESULT.

(G) THE CONDITIONAL USE WILL NOT RESULT IN THE DESTRUCTION, LOSS, OR DAMAGE OF A NATURAL, SCENIC, OR HISTORICAL FEATURE OF MAJOR SIGNIFICANCE.

(H) THE CONDITIONAL USE WILL PROMOTE THE PREVENTION AND CONTROL OF POLLUTION OF THE GROUND AND SURFACE WATERS, INCLUDING SEDIMENTATION AND CONTROL OF NUTRIENTS.

(F) WHEN COSTS TO THE CITY INVOLVED IN PROCESSING AND REVIEWING AN APPLICATION EXCEEDS THE ORIGINAL APPLICATION FEES, THE APPLICANT SHALL REIMBURSE THE CITY FOR ANY ADDITIONAL COSTS. SUCH EXPENSES MAY INCLUDE, BUT ARE NOT LIMITED TO, PAYROLL, MAILING COSTS, CONSULTANT FEES, AND OTHER PROFESSIONAL SERVICES THE CITY MAY NEED TO RETAIN IN REVIEWING PERMITS.

(G) CONDITIONAL USE PERMITS MAY BE TRANSFERABLE WHERE REQUESTED BY AN APPLICANT AND APPROVED BY THE PLANNING COMMISSION.

(H) VIOLATIONS OF THE CONDITIONS OF A CONDITIONAL USE PERMIT SHALL AUTOMATICALLY SUSPEND THE PERMIT. A REVIEW OF THE VIOLATION SHALL BE CONDUCTED BY THE PLANNING COMMISSION. THE PLANNING COMMISSION SHALL DETERMINE CONDITIONS FOR REINSTATING THE PERMIT OR REVOCATION, IF APPLICABLE.

(I) FAILURE BY THE OWNER TO ACT ON A CONDITIONAL USE PERMIT WITHIN 12 MONTHS, OR FAILURE TO COMPLETE THE WORK UNDER A CONDITIONAL USE PERMIT WITHIN TWO YEARS, UNLESS EXTENDED BY THE PLANNING COMMISSION, SHALL VOID THE PERMIT. A SECOND EXTENSION SHALL REQUIRE A NEW PUBLIC HEARING. THIS PROVISION SHALL APPLY TO ANY CONDITIONAL USE PERMIT OUTSTANDING AT THE TIME OF THE ADOPTION OF THIS CHAPTER.

(J) ALL USES THAT CEASE OPERATION FOR A PERIOD OF MORE THAN SIX CONSECUTIVE MONTHS SHALL BE DEEMED TO BE DISCONTINUED, AND THE USE PERMIT ESTABLISHING SAID USE SHALL BECOME NULL AND VOID. REESTABLISHMENT OF SAID USE SHALL ONLY BE PERMITTED UPON OBTAINING A NEW CONDITIONAL USE PERMIT.

(K) APPEALS FROM THE ACTION OF THE CITY SHALL BE FILED WITH DISTRICT COURT WITHIN 30 DAYS AFTER CITY COUNCIL ACTION.

(L) THE CONDITIONAL USE PERMIT SHALL BE FILED WITH THE COUNTY RECORDER WITHIN 45 DAYS. THE APPLICANT NEED NOT WAIT FOR FILING TO PROCEED.

**STAFF FINDINGS OF FACT**

STAFF PROVIDES THE FOLLOWING FINDINGS OF FACT FOR CONSIDERATION:

1. THE SUBJECT PROPERTY IS LOCATED AT 35187 DRAKE CIRCLE, JENKINS MN 56474 (PIN 26220511).
2. THIS REQUEST IS FOR A CONDITIONAL USE PERMIT FOR A HOME OCCUPATION TYPE IV, FOR AN OWNER-OPERATED DIRT WORK BUSINESS SPECIALIZING IN EXCAVATION SERVICES WITH ALL WORK BEING PERFORMED OFF-SITE AND EQUIPMENT BEING KEPT ON-SITE.



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3. THE SUBJECT PROPERTY IS 4.01-ACRES OR 174,605.11FT<sup>2</sup>, AND IT IS ZONED RURAL RESIDENTIAL(RR).
4. THE PROPERTY IS NOT SERVICED BY MUNICIPAL WATER OR WASTEWATER SYSTEMS
5. HOME OCCUPATION TYPE IV IS DEFINED IN THE JENKINS CITY CODE OF ORDINANCES, AND IDENTIFIED IN THE LAND USE MATRIX AS A CONDITIONAL USE IN THE RR DISTRICT.
6. THE SURROUNDING LAND USES CONSIST OF RESIDENTIAL AND AGRICULTURAL ZONING DISTRICTS.
7. NOTIFICATION REQUIREMENTS FOR THE CUP APPLICATION WERE MET.
8. OTHER FINDINGS AS IDENTIFIED BY PLANNING COMMISSION OR COUNCIL.

**CONDITIONS FOR CONSIDERATION:**

1. APPROVAL WOULD BE CONTINGENT ON SUBMITTED, APPROVED, AND INSTALLED LANDSCAPING PLAN PER THE IDENTIFIED PERFORMANCE STANDARDS IN THE ORDINANCE.
2. ALL REQUIRED LAND USE AND SIGN PERMITS WOULD NEED TO BE SUBMITTED AND APPROVED BY THE CITY.

**RECOMMENDATION:**

IT IS THE RECOMMENDATION OF THE ZONING ADMINISTRATOR THAT THE APPLICATION FOR A CONDITIONAL USE PERMIT FOR A HOME OCCUPATION, TYPE IV SHOULD BE RECOMMENDED FOR APPROVAL TO THE CITY COUNCIL, SITING THE FINDINGS OF FACTS AND CONDITIONS PROVIDED WITHIN THIS REPORT, ALONG WITH ANY ADDITIONAL CONDITIONS DEEMED NECESSARY BY THE PLANNING COMMISSION FOR RECOMMENDATION.

**ACTION REQUESTED:**

THE APPLICANT HAS PROVIDED THEIR TESTIMONY REGARDING THE CUP REQUEST. STAFF WOULD LIKE THE PLANNING COMMISSION TO REVIEW THE CUP REQUEST, REVIEW THE STAFF FINDINGS AND MAKE A RECOMMENDATION BASED ON THE INFORMATION PROVIDED FROM THIS REPORT AND ANY PUBLIC TESTIMONY DURING THE PUBLIC HEARING. THE PLANNING COMMISSION MAY RECOMMEND APPROVAL OF THE CUP REQUEST, RECOMMEND DENIAL OF THE CUP REQUEST, OR TABLE THE REQUEST IF ADDITIONAL INFORMATION IS NEEDED. IF THE RECOMMENDATION IS FOR APPROVAL OR DENIAL, FINDINGS OF FACT SHOULD BE CITED. NOTE: A DECISION BY THE CITY COUNCIL ON THE CUP SHOULD BE MADE BY JULY 9<sup>TH</sup>, 2026. IF NEEDED, THE CITY COULD ENACT A 60-DAY EXTENSION PER MINNESOTA STATUTE SECTION 15.99 SUBDIVISION 3(F). THIS WOULD REQUIRE A WRITTEN NOTICE TO THE APPLICANT.



## STAFF REPORT TO PLANNING COMMISSION

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### Review of Camper / Recreational Vehicle (RV) Regulations (City Code §150.112)

## 1. BACKGROUND

Staff has observed an **increase in the number of campers and recreational vehicles (RVs)** being placed and used on properties throughout the City of Jenkins. This trend has raised questions regarding:

- Compliance with City Code
- Appropriate duration of use
- Use of campers on vacant lots
- Potential impacts on neighboring properties and public infrastructure

The purpose of this report is to summarize the **existing regulations under §150.112 (Camping)** and to identify potential policy considerations for the Planning Commission.

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## 2. EXISTING ORDINANCE SUMMARY (150.112)

The City of Jenkins regulates campers and RVs under 150.112 of the City Code. The ordinance allows camping under specific conditions and establishes limits on duration, location, and use.

### A. General Requirements

- Campers must be **licensed and road-ready**
- Campers must be **readily movable** and not permanently installed
- Campers may **not be skirted or converted into permanent structures**
- Must comply with **zoning setbacks**
- Must have **property owner permission**

## **B. Properties with a Principal Structure (Developed Lots)**

- Maximum of **two (2) campers** allowed on a property
- Camper use is limited to **14 days within any 60-day period (per camper)**
- **One (1) camper may be stored year-round**, provided it is not in use

## **C. Properties without a Principal Structure (Vacant Lots)**

- Maximum of **two (2) campers** allowed
- Without a permit:
  - Use limited to **14 days per calendar year**
- With a permit:
  - Use allowed up to **9 months per year**
  - Limited to **one permit per parcel per year**
  - Requires installation of an **approved sewage treatment system (septic system)**

## **D. Camping During Construction**

- Temporary camping allowed with a valid building/zoning permit
  - Allowed for up to **12 months**, with potential extension if permits remain active
- 

# **3. ANALYSIS**

## **A. Ordinance Clarity**

Section 150.112 provides **clear and structured standards** for camper use, including:

- Defined duration limits
- Distinction between developed and vacant properties
- Requirements for long-term use (permit and septic system)

## **B. Common Compliance Issues Observed**

Based on recent activity, potential areas of noncompliance may include:

- Campers being **occupied beyond the 14-day limit** on developed properties
- Campers placed on **vacant lots without required permits**
- Long-term use of campers **without approved septic systems**
- Confusion between **storage (allowed) and occupancy (restricted)**

## C. Impacts of Increased Camper Use

The increase in camper use may have the following impacts:

- **Sanitation concerns** where proper wastewater systems are not in place
  - **Increased density** beyond what is typical for residential zoning
  - **Aesthetic and neighborhood character concerns**
  - **Enforcement challenges** due to tracking duration of use
- 

## 4. POLICY CONSIDERATIONS

While the current ordinance is relatively comprehensive, the Planning Commission may wish to consider whether updates or clarifications are needed.

### Potential Discussion Topics:

#### A. Enforcement

- Should additional tools be implemented to **track duration of camper use**?
- Are current enforcement mechanisms adequate?

#### B. Duration Limits

- Is the **14 days within 60 days** standard appropriate?
- Should time limits be adjusted (shortened or extended)?

#### C. Vacant Lot Use

- Should extended camping on vacant lots continue to be allowed with a permit?
- Should additional standards be applied (e.g., screening, location requirements)?

#### D. Utility and Sanitation Requirements

- Are current septic system requirements sufficient?
- Should additional restrictions on utility hookups be considered?

