

Fertilizer Analysis: _____

(Chemical analysis of lawn fertilizer to be applied certified by an independent testing laboratory shall be given to the City each year when requesting a new license)

(Fertilizer applications shall not be made within ten feet of any wetland or water resource.)

The undersigned hereby applies for the fertilizer license in the City of Detroit Lakes, Minnesota, subject to the laws of Minnesota and the ordinances of the City of Detroit Lakes, and herewith tenders the sum of \$30.00 as the license fee therefore, for the year ending December 31, 20__.

DATED: _____

Signed: _____

(Title)

I agree to not use **phosphorus or other compound containing phosphorus**

INITIAL: _____

(Application for license must be made at least 30 days prior to the initial lawn fertilizer application each year within the City.)

Certificate of Compliance Minnesota Workers' Compensation Law

PRINT IN INK or TYPE.

Minnesota Statutes, Section 176.182 requires every state and local licensing agency to withhold the issuance or renewal of a license or permit to operate a business or engage in any activity in Minnesota until the applicant presents acceptable evidence of compliance with the workers' compensation insurance coverage requirement of Minnesota Statutes, Chapter 176. The required workers' compensation insurance information is the name of the insurance company, the policy number, and the dates of coverage, or the permit to self-insure. 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.

BUSINESS NAME (Individual name only if no company name used)	LICENSE OR PERMIT NO (if applicable)
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DBA (doing business as name) (if applicable)

BUSINESS ADDRESS (PO Box must include street address)	CITY	STATE	ZIP CODE
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YOUR LICENSE OR CERTIFICATE WILL NOT BE ISSUED WITHOUT THE FOLLOWING INFORMATION. You must complete number 1, 2 or 3 below.

NUMBER 1 COMPLETE THIS PORTION IF YOU ARE INSURED:

INSURANCE COMPANY NAME (not the insurance agent)

WORKERS' COMPENSATION INSURANCE POLICY NO.	EFFECTIVE DATE	EXPIRATION DATE
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NUMBER 2 COMPLETE THIS PORTION IF SELF-INSURED:

I have attached a copy of the permit to self-insure.

NUMBER 3 COMPLETE THIS PORTION IF EXEMPT:

I am not required to have workers' compensation insurance coverage because:

I have no employees.

I have employees but they are not covered by the workers' compensation law. (See Minn. Stat. § 176.041 for a list of excluded employees.) Explain why your employees are not covered: _____

Other: _____

ALL APPLICANTS COMPLETE THIS PORTION:

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

APPLICANT SIGNATURE (mandatory)	TITLE	DATE
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NOTE: If your Workers' Compensation policy is cancelled within the license or permit period, you must notify the agency who issued the license or permit by resubmitting this form.

This material can be made available in different forms, such as large print, Braille or on a tape. To request, call 1-800-342-5354 (DIAL-DLI) Voice or TDD (651) 297-4198.

State of Minnesota License Applicant Information

Under Minnesota law (M.S. 270.72), the agency issuing you this license is required to provide to the Minnesota Commissioner of Revenue your Minnesota business tax identification number and the Social Security number of each license applicant.

Under the Minnesota Government Data Practices Act and the Federal Privacy Act of 1974, we must advise you that:

- This information may be used to deny the issuance, renewal or transfer of your license if you owe the Minnesota Department of Revenue delinquent taxes, penalties, or interest;
- The licensing agency will supply it only to the Minnesota Department of Revenue. However, under the Federal Exchange of Information Act, the Department of Revenue is allowed to supply this information to the Internal Revenue Service;
- Failing to supply this information may jeopardize or delay the issuance of your license or processing your renewal application.

Please fill in the following information and return this form along with your application to the agency issuing the license. **DO NOT RETURN THIS FORM TO THE DEPARTMENT OF REVENUE.**

Please print or type

Name of license being applied for and license number (if renewal):		License Number #:
_____		_____

Licensing Authority (name of city, county, or state agency issuing license):		

License Renewal Date:		

PERSONAL INFORMATION:			
Applicant's last name	Applicant's first name and middle initial	Social Security Number	
_____	_____	____-____-____	
Applicant's address	City	State	Zip Code
_____	_____	_____	_____

BUSINESS INFORMATION:			
Business name			

Business address	City	State	Zip Code
_____	_____	_____	_____
Minnesota tax identification number	Federal tax identification number		
_____	_____		
<i>If a Minnesota tax identification is not required, please explain on the reverse side of this form.</i>			

Applicant Signature:

Signature Title Date

507. LAWN FERTILIZER APPLICATION CONTROL

507.01. Purpose. The City of Detroit Lakes has reviewed existing data to determine the current and projected quality of various lakes within its jurisdiction. The various scientific and other data indicate that area lake water quality may be maintained and improved if the amount of lawn fertilizer and other chemicals entering the lake is regulated. The purpose of this ordinance is to define regulations which will aid the City in maintaining and improving lake resources within its jurisdiction, thus enhancing the enjoyment of said lakes by City residents and other users.

