

## **SECTION 12. ESTABLISHING STANDARDS & PROCEDURES REGULATING MANUFACTURED HOME PARKS & RECREATIONAL CAMPING AREA REGULATIONS**

### **Subsection 12.1: General Provisions**

#### A. Purpose.

1. To protect and provide for the public health, safety, and general welfare of the counties of Big Stone, Chippewa, Lac qui Parle, Swift, and Yellow Medicine.

#### B. Legal Authority.

1. This ordinance section 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 145, Section 145.918 Subdivision 2 which authorizes the Commissioner of Health to enter into an agreement with counties or cities organized under the provisions of Section 145.913 to perform all or part of the licensing, inspection, and enforcement duties.

#### C. Jurisdiction.

1. Any person, firm, or corporation owning or operating a manufactured home park or recreational camping area within the legal boundaries of Big Stone, Chippewa, Lac qui Parle, Swift, and Yellow Medicine Counties, and not exempted in Subsection 12.2, B of this ordinance section, shall be required to meet all of the provisions of this ordinance section.
2. Where the conditions imposed by any provision of this ordinance section are either more restrictive or less restrictive than comparable conditions imposed by any other provision of this ordinance section, 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.

### **Subsection 12.2: Licensing**

#### A. License for Manufactured Home Park and Recreational Camping Area.

1. No person, firm or corporation shall establish, maintain, conduct, or operate a manufactured home park or recreational camping area within Big Stone, Chippewa, Lac qui Parle, Swift, and Yellow Medicine counties without first obtaining a license therefore from the Country Public Health Service. Any person, firm or corporation desiring to operate either a manufactured home park, or recreational camping area on the same site in connection with the other, need only obtain one license. The license shall state the number of manufactured home sites, independent recreational camping sites, and dependent recreational camping sites allowed according to Countryside Public Health Service's approval. No renewal license shall be issued if the number of sties specified in the application exceeds those on the original application unless the plans for expansion or

the construction for expansion are first approved by the Countryside Public Health Service. Any manufactured home park or recreational camping area located in more than one municipality shall be dealt with as two separate manufactured home parks or camping areas. The license is not transferrable as to place or person. Each primary license or renewal license for year-round establishments shall expire on the 31<sup>st</sup> day of December next following it's' issuance.

B. Other Parks.

1. State Parks: Nothing in this ordinance's section shall be construed to include any of the State-operated facilities within parks.
2. Manufactured Home Park: The term "manufactured home park" shall not be construed to include manufactured homes, buildings, tents or other structures temporarily maintained by an individual or company on premises associated with a work project and used exclusively to those labor or other personnel occupied in such work project.
3. Special Parks: Recreational camping does not include youth, children's camps, industrial camps, migrant labor camps, as defined in Minnesota Statutes and State Commission of Health Rules, United States Forest Service Camps, State Forest Service Camps, State Wildlife Management Areas, or State-owned public access areas which are restricted in use to picnicking and boat landing.
4. Application for License.
  - a. The application for license to operate and maintain a manufactured home park or recreational camping area shall be made to the Countryside Health Service at such office or in such manner as may be prescribed by that agency;
  - b. The applicant for a primary license or annual license shall make application in writing upon a form provided by the Countryside Public Health Service setting forth:
    - i. The full name and address of the applicant or applicants, or names and addresses of the partners if the applicant is a partnership, or the names and addresses of the officers if the applicant is a corporation;
    - ii. A legal description of the site, lot, field, or tract of land upon which the applicant proposes to operate and maintain a manufactured home park or recreational camping area;
    - iii. The proposed and existing facilities on the sites for sanitary community buildings, including toilets, urinals, sinks, wash basins, slop sinks, showers, drains, and laundry facilities;
    - iv. The source of water supplies, the disposal method for sewage, garbage, and refuse, the method of fire and storm protection, and the method of park site lighting;

