

ORDINANCE

By Rainville

Amending Title 13 of the Minneapolis Code of Ordinances relating to Licenses and Business Regulations.

The City Council of the City of Minneapolis do ordain as follows:

Section 1. That the Minneapolis Code of Ordinances be amended by adding thereto a new Chapter 354 to read as follows:

CHAPTER 354. - WINDOW CLEANING

354.10. Scope; purpose. (a) As a home rule charter city, Minneapolis has broad authority through its police powers to adopt regulations to further the public health, safety, and general welfare. Based on the potential and demonstrated dangers associated with above-grade window cleaning and a desire to ensure that workers in the field remain safe and that providers operate in a responsible manner which promotes public trust, the city hereby adopts the licensing and operational requirements contained in this chapter.

(b) This chapter applies to all window cleaning in the City of Minneapolis performed on the inside or outside of any building, structure, or skyway when such work is performed at a level that is suspended or requires a mobile elevated work platform for more than 24 feet above grade or on an adjoining flat roof or other flat surface. This chapter does not apply to window cleaning that is performed from grade level or from a ladder supported at grade or to owners or residents of a subject property engaged solely in cleaning of windows of such subject property.

354.20. License required. No person, as that term is defined in section 3.60 of this Code, shall engage in window cleaning within the scope of section 354.10, without being licensed under this chapter.

354.30. Application for license; fee; expiration. Any person desiring to engage in the business of window cleaning shall apply to the licensing official for a license. The application shall state the name and address of the applicant; whether applicant is an individual, partnership, firm or corporation; any additional information as required by the licensing official pursuant to section 259.50, and such application shall be accompanied by payment of the license fee, which shall be as established in Appendix J, License Fee Schedule. Licenses issued under this chapter shall expire on January first of each year.

354.40. Training requirements applicable to workers of licensed window cleaning providers. (a) As a condition of obtaining, maintaining, or renewing a license issued under this chapter, an applicant or license holder shall provide sufficient proof, in a format to be determined by the licensing official, that each employee, worker, contractor or individual providing window cleaning services on behalf of the applicant or license holder meets, or is actively enrolled in a program that will result in the individual meeting, the training requirements specified in subsection (b).

(b) In order to satisfy the training requirements imposed by this section, an individual window cleaner may complete, or be actively enrolled in, a recognized apprenticeship program designed to meet such requirements or a third-party or vendor-based training program that meets such requirements. The tuition or enrollment fees and charges for any such apprenticeship or training program shall be provided by the license holder or applicant. A recognized apprenticeship program shall be an apprenticeship training program duly registered with the Minnesota Department of Labor and Industry pursuant to Minnesota Statutes, Chapter 178, or with the United States Department of Labor Office of Apprenticeship

or a recognized state apprenticeship agency pursuant to the Code of Federal Regulations, Title 29, Parts 29-30. The apprenticeship or other training program shall meet requirements established by the licensing official, which may include certification in the following areas, or other areas as required by the licensing official:

- (1) Ladder use and safety;
- (2) Water fed pole use and safety;
- (3) Ropes, rigging and swing stage (including swing stage type T/F) use and safety;
- (4) First aid (including mental health first aid);
- (5) Cardiopulmonary resuscitation (CPR) and automated external defibrillator (AED) use;
- (6) Competent person training;
- (7) Injury prevention;
- (8) Communication and conflict management;
- (9) Aerial lift use and safety;
- (10) Heat stress and HAZCOM training; and
- (11) Occupational Safety and Health Administration (OSHA) 30 hour training.

Any apprenticeship or other qualifying training program shall include at least one hundred (100) hours of documented training for each individual in the subject areas required by the licensing official.

(c) Applicants and license holders shall submit updated rosters and training certification status of all individuals providing window cleaning services on behalf of the applicant or license holder in a format and within a timeframe as required by the licensing official. Any individual providing window cleaning services on behalf of the applicant or license holder must successfully complete the training certification program within two (2) years of hire or of commencement of provision of any such window cleaning services in order to remain eligible to provide window cleaning services for any applicant or license holder to which this chapter applies.

(d) The licensing official may temporarily suspend the proof of training requirements imposed on applicants and license holders by this section upon a determination that adequate and sufficient third-party training providers or vendors are presently not reasonably available in the area.

354.50. Insurance required. No license or renewal shall be granted until the applicant shall first have filed with the licensing official an insurance policy or certificate thereof issued by an insurance company authorized to do business in the State of Minnesota, insuring said applicant for at least one hundred thousand dollars (\$100,000.00) against liability for bodily injuries or death of any person not covered by workmen's compensation law, for at least three hundred thousand dollars (\$300,000.00) against liability for bodily injuries or death to more than one (1) person from one (1) accident, and for at least one hundred thousand dollars (\$100,000.00) against liability for damage to or destruction of property in connection with or by reason of any type of window cleaning. Said policy shall provide that it may not be canceled by

the insurer except after thirty (30) days' written notice to the licensing official, and if such insurance is so canceled and the licensee shall fail to replace the same with another policy conforming to the provisions of this chapter, said license shall be automatically suspended until such insurance shall have been replaced. In addition, each license applicant shall also supply a certificate of insurance of workers' compensation when such insurance is required by state statute.

354.60. Issuance of licenses. Each license under this chapter shall be issued by the licensing official, as a staff-approved license pursuant to section 259.30, or upon order of the city council.

354.70. Adverse license action authorized. Any license, or application for a license, shall be subject to denial, nonrenewal, suspension, revocation, or other adverse license action to the fullest extent as authorized by this Code based on any violation or noncompliance with any provision of this Code or any other applicable law, statute or rule, or for good cause.

354.80. Preemption. Nothing in this chapter shall be interpreted or applied so as to create any power or duty in conflict with federal or state law.

354.90. No assumption of liability. In undertaking the adoption and enforcement of this chapter, the city is undertaking only to exercise its licensing and regulatory authority to further public safety, health, and general welfare. The city is not assuming liability, nor is it imposing on its officers and employees an obligation for breach of which it is liable in money damages to any person who claims that such breach proximately caused injury.

354.100. Severability. If any parts or provisions of this chapter or the application thereof to any circumstance is held invalid by a court of competent jurisdiction, the remainder of this chapter, including the application of such part or provision to circumstances other than those to which has been held invalid, shall not be affected and shall continue in full force and effect. To this end, the provisions of this chapter are severable.

354.110. Effective date. This chapter shall be effective January 1, 2025.