



## CITY OF FAIRMONT

### Event Food Wagon/Vendor Permit

Event Information			
Name of Event			
Date(s) of Event			
Start/Finish Time	Start		Finish
Park Location			
Applicant Information			
Name of Food Wagon/Vendor:			
Mailing Address:			
Applicant Contact Information:			
Name:			
Address:			
Phone:			
Cell Phone:			
E-Mail:			
<b>Description of food and/or drink to be dispensed:</b>			
<p><b>The following items <u>must</u> be completed and/or accompany the application:</b></p> <ol style="list-style-type: none"> <li>1. Permit fee payment: \$25.00.</li> <li>2. Certificate of Compliance, Minnesota Workers' Compensation Law</li> <li>3. Copy of license issued by the State of Minnesota Department of Health or Agriculture</li> <li>4. Proof of auto insurance coverage, if applicable</li> <li>5. Photocopy of Driver's License</li> <li>6. Indemnification Agreement</li> </ol>			
<b>I have received a copy of Fairmont City Code Section 18-45 and agree to abide by the regulations set fourth therein.</b>			
_____ / _____ / _____ Month      Day      Year	X _____ Signature of Applicant		

OFFICE USE ONLY	
\$25.00 Fee Paid	Date:
Approved	Received by:
Signature	Date
	Denied

Construction Codes and Licensing Division  
Licensing and Certification Services  
443 Lafayette Road North  
PO Box 64217  
St. Paul, MN 55155



E-mail: [dli.license@state.mn.us](mailto:dli.license@state.mn.us)  
Website: [www.dli.mn.gov](http://www.dli.mn.gov)  
Phone: (651) 284-5034

## Certificate of Compliance Minnesota Workers' Compensation Law

This form must be completed by the business license applicant.

### Print in ink or type

Minnesota Statutes § 176.182 requires every state and local licensing agency to withhold the issuance or renewal of a license or permit to operate a business in Minnesota until the applicant presents acceptable evidence of compliance with the workers' compensation insurance coverage requirement of Minn. Stat. chapter 176. 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.

License or certificate number (if applicable)	Business telephone number	Alternate telephone number	
Business name (Provide the legal name of the business entity. If the business is a sole proprietor or partnership, provide the owner's name(s), for example John Doe, or John Doe and Jane Doe.)			
DBA ("doing business as" or "also known as" an assumed name), if applicable			
Business address (must be physical street address, no P.O. boxes)	City	State	ZIP code
County	Email address		

**You must complete number 1 or 2 below.**

**Note:** You must resubmit this form to the authority issuing your license if any of the information you have provided changes.

#### 1. I have a workers' compensation insurance policy.

Insurance company name (not the insurance agent)

Policy number	Effective date	Expiration date
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**I am self-insured for workers' compensation.** (Attach a copy of the authorization to self-insure from the Minnesota Department of Commerce.)

#### 2. I am not required to have workers' compensation insurance because:

I only use independent contractors and do not have employees. (See [Minn. Stat. § 176.043](#) for trucking and messenger courier industries; [Minn. Stat. § 181.723, subd. 4](#), for building construction; and [Minnesota Rules chapter 5224](#) for other industries.)

I do not use independent contractors and have no employees. (See [Minn. Stat. § 176.011, subd. 9](#), for the definition of an employee.)

I use independent contractors and I have employees who are not required to be covered by the workers' compensation law. (Explain below.)

I only have employees who are not required to be covered by the workers' compensation law. (Explain below.) (See [Minn. Stat. § 176.041](#) for a list of excluded employees.)

Explain why your employees are not required to be covered

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

**Print name**

Applicant signature (required)	Title	Date
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If you have questions about completing this form or to request this form in Braille, large print or audio.



CITY OF FAIRMONT – 100 Downtown Plaza – Fairmont, MN 56031  
www.fairmont.org

Phone (507) 238-9461

Fax (507) 238-9469

## Indemnification Agreement

The fullest extent permitted by law, \_\_\_\_\_, the Food Wagon Vendor agrees to defend, indemnify, and hold harmless the City of Fairmont and its employees, officials, and agents from and against all claims, actions, damages, losses, and expenses, including reasonable attorney fees, arising out of the Food Wagon Vendor’s negligence or intentional actions while doing business pursuant to an Event Food Wagon/Vendor Permit issued for \_\_\_\_\_.

\_\_\_\_\_  
Food Wagon Vendor

STATE OF MINNESOTA }  
COUNTY OF MARTIN } SS

On this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, before me a Notary Public within and for said county and state, personally appeared \_\_\_\_\_, Food Wagon Vendor, who executed the foregoing instrument and acknowledged that he/she/they executed the same as his/her/their free act and deed.

\_\_\_\_\_  
Notary Public

## Sec. 18-45. - Business activities.

It shall be unlawful for any person to sell, solicit, or carry on any business or commercial enterprise or serve in a park unless during a special event and authorized to do so by the city administrator in writing.

(1) *Food wagons.*

- a. *Permit required.* It is unlawful for any person to operate a food wagon without a permit from the city. Operations meeting the definition of a food wagon and operating under a valid food wagon permit do not need a solicitor's license as required chapter 19-16 of the city Code.
- b. *Permit issuance fee and display.* Permits, include number, location and dates for which issued, shall be plainly visible on the outside of the food wagon. Permits will be issued on a per event basis for the duration of the event. An application on the form prescribed by the city shall be completed by the applicant and shall be accompanied by a fee as established by ordinance.
- c. *Indemnification.* Before a food wagon permit is issued by the city, the permittee shall execute and deliver to the city clerk, on a form prescribed by the city, an indemnification agreement holding the city harmless for any personal injury or property damage resulting from the operation of the food wagon.
- d. *Restrictions.*
  1. Food wagons shall be allowed only at approved locations within the city and shall not travel from point to point around the city.
  2. No food wagon shall be allowed to dispense food on public right-of-way.
- e. *Regulations.*
  1. No food shall be sold except directly from the food wagon.
  2. Radios and other audio devices shall be permitted only inside the food wagon. No music or noise shall be permitted that is audible thirty (30) feet from the food wagon. No amplification device shall be permitted on the exterior of any food wagon.
  3. Food wagon sales shall be permitted only between the hours 7:00 a.m. and 11:00 p.m.
  4. Food wagon owners shall provide appropriate number of trash receptacles and remove all trash around their food wagons at the end of each business day.
  5. All food wagons shall be kept in good repair and order.
  6. Must follow all applicable department of health regulations.
  7. There shall be no drainage of liquids allowed from the food wagon onto public property or public sewers.
  - 8.

No permit shall be issued to any food wagon until proof of all appropriate and necessary licensure by the State of Minnesota and/or Martin County is provided.

9. Food wagons shall provide their own utilities; they cannot connect to City water, sewer or electricity.
  10. No city staff or city equipment will be provided to any food wagon. All food wagons should provide their own seating and staffing.
- f. *Forfeiture and revocation.* A food wagon license may be revoked or forfeited for violation of any of the provisions of this section or any other violation of the city Code or other applicable laws and regulations. Food wagon licenses are not transferable.

(Ord. No. 86-6, 8-25-86; Ord. No. 2016-02, 3-28-16)