- v. The calendar months of the year which the applicant will operate the manufactured home park or recreational camping area;
  - vi. Plans and drawings for new construction or alteration, including buildings, wells, plumbing, and sewage disposal systems.
- C. Fees. The Board, by resolution, may establish reasonable fees for the administration of this ordinance section. Such fees may be changed by resolution of the Board from time to time as they deem appropriate. The primary license application shall also be accompanied by an approved Local Zoning Permit or a statement from the Local Zoning Administrator that a permit is not required. The fees submitted for the primary license shall be retained by the Countryside Public Health Service, even though the proposed project is not approved and a license is denied.
- D. Sanitary Facilities. During the pendency of the application for such primary license, any change in the sanitary or safety facilities of the intended manufactured home park or recreational camping area shall be immediately reported in writing to the Countryside Public Health Service. To expedite such change in sanitary or safety facilities, within 60 days of the date such change is reported, it shall be deemed to have the approval of the Countryside Public Health Service.
- E. Permit.
  - 1. When the plans and specifications have been approved, the Countryside Public Health Service shall issue an approval report permitting the applicant to construct or make alteration pertaining to water and sewage treatment upon a manufactured home park or recreational camping area and the appurtenances thereto, according to the plans and specifications presented. Such approval does not relieve the applicant from securing building permits in municipalities having a building code; or from complying with any other municipal ordinance or ordinances, applicable thereto, not in conflict with this ordinance section.
  - 2. When construction has been completed in accordance with the approved plans and specifications, the Countryside Public Health Service shall promptly cause the manufactured home park or recreational camping area and appurtenances thereto to be inspected. If upon completion of the inspection it is found that the requirements of this ordinance section have been met by the applicant, the Countryside Public Health Service shall forthwith issue the primary license in the name of the counties.
- F. Denial of Construction. If the application to construct or make alterations upon a manufactured home park or recreational camping area and the appurtenances thereto or a primary license to operate and maintain the same is denied by the Countryside Public Health Service, it shall be stated in writing the reason or

reasons for denying the application. If the objections can be corrected, the applicant may amend his/her application and resubmit if it for approval, and if denied, the applicant may appeal the decision to the Countryside Public Health Service Board of Health.

G. License Renewals.

1. License renewals shall be obtained on an annual basis. All license renewal applications shall be submitted to the Countryside Public Health Service on forms provided by the Agency no later than December 31<sup>st</sup> of the year preceding the year for which application is made.
2. Renewal licenses for manufactured home parks and recreational camping areas which operate for a continuous period of six (6) months (183 days) or less shall be issued effective the first day of the establishment's operation in the calendar year for which the license is issued. Such renewal license shall expire after the 183<sup>rd</sup> day from the effective date of the license or on December 31<sup>st</sup> of the year in which the license was issued, whichever occurs first.

**Subsection 12.3: General Requirements**

- A. Location. No manufactured home park or recreational camping area shall be so located such that drainage from the park or camping area will endanger any water supply. All such parks and camping areas shall be well drained and no portion of the park or camping area shall be located in an area subject to flooding, except that recreational camping areas may be located in the floodplain which has been approved for recreational use. No wastewater from manufactured homes or recreational camping vehicles shall be deposited on the surface of the ground.
- B. Spacing. No manufactured home shall be parked closer than three (3) feet to the side lot lines of a manufactured home park if the abutting property is improved property or closer than ten (10) feet to a public street or alley. Each individual manufactured home site shall abut or face on a driveway, roadway, or clear unoccupied space of not less than sixteen (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 ten (10) feet between the sides of adjacent manufactured homes including their attachments, and at least three (3) feet between manufactured homes when parked end to end. The space between manufactured homes may be used for parking of motor vehicles or other property provided such vehicle or other property parked at least ten (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 twenty-five (25) feet from any camping area property boundary line abutting upon a public street or highway and at least ten (10) feet from other park property boundary liens.

