



Mobile Food Unit Application

License Fee: \$50.00

Expires at the end of the calendar year

City of Otsego
13400 90th Street NE
Otsego, MN 55330
763-441-4414

Applicant Information

Applicant's Legal Name: _____
Date of Birth: _____ Driver's License Number: _____
Permanent Street Address: _____
City: _____ State: _____ Zip: _____
Temporary Street Address (if applicable): _____
City: _____ State: _____ Zip: _____
Phone Number: _____ Email: _____

Certificate of Insurance

The City requires all applicants to provide with this application a copy of a certificate of insurance that has been issued to the applicant by an insurance company that is authorized to do business in the State of Minnesota. The certificate of insurance must verify that the applicant is insured against claims arising out of all operations under the permit for the sum of at least one million dollars (\$1,000,000) against liability for bodily injuries and for at least one million dollars (\$1,000,000) against liability for damages or destruction of property

Name: _____ Address: _____
Phone Number: _____ Email: _____

Business Information

Business/Company Name: _____
Business Address: _____
City: _____ State: _____ Zip: _____
Business Owner Name: _____
Phone Number: _____ Email: _____

Vehicle Information

License #: _____ State: _____ Make: _____ Model: _____ Year: _____ Color: _____

Vending Information

Describe the items being sold: _____

List of Employees working: _____

Date(s) of Operation: _____

Hours of Operation: _____

I certify that the applicant has my permission to operate their mobile food unit on my property

Property Owner's Name: _____ Signature: _____ Date: _____

State License

The City of Otsego requires that all mobile food units hold a valid license from the State of Minnesota Department of Health or Department of Agriculture that allows their business to operate. A copy of the state license must be submitted to the City with this application.

Site Plan

The City requires that applicants provide a site plan with this application, which shows the exact location of the mobile food unit upon the property or adjacent City street.

Application Fee

Applicants must submit the license fee with this application.

Expiration

Licenses will expire at the end of the calendar year, regardless of the date the license is issued by the City.

Application Signature

I certify that I have read all of the above questions and that the answers I provided are true to the best of my knowledge. _____

_____(License Name) shall preform its activities in full conformance with federal, state, and local laws, and shall be responsible for, and shall indemnify, defend and hold harmless the City of Otsego and all of the City's officers, employees and agents from and against all claims, suits, liability, damages and losses, specifically including, but not limited to those for loss of use of property, for damage to any property, real or personal, for injury to or death of any person, and for all other liabilities whatsoever including related expenses and actual attorney fees in any way sustained by reason of the activities authorized by this license, permit, or agreement in connection with the actions of _____ (License Name), its employees, agents or officers within the City of Otsego.

Signature: _____ Date: _____

I have read ordinance 8-7-7 (below this form)

Submittal Checklist

- Completed application
- \$50.00 license fee
- Copy of Minnesota Department of Health or Minnesota Department of Agriculture License
- Certificate of Insurance
- Site plan

FOR CITY USE ONLY

Permit has been **APPROVED** subject to the following:

- 1.) _____
- 2.) _____
- 3.) _____

Permit had been **DENIED** subject to the following:

- 1.) _____
- 2.) _____
- 3.) _____

Date Received: _____ Payment Received: _____

Staff Signature: _____

CHAPTER 12

MOBILE FOOD UNITS

SECTION:

4-12-1: Purpose and Intent

4-12-2: Definitions

4-12-3: License Required

4-12-4: Process

4-12-5: Performance Standards

4-12-6: Enforcement

4-12-1: PURPOSE AND INTENT:

The purpose of this chapter is to allow and regulate mobile food units in the City when serving the general public or upon public properties and ways.

(Ord. 2022-11, 6-13-2022; amd. Ord. 2025-06, 8-25-2025, eff. 1-1-2026)

4-12-2: DEFINITION:

The following words shall apply to this chapter as written unless context indicates or requires a different meaning:

CITY: City of Otsego, Minnesota.

CITY CLERK: City Clerk of the City of Otsego.

MOBILE FOOD UNIT:

A food and beverage service establishment that is:

- A. A vehicle mounted unit, either motorized or trailered;
- B. Readily movable without disassembling for transport to another location; or
- C. A nonmotorized vehicle self-propelled by the operator.

