

No. SR:jo  
9/25/84  
1st Reading 8-24-84  
Ref. to L & CS Comm.  
Public Hearing  
2nd Reading & Final  
Passage

84-Or- 177

Date  
Date to Mayor  
Date Returned  
Date Resubmitted  
to Council

# AN ORDINANCE of the CITY OF MINNEAPOLIS

Council Members Niemiec, O'Brien and White

presents the following ordinance:

Amending Title 13 of the Minneapolis Code of Ordinances by adding a new Chapter 317 relating to Licenses and Business Regulations: Motor Vehicle Repair Garage License.

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

Section 1. That the Minneapolis Code of Ordinances be amended by adding thereto a new Chapter 317 to read as follows:

## CHAPTER 317. MOTOR VEHICLE REPAIR GARAGE LICENSE.

317.10. Definitions. As used in this Chapter the following terms shall mean:

Director. The Director of Licenses and Consumer Services.

Mobile Repair Garage. A vehicle which goes from place to place for the purpose of making motor vehicle repairs as defined herein.

Motor Vehicle. A motor vehicle as defined in Minnesota Statutes, Section 169.01.

Motor Vehicle Repair Garage. A business engaged in the repair of motor vehicles, except:

- (a) A business which performs motor vehicle servicing solely to the extent of fueling, checking fluid levels, replacing filters, and other minor servicing functions customarily performed by a gasoline filling station, when those services do not exceed a cost of fifteen dollars (\$15.00) including parts and labor;
- (b) A garage or shop engaged exclusively in repairing the motor vehicles of its own fleet.

Person. A natural person, firm, partnership, association, or corporation.

Refuse. Refuse shall include, but not be limited to, trash, debris, discarded or abandoned parts, containers and tools, and motor vehicles defined as abandoned in Minnesota Statutes, Chapter 168B.

Repair. Mechanical repairs, service, maintenance, alterations, diagnostic testing or body work, and/or the addition of equipment, supplies or parts to a motor vehicle.

Self-Service Motor Vehicle Repair Garage. A repair garage in which the customer performs some or all of the labor, and in which the garage provides the customer with a service facility, or new or used parts, or advice, assistance, or diagnosis in the performance of repairs.

Workmanlike. Consistent with proper and accepted trade practices and in accordance with manufacturers' recommendations and specifications.

317.20. License Required. No person shall operate a motor vehicle repair garage without a license as provided in this Chapter.

317.30. Application. Application for a motor vehicle repair garage license shall be made on forms provided by the Department of Licenses and Consumer Services. The form shall include:

- (a) The name, address, and birthdate of each applicant, each partner in the case of a partnership, and each officer and director in the case of a corporation;
- (b) The name and address of the business;
- (c) Such other information as the Director may require to insure that the applicant meets the requirements of this Chapter and of this Code as it relates to the business of a motor vehicle repair garage.

A business operating more than one motor vehicle repair garage may file a single application so long as it contains complete information as to each separate location and indicates the manager at each location.

317.40. License Fee. The annual license fee for a motor vehicle repair garage shall be one hundred dollars (\$100.00) for each location and each vehicle used as a mobile motor vehicle repair garage. Persons holding a gasoline filling station license or motor vehicle dealer's license issued pursuant to this Code may be issued a license for a motor vehicle repair garage upon the payment of a forty dollar (\$40.00) fee provided the motor vehicle repair garage is at the same location as the above named licenses and the licensee meets all other requirements of this chapter. In addition to the annual fee specified above, an additional fifty dollar (\$50.00) fee shall be paid:

- (a) Upon initial application for a motor vehicle repair garage license; and
- (b) Upon application for a motor vehicle repair garage license after failing to renew the license within one (1) year of the expiration date of the previously held license. The fifty dollar (\$50.00) fee shall not be refunded whether or not the license is granted.

317.50. Expiration Date. All motor vehicle repair garage licenses shall expire on September 1 of each year subject to renewal from year to year thereafter.

317.60. Display of License. The licensee shall permanently and conspicuously display his license at each location.

317.70. Insurance Required. Every license applicant shall provide and maintain in full force and effect public liability insurance to indemnify any person against loss or injury in the sum of one hundred thousand dollars (\$100,000.00) for injury or death to one person and three hundred thousand dollars (\$300,000.00) for each accident or occurrence, and ten thousand dollars (\$10,000.00) property damage, and shall contain a provision that no cancellation thereof shall become effective without thirty (30) days' prior notice thereof in writing to the Department of Licenses and Consumer Services. In addition, each applicant for a Motor Vehicles Repair Garage license shall file with the Department

of Licenses and Consumer Services, a public liability policy or certificate of insurance for each vehicle used in the business of its Motor Vehicle Repair Garage. All tow trucks shall be insured according to the provisions of Chapter 349 of the Minneapolis Code of Ordinances. Each Mobile Vehicle Repair Garage vehicle shall be insured to the same policy limits as a Class C Tow Truck.