- C. Lot Size. All new manufactured home parks constructed after January 1, 1991, 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, 1991.
1. In cases where a manufactured home exceeds 4,000 square feet in size, then the following lot size requirements shall prevail:
    - a. Ten (10) feet clear space between adjacent manufactured home and a three-foot clear space between manufactured homes when parked end to end and sixteen (16) feet clear space to the front of the manufactured home.
- D. Water Supply.
1. 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 locate, constructed, and operated in accordance with the provisions of the rules of the Commissioner of Health governing public water supplies (Minnesota Rules, Parts 47200.0100-4720.4600) and wells (Minnesota Rules, Parts 4725.0100-4725.1600). The source of the water supply shall first be approved by the Countryside Public Health Service.
  2. 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 area, the water supply shall be capable of water connections, and 100 gallons per site per day for all spaces provided with individual water connections. In recreational camping areas, water from the drinking water supply shall be available within at least 400 feet of every campsite.
  3. The water piping system shall not be connected with non-potable 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 twenty (20) pounds per square inch under normal operating conditions at service buildings and other locations requiring a potable water supply. In manufactured homes and on recreational camping sites provided with individual water service connection, riser pipes shall be so located and constructed that they will not be damaged by the parking of manufactured homes or recreational camping vehicles. Water riser pipes shall extend at least four (4) inches above the ground elevation, and the minimum pipe size shall be  $\frac{3}{4}$  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 ten (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 ten (10) feet between water and sewer pipes; provided that where the sewer pipe and the water pipe is constructed of an approved material, the distances between may be less than ten (10) feet.

- E. Toilet, Bathing, and Laundry Facilities: In dependent recreational camping area, on or more central buildings equipped with such facilities shall be provided. The number of fixtures shall be in accordance with the following schedule:

1. Required Facilities per Dependent Sites.

# of Dependent Sites	Toilets		Urinals	Lavatories		Showers	
	Men	Women	Men	Men	Women	Men	Women
1-15	1	1	1	1	1	1	1
16-30	1	2	1	2	2	1	1
31-45	2	2	1	3	3	1	1
46-60	2	3	2	3	3	2	2
61-80	3	4	2	4	4	2	2
81-100	3	4	2	4	4	2	2
101-130	4	5	3	5	5	3	3
131-160	5	6	3	6	6	4	4
161-190	6	7	3	7	7	4	4
191-220	7	8	4	8	8	5	5
221-250	8	9	4	9	9	5	5
251-280	9	10	4	10	10	6	6
281-310	10	11	5	11	11	6	6
311-340	11	12	5	12	12	7	7
341-370	12	13	5	13	13	7	7
371-400	13	14	6	14	14	8	8

2. Provided, that in primitive camping area, 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 a recreational camping area when approved by Countryside Public Health Service. 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.
3. In conjunction with bathing facilities, they shall be provided a dressing area or dressing compartment, the floors 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 service mats may be used.

4. 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 area. No laundry trays, washing machines, dryers or extractors shall be located in any toilet, bath, or dressing area.
5. Recreational camping areas accommodating recreational camping vehicles having a self-contained liquid waste system with a waste reservoir, shall provide a sanitary station for the disposal of wastewater. Such sanitary stations shall be equipped with a four (4) 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 into 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 station in the ratio of one station per 100 recreational camping vehicle site or fraction thereof. Sanitary dumping station 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 fifty (50) feet. Final disposal of sewage from such dumping stations shall be by method acceptable to the Minnesota Pollution Control Agency and the Countryside Public Health Service.

F. Plumbing. All systems of plumbing in manufactured home parks and recreational camping areas shall be installed in accordance with the provisions of the rule of the Commissioner of Health entitled the Minnesota Plumbing Code (Parts 4715.0100-4715.5600).

G. Sewage Treatment and Disposal.

1. All sewage and other water carried wastes shall be discharged into a public sewage system which is being operated under a valid National Pollution Discharge Elimination System (NPDES) permit. When such a system is not available, a sewage disposal system which is designed, constructed, and operated in accordance with the rules of the Minnesota Pollution Control Agency entitled Individual Sewage Treatment System Standards (Parts 7070.0010-7080.0240) shall be used. 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 system by at least ten (10) feet, unless special acceptable construction of sewer and water lines is provided.
2. Individual site sewer connection shall be at least a four (4) inch diameter sewer 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, nonabsorbent, and durable. The inner surface shall be smooth.