#### E. Number and Placement

- Should the number of campers allowed per lot be revisited?
  - Should location restrictions be clarified (e.g., rear yard only, screening)?
-

## **5. OPTIONS FOR COMMISSION CONSIDERATION**

The Planning Commission may consider the following actions:

1. **No Change**
    - Determine that the current ordinance is sufficient and focus on enforcement
  2. **Minor Amendments**
    - Clarify language related to occupancy vs. storage
    - Add standards for placement or screening
  3. **Comprehensive Update**
    - Reevaluate duration limits
    - Revise standards for vacant lot use
    - Add registration or permitting requirements for all camper use
- 

## **6. STAFF RECOMMENDATION**

Staff recommends that the Planning Commission:

- Review the existing standards in 150.112
  - Provide direction on whether:
    - Additional enforcement measures are needed, and/or
    - Ordinance amendments should be drafted
- 

## **7. ATTACHMENTS**

- City Code 150.112 – Camping

*This report was prepared by Sourcewell for the City's review and consideration. The information in this report is derived from the City's official controls, which may include comprehensive plans, long-range plans, applicable ordinances, and information submitted to the City as part of application materials. Nothing in this report constitutes legal advice or engineering advice. Local government officials retain final decision-making authority.*

**§ 150.112 CAMPING.**

(A) General.

- (1) All recreational vehicles must be designed to operate on state roads without a special permit and must have a current license.
- (2) No camping unit may be permanently placed or skirted.
- (3) All camping units must be able to be moved readily.
- (4) Camping units must meet dwelling setback requirements.
- (5) Prior to placing a camping unit, the occupant must have the permission of the property owner. The permission must be written when the property owner is not available onsite.

(B) Properties with principal structures.

- (1) There shall be a maximum of two units allowed at any one time.
- (2) No individual camping unit may be placed for use longer than 14 days within any 60 days.
- (3) One camping unit may be allowed in outside storage. That unit may be stored year round.

(C) Properties without principal structures.

- (1) There shall be a maximum of two units allowed at any one time.
- (2) Each individual camping unit is allowed for 14 days in any one calendar year without a permit.
- (3) A permit is required for camping units established for more than 14 days in any one calendar year. The maximum time an individual unit can be established is nine months in any one calendar year.
- (4) One permit per parcel per calendar year is allowed.
- (5) A permit for a camping unit requires installation of a permanent sewage treatment system.

(D) Properties where a principal structure is being constructed.

- (1) Camping units are allowed in conjunction with a land use permit for construction of a principal structure.
- (2) Camping units are allowed up to 12 months during construction, with extension for an additional 12 months in conjunction with extension of a zoning permit.

(Ord. passed 4-10-2017) Penalty, see § 150.999

## CITY OF PEQUOT LAKES-CAMPING

### DEFINITIONS:

**CAMPGROUND.** ANY AREA, WHETHER PUBLICLY OR PRIVATELY OWNED, CONSISTING OF DESIGNATED CAMPSITES WITH APPROPRIATE FACILITIES AND MANAGEMENT SERVICES DESIGNED FOR TEMPORARY OCCUPATION BY TENTS OR RECREATIONAL VEHICLES.

**CAMPING.** HABITATION OF A TEMPORARY STRUCTURE.

**CAMPSITE.** A PARCEL WITHIN A RESORT OR CAMPGROUND DESIGNATED FOR THE OCCUPANCY OF ONE FAMILY ON A PERIODIC BASIS IN A TENT OR RECREATIONAL VEHICLE.

**DWELLING SITE.** A DESIGNATED LOCATION FOR RESIDENTIAL USE BY ONE OR MORE PERSONS USING TEMPORARY OR MOVABLE SHELTER INCLUDING **CAMPING** AND RECREATIONAL VEHICLE SITES.

### SECTION 17-7.14 CAMPING

ALL RECREATIONAL VEHICLES MUST BE DESIGNED TO OPERATE ON STATE ROADS WITHOUT A SPECIAL PERMIT AND MUST HAVE A CURRENT LICENSE.

NO CAMPING UNIT MAY BE PERMANENTLY PLACED OR SKIRTED.

ALL CAMPING UNITS MUST BE ABLE TO BE MOVED READILY.

CAMPING UNITS MUST MEET DWELLING SETBACK REQUIREMENTS.

PRIOR TO PLACING A CAMPING UNIT, THE OCCUPANT MUST HAVE THE PERMISSION OF THE PROPERTY OWNER. THE PERMISSION MUST BE WRITTEN WHEN THE PROPERTY OWNER IS NOT AVAILABLE ON SITE.

PROPERTIES WITH PRINCIPLE STRUCTURES.

THERE SHALL BE A MAXIMUM OF TWO UNITS ALLOWED AT ANY ONE TIME.

NO INDIVIDUAL CAMPING UNIT MAY BE PLACED FOR USE LONGER THAN 14 DAYS WITHIN ANY 60 DAYS.

ONE CAMPING UNIT MAY BE ALLOWED IN OUTSIDE STORAGE. THAT UNIT MAY BE STORED YEAR-ROUND.

PROPERTIES WITHOUT PRINCIPLE STRUCTURES.

THERE SHALL BE A MAXIMUM OF TWO UNITS ALLOWED AT ANY ONE TIME.

EACH INDIVIDUAL CAMPING UNIT IS ALLOWED FOR 14 DAYS IN ANY ONE CALENDAR YEAR WITHOUT A PERMIT.

A PERMIT IS REQUIRED FOR CAMPING UNITS ESTABLISHED FOR MORE THAN 14 DAYS IN ANY ONE CALENDAR YEAR. THE MAXIMUM TIME AN INDIVIDUAL UNIT CAN BE ESTABLISHED IS NINE MONTHS IN ANY ONE CALENDAR YEAR.

ONE PERMIT PER PARCEL PER CALENDAR YEAR IS ALLOWED.

A PERMIT FOR A CAMPING UNIT REQUIRES INSTALLATION OF A PERMANENT SEWAGE TREATMENT SYSTEM.

PROPERTIES WHERE A PRINCIPLE STRUCTURE IS BEING CONSTRUCTED.

CAMPING UNITS ARE ALLOWED IN CONJUNCTION WITH A LAND USE PERMIT FOR CONSTRUCTION OF A PRINCIPLE STRUCTURE.

CAMPING UNITS ARE ALLOWED UP TO 12 MONTHS DURING CONSTRUCTION, WITH EXTENSION FOR AN ADDITIONAL 12 MONTHS IN CONJUNCTION WITH EXTENSION OF A ZONING PERMIT.

# CAMPING - PINE RIVER, MN

## **CAMP SITES**

Fees apply to all campers - tents, R.V.'s, etc.:

- ONLY Electric Sites are available: \$30.00 per site per night



### **FEEES MUST BE PAID IN ADVANCE TO CAMPING.**

The camping permits and payment drop box are on location at the parking lot.

There are 7 designated camping sites available. Pad sizes vary from 40 - 54 ft. in length.

**CAMP SITES CANNOT BE RESERVED IN ADVANCE.**

## **AMENITIES**

Designated camping sites have a fire ring, grill and a picnic table. Camp fire wood is available.



There are handicap accessible "flushing" restrooms available on site.

Electricity is available at all sites.

Water is not available at the sites. Water is available at an outside spigot.

There is no dump station on location.

## **RUSTIC BUILDING**



Along with a beautiful camping experience, Forbes Park boasts a wonderful Up North historic pine log structure known as the Rustic Building.

**The Rustic Building can be rented for your special occasion by calling City Hall.**

Fee:



\$30.00 per day (resident of City of Pine River) \$40.00 per day (non-resident of City of Pine River).

Electricity is part of the rental fee.

## **STATISTICS**

The building can only be utilized during the day and cannot be occupied overnight.



**REPORT TO PLANNING COMMISSION**

PREPARED BY: CASSANDRA DELOUGHERTY  
 DATE: MAY 26<sup>TH</sup>, 2026  
 SUBJECT: WAREHOUSING

**REPORT:** PLANNING COMMISSION AGREED AT THE PREVIOUS REGULAR MEETING TO REVIEW THE CITY'S CURRENT DEFINITIONS AND LAND-USE CLASSIFICATIONS FOR **WAREHOUSING** AND **STORAGE**. STAFF HAVE IDENTIFIED INCONSISTENCIES BETWEEN THE DEFINITIONS AND THE LAND USE MATRIX THAT MAY LEAD TO CONFUSION DURING PROJECT REVIEW, ZONING INTERPRETATION, AND ENFORCEMENT. STAFF REQUEST DIRECTION FROM THE PLANNING COMMISSION ON WHETHER AMENDMENTS SHOULD BE DRAFTED TO CLARIFY AND ALIGN THESE TERMS.

THE CITY'S ZONING ORDINANCE INCLUDES SEPARATE DEFINITIONS AND LAND-USE CLASSIFICATIONS FOR WAREHOUSING AND STORAGE, WHICH APPEAR IN MULTIPLE ZONING DISTRICTS. THESE USES ARE OFTEN RELATED BUT NOT IDENTICAL. OVER TIME, STAFF HAVE ENCOUNTERED SITUATIONS WHERE APPLICANTS, PROPERTY OWNERS, AND EVEN REVIEWING BODIES INTERPRET THESE TERMS DIFFERENTLY.

THESE INCONSISTENCIES CAN LEAD TO UNPREDICTABLE OUTCOMES AND DIFFICULTY APPLYING THE LAND USE MATRIX CONSISTENTLY.

THE PURPOSE OF THIS REVIEW IS TO ENSURE THAT THE DEFINITIONS AND LAND-USE CLASSIFICATIONS CLEARLY REFLECT THE CITY'S INTENT AND SUPPORT CONSISTENT APPLICATION ACROSS ZONING DISTRICTS.

**WAREHOUSING**. The principal use is the storage of materials or equipment within an enclosed building.

**WAREHOUSING, COMMERCIAL**. The rental or sale of **warehousing** space.

**§ 150.038 LAND USE MATRIX.**

(A) The land use matrix shown in the following table establishes the allowable, permitted, accessory, conditional, interim, and excluded uses within the city.

(B) All uses are considered prohibited unless specifically allowed in this code, even if they are not listed specifically under excluded uses.

(C) All accessory uses require a permit, unless otherwise indicated.

Use	AG	RR	R-1	R-2	RS	P	C-1	C-2	I-1
structure or facility									
Warehousing, commercial	C	E	E	E	E	E	E	C	C
Warehousing, private	A	A	A	A	A	E	A	A	A

**Notes to table:**

- A - Allowed without a permit
- P - Permitted
- C - Conditional use
- I - Interim
- E - Excluded
- AC - Accessory use

GENERALLY REFERS TO THE STORAGE OF GOODS, MATERIALS, OR MERCHANDISE AS PART OF A DISTRIBUTION, LOGISTICS, OR COMMERCIAL OPERATION, OFTEN INVOLVING:

- LOADING DOCKS
- TRUCK TRAFFIC



## AGENDA ITEM #

- INVENTORY MANAGEMENT
- SHIPPING AND RECEIVING ACTIVITIES

WAREHOUSING IS TYPICALLY CONSIDERED A HIGHER-INTENSITY COMMERCIAL OR LIGHT INDUSTRIAL USE.