317.80. Maintenance of Records Required. Every Motor Vehicle Repair Garage licensee shall maintain records which shall include all work orders, estimates, invoices and names of all customers for whom motor vehicle repairs have been performed. As used in this Section, the term "invoice" shall contain that information required in Minn. Stat. Section 325F.60. Such records shall be available for inspection and copying by enforcement officials and shall be retained for at least two (2) years. A customer has a right to a copy of documents maintained by the motor vehicle repair garage reflecting any transaction to which he was a party.

317.90. Unauthorized Work - Customer's Right to Return of Property. No motor vehicle repair garage shall fail to return to any customer upon demand, the customer's vehicle in violation of Minn. Stat. Section 325F.61.

317.100. Refuse. All refuse must be stored in a completely enclosed building, completely enclosed trash transport (Gondola) or in covered cans. If stored in covered cans, the storage area must be surrounded by a wall not less than two (2) feet higher than the cans. The wall shall be designed to provide screening for the area. The minimum area shall be thirty (30) square feet plus twenty (20) square feet for each service bay. A trash burner shall not be allowed unless the burner has been approved by the Minnesota Pollution Control Agency.

317.110. Surfacing. All open off-street parking area shall be surfaced with a dustless all-weather material capable of carrying a wheel load of four thousand (4,000) pounds.

317.120. Screening and Landscaping. All open automobile parking areas containing more than four (4) parking spaces shall be effectively screened on each side adjoining or fronting on any property situated in a residentially zoned district, by a wall or fence not less than four (4) feet or more than six (6) feet in height or dense planting which will grow to a minimum height of four (4) feet in the first growing season or alternate screening as approved by the City Planning Commission.

317.140. Bumpers and Barriers Required. Every motor vehicle repair garage shall maintain bumpers and barriers at each property line in such a manner as to prevent vehicles from encroaching onto any public or private property.

317.150. Notice of Storage Policy. Each motor vehicle repair garage shall give reasonable notice of its policy on storage charges. It shall be prima facie evidence of such notice if there is posted in a conspicuous place at a point where vehicles are normally received for repair, a sign stating its storage charge policy; provided that no charge shall accrue or be due and payable for a period of 24 hours (one business day) from the date of notification to a customer that the repair of his motor vehicle is completed.

317.160. Denial, Suspension, Revocation of License. A motor vehicle repair garage license may be denied, suspended, revoked or renewal refused by the City Council for any one or more of the following reasons:

- (a) Fraud or misrepresentation in obtaining a license;
- (b) Violation of any provision of the building, zoning, fire, or health codes of the City;
- (c) Violation of any of the terms of this chapter or of other provisions of this Code applicable to the business of a motor vehicle repair garage;

- (d) Violation of any of the provisions of Chapters 156 or 158 of this Code relating to Deceptive Practices and Truth in Estimates and Repairs, or violation of any provision of Minn. Stat. Sections 325F.56 to 325F.65, the Minnesota Truth in Repairs Act. Where the provisions of this Chapter, Chapter 156 or 158 of this Code, or Minn. Stat. Sections 325F.56 to 325F.65 conflict, the more restrictive provisions shall govern;
- (e) Use of city right-of-way to park, store or repair motor vehicles;
- (f) For other good cause shown which renders the licensee or license applicant unfit to hold a motor vehicle repair garage license.

*John Niemiec*

RECORD OF COUNCIL VOTE													
Council Member	Aye	Nay	N.V.	Abs.	Ovrd.	Sust.	Council Member	Aye	Nay	N.V.	Abs.	Ovrd.	Sust.
Dziedzic				X			Scallion	X					
O'Brien	X						Niemiec	X					
Hilary	X						Cramer	X					
White				X			Schulstad	X					
Coyle	X						Hoyt				X		
Carlson	X						Pres. Rainville				X		
Sayles Beiton	X												

X INDICATES VOTE — N.V. - Not Voting Abs. — Absent Ovrd. - Vote to Override Sust. - Vote to Sustain

PASSED

ADOPTED 9-28 1984

APPROVED

OCT 4 1984

NOT APPROVED

19

VERIFIED

ATTEST

*[Signature]*  
City Clerk

*[Signature]*  
Vice President of Council and Pres. Pro Tem  
*[Signature]*  
Mayor