

**Ordinance 10-001
Kandiyohi County
Licensing Ordinance for:
Food, Beverage and Lodging Establishments
Manufactured Home Parks
Recreational Camping Areas
Youth Camps and
Public Pools**

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The Kandiyohi County Board of Health ordains:

Part A. General Provisions

Section 1. Purpose.

This ordinance is enacted to establish standards to protect and promote the health and safety of the people within Kandiyohi County. This ordinance establishes minimum standards for food and beverage service establishments, manufactured home parks, recreational camping areas, lodging establishments, youth camps, and public pools that supplement existing applicable laws and codes pertaining to the establishments.

Section 2. Definitions.

2.1. Health Authority Defined. This ordinance shall be administered by Kandiyohi County Public Health. The term “Department” where used in this ordinance and the term “regulatory authority” where used in the Minnesota Food Code, Minnesota Rules Chapter 4626, shall mean Kandiyohi County Public Health.

2.2. “Board” means the Kandiyohi County Board of Health acting under the provisions on Minnesota Statutes 145A.07.

2.3. “Health Department” shall mean Kandiyohi County Public Health, its Director, staff or contracted staff, authorized by the Board to carry out or enforce the provisions of this ordinance.

Section 3: Licensing

3.1 License Required. No person shall operate a food or beverage establishment, lodging establishment, manufactured home park, recreational camping area, youth camp, or public pool within the County unless a license of the applicable type has been obtained from the Department pursuant to this ordinance.

3.2 License Application. The application for such licenses shall be made on forms furnished by the Department and shall set forth such information as may be reasonably required by the Department.

3.3 License Fees. Fees for licenses and service fees, issued hereunder shall be those established from time to time by resolution of the County Board.

3.4 Transfer and Display of License. Only a person who complies with the requirements of this ordinance shall be entitled to receive a license. A license shall not be transferable as to person or place. A valid license shall be conspicuously displayed to the public.

Section 4. Emergency Orders.

4.1 Whenever the Health Department finds that an emergency exists which requires immediate action to protect the public health, the Health Department may, without notice or hearing, issue an order reciting the existence of such an emergency and require that such action be taken as it deems necessary to meet the emergency. Notwithstanding the other provisions of this ordinance, and such order shall be effective immediately.

Any person to whom such order is directed shall comply therewith immediately but upon petition to the Health Department shall be afforded a hearing before the Appeals Board.

Section 5. Penalties

5.1 Any person, firm or corporation who shall violate any of the provisions hereof or who shall fail to comply with any of the provisions hereof or who shall make any false statement in any document required to be submitted under the provisions hereof, shall be guilty of a misdemeanor. In addition to any penalty the Health Department may also seek injunctive or declaratory relief to prohibit violation of this ordinance. Each day that the violation continues shall constitute a separate offense.

Section 6. Suspension of License

6.1 Licenses may be suspended temporarily by the Health Department at any time for failure by the holder to comply with the requirements of this order. Whenever a license holder or operator has failed to comply with any notice requiring corrective action, issued under the provisions of this ordinance, the license holder or operator may be notified in writing that the license upon service of the notice, is immediately suspended and that an opportunity for a hearing before the Appeals Board will be provided if a written request for appeal is filed with the Health Department by the license holder.

6.2 Notwithstanding the other provisions of this ordinance, whenever the Health Department finds unsanitary or other conditions in the operation of an establishment within its judgment constitute a substantial hazard to the public health it may without warning, notice or hearing, issue a written notice to the license holder or operator citing such condition specifying the time period within which such action shall be taken; and if deemed necessary, such order shall state that the license is immediately suspended, and all food operations to be immediately discontinued. Any person to whom such an order is issued shall comply immediately therewith, but upon written petition to the Health Department shall be afforded an appeal before the Appeals Board as soon as the Appeals Board may be convened by its chairperson.

6.3 Any person whose license or permit has been suspended may at any time make application for a re-inspection for the purpose of reinstatement of the license. Within ten (10) days following receipt of a written request, including a statement signed by the applicant that in his opinion the conditions causing the suspension of the license have

been corrected, the Health Department shall make a re-inspection. If the applicant is complying with the requirements of this ordinance and Board of Health standards, the license will be reinstated.

6.4. Nothing in this section shall be construed to prevent the Health Department from suspending a license only as to such portion of the premises that do not comply with the provisions of this regulation and permitting the continued operation of the remaining portions of such premises which do comply.

Section 7. Revocation of License

7.1 For serious or repeated violations of any of the requirements of this ordinance or Board compliance standards, the license may be permanently revoked after an opportunity for a hearing before the Appeals Board has been provided by the Health Department. Prior to such action, the Health Department shall notify the license holder in writing and advising that the license shall be permanently revoked at the end of a five (5) day period. A license may be suspended for cause pending its revocation or a hearing relative thereto.

Section 8. Appeals Board

8.1 The Appeals Board shall consist of the chairperson of the Kandiyohi County Board of Health, one member of the CHS Advisory Board and one operator of an establishment licensed by the Health Department. The Board shall elect its own chairperson and rotate the chair at the Appeal Board's discretion. In the event the appeal hearing is requested by the establishment member of the Appeal's Board, the County Board will appoint an alternate at large.

8.2 Request for hearing: Any person affected by the notice of embargo, suspension or revocation shall be granted a hearing on the matter before the Appeals Board upon filing in the office of the Health Department written petition requesting such a hearing and setting forth a brief statement on the grounds therefore. Said petition shall be filed within 10 (ten) days after the notice was served.

8.3 Date of Hearing: The hearing requested shall be held not more than ten (10) days after the date on which the petition was filed. The Chairperson of the Appeals Board may postpone the date of the hearing for a reasonable time beyond such ten day period, if in his judgment a good and sufficient reason exists for such postponement.

8.4 Notice of Hearing: The Health Department shall cause five (5) days written notice to be given to the petitioner(s) by personal service or by mailing to the petitioner(s) last known address.

8.5 Proceedings: At such hearing the petitioner, his agent or attorney shall be given an opportunity to be heard and to show cause why the notice of embargo, suspension or revocation issued by the Health Department should be modified or withdrawn. The Health Department shall present a detailed written statement of its findings and decision to the Appeals Board at the time of the hearing.

8.6 Decisions of the Appeals Board: The Appeals Board, after such hearing shall sustain, modify or withdraw the notice of embargo suspension or revocation depending upon its findings as to whether the provisions of this ordinance have been complied with. A copy of the decisions of the Appeals Board shall be served by mail to the petitioner or petitioners. Any person aggrieved by the decision of the Appeals Board may seek relief there from in any court of competent jurisdiction as provided by the laws of the state.

8.7 Record of Proceedings: The proceedings of each hearing held before the Appeals Board pursuant to petition, including the findings and the decision of the Health Department shall be recorded and reduced to writing and entered as a public record in the office of the Health Department. Such record shall include a copy of every notice or order, or writing issued in connection with the matter.

8.8 Notices Not Appealed: Any notice served pursuant to the provisions of this ordinance shall automatically become final if a written petition for a hearing is not filed with the Health Department within ten (10) days after the notice is served.

Section 9. Severability.

9.1 The provisions of this ordinance shall be severable. Should any section, paragraph, sentence, clause, phrase or portion of this ordinance be declared invalid for any reason, the remainder of said ordinance shall not be affected thereby.

Section 10. Minnesota Department of Health.