### **OTHER CITIES:**

\*THE CITY OF PEQUOT LAKES IDENTIFIES AND DEFINES 'WAREHOUSING' IN THEIR CODE OF ORDINANCES, AS FOLLOWS:

**WAREHOUSING, COMMERCIAL.** THE RENTAL OR SALE OF WAREHOUSING SPACE.

**INDUSTRIAL USE.** THE USE OF LAND OR BUILDINGS FOR THE PRODUCTION, MANUFACTURE, WAREHOUSING, STORAGE OR TRANSFER OF GOODS, PRODUCTS, COMMODITIES OR OTHER WHOLESALE ITEMS.

'WAREHOUSING' IS ALLOWED IN THE CITY OF PEQUOT LAKES' AGRICULTURAL ZONING DISTRICT BY CONDITIONAL USE PERMIT.

\*THE CITY OF PINE RIVER DOES NOT DEFINE 'WAREHOUSING', BUT DOES MIRROR THE DEFINITION OF **INDUSTRIAL USE**. (DEFINED AS- *THE USE OF LAND OR BUILDINGS FOR THE PRODUCTION, MANUFACTURE, WAREHOUSING, STORAGE, OR TRANSFER OF GOODS, PRODUCTS, COMMODITIES OR OTHER WHOLESALE ITEMS.*) I WAS UNABLE TO LOCATE THE TERM 'WAREHOUSING' ANYWHERE ELSE IN THEIR CITY CODE.

\*THE CITY OF EMILY IDENTIFIES WAREHOUSING AS FOLLOWS:

**WAREHOUSING.** THE PRINCIPLE USE IS THE STORAGE OF MATERIALS OR EQUIPMENT WITHIN AN ENCLOSED BUILDING.

**WAREHOUSING, COMMERCIAL.** THE RENTAL OR SALE OF WAREHOUSING SPACE.

'WAREHOUSING' IS ALLOWED IN THE CITY OF EMILY'S FOREST PRESERVATION AND FOREST RESIDENTIAL ZONING DISTRICTS BY CONDITIONAL USE PERMIT, AND IS PERMITTED IN THE CITY'S COMMERCIAL TRANSITION/LIGHT INDUSTRIAL ZONING DISTRICT.

**REQUESTED ACTION:** PLEASE DETERMINE IF THE EXISTING DEFINITIONS AND LAND USE MATRIX ACCURATELY REFLECT THE INTENT OF THE USE. PROVIDE STAFF WITH DIRECTION.



AGENDA ITEM # 6a

**REPORT TO PLANNING COMMISSION**

PREPARED BY: CASSANDRA DELOUGHERTY

DATE: MAY 26<sup>TH</sup>, 2026

SUBJECT: TRANSIENT MERCHANT/PEDDLER/MOBILE FOOD TRUCK PERMITTING

**REPORT:** PLANNING COMMISSIONER SILTMAN REQUESTED A REVIEW OF THE TRANSIENT MERCHANT/PEDDLER PERMIT APPLICATION AND ASSOCIATED FEES. THIS APPLICATION INCLUDES MOBILE FOOD VENDORS.

ATTACHED, PLEASE FIND TRANSIENT MERCHANT REQUIREMENTS AND GUIDELINES FROM THE STATE OF MINNESOTA OFFICE OF THE REVISOR OF STATUTES, CHAPTER 329, REQUIRING LICENSING, AS WELL AS INFORMATION FROM CROW WING COUNTY, THE CITY OF PEQUOT LAKES, AND THE CITY OF PINE RIVER.

PINE RIVER HAS AN ANNUAL FEE OF \$150 OR A ONE-DAY FEE OF \$25.

THE CITY OF JENKINS' PERMIT APPLICATION IS NEARLY IDENTICAL TO THE SAME PERMIT APPLICATION IN THE CITY OF PEQUOT LAKES. PEQUOT LAKES ALSO CHARGES THE SAME FEE OF \$25 PER DAY, WITH LIMITS OF 21 CALENDAR DAYS PER YEAR, IN MANY CASES.

THOUGH SOME CITIES CHOOSE TO NOT CHARGE A FEE, ALL CITIES THAT WERE RESEARCHED REQUIRE COUNTY LICENSING, PER STATE STATUTE.

**REQUESTED ACTION:** PLEASE REVIEW THE ATTACHED INFORMATION AND DISCUSS THE CITY OF JENKINS PERMIT APPLICATION FOR TRANSIENT MERCHANTS/PEDDLERS/MOBILE FOOD VENDORS, ALONG WITH FEES, AND DETERMINE IF THE COMMISSION WISHES TO MAKE A RECOMMENDATION TO THE COUNCIL FOR AMENDMENT OF THE CURRENT APPLICATION AND/OR ASSOCIATED FEES.

# STATE STATUTE

Office of the Revisor of Statutes

Office of the Revisor of Statutes

2025 Minnesota Statutes

Authenticate PDF

## CHAPTER 329. PEDDLERS, TRANSIENT MERCHANTS

Section	Headnote
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<a href="#">329.01</a>	[Renumbered <a href="#">329.099</a> ]
<a href="#">329.02</a>	MS 2000 [Repealed, <a href="#">2001 c 53 s 1</a> ]
<a href="#">329.03</a>	MS 2000 [Repealed, <a href="#">2001 c 53 s 1</a> ]
<a href="#">329.04</a>	MS 2000 [Repealed, <a href="#">2001 c 53 s 1</a> ]
<a href="#">329.05</a>	MS 2000 [Repealed, <a href="#">2001 c 53 s 1</a> ]
<a href="#">329.06</a>	MS 2000 [Repealed, <a href="#">2001 c 53 s 1</a> ]
<a href="#">329.07</a>	MS 2000 [Repealed, <a href="#">2001 c 53 s 1</a> ]
<a href="#">329.08</a>	MS 2000 [Repealed, <a href="#">2001 c 53 s 1</a> ]
<a href="#">329.09</a>	MS 2000 [Repealed, <a href="#">2001 c 53 s 1</a> ]
<a href="#">329.095</a>	DEAF OR MASQUERADING AS DEAF.
<a href="#">329.099</a>	DEFINITION.
<a href="#">329.10</a>	LICENSE REQUIRED.
<a href="#">329.11</a>	LICENSE APPLICATION REQUIREMENTS.
<a href="#">329.12</a>	LICENSE REQUIRED FOR CERTAIN SALES; FALSE AFFIDAVIT.
<a href="#">329.13</a>	EVIDENCE.
<a href="#">329.135</a>	PROHIBITED SALES.
<a href="#">329.14</a>	CERTAIN SALES EXCEPTED.
<a href="#">329.15</a>	MUNICIPALITIES MAY REGULATE.
<a href="#">329.16</a>	DISPOSAL OF FEES.
<a href="#">329.17</a>	VIOLATIONS; PENALTIES.

[329.01](#) [Renumbered [329.099](#)]

[329.02](#) MS 2000 [Repealed, [2001 c 53 s 1](#)]

[329.03](#) MS 2000 [Repealed, [2001 c 53 s 1](#)]

[329.04](#) MS 2000 [Repealed, [2001 c 53 s 1](#)]

[329.05](#) MS 2000 [Repealed, [2001 c 53 s 1](#)]

[329.06](#) MS 2000 [Repealed, [2001 c 53 s 1](#)]

[329.07](#) MS 2000 [Repealed, [2001 c 53 s 1](#)]

[329.08](#) MS 2000 [Repealed, [2001 c 53 s 1](#)]

[329.09](#) MS 2000 [Repealed, [2001 c 53 s 1](#)]

[329.095](#) DEAF OR MASQUERADING AS DEAF.

Subdivision 1. **Prohibition.** No person shall, while engaged in the business of peddling, sell or distribute finger alphabet cards or printed matter stating that the person is deaf, or use finger alphabet cards or such printed matter or masquerade as a deaf person in any way as a means of inducement in the sale of merchandise; and no state or local license as provided in this chapter shall be issued to any person for the purpose of peddling finger alphabet cards or printed matter stating that the person is deaf, or masquerading as a deaf person.

Subd. 2. **Penalties.** Any person who, while engaged in the business of peddling, sells or distributes finger alphabet cards or such printed matter, or uses the same, or masquerades as a deaf person in any way as a means of inducement in the sale of merchandise shall be guilty of a misdemeanor.

**History:** [1969 c 406 s 1](#)

[329.099](#) DEFINITION.

The term "transient merchant" includes any person, individual, copartnership, limited liability company, and corporation, both as principal and agent, who engage in, do, or transact any temporary and transient business in this state, either in one locality, or in traveling from place to place in this state, selling goods, wares, and merchandise; and who, for the purpose of carrying on such business, hire, lease, occupy, or use a building, structure, vacant lot, or railroad car for the exhibition and sale of such goods, wares, and merchandise. The term "transient merchant" does not include a seller or exhibitor in a firearms collector show involving two or more sellers or exhibitors.

**History:** [\(7340\) 1911 c 39 s 4](#); [1913 c 504 s 1](#); [1984 c 654 art 2 s 123](#); [1995 c 64 s 1](#)

[329.10](#) LICENSE REQUIRED.

It shall be unlawful for any transient merchant to engage in, do, or transact any business as such without first having obtained a license as hereinafter provided.

**History:** [\(7337\) 1911 c 39 s 1](#)

[329.11](#) LICENSE APPLICATION REQUIREMENTS.

Any transient merchant desiring to engage in, do, or transact business by auction or otherwise, in any county in this state shall file an application for a license for that purpose with the auditor of the county in which the desired business is to be conducted, which application shall state the name of the applicant, the proposed place of business, the kind of business proposed to be conducted, and the length of time desired to do business. Such transient merchant shall pay to the treasurer of such county a license fee of \$150, and shall give bond to the county in an amount to be determined by the county treasurer, which shall be not less than \$1,000 nor more than \$3,000. The bond shall be approved by the treasurer and be conditioned that the merchant will in all things conform to the laws relating to transient merchants and further conditioned on full compliance with all material oral or written statements and representations made by the seller, the seller's agents, representatives, or auctioneers with reference to merchandise sold or offered for sale and on faithful performance under all warranties made with reference thereto. The treasurer of such county shall issue to such person receipts therefor, and such transient merchant shall thereupon file such receipts with the auditor of such county, who shall thereupon issue to such transient merchant a license to do business as such at the place described in the application; and the kind of business to be done

shall be described therein. No license shall be good for more than one person unless such person shall be a member of a copartnership, nor for more than one place, and shall not be good outside of the county in which it was issued. Such license shall be good for a period of one year from the date of its issuance. The auditor shall keep a record of such licenses in a book provided for that purpose, which shall at all times be open for public inspection. No license shall be issued unless the merchant produces evidence that the merchant is the holder of a valid seller's permit issued under section [297A.83](#), or a written statement from the merchant that the merchant is not offering for sale any item that is taxable under chapter 297A.

The application shall further contain the applicant's residence and business address for the prior two-year period; the type of business engaged in during the previous two years; and the name and address of the auctioneer who will conduct the sale. No such sale shall be conducted in the name of any person other than the bona fide owner of the merchandise.