507.02. Regulations for Commercial Lawn Fertilizer Applicators.

Subd. 1. License Required. No person, firm, corporation, or franchise shall engage in the business of commercial lawn fertilizer application within the City of Detroit Lakes unless a license has been obtained from the City Clerk as provided herein.

Subd. 2. License Application Procedure. Applications for a commercial lawn fertilizer applicator's license for a calendar year shall be submitted to the City Clerk at least 30 days prior to the initial lawn fertilizer application each year within the City. An application shall include the following information.

- A. **Application Form.** Application forms shall be provided by the City and shall include the following information:
 - 1. Name, address, and telephone number of applicant and any individuals authorized to represent the applicant.
 - 2. Description of lawn fertilizer formula proposed to be applied on lawns within the City.
 - 3. A time schedule for application of lawn fertilizer as well as identification of weather conditions acceptable for lawn fertilizer application.
- B. **Fertilizer Sample.** A sample of lawn fertilizer or chemical analysis of said lawn fertilizer certified by an independent testing laboratory shall be submitted with the initial application or at least thirty (30) days before any change in fertilizer composition is implemented.
- C. **License Fee.** The annual license fee for a commercial lawn fertilizer applicator shall be set by Council resolution (see Section 210 of City Code). All licenses shall expire on December 31st. License fees shall not be prorated.
- D. **Surety Bond.** A surety bond in the amount of \$2,000.00 shall be submitted with the application form. The bond shall be conditioned upon compliance with the

City's regulations. Actions to collect bond proceeds shall not prevent the City from filing criminal complaints for ordinance violations.

Subd. 3. Conditions of License. Commercial lawn fertilizer applicator licenses shall be issued subject to the following conditions which shall be specified on the license form:

- A. Random Sampling. Commercial lawn fertilizer applicators shall permit the City to sample any commercial lawn fertilizer application to be applied within the City at any time after issuance of the initial license.
- B. Possession of License. The license issued by the City, or a copy of said license, shall be in the possession of any party employed by the commercial lawn fertilizer applicator when making applications within the City.
- C. State Regulations. Licensee shall comply with the provisions of the Fertilizer, Soil Amendment, and Plant Amendment Law contained in Minnesota Statutes, Sections 18 C.005 et seq.

507.03. Regulations for Property Owners.

Subd. 1. Random Sampling. At the request of the City or its representative, a property owner shall provide the City with samples of lawn fertilizer to be applied by the property owner. The quantity of the sample shall be large enough to permit laboratory testing.

Subd. 2. Use of Impervious Surfaces. Property owners shall not deposit leaves or other vegetative materials on impervious surfaces or within storm water drainage systems or natural drainage ways.

Subd. 3. Unimproved Land Areas. Except for driveways, side-walks, patios, beaches adjacent to lakes or water courses, areas occupied by structures, or areas which have been improved by land-scaping, all land areas controlled by the property owner shall be covered by plants or vegetative growth.

507.04. General Regulations.

Subd. 1. Time of Application. Lawn fertilizer applications shall not be applied either when the ground is frozen or between November 1st and May 1st.

Subd. 2. Sample Analysis Cost. Any cost incurred in the analyzing of fertilizer samples from either commercial applicators or property owners shall be paid by the commercial applicator or property owner if the sample analysis indicates that the phosphorus content exceeds the levels authorized herein.

Subd. 3. Fertilizer Content. Within the City of Detroit Lakes, no person, firm or corporation franchisee or commercial or non-commercial applicator, including homeowners or renters, shall apply any lawn fertilizer, liquid or granular, that contains any amount of phosphorous or other compound containing phosphorus, such as phosphate, except:

A. The naturally occurring phosphorus in unadulterated natural or organic fertilizing products such as yard waste composite. **Amended: 7/2/2002 Ord. NO. 225**

Subd. 4. Impervious Surface and Drainage Ways. No fertilizer may be applied to impervious surfaces, or to the areas within drainage ditches or waterways.

Subd. 5. Buffer Zone. Fertilizer applications shall not be made within ten feet of any wetland or water resource.

Subd. 6. Water Fowl. There shall be no feeding of nor placement of feed for water fowl on, in, or within 50 feet of a wetland, pond, lake, or water resource.

507.05. Exempt: The prohibition against the use of fertilizers containing phosphorus shall not apply to:

- A. Newly established or developed turf and lawn areas during the first growing season;
- B. Golf Courses
- C. Turf and lawn areas which are below phosphorous levels established by the University of Minnesota Extension Services and the low phosphorous level is confirmed by soil tests.

Phosphorous applied as fertilizer pursuant to the exemptions shall be watered into the soil where it is immobilized and generally protected from loss by runoff. **Amended: 7/2/2002 Ord. No. 225**

507.06. Penalty. Each violation of this ordinance shall be a misdemeanor.

507.07. Severability. Should any Section, Subdivision, clause, or other provision of this ordinance be held to be invalid by a court of competent jurisdiction, such decision shall not affect the validity of the ordinance as a whole, or of any part thereof, other than the part held to be invalid.

507.08. Effective Date. This ordinance shall become effective upon publication and shall remain in effect until rescinded or amended by action of the Detroit Lakes City Council.