10.1 The requirement contained in this ordinance are intended to be comparable to the Minnesota Department of Health Standards and are intended to meet the minimum requirements set forth by the Minnesota Department of Health. Whenever the Minnesota Department of Health amends statutes or rules or adopts new language setting higher sanitary standards than the ones established in this ordinance, the standards set by the Minnesota Department of Health shall govern and will be considered in the enforcement procedure as part of this ordinance.

Part B. Regulation of FOOD AND BEVERAGE ESTABLISHMENTS

Section 1. Legal Authority

1.1 Legal Authority. This ordinance is enacted pursuant to Minnesota Statute Chapter 157 which established the authority for the State to license food and beverage establishments and Chapter 145A, Section 145A.07, which authorizes the Commissioner of Health to enter into an agreement with counties or cities to perform all or part of the licensing, inspection and enforcement duties.

1.2 Jurisdiction. This ordinance shall be applicable to all food and beverage establishments within the legal boundaries of Kandiyohi County. Food and beverage establishments as defined in Minnesota Statutes Chapter 157 shall include but not be limited to, temporary food stands and push carts, commissaries, drive-ins, bars, taverns, drive-in cafes, clubs, lodges, eating facilities at resorts, caterers, schools, public buildings, churches and all other establishments where meals, lunches or drinks are served, except as exempted by Section 157.22. This ordinance shall include food and beverage service operations conducted in a house of worship that prepare food for catering operations. Private school food services located in any building constructed and primarily used for religious worship shall be included in this regulation. In addition, this regulation shall serve children’s camps as defined in Section 144.71.

Section 2. Definitions.

2.1. Definitions of words, phrases, and terms used in this ordinance shall be those set forth in Minnesota Rules Chapter 4626, and this section.

2.2. Health Authority Defined. This ordinance shall be administered by Kandiyohi County Public Health. The term “Department” where used in this ordinance and the term “regulatory authority” where used in the Minnesota Food Code, Minnesota Rules Chapter 4626, shall mean Kandiyohi County Public Health.

2.3. “**Board**” means the Kandiyohi County Board of Health acting under the provisions on Minnesota Statutes 145A.07.

2.4. “**Health Department**” shall mean Kandiyohi County Public Health, its Director, staff or contracted staff, authorized by the Board to carry out or enforce the provisions of this ordinance.

Section 3. Standards For Health and Safety

3.1 Standards Adopted. Minnesota Rules, Chapter 4626 (Minnesota Food Code) excluding 4626.1720 subpart B in effect on the effective date of this ordinance, as it may be amended from time to time, is hereby adopted by reference and made a part of this ordinance except as otherwise expressly provided in this ordinance. Wherein Minnesota Rules Chapter 4626 refers to the Commissioner, Commissioner shall mean the Kandiyohi County Community Health Board and its designated agents.

Section 4. Plan Review.

4.1 Whenever a food or beverage establishment is constructed, altered, or extensively remodeled and whenever an existing structure is converted to use as a food or beverage service establishment under the provisions of Minnesota Statutes 157, properly prepared plans and specifications for the construction, remodeling or conversion shall be submitted to the Health Department for review and approval before construction, remodeling, or conversion is begun. The plans and specifications must indicate the proposed layout, arrangement, plumbing specifications, construction

materials or work areas, and the type and model number of proposed fixed equipment and facilities. The plans and specifications submitted in duplicate and drawn to scale, must be legible and complete in all details.

4.2 The Health Department shall approve the specifications and plans if they meet the requirements of Minnesota Rules Chapter 4626 and report the findings within 30 days of the date that plans are received.

4.3 The facility shall be constructed and finished in conformance with the approved plans.

4.4 The licensee shall not begin operations until the Health Authority has conducted a final inspection and approved issuance of the food license.

Section 5. Inspections.

5.1 Inspection Required. The Department shall inspect each food establishment prior to issuing a license for a new establishment or change of ownership. A license shall not be issued until the corrections required by the Department as a result of the pre-licensing inspection have been made to the satisfaction of the Department.

5.2 Inspection Frequency. The Health Department shall inspect every food establishment based on the level of risk. High-risk establishments will be inspected at least every 12 months, medium-risk establishments at least once every 18 months, and low-risk establishments at least once every 24 months.

5.3 Access to Premises and Records. The person operating a food establishment shall, upon request of the Health Department and after proper identification, permit access to all parts of the establishment at any reasonable time for the purpose of inspection and shall exhibit and allow copying of any records necessary to ascertain sources of foods or other compliance with this ordinance.

5.4 Removal and Correction of Violations. After receiving or having posted a report giving notification of one or more violations of this ordinance, a licensee shall correct each violation in a reasonable length of time as determined by the Department. The length of time for the correction of each such violation shall be noted on the inspection report. The failure to correct each such violation within the time period noted on the inspection report shall constitute a separate violation of this ordinance.

Section 6: Variances

6.1 In any case where, upon application of responsible persons, the Board finds that by reason of exceptional circumstances the strict enforcement of any provisions of this ordinance would cause undue hardship and would be unreasonable, impractical or not feasible, the Board in its discretion may permit a variance. Such variances may be reviewed periodically and rescinded or altered as necessary to protect the public health. Variance procedures will follow the requirements of Minnesota Rules 4626.1690.

Part C. REGULATION OF HOTELS, MOTELS, LODGING ESTABLISHMENTS, AND RESORTS.

Section 1. Legal Authority.

1.1 This ordinance is enacted pursuant to Minnesota Statutes Chapter 157 which established the authority for the State to license lodging establishments and Chapter 145A, Section 145A.07 which authorizes the Commissioner of Health to enter into an agreement with counties or cities to perform all or part of the licensing, inspections and enforcement duties authorized under the provision of these sections and authority provided in Chapter 145A.

Section 2. Definitions.

2.1 "Approved" means acceptable to the Board following its determination as to conformity with departmental standards and established public health practices.

2.2 "Easement" means that portion of a building between floor and ceiling which is below or partly below grade.

2.3 "Board" means the Kandiyohi County Board of Health, acting under the provisions of MN Statutes 145A.

2.4 "Clean" means absence of dirt, grease, rubbish, garbage and other offensive, unsightly or extraneous matter.

2.5 "Employee" means and includes any person whose duties include the cleaning, maintenance, or housekeeping of any part of the building or buildings or the rendering of service to guests or performing duties of any type in connection with the operation of a lodging house or resort.

2.6 "Garbage" means all putrescible organic waste resulting from the handling, storage, preparation, or cooking of food, as well as including refuse, such as paper, plastics, and cardboard that is contaminated with putrescible organic waste.

2.7 "Grade" means the average of the finished ground level at the center of all exterior walls of a building. In case walls are parallel to and within five feet of a sidewalk, the above ground level shall be measured at the sidewalks.

2.8 "Health Department" means Kandiyohi County Public Health, its Director, staff or its contracted staff, authorized by the Board to carry out or enforce the provisions of this ordinance.

2.9 "Hotel-Motel" means a building, structure or enclosure, or any part thereof, kept, used as, maintained as, advertised as, or held out to the public to be an enclosure where sleeping accommodations are furnished to the public and furnishing accommodations for periods of less than one week.

2.10 "Infestation" means the presence within or around a dwelling of any insects, rodents or other pests.

2.11 "Lodging House" means every building or structure, or any part thereof, kept, used as, maintained as, advertised as, or held out to be a place where sleeping accommodations are furnished to the public as regular roomers, for periods of one week or more, and having five or more beds to let to the public.

