

ORDINANCE NO. 2025-55

AN ORDINANCE TO CREATE A LICENSE REQUIREMENT AND LICENSING STANDARDS FOR PARKING RAMP OPERATION, THEREBY AMENDING CHAPTER 14 AND APPENDIX A OF THE CITY CODE

The City Council of the City of Bloomington, Minnesota hereby ordains:

Section 1. That Chapter 14 of the City Code is hereby amended by deleting those words within brackets and ~~[stricken through]~~ and adding those words that are underlined, to read as follows:

CHAPTER 14: LICENSES AND PERMITS

ARTICLE IV: BUSINESS LICENSES AND REGULATIONS

DIVISION N: ~~[RESERVED]~~ PARKING RAMP OPERATION

[§§ 14.296—13.304 ~~RESERVED.~~]

§ 14.296 FINDINGS AND PURPOSE.

The City Council finds that parking ramps provide parking supply to public and private uses in the city and alleviate the overall parking burden on city streets. When neglected or improperly maintained, parking ramps pose a threat to the safety and welfare of people and real and personal property. Neglect or improper maintenance of parking ramps may necessitate costly repairs at inopportune times or require closure of parking ramps relied on by people and businesses to provide parking supply. The purpose of this Division is to protect the public health, safety, and welfare by establishing a licensure requirement and licensing standards for parking ramps in the city.

§ 14.297 DEFINITIONS.

The following words and terms, when used in this Division N, shall have the following meanings, unless the context clearly indicates otherwise.

BUILDING OFFICIAL. The Building Official designated by the city pursuant to M.S. § 326B.133, as it may be amended from time to time.

ISSUING AUTHORITY. The City of Bloomington License Section.

PARKING RAMP. A building, garage, or structure or part thereof in which a structural level other than a slab on grade is used for parking, storage or maintenance of motor vehicles.

PARKING RAMP OPERATING LICENSE. A city-issued business license for operation of a parking ramp.

QUALIFIED ENGINEER. A person who is:

- (1) Registered and properly licensed by the State of Minnesota as a professional engineer, and whose field of practice is civil or structural engineering;
- (2) Has demonstrated experience and expertise in parking ramp inspections; and
- (3) Maintains professional liability insurance with a company authorized to do business in the State of Minnesota in a sum of not less than \$1,000,000.00.

§ 14.298 LICENSE REQUIRED.

No person, firm, corporation, governmental entity or other entity shall operate a parking ramp in the city without first obtaining a parking ramp operating license pursuant to this Division N. Provided, however, no parking ramp operating license shall be required prior to January 30 immediately following the fifth annual anniversary for the parking ramp certificate of occupancy issued by the Building Official.

§ 14.299 LICENSE APPLICATION: INSURANCE REQUIRED

(a) *Application form and fee.* Application for a parking ramp operating license under this Division N, or renewal thereof, shall be made in writing to the issuing authority, accompanied by the license fee required by § 14.300 and evidence of insurance required by subsection (b). The application must be on a form provided by the issuing authority.

(b) *Insurance required.* No parking ramp operating license will be granted unless the owner or operator of the parking ramp shall carry liability insurance with an insurance company authorized to do business in the State of Minnesota. The liability insurance for the premises and operation of the parking ramp, which shall include coverage for any injury or loss caused by explosion or collapse, shall be in a sum of not less than \$1,000,000.00.

(c) *Continuing insurance required.* The holder of a parking ramp operating license must carry liability insurance required by subsection (b) at all times.

§ 14.300 LICENSE FEE.

The license fee for a parking ramp operating license shall be as set forth in City Code Appendix A. The issuing authority shall charge the applicant an inspection fee, as set forth in City Code Appendix A, if a city staff member is required to perform a subsequent inspection following the city's receipt of a parking ramp operating license application.

§ 14.301 INSPECTION AND REPORT REQUIRED.

(a) *Qualified engineer's inspection required.* No parking ramp operating license shall be issued or renewed pursuant to this Division N unless the parking ramp has been inspected on-site by a qualified engineer and a report issued therefor which states that the parking ramp is capable of supporting the loads for which it was designed and meets the other requirements of

this Division N. For new license applications, the inspection must occur within 120 days of the license application. For subsequent license applications, the inspection must occur within 12 months of the license application.

(b) *Qualified engineer's report required.* Following the inspection required by this Division N, the qualified engineer shall complete an inspection report. The inspection report must be in a format provided by the issuing authority and signed by the qualified engineer and certified as true, accurate, and complete. The inspection report must contain the following:

- (1) A statement of the qualified engineer's professional qualifications;
- (2) Evidence of the existence of the professional liability insurance required by this Division N;
- (3) The date or dates of the on-site inspection and description of any tests performed in connection with the inspection;
- (4) Whether the parking ramp is capable of supporting the loads for which it was designed;
- (5) Whether any structural repairs to the parking ramp are required; and
- (6) Any recommendations issued to the owner or operator of the parking ramp.

