



DRAFT

ORDINANCE NO. 2021-005

**CITY OF ARDEN HILLS
COUNTY OF RAMSEY
STATE OF MINNESOTA**

**AN ORDINANCE AMENDING CHAPTER 3,
SECTION 320, SUBSECTIONS 320.09, 320.10 AND 320.12;
SECTION 395, SUBSECTION 395.05, SUBD. 1 AND SUBD. 2A;
AND SUBSECTION 395.06 OF THE ARDEN HILLS CITY CODE**

THE CITY COUNCIL OF THE CITY OF ARDEN HILLS, MINNESOTA, ORDAINS:

SECTION 1. Chapter 3 – Licenses and Regulations, Section 320 – Limited, Temporary Permits, Subsections 320.09, 320.10 and 320.12 are hereby amended by deleting ~~struck through~~ language and adding the underlined language as follows:

320.09 Businesses, Occupations, and Activities for which Permit Fee not Required.

The activities for which permit fees shall not be required, but nevertheless a permit shall be required, are as follows:

- Purchase of fireworks and operation of fireworks display or program;
- Boutique or garage sale;
- Mobile food unit/food truck catered parties/events; and
- Newspaper distribution locations.

320.10 Approval.

Approval of an application for a permit to engage in the following type of activity shall be granted by the body, department or officer of the City indicated across therefrom in the following schedule:

- Circuses and carnivals: City Council;
- Commercial advertising distribution: City's designated law enforcement provider and City Administrator;
- Installation or construction of courtesy benches or shelters: City's designated law enforcement provider and City Administrator, if such a bench or shelter is to abut a county road, county permission must also be obtained;
- Fireworks purchase and/or display: City Council;
- Flea markets or commercial sidewalk sales: City Council;
- Boutiques or garage sales at a private home: City's designated law enforcement provider and City Administrator;

. Mobile food unit/food truck catered parties/events: City's designated law enforcement provider and City Administrator;

- Group picnics or camping: park director and City Administrator;
- Peddlers, solicitors and transient merchants: City Administrator;
- Newspaper distribution locations: City's designated law enforcement provider and City Administrator;
- Outdoor concerts: City Council; and
- Roadside stands: City Administrator.

320.12 Limit on Occasion of Mobile Food Unit/Food Truck Catered Parties/Events on Residential Properties.

A residential property shall be limited to no more than two (2) mobile food unit/food truck catered events per calendar year.

SECTION 2. Chapter 3 – Licenses and Regulations, Section 395 - Mobile Food Units, Subsection 395.05, Subd.1 and Subd. 2A, and Subsection 395.06 are hereby amended by deleting ~~striketrough~~ language and adding the underlined language as follows:

395.05 Conditions of Licensing.

A mobile food unit may only operate as set forth in the following:

Subd. 1 **Locations.** A mobile food unit may only operate in the locations set forth in this paragraph and as specified in the permit. A mobile food unit may operate in a private commercial or industrial parking lot and on private residential property, with the written consent of the private property owner.

When operations occur on private residential property, mobile food unit sales may only be for catering purposes (such as a private graduation party or wedding) and not open for sales or service to the general public. Sales or service may only be made to the applicant of the residential mobile food unit/food truck permit and guests at the catered event.

The owner of the residential property must have obtained required city permits for the event as required by Section 320 or other provision of this Code.

A mobile food unit may only operate in a City park or on City property ~~and~~ or rights of way with the prior written approval or permit by the City and as specified in the approval or permit, and additional park or other permits may be required for such operations.

Subd. 2 **Performance standards.** A mobile food unit licensee is subject to the following performance standards:

A. Any- mobile food unit with an annual license may not operate on the same non-residential property or commercial property for more than twenty-one (21) days total during any

calendar year, and any mobile food unit with an annual or temporary license may operate at no more than two catered events at a residential property during any calendar year, provided the owner of the residential property has obtained all required permits for the event and has complied with all terms of those permits.

395.06 Suspension or Revocation of a License, Criminal Penalty.

A license may be suspended, revoked, or denied for renewal for any violations of this Code or conditions of any license. Any violation of this Code or provisions of any license shall be a misdemeanor. It shall be a violation for a property owner to allow a mobile food unit to operate on their property in violation of this Code or conditions of any license, and the property owner may be charged with a misdemeanor or administrative penalty set by the Council (see current Fee Schedule – Appendix A/~~charges ordinance~~).

SECTION 3. This Ordinance shall become effective immediately upon its passage and publication according to law.

PASSED and ADOPTED this 14th day of June, 2021, by the City Council of the City of Arden Hills, Minnesota.

CITY OF ARDEN HILLS

By _____
David Grant, Mayor

ATTEST:

Julie Hanson, City Clerk