The applicant shall attach to the application an itemized list of merchandise to be offered for sale reciting as to each item a description thereof including serial number if any, the owner's actual cost thereof, and a designation by number corresponding with a number to be affixed to each item by a tag which shall be kept fastened to the item at all times until sold.

Prior to the issuance of the license and approval of bond, the applicant shall in writing appoint the county auditor as the applicant's agent to accept service of process in any action commenced against the applicant arising out of the sale for which the license is sought. Such action shall be brought in the county where the sale was held.

**History:** *(7338) 1911 c.39 s.2; 1953 c.271 s.1; 1986 c.444; 1988 c.719 art.10 s.19; 2000 c.418 art.1 s.44*

### **329.12 LICENSE REQUIRED FOR CERTAIN SALES; FALSE AFFIDAVIT.**

It shall be unlawful for any transient merchant to advertise, represent, or hold forth as being sold for an insurance, bankrupt, insolvent, assignee, trustee, testator, executor, administrator, receiver, syndicate, wholesaler or manufacturer, or closing out sale, or as a sale of any goods, wares, and merchandise, damaged by smoke, fire, water, or otherwise, or in any similar form, unless such transient merchant shall file with the auditor of the county in which the application for license is filed and issued for such purpose an affidavit at the same time the application is filed, showing all the facts relating to the reasons and character of such sale so to be advertised or represented, and showing that such sale is in fact as is to be advertised and represented, including a statement of the names of the persons from whom the goods, wares, and merchandise so to be advertised or represented were obtained, the date of the delivery to the person applying for the license, and the place from which the goods, wares, and merchandise were last taken, and all details necessary to exactly locate and fully itemize all goods, wares, and merchandise to be sold. If such affidavit shall fail to show that such sale is of the character as the same is intended to be advertised or represented as shown in such affidavit, and fails to disclose the facts as herein required, then such auditor shall refuse the applicant a license for such sale. Should license be issued to such applicant, then such license shall state that such person is authorized and licensed to sell such goods, wares, and merchandise, and advertise and represent and hold forth the same as being sold as such insurance, bankrupt, insolvent, assignee, trustee, testator, executor, administrator, receiver, syndicate, wholesaler or manufacturer, or closing out sale, or as a sale of any goods, wares, and merchandise, damaged by smoke, fire, water, or otherwise, or in any similar manner present other facts as shown in such affidavit. The affidavit shall be sworn to before a person authorized to administer oaths by such person so applying for such license, or, if a partnership, by a member of such partnership, or, if a corporation, by one of the officers of such corporation. Every person making a false statement of any fact in such affidavit shall be guilty of perjury, and shall be punished for such offense as is provided by the Criminal Code of this state.

**History:** *(7339) 1911 c.39 s.3*

### **329.13 EVIDENCE.**

When it appears that any such stock of goods, wares, and merchandise has been brought into any county in this state by a person not a resident therein, and that it is claimed that such stock is to be closed out at reduced prices, such facts shall be prima facie evidence that the person, copartnership, or corporation so offering such goods for sale is a transient merchant.

**History:** *(7341) 1911 c.39 s.5*

### **329.135 PROHIBITED SALES.**

No transient merchant or seller at a flea market, except an authorized manufacturer's representative, shall offer for sale any of the following items:

- (1) infant formula or other food intended primarily for consumption by a child under the age of two years; and
- (2) over-the-counter drugs, medical devices, and cosmetics.

**History:** *1995 c.64 s.2*

### **329.14 CERTAIN SALES EXCEPTED.**

The provisions of sections [329.10](#) to [329.13](#) and [329.14](#) to [329.17](#) shall not apply to sales made to dealers by commercial travelers or selling agents in the usual course of business, nor to bona fide sales of goods, wares, and merchandise by sample, catalog, or brochure, for future delivery, or to hawkers on the street, or to peddlers from vehicles, baskets, or packs carried on their backs, or to sheriffs or other public officers selling goods, wares, and merchandise according to law; nor to bona fide assignees or receivers appointed in this state selling goods, wares, and merchandise for the benefit of creditors, nor to persons who may sell or peddle the products of the farm or garden occupied and cultivated by themselves, nor to sales made by a seller at a residential premises pursuant to an invitation issued by the owner or legal occupant of the premises.

**History:** *(7342) 1911 c.39 s.6; 1986 c.444; 1995 c.64 s.3; 2005 c.10 art.2 s.4*

### **329.15 MUNICIPALITIES MAY REGULATE.**

Nothing in sections [329.10](#) to [329.17](#) contained shall be construed as prohibiting, or in any way limiting or interfering with, the right of any city, or other municipal corporation or governmental subdivision of the state, to regulate or license the carrying on within such municipality the business of a transient merchant in any case where authority has been, or shall hereafter be, conferred upon it so to do, **but the requirements of sections [329.10](#) to [329.17](#) shall be in addition thereto.** A city, or with respect to the area outside the corporate limits of a city, a county, may enact a transient merchant licensing requirement excluding certain classes of transient merchant events, or determine by resolution of its governing body that certain classes of transient merchant events need not comply with section [329.11](#).

**History:** *(7343) 1911 c.39 s.7; 1973 c.123 art.5 s.7; 1984 c.594 s.1*

### **329.16 DISPOSAL OF FEES.**

All license fees collected under section [329.11](#) shall be paid into the general revenue fund of the county.

**History:** *(7344) 1911 c.39 s.8; 1984 c.594 s.2*

### **329.17 VIOLATIONS; PENALTIES.**

Subdivision 1. **Gross misdemeanor.** Every person, either as principal or agent, who shall in any manner engage in, do, or transact any business as a transient merchant, without having first obtained a license, or who shall conduct any sale, or who shall sell or expose for sale any goods, wares, and merchandise contrary to the provisions of sections [329.10](#) to [329.16](#), or who shall advertise, represent, or hold forth any sale of goods, wares, and merchandise, to be conducted contrary to the provisions of sections [329.10](#) to [329.16](#), is guilty of a gross misdemeanor.

Subd. 2. **Misdemeanor.** Every person who shall engage in or follow the business of a hawker or peddler without having first obtained a license is guilty of a misdemeanor.

**History:** *(7335, 7345) 1911 c.39 s.9; 1911 c.121 s.8; 1986 c.444; 2005 c.10 art.3 s.18*

# CROW WING COUNTY

## Transient Merchant

### Important Information

- Crow Wing County issues transient merchant licenses county-wide unless a city has a specific license. The enforcing authority has final say on who needs a license. Crow Wing County does not advise. Examples of enforcing authorities would be the Crow Wing County Sheriff or the local police department depending on the location of selling.
  - The [City of Baxter](#) does have its own ordinance related to transient merchants. Call Joshua Doty for more information 218-454-5111.
  - The [City of Brainerd](#) does have its own ordinance related to transient merchants. Contact the City Clerk for more information 218-829-5278.
  - The [City of Crosby](#) does have its own ordinance related to transient merchants. Contact the Permit Technician for more information 218-546-5021 .
  - The [City of Crosslake](#) does have its own ordinance related to transient merchants. Contact the City Clerk for more information 218-692-2688.
  - [The City of Jenkins](#) does have its own ordinance related to transient merchants. Contact the City Clerk for more information 218-568-4637.
  - The [City of Nisswa](#) does have its own ordinance related to transient merchants. Contact the Planning and Zoning Department for more information 218-963-2402.
  - The [City of Pequot Lakes](#) does have its own ordinance related to transient merchants. Contact the City Clerk for more information 218-568-5222.
- Those selling out of motorized vehicles are not required to have a transient merchant license
- Those selling farm or garden products occupied and cultivated by themselves are not required to have a license

### Application

A transient merchant license [application \(PDF\)](#) must be completed. **The fee is \$150**; cash, check or money order made payable to Crow Wing County. The **license term is 1 year from date of issuance.**

### Surety Bond

A minimum \$1,000 surety bond or cash is required. If a bond accompanies the application it must be brought to the Administrative Services office where it will be retained.

### Contact Us

#### Amy Mickelson

Elections Support  
Specialist

[Email Amy Mickelson](#)

Phone: [\(218\) 824-1023](#)

### Administrative Services

#### Physical Address

Historic Courthouse  
326 Laurel Street, Suite  
22

Brainerd, MN 56401

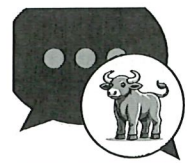
Phone: [\(218\) 824-1049](#)

Fax: (218) 824-1047

### Hours

Monday through Friday  
8 a.m. to 4:30 p.m.

[Directory](#)



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## **Certification of Compliance - Minnesota Workers' Compensation**

This [form \(PDF\)](#), must accompany the application.

## **Minnesota License Application Form**

If it is a new application this [form \(PDF\)](#), must accompany the application. This form provides MN and Federal tax I.D. numbers. If the request is for a renewal application and the original form is on file, it does not need to accompany the application.

## **Supply Inventory List**

A supply inventory list must accompany the application.

## **Time Frame**

It is possible that a license will be issued the same day if all paperwork and fees are complete and acceptable.

## **OUR VISION**

BEING MINNESOTA'S FAVORITE  
PLACE.

## **OUR MISSION**

SERVE WELL.  
DELIVER VALUE.  
DRIVE RESULTS.

## **OUR VALUES**

BE RESPONSIBLE.  
TREAT PEOPLE RIGHT.  
BUILD A BETTER FUTURE.

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## APPLICATION FOR A TRANSIENT MERCHANT LICENSE

COUNTY FEE: \$150	SURETY BOND: \$1000
<b>THE UNDERSIGNED MAKES APPLICATION FOR A TRANSIENT MERCHANT LICENSE AND SUBMITS THE FOLLOWING STATEMENT OF FACTS AS PROVIDED BY LAW:</b>	
Name of applicant:	
Place(s) of residence for the prior two-year period:	
Business address(es) for the prior two-year period:	
Type of business engaged in for previous two years:	
Proposed place of business:	
Kind of business proposed to be conducted:	
Length of time for which applicant desires to do business:	
<p>The attached is an itemized list of merchandise to be offered for sale. Recite in attached list as to each item a description thereof, including serial number (if any), the owner's actual cost thereof, and a designation by number corresponding with a tag which must be kept fastened to the item at all times until sold.</p>	
Date	Applicant's Signature

<b>APPOINTMENT OF COUNTY AUDITOR-TREASURER AS AGENT</b>	
<p>The undersigned constitutes and appoints the Administrative Services Director of Crow Wing County, Minnesota, his/her agent to accept service of process and upon whom service of process may be had in any action to which she is a party arising out of the sale of merchandise for which the license referred to in the preceding application is sought, and service on said agent shall be taken and held as personal service. The</p> <p>appointment shall be and continue in force until all causes of action arising out of such sale shall be barred by the statute of limitations.</p>	
Dated	
Witness:	
Applicant's Signature	

<b>FOR OFFICE USE ONLY</b>	
REQUIRED BOND HAS BEEN FILED IN MY OFFICE IN THE AMOUNT OF:	\$
TERM OF BOND:	TO:
Dated	

(Office signature)

# CITY OF PEQUOT LAKES

## CHAPTER 9 – LICENSE AND BUSINESS REGULATIONS

### ARTICLE 8. REGULATIONS FOR TRANSIENT MERCHANTS, PEDDLERS, AND SOLICITORS

#### Section 9-8.1. PURPOSE AND INTENT

The purpose and intent of this Chapter is to regulate the issuance of permits to Transient Merchants, Peddlers and Solicitors within the City of Pequot Lakes.