§ 14.302 RENEWAL OF LICENSE.

A parking ramp operating license issued under this Division N shall expire on January 30 immediately following the second anniversary of the date of license issuance, or upon the expiration of any insurance policy required by § 14.299. An application for the renewal of an existing license shall be made at least 30 days prior to the expiration date of the license on a form provided by the issuing authority.

§ 14.303 LICENSE CONDITIONS.

As a condition of parking ramp operating license issuance, the issuing authority may impose conditions on the operation of the parking ramp. Such conditions must be based on the qualified engineer's report required by § 14.301.

§ 14.304 SEPARATE LICENSES REQUIRED.

Whenever any person or entity operates more than one parking ramp in the city, a separate parking ramp operating license must be obtained for each parking ramp, as applicable. No license issued under this Division N shall be transferable from one person or entity to another person or entity unless pursuant to a sale of the property on which the parking ramp is located. Parking ramp operating licenses do not transfer from one location to another location.

§ 14.305 SANCTIONS FOR LICENSE VIOLATIONS.

(a) *Suspension or revocation.* The City Council may suspend or revoke a parking ramp operating license issued pursuant to this Division N for a violation of:

(1) Fraud, misrepresentation or false statement contained in a license application or renewal application;

(2) Fraud, misrepresentation or false statement made in the course of carrying on the licensed occupation or business;

(3) Any violation of this Division N or state law;

(4) Revocation of the certificate of occupancy for the parking ramp by the Building Official;

(5) Declaration of the parking structure as a hazardous structure by the Building Official;

(6) Failure to comply with parking ramp license conditions as required by the issuing authority;

(7) A licensee's criminal conviction that is directly related to the occupation or business licensed as defined by M.S. § 364.03, subd. 2, as it may be amended from time to time, provided that the licensee cannot show competent evidence of sufficient rehabilitation and present fitness to perform the duties of the licensed occupation or business as defined by M.S. § 364.03, subd. 3, as it may be amended from time to time; or

(8) Conducting the licensed business or occupation in an unlawful manner or in such a manner as to constitute a breach of the peace or to constitute a menace to the health, safety or general welfare of the community.

(b) *Notice and hearing.* A parking ramp operating license revocation or suspension by the City Council shall be preceded by written notice to the licensee and a hearing. The notice shall give at least eight days' notice of the time and place of the hearing and shall state the nature of the charges against the licensee. The notice shall be mailed by regular mail to the licensee at the most recent address listed on the license application.

§ 14.306 SEVERABILITY.

If any word, section, subsection, sentence, clause or phrase of this Division N is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this Division N. The City Council hereby declares that it would have adopted the ordinance in each word, section, subsection, sentence, clause or phrase thereof, irrespective of the fact that any one or more words, sections, subsections, sentences, clauses or phrases be declared invalid.

§ 14.307 PENALTY.

A violation of any provision of this Division N of this code is a misdemeanor. Civil penalties may also be issued pursuant to § 12.15 of the city charter and § 1.19 of this city code. However, nothing in this article shall be construed to limit the city's other available legal remedies for any violation of the law, including without limitation, criminal, civil and injunctive actions.

Section 2. That Appendix A of the City Code is hereby amended by deleting those words within brackets and [~~stricken through~~] and adding those words that are underlined, to read as follows:

APPENDIX A: ADMINISTRATIVE RELIEF AND FEE SCHEDULE

<i>Chapter 14: Licenses and Permits</i>			
<i>CODE SECTION</i>	<i>CROSS-REF</i>	<i>DESCRIPTION</i>	<i>FEE</i>

	§ 12.47	Parachuting and Aircraft Landings and Takeoffs	See table for Chapter 12
	<u>§ 14.298</u>	<u>Parking Ramp Operating License or License Renewal</u>	<u>\$175.00</u>
	<u>§ 14.300</u>	<u>Parking Ramp Operating License Inspection Fee</u>	<u>\$60.00 per hour - minimum one (1) hour</u>
		Pawnbrokers	

Section 3. Effective Date. This Ordinance shall be effective January 1, 2026. The initial license application required by Section 14.302 of this Ordinance is due on or before January 30, 2026.

Passed and adopted this 17th day of November, 2025.

/s/ Victor Rivas
Acting Mayor

ATTEST:

/s/ Priyanka Rai
Secretary to the Council

APPROVED:

/s/ Melissa J. Manderschied
City Attorney