

2007-Or-___

**AN ORDINANCE
of the
CITY OF
MINNEAPOLIS**

By: Ostrow

Amending Title 13, Chapter 347 of the Minneapolis Code of Ordinances relating to Licenses and Business Regulations: Tree Servicing.

The City Council of the City of Minneapolis do ordain as follows:

Section 1. That Section 347.20 of the above-entitled ordinance be amended to read as follows:

347.20. License required. No person shall engage in tree servicing ~~for hire, or engage in the business of so doing,~~ without being licensed under this chapter, except that residents or owners of a subject property and persons holding garbage or refuse haulers' licenses pursuant to Chapter 225 of this Code shall be excluded from the provisions of this chapter if they are engaged solely in the removal or hauling away of trees or parts thereof.

Section 2. That Section 347.30 of the above-entitled ordinance be amended to read as follows:

347.30 Application for license. Any person desiring to engage in the business of tree servicing shall apply to the director of licenses and consumer services, hereinafter referred to as director, for a license, which ~~The~~ application shall state the name and address of the applicant; whether applicant is an individual, partnership, firm or corporation; the number, make and style of vehicles to be used by the applicant in carrying on the business of servicing; and the names of the individual or individuals possessing the certification or educational degree required pursuant to section 347.35, and such application shall be accompanied by payment of the license fee.

Section 3. That Chapter 347 of the Minneapolis Code of Ordinances be amended by adding thereto a new Section 347.35 to read as follows:

347.35. ISA certification or Urban forestry or Arboriculturist degree required. All licensees shall employ an individual who possess current certification as an arborist from the International Society of Arboriculture (ISA) or post-secondary degree in urban forestry, arboriculturist, or an equivalent area of study, from an accredited institution of higher learning before a license will be issued to the applicant. An individual certified arborist, or urban forester or arboriculturist may not, at any time, be designated as the person in responsible charge of work by more than one tree servicer. The certified arborist or urban forester or arboriculturist shall be responsible

for property and tree protection, provide supervision of tree servicing, and comply with all applicable American National Standards for Arboricultural (ANSI) standards. Tree service licensees who obtained their license from the City of Minneapolis prior to the passing of this ordinance shall provide the name or names of the certified arborists or urban foresters or arboriculturist by December 31, 2008. The director may, on an annual basis and upon request by the director of Forestry of the Minneapolis Park and Recreation Board, exempt tree servicers who are under contract with the board to provide removal of diseased or infested trees and stumps from the requirements of this section for services completed under such contracts.

Section 4. That Section 347.40 of the above-entitled ordinance be amended to read as follows:

347.40. Insurance required. No license or renewal shall be granted until the applicant shall first have filed with the director ~~of licenses and consumer services~~ an insurance policy or certificate thereof issued by an insurance company authorized to do business in the State of Minnesota, insuring said applicant for at least one hundred thousand dollars (\$100,000.00) against liability for bodily injuries or death of any person not covered by workmen's compensation law, for at least three hundred thousand dollars (\$300,000.00) against liability for bodily injuries or death to more than one person from one accident, and for at least one hundred thousand dollars (\$100,000.00) against liability for damage to or destruction of property in connection with or by reason of any type of tree servicing ~~for hire~~. Said policy shall provide that it may not be canceled by the insurer except after thirty (30) days' written notice to the director ~~of licenses and consumer services~~ and if such insurance is so canceled and the licensee shall fail to replace the same with another policy conforming to the provisions of this chapter, said license shall be automatically suspended until such insurance shall have been replaced. In addition, each license applicant shall also supply a certificate of insurance of workmen's compensation when such insurance is required by state statute.

Section 5. That Section 347.50 of the above-entitled ordinance be amended to read as follows:

347.50. Register of licenses required. The director ~~of licenses and consumer services~~ shall keep a register of each license issued, the number thereof, the name of the licensee, the date when issued, the date of expiration, and any other data bearing upon the enforcement of this chapter.

Section 6. That Chapter 347.60 of the Minneapolis Code of Ordinances be amended to read as follows:

347.60 Marking of vehicles. At the time a license is issued, the applicant shall be furnished with a suitable license certificate for each self-propelled vehicle used in tree servicing. Such certificate shall be permanently and prominently affixed and displayed on the upper half of the driver's side door at all times. ~~Such certificate shall be procured and issued by the director of licenses and consumer services, and the licensee shall pay for each certificate, in excess of the first paid, the sum of seven dollars (\$7.00).~~ In addition, no self-propelled vehicle may be used in tree servicing unless such vehicle shall have the licensee's name, address and telephone number affixed in a prominent

manner on the outer sides of the vehicle in letters of not less than ~~three (3)~~ two (2) inches in height.

Section 7. That Chapter 347 of the Minneapolis Code of Ordinances be amended by adding thereto a new Section 347.65 to read as follows:

347.65 Estimate Required. A copy of a written estimate shall be provided to the owner for approval prior to any work to be performed. This estimate shall include the name and address of the business thereon, a detailed description of all services or work performed and the total estimated cost of the services provided. In the event that a determination is made that the actual charges for the services will exceed the total written estimate by the sum of the (10) percent of the total written estimate, the customer shall be immediately notified of the new charges. A customer so notified may authorize or cancel the service. The customer shall be responsible for payment of services provided. In no event shall a customer be required to pay more than the amount of the original written estimate plus ten (10) percent of the original written estimate if the customer did not receive notification of a change in estimate.

Section 8. That Chapter 347 of the Minneapolis Code of Ordinances be amended by adding thereto a new Section 347.90 to read as follows:

347.90. Denial, refusal to renew, suspension and revocation of licenses. An application for a license under this chapter may be denied or a license issued under this chapter may be revoked or suspended for good cause.