#### Section 9-8.2. DEFINITIONS.

Except as may otherwise be provided or clearly implied by context, all terms shall be given their commonly accepted definitions. For the purpose of this Chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

1. 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.”
2. 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.
3. 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.”
4. 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.**

### **Section 9-8.3. EXCEPTIONS TO DEFINITIONS**

1. For the purpose of the requirements of this chapter, the terms *PEDDLER*, *SOLICITOR*, and *TRANSIENT MERCHANT* shall not apply to any person selling or attempting to sell at wholesale any goods, wares, products, merchandise or other personal property to a retailer of the items being sold by the wholesaler. The terms also shall not apply to any person who makes initial contacts with other people for the purpose of establishing or trying to establish a regular customer delivery route for the delivery of perishable food and dairy products such as baked goods and milk, nor shall they apply to any person making deliveries of perishable food and dairy products to the customers on his or her established regular delivery route.

2. In addition, persons conducting the type of sales commonly known as garage sales, rummage sales, or estate sales, as well as those persons participating in an organized multi-person bazaar or flea market, shall be exempt from the definitions of *PEDDLERS*, *SOLICITORS*, and *TRANSIENT MERCHANTS*, as shall be anyone conducting an auction as a properly licensed auctioneer, or any officer of the court conducting a court-ordered sale. Exemption from the definitions for the scope of this chapter shall not excuse any person from complying with any other applicable statutory provision or local ordinance or City Code.

### **Section 9-8.4. LICENSING**

1. City License Required. Except as otherwise provided for by this chapter, no person shall conduct business as either a peddler or a transient merchant without first having obtained a license from the City.

2. Application. Application for a City license to conduct business as a peddler or transient merchant shall be made at least fourteen (14) regular business days before the applicant desires to begin conducting business. Application for a license shall be made on a form approved by the City Council and available from the office of the City Clerk. All applications shall be signed by the applicant. All applications shall include the following information:

- A. Applicant's full legal name, driver's license number, and date of birth.
- B. All other names under which the applicant conducts business or to which applicant officially answers.
- C. A physical description of the applicant (hair color, eye color, height, weight, distinguishing marks and features, and the like).
- D. Full address of applicant's permanent residence.

- E. Telephone number of applicant's permanent residence.
- F. Full address and telephone number of applicant's regular place of business (if any).
- G. The type of business for which the applicant is applying for a license.
- H. The dates during which the applicant intends to conduct business in the City (maximum 14 consecutive days).
- I. 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.
- J. 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 or City Code, other than traffic offenses.
- K. Written permission of the property owner or the property owner's agent for any property to be used by a transient merchant.
- L. A general description of the items to be sold or services to be provided.
- M. The license plate number, registration information and vehicle identification number for any vehicle to be used in conjunction with the licensed business and a description of the vehicle.

3. Fee. All applications for a license under this chapter shall be accompanied by the fee established by Council Resolution which may be amended from time to time.

4. Procedure. Upon receipt of the completed application and payment of the license fee, the City Clerk, within two (2) regular business days, shall determine if the application is complete. An application is determined to be complete only if all required information is provided. If the City Clerk determines that the application is incomplete, the City Clerk shall inform the applicant of the required necessary information that is missing. If the application is complete, the City Clerk shall order any investigation, including background checks, necessary to verify the information provided with the application. If the City denies the license, based upon Section 9-8.6 or Section 9-8.8, the applicant shall be notified in writing of the decision, the reason for denial, and the applicant's right to appeal the denial by requesting, within twenty (20) days of receiving notice of rejection, a public hearing before the City Council. 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.

5. Operation on Private Property. No transient merchant shall sell or offer for sale any goods, wares, or merchandise within the city from a stationary location on private property at any location without first obtaining the written consent of the property owner or occupant. The written consent must accompany the license application.
6. Signs. No signage shall violate the provisions of the City Code relating to size and number of business signs.
7. Off-street Parking Required. No license for a transient merchant shall be issued for sales from any location which does not have sufficient parking for customers and for areas where customer parking would interfere with normal traffic flow.
8. Duration of Sales. No transient merchant license shall be issued for more than 365 days, during which sales shall be limited to 30 days per year and no more than 14 consecutive days.
9. Granting, Denying, or Renewing a License. The following shall be considered in granting, denying or renewing a license: any reasonable facts or circumstances relating to public health, safety, and welfare, including but not limited to the following:
  - A. The character and suitability of the area or neighborhood in which the proposed activity is to be located.
  - B. The proximity of the proposed activities to churches, schools, playgrounds, parks, or other community facilities which might be adversely affected.
  - C. The proximity of the proposed activities in relation to traffic congestion and parking which causes interference with normal traffic flow, congestion, or inconvenience to the public.

**Section 9-8.5. LICENSE EXEMPTIONS**

1. 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 of the farm or garden occupied or cultivated by themselves.
2. No license shall be required of any person going from house-to-house, door-to-door, business-to-business, street-to-street, or 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, except that this exemption may be lost if the person's exercise of Constitutional rights is merely incidental to a commercial activity.

3. Professional fundraisers working on behalf of an otherwise exempt person or group shall not be exempt from the licensing requirements of this chapter.
4. All vendors involved in any community event the City Council deems exempt. A main license will be required by the director of the community event. All other vendors must contact the director of the community event.
5. No license shall be required for the sale of goods or merchandise on behalf of a bonified charitable, religious, civic, educational or political organization.

**Section 9-8.6. LICENSE INELIGIBILITY.**

The following shall be grounds for denying a license under this chapter:

1. The failure of the applicant to obtain and show proof of having obtained any required county license.
2. The failure of the applicant to truthfully provide any of the information requested by the City as a part of the application, or the failure to sign the application, or the failure to pay the required fee at the time of application.
3. The conviction of the applicant within the past five years from the date of application for any violation of any federal or state statute or regulation, or of any local ordinance or City Code, which adversely reflects on the person's ability to conduct the business for which the license is being sought in an honest and legal manner. Those violations shall include but not be limited to burglary, theft, larceny, swindling, fraud, unlawful business practices, and any form of actual or threatened physical harm against another person.
4. The revocation within the past five years of any license issued to the applicant for the purpose of conducting business as a peddler, solicitor or transient merchant.
5. The applicant is found to have a bad business reputation. Evidence of a bad business reputation shall include, but not be limited to, the existence of more than three complaints against the applicant with the Better Business Bureau, the Attorney General's Office, or other similar business or consumer rights office or agency, within the preceding 12 months, or three complaints filed against the applicant within the preceding five years.

**Section 9-8.7. PROHIBITED SALES.**

No Transient Merchant or seller at a Flea Market, except an authorized manufacturers representative, shall offer for sale any of the following items:

1. Infant formula or other food intended primarily for consumption by a child under the age of two (2) years;
2. Over the counter drugs, medical devices, and cosmetics;

**Section 9-8.8. SUSPENSION AND REVOCATION.**

1. Generally. Any license issued under this section may be suspended or revoked at the discretion of the Chief of Police for any of the following:
  - A. Fraud, misrepresentation or incorrect statements on the application form.
  - B. Fraud, misrepresentation or false statements made during the course of the licensed activity.
  - C. Violation of any provision of this chapter.
2. Multiple Persons Under One License. The suspension or revocation of any license issued for the purpose of authorizing multiple persons to conduct business as peddlers or transient merchants on behalf of the licensee shall serve as a suspension or revocation of each authorized person's authority to conduct business as a peddler or transient merchant on behalf of the licensee whose license is suspended or revoked.
3. Notice. Prior to revoking or suspending any license issued under this chapter, the City shall provide the license holder with written notice of the alleged violations and inform the licensee of his/her right to a hearing on the alleged violation.
4. Public Hearing. Upon receiving the notice provided in paragraph 3 of this section, the licensee shall have the right to request a public hearing. If no request for hearing is received by the City Clerk within ten (10) regular business days following the service of the notice, the City may proceed with the suspension or revocation. If a public hearing is requested within the stated timeframe, a hearing shall be scheduled. Following the hearing the City Council shall notify the licensee of its decision.
5. Emergency. If, in the discretion of the Chief of Police, imminent harm to the health or safety of the public may occur because of the actions of a peddler or transient merchant licensed under this chapter, the Chief of Police may immediately suspend the person's license and provide notice of the right to hold a subsequent public hearing as prescribed in paragraph 4 of this section.

**Section 9-8.9. TRANSFERABILITY**

No license issued under this chapter shall be transferred to any person other than the person to whom the license was issued.

**Section 9-8.10. PROHIBITED ACTIVITIES**

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

1. 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.
2. Obstructing the free flow of either vehicular or pedestrian traffic on any street, alley, sidewalk or other public right-of-way.
3. Conducting business in a way as to create a threat to the health, safety and welfare of any individual or the general public.
4. Door to door solicitations shall not be conducted before 8:00 a.m. or after 8:00 p.m.
5. Failing to provide proof of license and identification, when requested; or using the license or registration of another person.
6. Making any false or misleading statements about the product or service being sold, including untrue statements of endorsement. No peddler or transient merchant shall claim to have the endorsement of the City solely based on the City having issued a license to that person.
7. 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.

**Section 9-8.11. 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.

**Section 9-8.12. GENERAL PENALTY.**

1. Any person, firm, or corporation who violates any provision of this code for which another penalty is not specifically provided, shall, upon conviction, be guilty of a misdemeanor.
2. Any person, firm or corporation who violates any provision of this code, including Minnesota Statutes specifically adopted by reference, which is designated to be a petty misdemeanor shall, upon conviction be guilty of a petty misdemeanor.
3. In either the case of a misdemeanor or a petty misdemeanor, the costs of prosecution may be added. A separate offense shall be deemed committed upon each day during which a violation occurs or continues.
4. The failure of any officer or employee of the City to perform any official duty imposed by this code shall not subject the officer or employee to the penalty imposed for a violation.

**Section 9-8.13. DUTIES OF POLICE**

It shall be the duty of any police officer of the City to require any person seen peddling or engaging in like activities, and who is not known to such officer to be duly licensed, to produce his license and to enforce the provisions of this article against any person when in violation of this Chapter.