2.12 "Person" shall include an individual, association, partnership, corporation, or other legal entity.

2.13 "Plumbing Code" means the Minnesota Plumbing Code (Minnesota Rules Chapter 4715).

2.14 "Resort" means any building, structure, or enclosure, or any part thereof, located on or on property neighboring any lake, stream, skiing or hunting area for purposes of providing convenient access thereto, kept, used, maintained or advertised as, or held out to the public to be an enclosure where sleeping accommodations are furnished to the public and primarily to those seeking recreation, for periods of one day, one week or longer, and having for rent five or more cottages, rooms or enclosures.

2.15 "Rooming Unit" means any room or group of rooms forming a single habitable unit used or intended to be useful for living and sleeping, but not for cooking or eating purposes.

2.16 "Repair" the term "good repair" means free of corrosion, breaks, cracks, chips, pitting, excessive wear and tear, leaks, obstructions and similar defects so as to constitute a good and sound condition.

2.17 "Standard" means the criteria for compliance of the Board and will be available on request.

2.18 "Usable Floor Space" means all floor space in a sleeping room not occupied by closets, toilet rooms, showers or bath rooms.

Section 3. Plan Review

3.1 Plan review of future construction. When an establishment, in Kandiyohi County licensed or to be licensed under the provisions Minnesota Statutes Chapter 157 is hereafter constructed or extensively remodeled, or when an existing structure is converted for use as a licensed establishment, properly prepared plans and specifications for such construction, remodeling, or alteration showing layout of sleeping rooms, room size, maximum occupancy, exits to hallways or outdoors, fire escapes, window locations and describing ventilation and heating equipment, and floor and wall finishes, shall be submitted to and approved by the Health Department before such work is begun. The plans and specifications shall be drawn to scale, shall be legible and complete in all details. The Health Department shall review such plans and report its findings within 30 days of the date plans are received.

Section 4. General Requirements.

4.1 Building. Every building, structure or enclosure used to provide lodging accommodation for the public shall be kept in good repair and so maintained as to promote the health, comfort, safety and well being of persons accommodated.

4.2 Floors. The floors of all guest rooms, hallways, bathrooms, storerooms, and all other spaces used or traversed by guests shall be of such construction as to be easily cleaned, shall be smooth, and shall be kept clean and in good repair. Cleaning of floors shall be so done as to minimize the raising of dust and the exposure of guests thereto. The requirements of this section shall not prevent the use of rugs, carpets, or natural stone which can be kept clean. Abrasive strips for safety purposes may be used whenever deemed necessary to prevent accidents.

4.3 Walls and ceilings. The walls and ceilings of all halls, and stairways shall be kept clean and in good repair. Studs, joists, or rafters shall not be left exposed except when suitably finished and kept clean.

4.4 Screening. When flies, mosquitoes, and other insects are prevalent, all outside doors, windows and other outer openings shall be screened. Any screen door shall have a self closing apparatus. Provided that such screening shall not be required for rooms deemed by the Board to be located high enough in the upper stories of the building as to be free of such insects, or in such areas where other effective means are provided to prevent their entrance.

4.5 Lighting and ventilation. All rooms and areas used by patrons and guests and all other rooms or spaces in which lighting and ventilation, either natural or artificial, are essential to the efficiency of the business operation shall be well lighted and ventilated.

4.6 Space. Every room occupied for sleeping purposes by one person shall contain at least 70 square feet of usable floor space, and every room occupied for sleeping purposes by more than one person shall contain not less than 60 square feet of usable floor space for every occupant thereof. Under no circumstances shall there be provided less than 400 cubic feet of air space per occupant. Beds shall be spaced at least three feet apart when placed side by side. No sleeping quarters shall be provided in any basement having more than half of its clear floor to ceiling height below the average grade of the adjoining ground. When strict compliance herewith is impracticable, the board may waive any of the provisions of this paragraph subject to such conditions as may be deemed desirable in the individual case.

4.7 Bedding and Linen. All beds, bunks, cots and other sleeping places provided for guests in hotels, motels, resorts and lodging houses shall be supplied with suitable pillow slips and under and top sheets. All bedding including mattresses, quilts, blankets, pillows, sheets, spreads, and all bath linen shall be kept clean. No bedding, including mattresses, quilts, blankets, pillows, bed and bath linen, shall be used which are worn or unfit for further use. Pillow slips, sheets and bath linen after being used by one guest shall be washed before they are used by another guest, a clean set being furnished

each succeeding guest. For any guest occupying a guest room for an extended period of time, a fresh set of sheets and pillow slips shall be furnished at least once each week, and at least two clean towels shall be furnished each day except that the proprietor will not be responsible for the sheets, towels, pillow slips and bath linen furnished by a guest.

4.8 Room furnishings. All equipment, fixtures, furniture and furnishings, including windows, draperies, curtains and carpets, shall be kept clean and free of dust, dirt, vermin and other contaminants, and shall be maintained in good order and repair.

4.9 Toilets. Every hotel, motel, and lodging house shall be equipped with adequate and conveniently located water closets for the accommodation of its employees and guests. Water closets, lavatories, and bath tubs or showers shall be available on each floor when not provided in each individual room. Toilet, lavatory, and bath facilities shall be provided in the ratio of one toilet and one lavatory for every ten occupants, or fraction thereof. Hot water shall not exceed 130 degrees Fahrenheit (approximately 55 degrees C) at any shower, bath tub or lavatory facility. Every resort shall be equipped with adequate and convenient toilet facilities for its employees and guests. Toilet rooms shall be well ventilated by natural or mechanical methods. The doors of all toilet rooms serving the public and employees shall be self-closing. Toilet and bathrooms shall be kept clean and in good repair and shall be well lighted and ventilated. Handwashing signs shall be posted in each toilet room used by employees. If privies are provided, they shall be separate buildings and shall be constructed, equipped, vented and maintained in conformity with the standards of the Board and shall be kept clean.

4.10 Water supply. A safe, adequate supply of water shall be obtained from either a public community water supply system or a public non-community water supply system. In either case, the source of supply and the system must be operated, located and constructed in accordance with the provisions of Public Water Supply (Minn. Rules, parts 4720.0100-4720.3970) and water well construction (Minn. Rules, parts 4725.0100-4725.7600).

4.11 Hand-washing requirements. All lavatories for public use or furnished in guests rooms at hotels, motels, lodging houses and resorts shall be supplied with hot and cold running water and with soap. Scullery sinks should not be used as handwashing sinks. In the case of separate housekeeping cabins at resorts not supplied with running hot water, equipment shall be provided for heating water in the cabin. Individual or other approved sanitary towels or warm-air hand dryers shall be provided at all lavatories for use by employees or the public.

4.12 Cleaning and bactericidal treatment. After each usage all multi-use eating utensils and drinking vessels shall be thoroughly washed in hot water containing a suitable soap or synthetic detergent, rinsed in clean water, and effectively subjected to a bactericidal process approved by the Board. Approved facilities for manual dishwashing shall consist of a three-compartment sink with stacking and drain boards at each end.

Dishwashing machines shall be equipped with thermometers which will accurately indicate the temperature of the wash and rinse water. All dishwashing machine

installations installed on or before January 01, 1968, shall conform to Standard Number 3 of the National Sanitation Foundation, dated April, 1965.