(Ord. 2022-11, 6-13-2022; amd. Ord. 2025-06, 8-25-2025, eff. 1-1-2026)

4-12-3: LICENSE REQUIRED:

A. City License:

1. No person shall operate a mobile food unit in the City without a valid license required under this chapter.

2. Each mobile food unit shall require a separate license.

B. Qualification: A license as provided for by this chapter shall be issued only to businesses filed with the Minnesota Secretary of State or individuals eighteen (18) years of age or older.

C. Exceptions:

1. None.

D. Duration: A license granted under this chapter shall be valid until the end of the calendar year in which it is granted.

(Ord. 2022-11, 6-13-2022; amd. Ord. 2022-15, 8-22-2022; Ord. 2025-06, 8-25-2025, eff. 1-1-2026)

4-12-4: PROCESS:

A. Application: An application for a license under this chapter shall be filed with the City Clerk on a form provided by the City and shall include the following information:

1. The applicant shall be the owner of the mobile food unit.
2. The applicant's full legal name, other names the applicant uses or is known by, date of birth, and driver's license number or other acceptable identification of the person applying.
3. The permanent and any temporary home and business address, phone numbers, and email addresses of the applicant.
4. The license plate number of the vehicle to be used in conjunction with the activity.
5. A certificate of insurance that has been issued to the applicant by an insurance company authorized to do business in the State of Minnesota verifying that the applicant is insured against claims arising out of all operations of such applicant under this chapter for the duration of the license term of at least one million dollars (\$1,000,000.00) against liability for bodily injuries and for at least one million dollars (\$1,000,000.00) against liability for damage or destruction of property.
6. A mobile food unit operating on city property, including public right-of-way, must submit a signed statement that the licensee shall hold harmless the city and its officers and employees, and shall defend and indemnify the city and its officers and employees for any claims for damage to property or injury to persons which may be occasioned by any activity carried on under the terms of the license.
7. Written consent of the property owner from which the mobile food unit sales will be conducted upon or adjacent to.
8. A copy of the related license or permit issued by the State of Minnesota required to operate a mobile food unit.
9. The dates and hours of the mobile food unit operations shall be specified.
10. A site plan showing the exact location of the mobile food unit shall accompany the application.

B. License Fee: The required fee shall be submitted with the application in an amount as established in Section 3-1-2 of this code.

C. Incomplete Applications:

1. The city clerk shall determine if an application for a license under this chapter is complete within fifteen (15) days of receipt of the application and payment of the license fee; an application shall be determined to be complete only if all required information is provided.
2. If the City Clerk determines that an application is incomplete, they shall inform the applicant in writing of the information required to be provided to complete the application.

D. Complete Applications: The city clerk shall either approve or deny the license within thirty (30) days after receipt of a complete application.

E. Application Review: The city clerk shall request city staff, including but not limited to, the city planner, city engineer, building official, parks and recreation director, streets superintendent and City Attorney, and provide general assistance in review of the application.

F. Conditions: The City impose any condition of approval it considers necessary to protect the public health, safety, and welfare or ensure compliance with this code.

G. Denial Of An Application:

1. The city clerk shall provide an applicant written notice sent via first class U.S. mail of an application for license having been denied stating the reasons for the action and the right of the applicant to request a hearing to appeal the decision.

2. Upon receiving the notice of an application for license being denied, the applicant shall have ten (10) days to request a hearing to appeal the decision.

3. If requested by an applicant within the allowed timeframe, a hearing shall be scheduled within thirty (30) days from the date of the request.

4. Hearing:

a. The hearing shall be conducted by the city council.

b. The applicant shall be provided opportunity to refute the reasons for the application having been denied, to plead for issuance of the license, or to justify the actions for which the city denied the license, including the cross examination of witnesses that testify against the applicant and the right to produce witnesses on their behalf.

c. The city council shall give full consideration to all evidence presented during the hearing and make a determination whether to deny or issue the requested license.

d. The city clerk shall notify the applicant via first class U.S. Mail of the city council decision stating, in detail, the reasons for the action within ten (10) days of the close of the hearing.

5. Appeal: Any person whose license is denied following a hearing by the city council shall have the right to appeal that decision within thirty (30) days of the date of service of the final decision, to the District Court. Any person seeking judicial review under this chapter must serve their appeal on the city and all necessary parties, including any landowners, within the thirty (30) day period defined above.

(Ord. 2025-06, 8-25-2025, eff. 1-1-2026)

4-12-5: PERFORMANCE STANDARDS:

A. Mobile food units shall only be allowed on private property with the written consent of the property owner, except as may be allowed by this section, and the following:

1. Mobile food units shall not interfere with vehicle and pedestrian circulation or emergency vehicle access.

2. There shall be adequate off-street parking to provide space for the mobile food unit as well as satisfy all parking requirements for the property as required by title 11, chapter 21 of this code.