## APPLICATION FOR TRANSIENT MERCHANTS AND PEDDLERS

### APPLICANT INFORMATION:

Full Name: \_\_\_\_\_  
                    First                                      Middle                                      (Maiden)                                      Last

Home Address: \_\_\_\_\_

\_\_\_\_\_ Length of Time at Present Address: \_\_\_\_\_  
                    City                                      State                                      Zip

Phone: \_\_\_\_\_ (Home/Cell)      Phone: \_\_\_\_\_ (Work)

Date of Birth: \_\_\_\_\_ Social Security No: \_\_\_\_\_ Driver's License No: \_\_\_\_\_

Physical Description of the applicant (hair color, eye color, height, weight, or distinguishing marks and features): \_\_\_\_\_

### BUSINESS INFORMATION:

License Name: \_\_\_\_\_

Business Trade Name (DBA): \_\_\_\_\_

Address: \_\_\_\_\_  
                                            Street                                                                                              City                                                                                              State

Business Phone: ( ) \_\_\_\_\_ Type of Business: \_\_\_\_\_

Licensee's Federal Tax ID No: \_\_\_\_\_ MN Tax ID No: \_\_\_\_\_

1. The dates during which the applicant intends to conduct business in the City:  
(Sales are limited to 30 days per year and no more than 14 consecutive days)

\_\_\_\_\_

2. All addresses and telephone numbers where the applicant can be reached while conducting business within the City: \_\_\_\_\_  
\_\_\_\_\_

3. Name and Phone number of contact person or persons if other than applicant \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

4. Location where transient merchant intends to set up business: \_\_\_\_\_  
\_\_\_\_\_

5. Written permission of the property owner or the property owner's agent for any property to be used by a transient merchant: \_\_\_\_\_  
\_\_\_\_\_

6. A general description of the items to be sold or services to be provided: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

7. The license plate number, registration information and vehicle identification number for any vehicle to be used in conjunction with the licensed business and a description of the vehicle. \_\_\_\_\_  
\_\_\_\_\_

8. Food Vendors – All Food vendors must contact the Minnesota Department of Health for a food license. A copy of the food license shall be attached to this application.

Are you a food vendor? Yes  No

Attach the food license from the MN Department of Health

**I CERTIFY THAT I HAVE READ THE ABOVE QUESTIONS AND THAT THE ANSWERS ARE TRUE AND CORRECT TO MY OWN KNOWLEDGE, and that I have not been convicted of any felony, gross misdemeanor, or misdemeanor for violation of any state or federal statute or any local ordinance other than traffic offenses within the last five years.**

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

---

FOR OFFICE USE

Date of application: \_\_\_\_\_

License fee received: \_\_\_\_\_

Attachments, if applicable:

- Written permission from property owner: \_\_\_\_\_
- Copy of food license from MN Dept. of Health: \_\_\_\_\_

Date license was issued: \_\_\_\_\_

Background Check Results: \_\_\_\_\_

Notes regarding application and license procedures: \_\_\_\_\_

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## TENNESSEN WARNING

### TRANSIENT MERCHANT/PEDDLER LICENSE APPLICATION

Minnesota law requires that you be informed of the purposes and intended uses of the information you provide to the City of Pequot Lakes (the City) during the license application process.

Any information about yourself that you provide to the City during the license application process will be used to identify you as an applicant and to assess your qualifications for obtaining a transient merchant/peddler license within the City. If you wish to be considered for a transient merchant/peddler license, you are required to provide the information requested in the license application. If you refuse to supply information requested by the City, it may mean that your application will not be considered.

All individuals in the City who need to know information will have access.

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

\_\_\_\_\_  
Date



**AUTHORIZATION & CONSENT FOR RELEASE**

Date: \_\_\_\_\_

The following named individual has applied for a \_\_\_\_\_ License with this agency.

Last Name of Applicant (please print): \_\_\_\_\_

First Name of Applicant (please print): \_\_\_\_\_

Middle (*Full*) (please print): \_\_\_\_\_

Race: \_\_\_\_\_

Maiden, Alias, or Former Name (please print): \_\_\_\_\_

Date of Birth: \_\_\_\_\_ Sex (M or F): \_\_\_\_\_  
(Month/Day/Year)

Applicant's Social Security No: \_\_\_\_\_

Driver's License Number: \_\_\_\_\_ State Issued: \_\_\_\_\_

**Attach a copy of Applicant's Driver's License**

I freely and voluntarily authorize the City of Pequot Lakes to conduct an investigation and authorize the Minnesota Bureau of Criminal Apprehension to disclose all criminal history record information to the City of Pequot Lakes for the purpose of acquiring a license with this agency for \_\_\_\_\_ (license type) pursuant to Minnesota State Statute 299C.72 and as prescribed by Minn. Stat. 340A et seq. and Minn. Rules 7515.0410 et seq.

I understand that the above-mentioned information about me may be protected under state and/or federal privacy laws or city policy and may not be disclosed without my prior written consent unless otherwise required by law.

I also release the City of Pequot Lakes from all liability for its receipt and use of information and records received pursuant to this consent. I further acknowledge that I have carefully read this release, fully understand its terms and legal significance, and execute it voluntarily.

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

\_\_\_\_\_  
Date

Applicant's Phone Number(s): \_\_\_\_\_  
Date

<b>Sidewalk Snow Removal</b>	\$75/hour – 1 hr. minimum
<b>Signs</b>	
Private Street Sign Installation	
Single sign	\$90
Double sign	Additional \$35
Trailblazing	\$350 per sign for 3 yr. period
<b>Special Assessment Searches</b>	\$10
<b>Street Repair Deposit</b>	(Actual cost of repair)
Blacktop	\$1,000 Deposit
Gravel	\$500 Deposit
<b>Street Vacation</b>	\$1000 Escrow to cover associated costs. Additional associated costs will be covered by the applicant.
<b>Tobacco Licenses</b>	\$50
<b>Commercial Cannabis Initial Registration Fee +</b>	<b>\$500</b>
<b>Commercial Cannabis Renewal Fee +</b>	<b>\$1000</b>
<b>Transient Merchant, Peddler</b>	<b>\$25 / Day</b>
Solicitor	No Fee

All professional fees such as legal, engineering, surveying, consulting, architectural, etc. shall be at actual cost and at the same rate the City pays.

Mileage, postage, publications, service, meeting expenses, etc., at actual cost.

# CITY OF PINE RIVER

## CHAPTER 111: PEDDLERS AND SOLICITORS

### Section

111.01	Definitions
111.02	Exceptions to definitions
111.03	Licensing; exemptions
111.04	License ineligibility
111.05	License suspension and revocation
111.06	License transferability
111.07	Registration
111.08	Prohibited activities
111.09	Exclusion by placard
111.10	Mobile Food Units

### § 111.01 DEFINITIONS.

Except as may otherwise be provided or clearly implied by context, all terms shall be given their commonly accepted definitions. For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

*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*.

## Business Regulations

**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 1 location for more than 14 consecutive days.

### § 111.02 EXCEPTIONS TO DEFINITIONS.

(A) For the purpose of the requirements of this chapter, the terms *PEDDLER*, *SOLICITOR*, and *TRANSIENT MERCHANT* shall not apply to any person selling or attempting to sell at wholesale any goods, wares, products, merchandise, or other personal property to a retailer of the items being sold by the wholesaler. The terms also shall not apply to any person who makes initial contacts with other people for the purpose of establishing or trying to establish a regular customer delivery route for the delivery of perishable food and dairy products such as baked goods and milk, nor shall they apply to any person making deliveries of perishable food and dairy products to the customers on his or her established regular delivery route.

(B) In addition, persons conducting the type of sales commonly known as garage sales, rummage sales, or estate sales, as well as those persons participating in an organized multi-person bazaar or flea market, shall be exempt from the definitions of *PEDDLERS*, *SOLICITORS*, and *TRANSIENT MERCHANTS*, as shall be anyone conducting an auction as a properly licensed auctioneer, or any officer of the court conducting a court-ordered sale. Exemption from the definitions for the scope of this chapter shall not excuse any person from complying with any other applicable statutory provision or local ordinance.

### § 111.03 LICENSING; EXEMPTIONS.

(A) *City license required.* Except as otherwise provided for by this chapter, no person shall conduct business as either a peddler or a transient merchant without first having obtained a license from the city. Solicitors need not be licensed, but are still required to register pursuant to § 111.07 of this code.

## Business Regulations

(B) *Application.* 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. Application for a license shall be made on a form approved by the City Council and available from the office of the City Clerk-Treasurer. All applications shall be signed by the applicant. All applications shall include the following information:

- (1) The applicant's full legal name;
- (2) All other names under which the applicant conducts business or to which the applicant officially answers;
- (3) A physical description of the applicant (hair color, eye color, height, weight, distinguishing marks and features, and the like);
- (4) The full address of the applicant's permanent residence;
- (5) The telephone number of the applicant's permanent residence;
- (6) The full legal name of any and all business operations owned, managed, or operated by the applicant, or for which the applicant is an employee or agent;
- (7) The full address of the applicant's regular place of business (if any);
- (8) Any and all business-related telephone numbers of the applicant;
- (9) The type of business for which the applicant is applying for a license;
- (10) Whether the applicant is applying for an annual or daily license;
- (11) The dates during which the applicant intends to conduct business, and if the applicant is applying for a daily license, the number of days he or she will be conducting business in the city (maximum 14 consecutive days);
- (12) 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;

## Business Regulations

(13) A statement as to whether or not the applicant has been convicted within the last 5 years of any felony, gross misdemeanor, or misdemeanor for violation of any state or federal statute or any local ordinance, other than traffic offenses;

(14) A list of the 3 most recent locations where the applicant has conducted business as a peddler or transient merchant;

(15) Proof of any requested county license;

(16) Written permission of the property owner or the property owner's agent for any property to be used by a transient merchant;

(17) A general description of the items to be sold or services to be provided;

(18) All additional information deemed necessary by the City Council;

(19) The applicant's driver's license number or other acceptable form of identification; and

(20) The license plate number, registration information, and vehicle identification number for any vehicle to be used in conjunction with the licensed business and a description of the vehicle.

(C) *Fee.* All applications for a license under this chapter shall be accompanied by the fee established by the City Council from time to time.

(D) *Procedure.* Upon receipt of the completed application and payment of the license fee, the City Clerk-Treasurer, within 2 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 10 regular business days of receiving a complete application the Clerk-Treasurer must issue the license unless there exist grounds for denying the license under § 111.04 of this code, 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 State Court of Appeals for a writ of certiorari.

(E) *Duration.* An annual license granted under this chapter shall be valid for 1 calendar year from the date of issue. All other licenses granted under this chapter shall be valid only during the time period indicated on the license.

FE Repl.

## Business Regulations

### (F) *License exemptions.*

(1) 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.

(2) No license shall be required of any person going from house to house, door to door, business to business, street to street, or 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, except that this exemption may be lost if the person's exercise of Constitutional rights is merely incidental to a commercial activity.

(3) Professional fundraisers working on behalf of an otherwise exempt person or group shall not be exempt from the licensing requirements of this chapter.