Any other processes acceptable to the Board may be used for machine or manual dishwashing. All dishes, glasses, utensils and equipment after washing and bactericidal treatment shall be permitted to drain and air dry.

4.13 Waste disposal. All liquid wastes shall be disposed of in an approved public sewerage system or in a sewerage system which is designed, constructed and operated in accordance with the standards of the Board.

Prior to removal, all garbage and refuse in storage shall be kept in watertight, non-absorbent receptacles which are covered with close fitting, fly tight lids. All garbage, trash and refuse shall be removed from the premises frequently to prevent nuisance and unsightly conditions, and shall be disposed of in a sanitary manner. All garbage receptacles, shall be kept clean and in good repair

4.14 Insect and rodent control. Every hotel, motel, lodging house and resort shall be constructed and equipped as to prevent the entrance, harborage or breeding of flies, roaches, bedbugs, rats, mice and all other insects and vermin, and specific means necessary for the elimination of such pests such as cleaning, renovation or fumigation shall be used. The Health Department may order the facility to hire an exterminator licensed by the state to exterminate pests, when:

1. The infestation is so extensive that it is unlikely that a non-professional can eradicate the pests effectively, or
2. The extermination method of choice can only be carried out by a licensed exterminator, or
3. Upon reinspection, it is found that an establishment has not been brought into compliance with a prior order to rid the establishment of pests.

4.15 Personnel health and cleanliness. No person shall resume work after visiting the toilet without first thoroughly washing his hands.

4.16 Cleanliness of premises. The premises of all hotels, motels, lodging houses and resorts shall be kept free of litter or rubbish.

4.17 Fire protection. All lodging establishments shall provide suitable fire escapes which shall be kept in good repair and accessible at all times. Hallways shall be marked and exit lights provided. Fire extinguishers shall be recharged annually and kept accessible for use. No sleeping quarters shall be maintained in rooms which do not have unobstructed access to the outside or to a central hall leading to a fire escape. All fire protection measures shall be in accordance with requirements of the state fire marshal.

4.18 Plumbing and swimming pools. All new plumbing in hotels, motels, lodging houses and resorts, and all plumbing reconstructed or replaced after the effective date of the regulation shall be designed, constructed, and installed in conformity with the Minnesota Plumbing Code.

All swimming pools and other artificial recreational bathing facilities shall be located, constructed and operated in conformity with the Public Swimming Pool Rules (Minn. Rules, parts 4717.0150 - 4717.3975) and Minnesota Statutes 144.1222, subparts 1b. to 1d.

4.19 Preparation of meals. No occupant of a lodging establishment shall prepare meals in a sleeping room unless such room is part of an efficiency unit.

4.20 Identification of each unit. The entrance door to every efficiency or rooming unit in any lodging establishment shall be plainly marked on the outside, either numerically or alphabetically. No two units may be assigned the same number or letter.

4.21 Sanitary dispensing of ice. Any lodging establishment which makes ice available in public areas, including but not limited to lobbies, hallways and outdoor areas shall restrict access to such ice in accordance with the following provisions.

1. After the effective date of this rule any newly constructed lodging establishment which installs icemaking equipment, and any existing lodging establishment which replaces its icemaking equipment, shall install only automatic dispensing sanitary icemaking and storage equipment, if the machine is to be located in public areas.
2. After December 31,1984, any existing lodging establishment which has not converted to automatic dispensing icemaking and storage equipment shall no longer permit unrestricted public access to open ice bins, and shall dispense ice to guests only by having employees give out prefilled, individual, sanitary containers of ice, or by making available prefilled, disposable, closed bags of ice.

Section 5. Inspection.

5.1 The Department shall inspect each lodging establishment prior to issuing a license for a new establishment or change of ownership. A license shall not be issued until the corrections required by the Department as a result of the pre-licensing inspection have been made to the satisfaction of the Department.

5.2 The Health Department shall inspect every lodging establishment at least annually and more frequently as may be necessary to insure compliance with this ordinance. As a rule, most establishments will be inspected once a year.

5.3 The person operating a lodging establishment shall, upon request of the Health Department and after proper identification, permit access to all parts of the establishment at any reasonable time for purposes of inspection and shall exhibit and allow copying of any records necessary to check compliance with this ordinance.

5.4 Whenever an inspection of a lodging establishment is made, the findings shall be recorded on the inspection form. One copy of the inspection report form shall be furnished to the person in charge of the establishment. The completed inspection report form is a public document that shall be made available for public disclosure to any

person who may request it. The inspection report form shall specify a specific and reasonable period of time for the correction of the violations found, and correction of the violations shall be accomplished within the specified period.

Part D. REGULATION OF MANUFACTURED HOME PARKS AND RECREATIONAL CAMPING AREAS.

Section 1. Legal Authority

1.1 Legal Authority. This Ordinance is enacted pursuant to Minnesota Statute Chapter 327, Sections 327.10-327.28, which authorizes the Minnesota Department of Health to regulate Manufactured Home Parks and Recreational Camping Areas and Chapter 145A, Section 145A.07, which authorizes the Commissioner of Health to enter into an agreement with counties or cities to perform all or part of the licensing, inspection and enforcement duties.

1.2 Jurisdiction. Any person, firm or corporation owning or operating a manufactured home park or recreational camping area within the legal boundaries of Kandiyohi County shall be required to meet all of the provisions of the Ordinance.

Where the conditions imposed by any provision of this Ordinance are either more restrictive or less restrictive than comparable conditions imposed by any other provision of this Ordinance, or any other applicable law, ordinance, rule or regulation, the provision which establishes the higher standards for the promotion of the public health safety and general welfare shall prevail.

Section 2. Definitions.

2.1 "Board" shall mean the Kandiyohi County Board of Health.

2.2 "Health Department" shall mean Kandiyohi County Public Health, its Director, staff, or contracted staff, authorized by the Board to carry out or enforce the provisions of this Ordinance.

2.3 "Dependent Sites" shall mean the recreational camping area sites which do not have sewer connections and are dependent upon a central facility for this utility.

2.4 "Independent Sites" shall mean recreational camping sites which are provided with individual sewer connections.

2.5 "Manufactured Home" means a structure, transportable in one or more sections, which in the traveling mode, is eight body feet or more in width or 40 body feet or more in length, or, when erected on site, is 320 or more square feet, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air conditioning, and electrical systems contained therein, except that the term includes any structure which meets all the requirements and with respect to the

manufacturer voluntarily files a certification required by the secretary and complies with the standards established under this chapter.

2.6 "Manufactured Home Park" means any site, lot, field, or tract of land upon which two or more occupied manufactured homes are located, either free of charge or for compensation and includes any building structure, tent, vehicle or enclosure used or intended for use as part of the equipment of the manufactured home pad.

2.7 "Municipality" means any city, town or township, village or county in Minnesota, however organized.

2.8 "Primary License" means the initial license issued to the first person, firm or corporation to establish and maintain, conduct or operate a manufactured home park or recreational camping area at any one location.

2.9 "Recreational Camping Area" means any area whether privately or publicly owned, used on a daily, nightly, weekly or longer basis for the accommodation of five or more tents, or recreational camping vehicles free of charge or for compensation.

2.10 "Recreational Camping Vehicle" includes the following:

1. Any vehicular, portable structure built on a chassis for use as a temporary dwelling for travel, recreational and vacation uses;
2. any structure designed to be mounted on a truck chassis for use as a temporary dwelling for travel, recreational and vacation uses;
3. any portable, temporary dwelling to be used for travel, recreation and vacation, constructed as an integral part of a self-propelled vehicle;
4. any folding structure, mounted on wheels and designed for travel, recreational and vacation use.