B. Public Rights-Of-Way And City Properties:

1. Mobile food shall only be allowed to park upon public streets in accordance with the following:

a. All service windows shall face the boulevard, sidewalk, or trail.

b. On-street parking shall comply with title 7, chapter 2 of this code, unless otherwise approved by the streets supervisor.

c. Mobile food units shall provide an independent power supply that is screened from public view if it is not located on the mobile food unit.

d. Mobile food units shall not interfere with or obstruct sidewalk or trail use, property access, or emergency vehicle use of public streets.

2. Mobile food units shall only be allowed upon city property, including parks and trails regulated by title 8, chapter 7 of this code, subject to approval of the city.

3. There shall be no overnight storage of a mobile food unit shall be allowed.

4. Operation of mobile food units upon public properties not owned by the city shall be regulated the same as private properties.

C. Hours: Mobile foods units shall operate only between the hours of seven o'clock (7:00) A.M. and ten o'clock (10:00) P.M.

D. Drive Through: Mobile food units shall not have a drive-through.

E. Signs:

1. Signage other than displayed on the mobile food unit shall comply with Title 11, Chapter 23 of this code.

2. Mobile food units shall not use any outside sound amplifying equipment, televisions, or similar visual entertainment devices, lights, or noisemakers such as bells, horns, or whistles.

F. Waste: All waste, garbage, litter, and refuse shall be contained in leak proof, nonabsorbent containers which shall be kept covered with tight-fitting lids and properly disposed of. No waste, garbage, litter, or refuse shall be dumped or drained onto sidewalks, streets, gutters, storm drains, or public trash receptacles.

G. Inspections: Mobile food units shall comply with all applicable fire codes and may be inspected by the emergency services director prior to operation.

H. Display: The approved license shall be prominently displayed on the mobile food unit for the duration of the event.

(Ord. 2022-11, 6-13-2022; amd. Ord. 2025-06, 8-25-2025, eff. 1-1-2026)

4-12-6: ENFORCEMENT:

A. Violation:

1. Any license issued under this chapter may be subject to enforcement action at the discretion of the City Council for violation of any of the following:

a. Fraud, misrepresentation, or incorrect statements on the application form.

b. Fraud, misrepresentation, or false statements made during the course of the license activity.

c. Violation of any provision of this chapter or other provisions of the city code.

2. A separate offense shall be deemed to have been committed upon each day during on or which a violation occurs or continues.

B. Suspension And/Or Revocation:

1. Notice:

a. A licensee shall be given written notice sent via first class U.S. mail of a suspension or revocation action stating the charges against the licensee and the right to request a hearing to appeal the suspension or revocation.

b. The notice shall provide the following information:

(1) State the alleged violation(s).

(2) Inform the licensee that the city council will consider suspending or revoking the license.

(3) Identify the date, time, and location of the hearing.

2. Hearing:

a. A hearing shall be scheduled within thirty (30) days from the date of the notice to the licensee is issued.

b. The hearing shall be conducted by the city council.

c. The licensee shall be provided opportunity to refute the alleged violations, to plead for retention of the license, or to justify the actions for which the city is seeking to suspend or revoke the license, including the cross examination of witnesses that testify against the licensee and the right to produce witnesses on their behalf.

d. The city council shall give full consideration to all evidence presented during the hearing and make a determination whether to suspend or revoke a license as of a specific date by adoption of a resolution based on a finding that a violation has occurred.

e. The city clerk shall notify the applicant of the city council decision stating, in detail, the reasons for the action within ten (10) days of the close of the hearing via first class U.S. Mail.

3. Appeal: Any person whose license is suspended or revoked following a hearing by the city council shall have the right to appeal that decision to Court of Appeals within thirty (30) days after delivery of the decision to the applicant. Any person seeking judicial review under this ordinance must serve the City and all necessary parties, including any landowners, within the thirty (30) day period defined above.

C. Any person who fails to comply with any provision of this chapter shall be deemed to have committed a penal violation:

1. Misdemeanor: The penalty for violation of this chapter shall be a misdemeanor per Minnesota Statutes 412.231.

D. Rights Reserved: The city reserves the right to all means of administrative, civil, and/or criminal enforcement for violations of the provisions of this chapter.

(Ord. 2025-06, 8-25-2025, eff. 1-1-2026)