Penalty, see § 10.99

### **§ 111.04 LICENSE INELIGIBILITY.**

The following shall be grounds for denying a license under this chapter:

(A) The failure of the applicant to obtain and show proof of having obtained any required county license;

(B) The failure of the applicant to truthfully provide any of the information requested by the city as a part of the application, or the failure to sign the application, or the failure to pay the required fee at the time of application;

(C) The conviction of the applicant within the past 5 years from the date of application for any violation of any federal or state statute or regulation, or of any local ordinance, which adversely reflects on the person's ability to conduct the business for which the license is being sought in an honest and legal manner. Those violations shall include but not be limited to burglary, theft, larceny, swindling, fraud, unlawful business practices, and any form of actual or threatened physical harm against another person;

(D) The revocation within the past 5 years of any license issued to the applicant for the purpose of conducting business as a peddler, solicitor, or transient merchant; or

(E) The applicant is found to have a bad business reputation. Evidence of a bad business reputation shall include, but not be limited to, the existence of more than 3 complaints against the applicant with the Better Business Bureau, the Attorney General's Office, or other similar business or consumer rights office or agency, within the preceding 12 months, or 3 complaints filed against the applicant within the preceding 5 years.

FE Repl.

## Business Regulations

### § 111.05 LICENSE SUSPENSION AND REVOCATION.

(A) *Generally.* Any license issued under this chapter may be suspended or revoked at the discretion of the City Council for violation of any of the following:

- (1) Fraud, misrepresentation, or incorrect statements on the application form;
- (2) Fraud, misrepresentation, or false statements made during the course of the licensed activity;
- (3) Conviction of any offense for which granting of a license could have been denied under § 111.04 of this code; or
- (4) Violation of any provision of this chapter.

(B) *Multiple persons under 1 license.* The suspension or revocation of any license issued for the purpose of authorizing multiple persons to conduct business as peddlers or transient merchants on behalf of the licensee shall serve as a suspension or revocation of each authorized person's authority to conduct business as a peddler or transient merchant on behalf of the licensee whose license is suspended or revoked.

(C) *Notice.* Prior to revoking or suspending any license issued under this chapter, the city shall provide the license holder with written notice of the alleged violations and inform the licensee of his or her right to a hearing on the alleged violation. Notice shall be delivered in person or by mail to the permanent residential address listed on the license application, or if no residential address is listed, to the business address provided on the license application.

(D) *Public hearing.* Upon receiving the notice provided in division (C) of this section, the licensee shall have the right to request a public hearing. If no request for a hearing is received by the City Clerk-Treasurer within 10 regular business days following the service of the notice, the city may proceed with the suspension or revocation. For the purpose of mailed notices, service shall be considered complete as of the date the notice is placed in the mail. If a public hearing is requested within the stated time frame, a hearing shall be scheduled within 20 days from the date of the request. Within 3 regular business days of the hearing, the City Council shall notify the licensee of its decision.

(E) *Emergency.* If, in the discretion of the City Council, imminent harm to the health or safety of the public may occur because of the actions of a peddler or transient merchant licensed under this chapter, the City Council may immediately suspend the person's license and provide notice of the right to hold a subsequent public hearing as prescribed in division (C) of this section.

(F) *Appeals.* Any person whose license is suspended or revoked under this section shall have the right to appeal that decision in court.  
Penalty, see § 10.99

## Business Regulations

### § 111.06 LICENSE TRANSFERABILITY.

No license issued under this chapter shall be transferred to any person other than the person to whom the license was issued.

Penalty, see § 10.99

### § 111.07 REGISTRATION.

All solicitors, and any person exempt from the licensing requirements of this chapter under § 111.03 of this code, 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 City Clerk-Treasurer shall issue to the registrant a certificate of registration as proof of the registration. Certificates of registration shall be nontransferable.

Penalty, see § 10.99

### § 111.08 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 so as to create a threat to the health, safety, and welfare of any individual or the general public;

(D) Conducting business before 7:00 a.m. or after 9:00 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; or

(G) Remaining on the property of another when requested to leave, or otherwise conducting business in a manner a reasonable person would find obscene, threatening, intimidating, or abusive.

Penalty, see § 10.99

## Business Regulations

### § 111.09 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 4 inches long and 4 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 § 10.99

### § 111.10 MOBILE FOOD UNITS

#### CITY OF PINE RIVER ORDINANCE NO. 11-12-2024-1

#### AN ORDINANCE AMENDING CITY OF PINE RIVER ORDINANCE TITLE XI BUSINESS REGULATIONS, CHAPTER 111 PEDDLERS AND SOLICITORS TO INCLUDE MOBILE FOOD UNITS

(A) *Purpose.* This ordinance is intended to license the reasonable use of mobile food units while preventing any adverse consequences to customers, residents, and businesses. It is also intended to protect public health, safety, and general welfare through the establishment of standards to ensure that mobile food trucks are appropriately located, licensed, and inspected. Food truck operation is not to impede traffic or create public health hazards. For-profit mobile food units may only operate on private property within the City of Pine River. Not-for-profit mobile food units may operate on either private or public property within the City of Pine River.

(B) *Definitions.* Mobile Food Unit means

- (1) a self-contained food service operation, located in a motorized wheeled or towed vehicle that is readily movable without disassembling and that is used to store, prepare, display, or serve food intended for individual portion service to the public; or
- (2) a mobile food unit as defined in Minn. Stat. 157.15, subd. 9.

(C) *License Required.* It is unlawful for any person to operate a mobile food unit, whether for-profit or not-for-profit, in the City of Pine River without first obtaining an appropriate license from the State of Minnesota and a Mobile Food License issued by the City of Pine River under this division.

(D) *License Types.*

(1) There shall be two types of mobile food unit licenses, as follows:

- a. A one-day license allows mobile food unit operations in the City for up to 1 day.

b. An annual license allows mobile food unit operation in the City for any number of days during a calendar year. Mobile food unit operation may not operate for more than 21 days in one location in a calendar year. All annual licenses shall expire on December 31 following the date of issue.

(2) License fees for both types are determined in the City's fee schedule, as adopted and updated by resolution. Fees are nonrefundable.

(E) *License Applications.*

(1) An application for mobile food unit license shall be filed, along with the required fee, with the City Clerk-Treasurer. The Clerk-Treasurer may approve of and issue licenses, for special events, to mobile food units without City Council approval as long as the mobile food unit meets all requirements set by this Ordinance. The application shall be made on form approved by the City and shall contain information requested by the City, including, but not limited to, the following:

a. A copy of the related license from the State of Minnesota required to operate a mobile food unit.

b. A certificate evidencing the insurance coverages consistent with the requirements of Number 6. Insurance.

c. If applying for only a one-day license, the applicant must provide the exact date and location of proposed mobile food unit operations.

(2) Applications must be received at least seven (7) days before the first planned operation date of the mobile food unit.

(F) *Insurance.*

(1) No license shall be granted, nor be effective, until the applicant files with the City a Certificate of Insurance by an insurance company authorized to do business in the State of Minnesota, evidencing the following forms of insurance:

(a) Commercial general liability insurance, with a limit of not less than one million dollars (\$1,000,000.00) for each occurrence. If such insurance contains an annual aggregate limit, the annual aggregate limit shall be not less than two million dollars (\$2,000,000.00),

(b) Automobile liability insurance with a limit of not less than one million dollars (\$1,000,000.00) for each occurrence and a general aggregate limit of not less than two million dollars (\$2,000,000.00).

(c) Workers compensation insurance (statutory limits) or evidence of exemption from state law.

(G) *Conditions of License.* A mobile food unit may only operate as set forth in the

following:

- (1) *Locations.* A mobile food unit may only operate in the locations set forth in this paragraph as specified in the license. For-profit mobile food units are not allowed to operate on public property or right-of-way, including the City Hall, City Park, City streets, and City sidewalks. Not-for-profit mobile food units may operate on private property in the zones listed above. A business must be operation on a property in order for a mobile food unit to be allowed. The written consent of the owner of such property is required. **No mobile food units shall be allowed on Barclay Ave. or on any property with a Barclay Ave. address.**
- (2) *Notification.* Applicants with one (1) day or annual licenses must submit the date and location of mobile food unit operation in writing (whether physically or by email) to the City Clerk-Treasurer at least twenty-four (24) hours in advance. Failure to comply will result in suspension of license.
- (3) *License Non-Transferable.* A mobile food unit license is non-transferable.
- (4) *Performance Standards and Permitted Uses.* Mobile food units, including trucks, trailers, wagons, carts, seasonal temporary food stands, etc., are allowed on public and private property subject to the following:
  - (a) Only food and non-alcoholic beverages can be sold.
  - (b) At least one (2) trash receptacle with a tight-fitting lid shall be provided.
  - (c) Operators must clean around their unit at the end of each day.
  - (d) Operator cannot call attention to themselves by crying out, blowing a horn, ringing a bell, and playing music or other noise discernable beyond the unit.
  - (e) Units must be kept in good repair and order and have a neat appearance.
  - (f) Electrical cords and hookups to public utilities are permitted only for Council approved special events.
  - (g) Liquids from a food unit cannot be drained onto public property.
  - (h) Exterior lighting that will call attention to the setup is not permitted.
  - (i) Follow applicable Department of Health regulations.
  - (j) Copies of all required state license and insurance coverage.
  - (k) Property owner written approval is required.
  - (l) Units cannot be left unattended, nor remain at an authorized operation location outside allowed hours of operation for more than three (3) days without prior Council approval.

- (m) Sales cannot be made to individuals parked or stopped in a public street or alley.
- (n) Units cannot locate within 300' from the property perimeter of any event unless a license is issued to be a part of said event.
- (o) Proof of liability insurance is provided in accordance with City of Pine River's requirements.
- (p) Mobile food units are permitted to operate during special events provided they have been approved by the Council.
- (q) Sales are permitted in a City Park when approved by the City of Pine River.
- (r) Maximum number of units per property:
  - Two (2) food trucks on lots of one-half acre or less.
  - Three (3) food trucks on lots between one-half acre and 1 acre.
  - Four (4) food trucks on lots greater than 1 acre.
- (s) A business must be operating on a property in order for a mobile food unit to be allowed.
- (t) Sales are permitted in a City park when approved by the City of Pine River.

(H) *Enforcement.* A license may be suspended, revoked, or denied for renewal for any violations of this Code or conditions of any license.  
(Ord. 11-12-2024-1, passed 11/12/2024) Penalty, see § 112.99



**11. Location Where Business Will Be Conducted:**

Street \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

**12.  Written Permission of Property Owner or Property Owner's Agent**

**13. Contact Phone Number(s) While Doing Business:** \_\_\_\_\_

\_\_\_\_\_

**14. MN State Tax Number:** \_\_\_\_\_ **Federal Tax Number:** \_\_\_\_\_

**15. Within the last 5 YEARS  I HAVE  I HAVE NOT** been convicted of a felony, gross misdemeanor, or misdemeanor for violation of any state or federal statute or any local ordinance, other than traffic offenses.