2.11 "Renewal License" means a license issued to the person, corporation or firm operating a previously licensed manufactured home park or recreational camping area.

2.12 "Seasonal Establishment" shall mean any manufactured home park or recreational camping area which operates for a continuous period of six (6) months (183 days), or less during a calendar year.

2.13 "Year Round Establishment" shall mean any manufactured home park or recreational camping area which operates on a year round basis in excess of six months, (183 days).

Section 3. Plan Review.

3.1 Whenever a manufactured home park or recreational camping area is constructed, altered, or extensively remodeled and whenever the number of sites of the facility is altered, properly prepared plans and specifications for the construction, remodeling or conversion shall be submitted to the Health Department for review and approval before construction, remodeling, or conversion is begun. The plans and specifications must indicate the proposed layout including all sites numbered, buildings,

and driveways, plumbing specifications, sanitary buildings, source of water supplies, and sewage disposal. The plans and specifications submitted in duplicate and drawn to scale, must be legible and complete in all details. The Health Department shall review such plans and notify the applicant of approval status 30 days of the date plans are received.

3.2 The facility shall be constructed and finished in conformance with the approved plans.

3.3 The licensee shall not begin operations until the Health Authority has conducted a final inspection and approved issuance of the manufactured home park or recreational camping area license.

Section 4. General Requirements

4.1 Location. No manufactured home park or recreational camping area shall be so located such that drainage from the park or camp area will endanger any water supply. All such parks and camps shall be well drained and no portion of the park or camp shall be located in an area subject to flooding, except that recreational camps may be located in a flood plain which has been approved for recreational use. No water from manufactured home or recreational camping areas shall be deposited on the surface of the ground.

4.2 Spacing. No manufactured home shall be parked closer than ten feet to the side lot lines of a manufactured home park. Each individual manufactured home site shall abut or face on a driveway, roadway or clear unoccupied space of not less than 16 feet in width, which space shall have unobstructed access at all times to a public road. Roads provided shall be maintained in good condition to be free of holes and depressions. There shall be an open space of at least 10 feet between the sides of adjacent manufactured homes including their attachments, and at least three feet between manufactured homes parked end to end. The space between manufactured homes may be used for parking of motor vehicles or other property provided such vehicle or property is parked at least 10 feet from the nearest adjacent manufactured home position. Any accessory structure such as attached awnings, car ports, or individual storage facilities shall, for the purpose of this separation requirement, be considered to be part of the recreational camping vehicle. All recreational camping vehicles shall be located at least 25 feet from any camping area property abutting upon a public street or highway and at least 10 feet from other park property boundary lines.

4.3 Lot size. All new manufactured home parks constructed after January 1, 1970 and additions to existing manufactured home parks constructed after January 1, 1970, shall allot the following minimum site sizes for each manufactured home: 4,000 square feet if sewage from the park is discharged into a soil absorption system, 2,800 square feet if any other acceptable method of sewage disposal is used. A minimum site size of 2,000 square feet shall be provided for each recreational camping vehicle in camping areas constructed after January 1, 1970.

4.4 Water supply. Every manufactured home park and recreational camping area shall obtain a safe, adequate supply of water from a public community water supply system, a public non-community water supply system or a source of supply and system which is located, constructed and operated in accordance with the provisions of the rules of the Commissioner of Health governing public water supplies. (Minnesota Rules 4720 and wells Minnesota Rules 4725). The source of the water supply shall first be approved by the Health Department.

In manufactured home parks, the water supply shall be capable of supplying a minimum of 200 gallons per day per manufactured home, and in recreational camping areas, the water supply shall be capable of supplying 75 gallons per site per day for all sites lacking individual water connections, and 100 gallons per site per day for all spaces provided with individual water connections. In recreational camping areas, water from drinking water supply shall be available within at least 400 feet of every campsite.

The water piping system shall not be connected with nonpotable or questionable water supplies and shall be protected against the hazards of backflow and back siphonage. The system shall be so designed and maintained as to provide a pressure of not less than 20 pounds per square inch under normal operating conditions at service buildings and other locations requiring a potable water supply. In manufactured home parks and on recreational camping sites provided with individual water service connections; riser pipes shall be so located constructed that they will not be damaged by the parking of manufactured homes or recreational camping vehicles. Water riser pipes shall extend at least 4 inches above the ground elevation, and the minimum pipe size shall be ¾ inch. Adequate provisions shall be made to prevent freezing of service lines, valves and riser pipes. If underground stop and waste valves are installed, they shall be at least 10 feet from the nearest buried portion of the sewage system. Water risers on unoccupied sites shall be valved off. There shall be a horizontal distance of at least 10 feet between water and sewer pipes; provided that where the sewer pipe and the water pipe is constructed of an approved material, the distance may be less than 10 feet.

4.5 Toilet, bathing and laundry facilities. In dependent recreational camping areas, one or more central buildings equipped with such facilities shall be provided. The number of fixtures shall be in accordance with the following schedule:

Number of dependent sites	Toilets Men/Women	Urinals Men	Lavatories Men/Women	Showers Men/Women
1-15	1/1	1	1/1	1/1
16-30	1 /2	1	2/2	1/1
35-45	2/2	1	3/3	1/1
46-60	2/3	1	3/3	2/2
61-80	3 / 4	2	4/4	2/2
91-100	3 / 4	2	5/5	2/2
101-130	4/5	3	6/6	3/3
131-160	5/6	3	7/7	4/4
161-190	6/7	3	8/8	4/4
191-220	7/8	4	9/9	5/5

221-250	8/9	4	10/10	5/5
251-280	9/10	4	11/11	6/6
281-310	10/11	5	12/12	6/6
311-340	11/12	5	13/13	7/7
341-370	12/13	5	14/14	7/7
371-400	13/14	6	15/15	8/8

Provided, that in primitive recreational camping areas, only the toilet facilities shall be required in the above ratio. These camps must be advertised as "Primitive". Privies and other toilets not connected to water-carried systems may be used in recreational camping areas when approved by the Health Department. In manufactured home parks and recreational camping areas where laundry and bathing facilities are provided, such facilities shall be in buildings which are well constructed, in good repair and have adequate heating and ventilation, good lighting and floors of impervious material sloped to drain. Walls shall be of washable material. There shall be no exposed studs or rafters. Toilet facilities shall not be more than 400 feet from the furthest recreational camping site to be served and shall be plainly marked according to sex.

In conjunction with bathing facilities, there shall be provided a dressing area or dressing compartment, the floor of which shall be impervious and well drained. Mats, grids and walkways made of cloth or other absorbent material shall not be used, provided that single services mats may be used.

Where clothes drying lines are provided, they shall be located in areas out of regular pedestrian traffic patterns and where they will generally not be a hazard to the safety of the occupants of the camping areas. No laundry trays, washing machines, dryers or extractors shall be located in any toilet, bath or dressing area.

