

CHAPTER 124 - LANDSCAPERS

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124.01 LANDSCAPER.

A “Landscaper” means any person or entity who engages in landscaping activities as defined in Section 165.10(12)(j) of the Wahpeton Zoning Code.

124.02 LICENSING.

It is unlawful for any person to engage in commercial landscaping activities in the city of Wahpeton without a valid license issued by the city.

124.03 APPLICATION.

An application for a landscaping license shall be made in writing to the city zoning officer on forms provided by the city. The application shall include:

1. The applicant’s full name, address, and phone number and if an entity, the names, addresses, and phone numbers of the principal officers.
2. A list of the names of employees who will engage in landscaping in the city of Wahpeton.
3. A statement of qualifications through education, training and experience.

124.04 BOND REQUIRED.

An applicant for a landscaping license shall post with the city a bond in the minimum sum of \$5,000.00 issued by a surety company authorized to issue such bonds in the State of Iowa. The bond shall guarantee the licensee’s payment for any damage to the city or to public property and payment of all costs incurred by the city in enforcement of this ordinance.

124.05. INSURANCE REQUIRED.

Each licensee shall maintain on file with the city a Certificate of Insurance indicating that the licensee has in force public liability insurance covering the licensee and all agents and employees for the following minimum amounts:

Bodily Injury: \$500,000

Property Damage: \$200,000

124.06 SEASONAL PERMIT FEE.

A seasonal permit fee of \$25.00 shall be payable at the time of filing the application. All permits shall expire on January 2 of each year and must be renewed thereafter.

124.07 PERMIT ISSUED.

Upon approval of the application, filing of bond and insurance certificate and payment of the required fee, the city shall issue a Landscaping Permit.

124.08 LANDSCAPING ACTIVITY PERMITS.

Each licensee shall submit an application and obtain a Landscaping Permit from the city as required under Sections 165.10(12) & 165.10(13) of the Wahpeton Zoning Code for each landscaping project and shall comply with all provisions of that subsection.

124.09 STORM WATER DIVERSION.

In accomplishing landscaping activities in the city, no such activities shall divert or cause an increase in the rate or volume of storm water discharge onto adjoining public or private property, unless specifically authorized by a Landscaping Permit.

124.10 PROTECTION OF PUBLIC WAYS.

No landscaping shall be placed or constructed on or into any public way, including streets, pedestrian walkways, or permanent easements.

124.11 SUPPLEMENTAL DISTRICT REGULATIONS.

All landscaping activities and improvements shall comply with all provisions of Section 165.10 of the Wahpeton Zoning Code, including open space requirements; yard and area regulations; restrictions on steps, decks, patios, fences and walls; landscaping and silt fence screening.

124.12 EXEMPTIONS.

- a. Property owners accomplishing landscaping activities on their property shall be exempt from the licensing, bond, insurance and permit fee requirements of this chapter, but shall be required to obtain a permit for any landscaping activity. Typical gardening activities shall not be considered landscaping.
- b. The city of Wahpeton and other governmental units shall be exempt from the requirements of this chapter.”

(Ord. 172 Established New Chapter 124 – Supp. 20)