3. 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 directed away from the riser; the rim of the riser pipe shall extend to at least four (4) inches above ground elevation. Systems of sewage disposal utilizing the discharge of effluent 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 (9MPCA WPC-40).
- H. Insect and Rodent Harborage, Infestation Control. Manufactured home parks and recreational 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 of ragweed, poison ivy, poison oak, poison sumac, and other noxious weeds considered detrimental to health.
- I. Garbage and Refuse – Handling and 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 fly-tight, water-tight, 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 containers shall be provided on the ratio of at least one for every four sites or centrally located facilities may be provided. Refuse and garbage collection shall be made at least once a week or more often if necessary to prevent nuisance conditions. Final disposal of refuse and garbage shall be accomplished in accordance with the criteria and standards established by the Minnesota Pollution Control Agency.
- J. Night Lighting. The walkways, drives and other used portions of manufactured home parks shall be lighted during hours of darkness.
- K. Community Kitchen and Dining Rooms. When community kitchens and dining rooms are provided, such facilities and equipment shall be maintained in a clean and sanitary condition at all times.
- L. Barbecue Pits, Fireplaces, Stoves, and Incinerators. When provided, cooking shelters, barbecue pits, fireplaces, wood burning stoves, and incinerators shall be so located, constructed, maintained, and used as to minimize fire hazards and nuisance smoke, both on the property on which used and on neighboring property. Incinerators shall be of a type acceptable to the Minnesota Pollution Control

Agency. No open fire shall be left unattended. No fuel shall be used or no material burned which emits dense smoke or objectionable odors.

- M. 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 or recreational camping vehicle is two. In the case of new litters, the above number may be exceeded for ten (10) weeks.
- N. Prohibited Practices. No animal washing, car washing, or other excessive wastewater producing practices shall be carried on in any building, structure, or other place not designated for such purposes. No pets or domesticated animals shall be allowed to enter the buildings containing the sanitary or washing facilities for a manufactured home park or recreational camping area.
- O. 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 usable condition. No manufactured home may be parked more than three (3) days without a usable fire extinguisher in the manufactured home.
- P. Bottled Gas. Where bottled gas is used, the container shall be firmly connected to the appliance by tubing of copper or other suitable metallic mineral. Cylinders containing bottled gas shall not be located within five (5) feet of any manufactured 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.
- Q. Fuel Oil Supply System. 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 camping vehicle or less than five (5) feet from any manufactured home or recreational vehicle exit. All fuel oil containers shall be mounted upon a stand or rack constructed of a noncombustible material.
- R. Skirting. Manufactured homes shall be skirted between the bottom of the manufactured home and the ground with a fireproof material harmonious with the appearance of the manufactured home within three (3) months of the placement of the manufactured home. Plywood, hardboard, cardboard, or baled hay or straw shall be prohibited.

- S. **Speed Limit.** It shall be unlawful for any type vehicle to travel at a rate in excess of ten (10) miles per hour while within the limits of a manufactured home park or recreational camping area. The ten (10) 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 higher than ten (10) miles per hour, but which is not higher than thirty (30) miles per hour. The local speed limit shall be clearly posted throughout the manufactured home park.
  
- T. **Park Shelter.** In the case of a manufactured home park, a plan for the sheltering or the safe evacuation to a safe place of shelter of the residents of the park in times of severe weather conditions, such as tornadoes, high winds, and floods, shall be developed with the assistance and 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 Countryside Public Health Service to review or approve any shelter or evacuation plan developed by a park. Failure of the municipality to approve a plan submitted by the park shall not be grounds for action against the park by the Countryside Public Health Service if the park has made a good faith effort to develop the plan and obtain municipal approval.
  
- U. **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 to maintain the park, its facilities and equipment in a clean, orderly, and sanitary condition. The caretaker or attendant shall be the owner or operator of the park or camping area or his/her appointed representative. In any manufactured home park containing more than fifty (50) lots, the attendant and/or caretaker or other responsible park employee shall be readily available at all times in case of emergency.
  
- V. **Plan Review of Future Construction.** When an establishment in Big Stone, Chippewa, Lac qui Parle, Swift, and Yellow Medicine counties licensed or to be licensed under the provisions of this ordinance section is hereafter constructed or extensively remodeled, a plan showing all work done and materials to be used shall be submitted to and approved by the Countryside Public Health Service before such work is begun. The plans and specifications shall be drawn to scale, shall be legible, and completed in all details. The Countryside Public Health Service shall review such plans and report its findings within a reasonable amount of time of the date plans are received.