Recreational camping areas accommodating camping vehicles having a self-contained liquid waste system with a waste reservoir, shall provide a sanitary station for the disposal of water. Such sanitary stations shall be equipped with four inch sewer riser pipe, surrounded at the inlet by a concrete apron sloped towards the inlet drain, and provided with a suitable hinged cover. A water outlet, with the necessary means to prevent backflow of contamination in to the camp water supply system shall be provided to permit periodic washdown of the immediate adjacent areas. Each recreational camping area accommodating self-contained camping vehicles shall provide sanitary stations in the ratio of one station for 100 recreational camping vehicle sites or fraction thereof. Sanitary dumping stations shall be screened from other activities by visual barriers, such as fences, walls or natural growth, and shall be separated from any recreational camping vehicle site by a distance of at least 30 feet. Final disposal of sewage from such dumping stations shall be by a method acceptable to the Minnesota Pollution Control Agency.

4.6 Plumbing. All systems of plumbing in manufactured home parks and recreational camping areas shall be installed in accordance with the provisions of the rules of the Commissioner of Health entitled the Minnesota Plumbing Code (Minnesota Rules, parts 4715.0100-4715.6000).

4.7 Sewage treatment and disposal. All sewage and other water carried waste shall be discharge into a public sewage system which is being operated under a valid National Discharge Elimination System (NDESP) Permit. When such a system is not available, a sewage disposal which is designed, constructed and operated in Minnesota Rules, parts 7080.0010-7080..2550. All sewer lines shall be located in trenches of sufficient depth to be free of breakage from traffic, or other movements and shall be separated from the park water supply by at least 10 feet, unless special acceptable construction of sewer and water lines is provided.

Individual sewer site connections shall be at least 4 inch diameter sew riser pipe. The sewer connections shall consist of one pipeline only, without branch fittings. All joints shall be watertight. All materials used for sewer connections shall be corrosive resistant, non-absorbent, and durable. The inner surface shall be smooth.

The sewer riser pipe shall be properly capped when a manufactured home or recreational camping vehicle does not occupy the site. Surface drainage shall be direct away from the riser; the rim of the riser pipe shall extend to at least 4 inches above ground elevation.

Systems of sewage disposal utilizing the discharge of effluents to bodies of surface water or surface land application must receive the approval and comply with the water quality and effluent standards, and system design criteria established by the Minnesota Pollution Control Agency.

4.8 Insect and rodent harborage, infestation control. Manufactured home parks and recreation camping areas including storage areas, shall be maintained free of accumulations of debris or other materials, which may provide rodent harborage or breeding places for flies, mosquitoes, and other pests. Any firewood piles shall be neatly stacked in a manner which does not provide for rodent harborage. Lumber, pipe and other building materials shall be stored at least one foot above the ground. Areas shall be so maintained as to prevent the growth or ragweed, poison ivy, poison oak, poison sumac and other noxious weeds considered detrimental to health.

4.9 Garbage and refuse disposal. The storage, collection and disposal of refuse and garbage in the manufactured home parks and recreational camping areas shall be so conducted as to create no health hazards, rodent harborage, insect breeding areas, accident or fire hazards, or air pollution. All refuse and garbage shall be stored in flytight, watertight, rodent proof containers which shall be located convenient to any manufactured home site, provided that on days of collection, plastic garbage and refuse bags may be used for outside storage as long as no nuisance conditions are created. In recreational camping areas, garbage and refuse collection shall be made at least once a week or more often if necessary to prevent nuisance conditions. Final disposition of refuse and garbage shall be accomplished in accordance with the criteria and standards established by the Minnesota Pollution Control Agency.

4.10 Night lighting. The walkways, drives, and other portions of manufactured home parks shall be lighted during hours of darkness.

4.11 Community kitchen and dining rooms. When community kitchen and dining rooms are provided, such facilities and equipment shall be maintained in a clean and sanitary condition at all times.

4.12 Barbecue pits, fireplaces, stoves, and incinerators. When provided, cooking shelters, barbecue pits, fireplaces, wood burning stores and incinerators shall be so located, constructed, maintained and used as to minimize fire hazards and smoke nuisance both on the property and on neighboring property. Incinerators shall be of a type acceptable to the Minnesota Pollution Control Agency. No open fire shall be permitted except in facilities provided. No open fire shall be left unattended. No fuel shall be used or no material burned which emits dense smoke or objectionable odors.

4.13 Domestic animals. No domestic animals or house pets shall be allowed to run at large or commit any nuisances within the limits of a manufactured home park or recreational camping area. Any kennels, pens or other facilities provided for such pets shall be maintained in a sanitary condition at all times. Unless a different number is prescribed by local ordinance or park rule, the maximum number of dogs and cats allowed per manufactured home is two. In the case of new litters, the above number may be exceeded for ten weeks.

4.14 Prohibited practices. No animal washing, car washing or other slop creating procedures shall be carried on in any building, structure or other place not designated for such purpose.

4.15 Fire protection and fire extinguishers. Fire protection shall be provided in accordance with the requirements of the State Fire Marshal. Each manufactured home owner shall provide each manufactured home with a fire marshal approved type extinguisher, kept in constant usable condition. No manufactured home may be parked more than three days without a useable extinguisher in the manufactured home.

4.16 Bottled gas. Where bottled gas is used, the container shall be firmly connected to the appliance by tubing of copper or other suitable metallic material. Cylinders containing bottled gas shall not be located within five feet of any manufacture home or recreational camping vehicle door. The container shall not be installed or stored even temporarily inside any manufactured home or recreational camping vehicle. No container may be permitted to stand free, but must be firmly mounted in an upright position.

4.17 Fuel system supply. All piping from outside fuel storage tanks or cylinders to manufactured homes or recreational camping vehicles shall be permanently installed and securely fastened in place. All fuel oil storage tanks or cylinders shall be securely fastened in place and shall not be located inside or beneath any manufactured home or recreational vehicle exit. All fuel containers shall be mounted upon a stand or rack constructed of a noncombustible material.

4.18 Skirting. The use of baled hay or straw as a skirting insulation shall be prohibited.

4.19 Speed limits. It shall be unlawful for any type of vehicle to travel at a rate in excess of 10 miles per hour while within the limits of a manufactured home park or recreational camping area. The ten miles per hour limit shall be clearly posted throughout the manufactured home park or recreational camping area, and may be enforced by the municipality in which the park or area is located. A municipality may, by ordinance, set and enforce in a manufactured home park a speed limit which is not higher than 30 miles per hour. The local speed limit shall be clearly posted throughout the manufactured home park.

4.20 Park shelter. In the case of a manufactured home park, a plan for the sheltering or safe evacuation to a safe place for shelter for the residents of the park in times of severe weather conditions, such as tornadoes, high winds, and floods shall be developed with the approval of the municipality where the park is located, and shall be posted at conspicuous locations throughout the park. Nothing in this paragraph requires the Health Department to review or approve any shelter or evacuation plan developed by a park. Failure of a municipality to approve a plan submitted by a park shall not be grounds for action against the park by the Health Department, if the park has made a good faith effort to develop the plan and obtain municipal approval.

4.21 Caretaker. A responsible attendant or caretaker shall be in charge of every manufactured home park or recreational camping area at all times, and the duty of said attendant shall be to maintain the park, its facilities and equipment in a clean, orderly and sanitary condition. The caretaker or attendant shall be the owner operator of the park or camping area or his appointed representative. In any manufactured home park containing more than fifty lots, the attendant and/or caretaker, or other responsible park employee shall be readily available at all times in case of an emergency.

Section 5. Inspections

5.1 Inspection Frequency. It shall be the duty of the Health Department to inspect every manufactured home park and every recreational camping area at least once a year, or as frequently as may be necessary to insure compliance with this ordinance.