**16. Describe Vehicle(s), if any, to be used:**

Make/Model \_\_\_\_\_ Color \_\_\_\_\_ Year \_\_\_\_ Vehicle License #: \_\_\_\_\_

Owner of Vehicle: \_\_\_\_\_  A Copy of Vehicle Insurance is Attached

Make/Model \_\_\_\_\_ Color \_\_\_\_\_ Year \_\_\_\_ Vehicle License #: \_\_\_\_\_

Owner of Vehicle: \_\_\_\_\_  A Copy of Vehicle Insurance is Attached

**17. Driver's License #:** \_\_\_\_\_

**18. Does Applicant Now, or Has Applicant Had, a Similar License in Another City?**  YES  NO

IF YES, List the 3 Most Recent Locations:

1) \_\_\_\_\_ 2) \_\_\_\_\_ 3) \_\_\_\_\_

The undersigned Applicant certifies that the information supplied in this application is true & correct.

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

Approved  Denied \_\_\_\_\_, 20\_\_\_\_  
Clerk/Mayor \_\_\_\_\_ Date \_\_\_\_\_

**Food Venders are required to provide a trash container near their business for customer use & are responsible for their own business garbage removal & clean up.**

*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 1 location for more than 14 consecutive days.

**§ 111.03 LICENSING; EXEMPTIONS.**

(A) *City license required.* Except as otherwise provided for by this chapter, no person shall conduct business as either a peddler or a transient merchant without first having obtained a license from the city. Solicitors need not be licensed, but are still required to register pursuant to § 111.07 of this code.

FE Repl.

(B) *Application.* 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. Application for a license shall be made on a form approved by the City Council and available from the office of the City Clerk-Treasurer. All applications shall be signed by the applicant.

# Mobile Food Unit License Application

## City of Pine River

200 Front ST.N./P.O.Box 87 ♦ Pine River, MN 56474 ♦ 218.587.2440 ♦ 218.587.2168 (fax)  
[www.cityofpineriver.org](http://www.cityofpineriver.org)

Mobile food units self-contained food service operation per Minn.Stat. 157.15, subd.9

**Annual License Fee: \$150.00**

**Special Event Fee: \$25.00**

### Business Information

Name of Truck/ Trailer \_\_\_\_\_ Truck/ Trailer Size \_\_\_\_\_

DBA Name (if different) \_\_\_\_\_

Owner's Name \_\_\_\_\_ Federal ID # \_\_\_\_\_ License Plate # \_\_\_\_\_

Address/ City/ State/ ZIP \_\_\_\_\_

Phone: \_\_\_\_\_ Cell Phone: \_\_\_\_\_

Email: \_\_\_\_\_

### Proposed Operating Location & Times (City License)

Location / Area	Days	Hours of Operation
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

### Park Event Information

Event Date(s) \_\_\_\_\_ Event Name(s) \_\_\_\_\_

Event Location(s) \_\_\_\_\_ Hours of Operation \_\_\_\_\_

Is access to electrical power needed? Yes No If YES, vendor must provide power cords.

CITY OF Pine River

FORM SP:C1 - TAX CLEARANCE INFORMATION

Pursuant to Minnesota Statute 270.72 Tax Clearance: Issuance of Licenses. The licensing authority is required to provide to the Minnesota Commissioner of Revenue your Minnesota business tax identification number and the social security number of each license applicant.

Under the Minnesota Government Data Practices Act and the Federal Privacy Act of 1974, we are required to advise you of the following regarding the use of this information:

1. This information may be used to deny the issuance, renewal or transfer of your license in the event you owe the Minnesota Department of Revenue delinquent taxes, penalties, or interest:
2. Upon receiving this information, the licensing authority will supply it only to the Minnesota Department of Revenue. However, under the Federal Exchange of Information Agreement the Department of Revenue may supply this information to the Internal Revenue Services :
3. Failure to supply this information may jeopardize or delay the processing of your licensing insurance or renewal application.

Please supply the following information and return along with your application to the agency issuing this license. Do not return to the Department of Revenue.

LICENSE BEING APPLIED FOR OR RENEWED:  
 LICENSING AUTHORITY: City of Pine River  
 LICENSE RENEWAL DATE:  
 PERSONAL INFORMATION (if applicable):

Applicant's Name \_\_\_\_\_

Applicant's Address \_\_\_\_\_

City	State	Zip Code
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Social Security Number \_\_\_\_\_

BUSINESS INFORMATION (If applicable):

Business Name \_\_\_\_\_

Business Address \_\_\_\_\_

City	State	Zip Code
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Minnesota Tax Identification Number \_\_\_\_\_

Federal Tax Identification Number \_\_\_\_\_

If Minnesota Tax Identification number is not required, please explain on the reverse side.

Signature

Position(Officer, Partner, Individual, Etc.)

unit.

b. A certificate evidencing the insurance coverages consistent with the requirements of Number 6. Insurance.

c. If applying for only a one-day license, the applicant must provide the exact date and location of proposed mobile food unit operations.

(2) Applications must be received at least seven (7) days before the first planned operation date of the mobile food unit.

(F) *Insurance.*

(1) No license shall be granted, nor be effective, until the applicant files with the City a Certificate of Insurance by an insurance company authorized to do business in the State of Minnesota, evidencing the following forms of insurance:

a) Commercial general liability insurance, with a limit of not less than one million dollars (\$1,000,000.00) for each occurrence. If such insurance contains an annual aggregate limit, the annual aggregate limit shall be not less than two million dollars (\$2,000,000.00),

(b) Automobile liability insurance with a limit of not less than one million dollars (\$1,000,000.00) for each occurrence and a general aggregate limit of not less than two million dollars (\$2,000,000.00).

(c) Workers compensation insurance (statutory limits) or evidence of exemption from state law.

(G) *Conditions of License.* A mobile food unit may only operate as set forth in the following:

(1) *Locations.* A mobile food unit may only operate in the locations set forth in this paragraph as specified in the license. For-profit mobile food units are not allowed to operate on public property or right-of-way, including the City Hall, City Park, City streets, and City sidewalks. Not-for-profit mobile food units may operate on private property in the zones listed above. A business must be operation on a property in order for a mobile food unit to be allowed. The written consent of the owner of such property is required.

(2) *Notification.* Applicants with seven (7) day or annual licenses must submit the date and location of mobile food unit operation in writing (whether physically or by email) to the City Clerk-Treasurer at least twenty-four (24) hours in advance. Failure to comply will result in suspension of license.

(3) *License Non-Transferable.* A mobile food unit license is non-transferable.

(4) *Performance Standards and Permitted Uses.* Mobile food units, including trucks, trailers, wagons, carts, seasonal temporary food stands, etc., are allowed on public and private property subject to the following:

(a) Only food and non-alcoholic beverages can be sold.

(b) At least one (2) trash receptacle with a tight-fitting lid shall be provided.

(c) Operators must clean around their unit at the end of each day.

(d) Operator cannot call attention to themselves by crying out, blowing a horn, ringing a bell, and playing music or other noise discernable beyond the unit.

# Certificate of Compliance Minnesota Workers' Compensation Law

**PRINT IN INK or TYPE.**

Minnesota Statutes, Section 176.182 requires every state and local licensing agency to withhold the issuance or renewal of a license or permit to operate a business or engage in any activity in Minnesota until the applicant presents acceptable evidence of compliance with the workers' compensation insurance coverage requirement of Minnesota Statutes, Chapter 176. The required workers' compensation insurance information is the name of the insurance company, the policy number, and the dates of coverage, or the permit to self-insure. 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.**

BUSINESS NAME (Individual name only if no company name used)

LICENSE OR PERMIT NO (if applicable)

DBA (doing business as name) (if applicable)

BUSINESS ADDRESS (PO Box must include street address)

CITY

STATE

ZIP CODE

**YOUR LICENSE OR CERTIFICATE WILL NOT BE ISSUED WITHOUT THE FOLLOWING INFORMATION. You must complete number 1, 2 or 3 below.**

**NUMBER 1 COMPLETE THIS PORTION IF YOU ARE INSURED:**

INSURANCE COMPANY NAME (not the insurance agent)

WORKERS' COMPENSATION INSURANCE POLICY NO.

EFFECTIVE DATE

EXPIRATION DATE

**NUMBER 2 COMPLETE THIS PORTION IF SELF-INSURED:**

I have attached a copy of the permit to self-insure.

**NUMBER 3 COMPLETE THIS PORTION IF EXEMPT:**

I am not required to have workers' compensation insurance coverage because:

I have no employees.

I have employees but they are not covered by the workers' compensation law. (See Minn. Stat. § 176.041 for a list of excluded employees.) Explain why your employees are not covered: \_\_\_\_\_

Other: \_\_\_\_\_

**ALL APPLICANTS COMPLETE THIS PORTION:**

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

APPLICANT SIGNATURE (mandatory)

TITLE

DATE

**NOTE: If your Workers' Compensation policy is cancelled within the license or permit period, you must notify the agency who issued the license or permit by resubmitting this form.**

This material can be made available in different forms, such as large print, Braille or on a tape. To request, call 1-800-342-5354 (DIAL-DLI) Voice or TDD (651) 297-4198.



## ZONING ADMINISTRATOR'S REPORT

### **PERMITS: THE FOLLOWING LAND USE PERMITS HAVE BEEN ISSUED SINCE THE LAST MEETING:**

- TEICH, ELLIS RD.; CONSTRUCTION OF A DWELLING WITH ATTACHED GARAGE.

### **PENDING APPLICATIONS: THE FOLLOWING APPLICATIONS ARE PENDING:**

- POTENTIAL RESIDENTIAL STORAGE REZONE AND COMMON INTEREST COMMUNITY (CIC): INFORMATION HAS BEEN PROVIDED TO POTENTIAL PURCHASER REGARDING PROCESS STEPS. DELOUGHERTY IS AWAITING THIS INFORMATION AND FORMAL APPLICATION TO PROCEED.

### **PROPERTY OWNER REQUESTS FOR COUNCIL:**

- NONE AT THIS TIME

### **RECENT ZONING-RELATED COUNCIL DECISIONS:**

- ORDINANCE O-26-50 SCREENING REQUIREMENTS IN THE C-2 (HIGHWAY BUSINESS) ZONING DISTRICT WAS **PASSED** PER PLANNING COMMISSION RECOMMENDATION ON MAY 11<sup>TH</sup>, 2026
- CUP AMENDMENT FOR NORTHLAND, NATHAN LANGE, WAS **PASSED** PER PLANNING COMMISSION RECOMMENDATION ON MAY 11<sup>TH</sup>, 2026.

### **PLANNING COMMISSION ITEMS IN REVIEW:**

- REVIEW OF CAMPING/RV ORDINANCE/PERMITTING
- REVIEW OF DEFINITION AND LAND USE MATRIX RELATED TO "WAREHOUSING"
- REVIEW OF TRANSIENT MERCHANT/PEDDLER/MOBILE FOOD VENDOR PERMIT APPLICATION