

ORDINANCE NO. 2010-08, THIRD SERIES

AN ORDINANCE OF THE CITY OF HASTINGS, MINNESOTA AMENDING
HASTINGS CITY CODE CHAPTER 115 – PEDDLERS AND SOLICITORS AND
CHAPTER 155 ZONING CODE RELATING TO TRANSIENT MERCHANT
REGULATIONS

BE IT ORDAINED by the City Council of the City of Hastings as follows:

Chapter 115 of the Hastings City Code is hereby amended as follows (Additions to the ordinance are underlined and section numbers may be renumbered.)

CHAPTER 115: PEDDLERS AND SOLICITORS

§ 115.03 LICENSING; EXEMPTIONS.

(C) *Application.*

(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 dates, except for those meeting the requirements of §155.07(G) Special Provisions – Transient Merchant – Extended Stay)

(F) *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. Transient Merchant licenses are limited to 14 consecutive days or must meet the requirements of Chapter 115.07(G) – Transient Merchant – Extended Stay.

§ 155.07 SPECIAL PROVISIONS

(G) Transient Merchant – Extended Stay

- (1) Definition. Transient Merchant – Extended Stay. Transient Merchants – Extended Stay are subject to the definition of TRANSIENT MERCHANT as defined in Chapter 115.01 – Peddlers and Solicitors.
- (2) General Regulations.
 - (a) Allowed on vacant lots within the C-1, C-2, C-3, and C-4

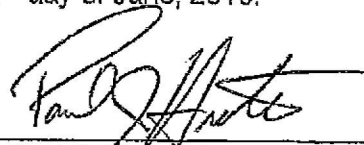
zoning districts.

- (b) Applicant must submit a completed application form to the Zoning Administrator for review and approval. Intensive uses and high traffic will require the applicant to apply for a Special Use Permit which requires City Council and Planning Commission approval.
- (c) Permit shall be valid for 90 days with one 90-day renewal period in one calendar year.
- (d) Transient Merchants who are in operation longer than one year shall file for an extension of the permit. The extension requires approval by the City Council. Approval is contingent on meeting site plan improvements such as, but not limited to, parking and landscaping. An annual inspection is required.
- (e) No merchandise shall be sold which would violate the city's zoning ordinances. Any changes in merchandise sold from the original application will require a new permit.
- (f) Temporary structures may be used, provided they will not impair the parking capacity, emergency access or the safe movement of pedestrian and vehicular traffic on or off the site. All temporary structures shall be constructed with materials approved for weather-exposure durability and appearance.
- (g) The site shall have adequate off-street parking.
- (h) All signs related to the Transient Merchants shall comply with the standards of the zoning district.
- (i) Transient Merchant must meet all applicable building, fire, and electrical codes and adopted appendices and city ordinances.

ALL OTHER SECTIONS SHALL REMAIN UNCHANGED

Effective Date: This Ordinance shall be in full force and effect from and after its passage and approval and publication, as required by law and/or charter.

ADOPTED by the Hastings City Council on this 21st day of June, 2010.



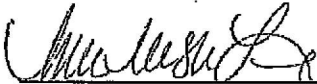
Paul J. Hicks, Mayor

ATTEST:



Melanie Mesko Lee, City Clerk

I HEREBY CERTIFY that the above is a true and correct copy of an ordinance presented to and adopted by the City of Hastings, County of Dakota, Minnesota, on the 21st day of June, 2010, as disclosed by the records of the City of Hastings on file and of record in the office.



Melanie Mesko Lee, City Clerk

(SEAL)

This instrument drafted by:
City of Hastings (KSB)
101 4th St. East
Hastings, MN 55033