5.2 Inspection. The person operating a manufactured home park or recreational camping area shall permit access to all parts of the establishment at a reasonable time for the purpose of inspection.

Whenever an inspection is made of a manufactured home park or recreational camping area, the findings shall be recorded on an inspection report form. The report form shall be signed by the operator in charge and a copy of the report form will be left at the establishment.

Whenever the Health Department finds that conditions or practices exist which are in violation of any provision of his ordinance, the Health Department shall give notice in writing to the operator of the establishment. All conditions shall be corrected within a reasonable period of time, to be determined by the Health Department. At the end of such time, another inspection shall be conducted. If it is found that such practices have not been corrected, the matter shall be referred to the Board.

Section 6. Variance

6.1 Variance procedure. In any case where, upon application of responsible persons, the Board finds that by reason of exceptional circumstances the strict enforcement of any provision of this ordinance would cause undue hardship and would be unreasonable, impractical or not feasible, the Board in its discretion may permit a variance therefrom. Such variances may be reviewed periodically and rescinded or altered as necessary to protect the public health or eliminate nuisance conditions.

Part E. REGULATION OF YOUTH CAMPS

Section 1. Legal Authority.

1.1 Legal Authority. This ordinance is enacted pursuant to Minnesota Statute Chapter 144.71-144.74, which authorizes the Minnesota Department of Health to regulate youth camps and Chapter 145A, Section 145A.07, which authorizes the Commissioner of Health to enter into an agreement with counties or cities to perform all or part of the licensing, inspection and enforcement duties.

1.2 Jurisdiction. Any person, firm, corporation owning or operating a Youth Camp within the legal boundaries of Kandiyohi County, shall be required to meet all provisions of this ordinance.

Where the conditions imposed by any provision of this ordinance are either more restrictive or less restrictive than comparable conditions imposed by any other provision of this ordinance, or any other applicable law, ordinance, rule or regulation, the provision which establishes the higher standards for the promotion of public health, safety and general welfare shall prevail.

Section 2. Definitions.

2.1 Board. Shall mean the Kandiyohi County Board of Commissioners.

2.2 "Health Department". Shall mean Kandiyohi County Public Health, its director, staff, or contracted staff authorized by the Board to carry out or enforce the provisions of this ordinance.

2.3 Youth Camp. For the purpose of this ordinance a Youth Camp is defined as a parcel or parcels of land with permanent buildings, tents or other structures together with appurtenances thereon, established or maintained as living quarters where both food and lodging or the facilities therefore are provided for ten or more people, operated continuously for a period of five days or more each year for educational, recreational or vacation purposes, and the use of the camp is offered to minors free of charge or for payment of a fee. This definition does not include cabin and trailer camps, resorts, penal and correctional camps, industrial and construction camps, nor does it include homes operated for care or treatment of children and for the operation of which a license is required.

Section 3. Plan Review.

3.1 Whenever a youth camp is constructed, altered, or extensively remodeled and whenever an existing structure is converted to use as a youth camp, properly prepared plans and specifications for the construction, remodeling or conversion shall be submitted to the Health Department for review and approval before construction, remodeling, or conversion is begun. The plans and specifications must indicate the proposed layout, arrangement, plumbing specifications, construction materials or work areas, and the type and model number of proposed fixed equipment and facilities. The

plans and specifications submitted in duplicate and drawn to scale, must be legible and complete in all details.

3.2 The facility shall be constructed and finished in conformance with the approved plans.

3.3 The licensee shall not begin operations until the Health Authority has conducted a final inspection and approved issuance of the license.

Section 4. General Requirements.

4.1 Camp Sites. The camp site shall be reasonably distant from any environment detrimental to the health and safety of the persons in attendance at the camp. In order to protect against all hazards which cannot be eliminated, suitable guards shall be installed and maintained. There shall be convenient access to the camp at all times during its operation.

4.2 Buildings. All buildings used for any type occupancy shall be structurally sound, shall have roofs which do not leak, tight floors, and walls free of holes. Buildings shall be so constructed as to provide broad and easy exit in case of fire or other emergency, and all fire protection measures shall be in accordance with the requirements of the State Fire Marshall. Doors shall be tight fitting, and both door and window openings shall be effectively screened with 16 mesh screening material. All screen doors shall have self-closing apparatus.

4.3 Sleeping Quarters. Youth camps that provide beds shall provide each camper with an individual bed. There shall be at least three feet between beds when placed side by side, and at least one foot when placed end to end. The beds shall be arranged for head to foot or foot to foot sleeping in such a manner as to provide a seven-foot horizontal separation between the heads of the sleeper. All bedding, including mattresses, linens and covers provided by the camp management shall be maintained in a clean, sanitary condition and in good repair.

Any room containing a double deck bunk shall have at least one window which can be easily opened. The top of the window shall be higher than the top rail of the upper bunk. The minimum space between the floor and the lower bunk rail shall be twelve inches, and the minimum space between the lower and upper bunk rails shall be thirty-six inches. No bunk shall be more than six feet above the floor. There shall be at least thirty-six inches between the upper bunk and the ceiling. Every sleeping room shall be ventilated. The area of direct opening to the outside shall be equivalent to at least five percent of the floor area. Where this condition can not be met, adequate mechanical ventilation shall be provided.

4.4 Food Service Facilities. All food service facilities shall be constructed, equipped and operated in accordance with the provisions of the ordinance for Kandiyohi County for food and beverage establishments.

4.5 Water Supply. Every camp shall obtain a safe, adequate supply of water from either a public water supply system, or a source of supply and system which is located, constructed and operated in accordance with the rules of the Commissioner of Health governing public water supplies, (Minn. Rules 4720) and wells (Minn. Rules, 4725). Water, except that served at meals, shall be dispensed either by means of satisfactorily designed drinking fountains or individual paper cups.

4.6 Bathing and Handwashing Facilities. Suitable handwashing facilities shall be conveniently located at or near each toilet. Shower facilities if provided on the basis of one shower head for every twenty-five persons. Hot water provided at handwashing and shower facilities shall not exceed 130 degrees Fahrenheit.

4.7 Plumbing. All new and remodeled plumbing systems shall be installed and maintained in accordance with the provisions of the rules of the Commissioner of Health entitled the Minnesota Plumbing Code, (Minn. Rules 4715). Where existing plumbing defects are found to create a serious public health hazard, correction shall be undertaken immediately.

4.8 Toilet Facilities. Toilet facilities shall be provided on the basis of one seat for every twelve campers. In camps or sections of camps used by boys, urinals may be substituted for one-third of the toilet seats. Toilet facilities shall be convenient to sleeping quarters and shall be adequately ventilated and equipped with artificial lighting. Toilet facilities shall be provided at each unit. Toilet facilities, including rooms and fixtures, shall be kept in a clean condition and in good repair.

4.9 Sewage Disposal. All sewage, including liquid waste, shall be disposed of in a public sewage collection and disposal system having a valid NPDES permit or accordance with the rules of the Minnesota Pollution Control Agency for Individual Sewage Treatment Systems, (Minn. Rules 7080). Where water flush toilets are not provided, privies of the pit type, which are approved by the Standards of the Board shall be used. Privies shall be placed separate and apart from the sleeping and living quarters, and shall be located at least 100 feet from the kitchen and dining quarters.

4.10 Garbage and Refuse. All garbage shall be collected in leakproof, nonabsorbent containers provided with tight-fitting lids or covers, and shall be disposed of in a sanitary manner with sufficient frequency as to prevent a nuisance. Disposal of garbage and other refuse shall be accomplished by means acceptable to the Minnesota Pollution Control Agency. All containers for the collection of garbage and refuse shall be kept in a clean condition.

4.11 Swimming Facilities. Natural swimming places shall be located only on lakes and streams which are relatively free of human, animal, and industrial pollution, and where such bathing and swimming will not endanger the quality of a domestic water supply, or interfere with other uses of the water by riparian owners. The area designated for swimming shall be properly marked, shall be kept free of woods, sharp stones, sunken logs and other debris and shall preferably have a gradual slope. Swimming pools shall be constructed and operated in accordance with provisions of the rules of

the Commissioner of Health relating to Public Swimming Pool, (Minn. Rules, parts 4717.0150 - 4717.3975) and Minnesota Statutes 144.1222, subparts 1b. to 1d. All water front activities shall be supervised by at least one individual currently certified as an American National Red Cross Water Safety Instructor, or the equivalent.

4.12 Designation of Responsible Persons. Each camper and staff member shall file with the camp operator the name, address, and telephone number of one or more licensed practitioners of the healing arts or other responsible persons who are to be notified in case of illness or injury.

4.13 Practitioner to be designated. The camp operator shall designate one or more duly licensed practitioners of the healing arts to be called in an emergency.

4.14 Infirmary and First Aid. The camp operator shall provide an infirmary for the isolation of sick or injured campers and staff members. First aid equipment and supplies shall be available and a person qualified in first-aid care shall be in charge at all times. When the existence of a communicable disease is suspected, the operator shall isolate the individual immediately and promptly arrange for medical attention. Transportation shall be provided for the immediate removal from the camp of the sick or injured campers or camp personnel in emergency cases.

4.15 Health Evaluation. A health evaluation record must be presented to the camp operator by each staff member and by each camper under age 18 (or unemancipated) prior to or at the time of admission to the camp. The health evaluation record shall contain:

1. A health history, on a form provided by the camp operator (or by a licensed physician) and completed by a parent, guardian, or licensed physician.
2. An immunization record, giving dates of each immunization, and indicating that the camper is fully protected against measles, rubella, diphtheria, tetanus, pertussis, polio and mumps.
3. If the health evaluation record identified health problems or activity limitations, a physical examination must be performed by a licensed physician within one year before admission to camp. A record of that examination, including instructions relative to the limitation of the camper's participation in camp activities and/or medication requirements, must be presented to the camp operator.

4.16 Health Records: A health record of every camper and staff member shall be kept by the camp operator. In addition to the health evaluation record, the health record shall include the detailed records of the individual's illnesses and injuries occurring, and the first-aid treatments given, during the period of admission to the camp by a physician or nurse designated by the camp.

4.17 Hazardous Weapons: Firearms and other hazardous weapons shall be used only under supervision. Firearm activities shall be supervised by an individual who possess' a current National Rifle Association instructors card or its equivalent. Archery

activities shall be supervised by an individual who possess' a National or Regional Professional Archery Association certificate or its equivalent.

4.18 Livestock and Pets: Livestock shall be quartered not less than 500 feet from the cooking, dining, and sleeping quarters. Unless special facilities are provided, pets shall not be permitted in the camp. Dogs or cats which do not have a current vaccination against rabies shall not be permitted in the camp.

4.19 Duty of Camp Operator: It shall be the duty of every operator of a Youth Camp to carry out provisions of this ordinance.

Section 5. Inspections.

5.1 Inspection: It shall be the duty of the Health Department to inspect every Youth Camp at least once a year, or as frequently as may be necessary to insure compliance with this ordinance. The person operating a Youth Camp shall permit access to all parts of the establishment at a reasonable time for the purpose of inspection.

Whenever an inspection is made of a Youth Camp, the findings shall be recorded on the inspection report form. The report form shall be signed by the operator in charge and a copy of the report form will be left at the establishment.

Whenever the Health Department finds that conditions or practices exist which are in violation of any provision of this ordinance, the Health Department shall give notice in writing to the operator of the establishment. All conditions shall be corrected within a reasonable period of time, to be determined by the Health Department.

Section 6. Variance.

6.1 In any case where, upon application of responsible persons, the Board finds that by reason of exceptional circumstances the strict enforcement of any provisions of this ordinance would cause undue hardship and would be unreasonable, impractical or not feasible, the Board in its discretion may permit a variance therefrom. Such variances may be reviewed periodically and rescinded or altered as necessary to protect the public health or eliminate nuisance conditions.

Part F. REGULATION OF PUBLIC POOLS

Section 1. Legal Authority.

1.1 This ordinance shall apply to all public pools, as defined in Minnesota Rules Part 4717.0250, subpart 8 that are located within Kandiyohi County, Minnesota.

Section 2. Definitions.

For purposes of this Ordinance, the following definitions apply:

2.1 The definitions in Minn. Rules Part 4717.0250 are adopted by reference for terms, words and phrases used in this ordinance.

2.2 "**Health Department**" shall mean Kandiyohi County Public Health, its Director, staff, or contracted staff, authorized by the Board to carry out or enforce the provisions of this Ordinance

Section 3. Standards for Health and Safety.

3.1 Minnesota Rules Parts 4717.0150 through 4717.3975, and any future revisions thereof, are hereby adopted by reference and made a part of this ordinance except where they are specifically amended by this ordinance.

3.2 The above adopted rules are amended as follows:

The terms "commissioner" or "commissioner of health" mean the Health Department, except in Minnesota Rules Parts 4717.0310 and 4717.0450 where the terms shall remain unchanged.

3.2 Minnesota Statutes 144.1222, Subparts 1b. to 1d. are adopted by reference and made a part of this Ordinance.

Section 4. Plan Review

4.1 When a public pool in Kandiyohi County licensed or to be licensed under the provisions of Minnesota Rules Chapter 4717 is constructed, installed or materially altered, complete plans and specifications shall be submitted to the Minnesota Department of Health as specified in Minnesota Rules 4717.0450, along with the required fee. Construction may not begin until plans have been approved.

Section 5. Inspections.

5.1 The Health Department will inspect each public pool before initially issuing a license; as part of a complaint investigation; and as frequently as deemed necessary to ensure compliance with this Ordinance.

5.2 The Health Department shall have right of entry, at any reasonable hour, to the pool and its areas for this purpose.

5.3 The operator must, upon request by Department personnel and after proper identification, permit access to all parts of the pool operation at any reasonable time, for the purpose of inspection.

5.4 No person may interfere with or hinder the Department in the performance of its duties, or refuse to permit the Health Department to make such inspections.

5.5 The operator(s) must correct or remove each violation upon receipt of an inspection report giving notification of one or more violations of this Ordinance in a reasonable length of time as determined by the Health Department.

5.6 The length of time for the correction or removal of each violation will be noted on the inspection report.

5.7 Failure to remove or correct each violation within the time period noted on the inspection report constitutes a separate violation of this Ordinance.

Section 6. Effective Date.

6.1 This ordinance shall be in full force and effect upon adoption and publication pursuant to Minnesota Law.

Dated at Willmar, Minnesota the 18th day of May, 2010

Richard Falk, Chairman
Kandiyohi County Board of Commissioners

Sam Modderman, Auditor
Kandiyohi County Auditor/Treasurer