#### **Subsection 12.4: Inspections**

- A. It shall be the duty of the Countryside Public Health Service to inspect every manufactured home park and recreational camping area as frequently as may be necessary to insure compliance with this ordinance section. The person operating

a manufactured home park or recreational camping service shall, upon request of the Countryside Public Health Service 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 compliance with this ordinance section.

B. Notice of Suspension.

1. Whenever, upon inspection of any manufactured home park or recreational camping area, the Countryside Public Health Service finds that conditions or practices exist which are in violation of any provision of this ordinance section, the Countryside Public Health Service shall give notice in writing to the operator of such business, that unless such conditions or practices are corrected within a reasonable period to be determined by Countryside Public Health Service, the operator's license may be suspended. At the end of such period, the Countryside Public Health Service shall reinspect such manufactured home park or recreational camping area, and if it is found that such conditions or practices have not been corrected, written notice will be given to the operator that the latter's license has been suspended. Upon receipt of notice of suspension of the license, such operator shall immediately cease operation of the manufactured home park or recreational camping area, and no person shall occupy any unit therein except the owner's quarters.
2. Nothing in this section shall be construed to prevent Countryside Public Health from suspending a license only as to such portion of the premises that do not comply with the provisions of this ordinance section and permitting the continued operation of the remaining portion of the such premises which do comply.

C. Revocation of License. For serious or repeated violations of any the requirements of this ordinance section or Board of Health compliance standards, the license may be permanently revoked after an opportunity for a hearing before the Appeals Board has been provided by the Countryside Public Health Service. Prior to such action, the Countryside Public Health Service 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.

D. Emergency Orders: Whenever the Countryside Public Health Service finds that an emergency exists which requires immediate action to protect the public health, it may, without notice or hearings, issue an order reciting the existence of such an emergency and require that such action be taken or it deems necessary to meet the emergency. Notwithstanding the other provisions of this ordinance section, such order shall be effective immediately. Any person to whom such order is directed shall comply therewith immediately, but upon petition to the Countryside Public Health Service, shall be afforded a hearing before the Appeals Board.

### **Subsection 12.5: Appeals**

- A. The provisions of this section shall be used to address any violations of this ordinance section or any requests to deviate from the requirements of this ordinance section.
- B. 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 section would cause undue hardship and would be unreasonable, impractical, or not feasible, the Appeals Board in its discretion may permit an appeal therefrom. Such appeals may be reviewed periodically and rescinded or altered as necessary to protect the public health or eliminate nuisance conditions.
- C. Appeal from Suspension of License. Any person whose license to operate a manufactured home park or recreational camping area has been suspended, or who has received notice from the Countryside Public Health Service that his/her license is to be suspended or revoked unless existing conditions or practices are corrected, may request and shall be granted a hearing on the matter before the Appeals Board; provided that if no petition for such hearing is filed within ten (10) days following the day on which such license was suspended, such license shall be deemed to have been revoked.
- D. Appeals Board. The Appeals Board shall be appointed by the Countryside Public Health Service Board of Health and shall consist of one county commissioner from each county and chaired by the Countryside Public Health Service Board of Health Chairperson.
- E. Request for Hearing. Any person affected by a notice of suspension or emergency order which has been issued and served shall be granted a hearing on the matter before the Appeals Board upon filing with the Countryside Public Health Service a written petition requesting such hearing and setting forth a brief statement on the grounds therefore. Said petition shall be filed within ten (10) days after the notice was served.
- F. 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 Chairman of the Appeals Board may postpone the date of the hearing for a reasonable time beyond such ten-day period if, in his/her judgment, a good and sufficient reason exists for such postponement.
- G. Notice of Hearing. The Countryside Public Health Service shall cause five (5) days written notice of the hearing to be given to the petitioner or petitioners by personal service or by mailing to the petitioner's last known address.
- H. Proceedings. At such hearing, the petitioner, his/her agent, or attorney shall be given an opportunity to be heard and to show cause why the notice of suspension or emergency order issued by the Countryside Public Health Service should be

modified or withdrawn. The Countryside Public Health Service Environmental Health Sanitarian shall present a detailed, written statement of his/her findings and decision to the Appeals Board at the time of the hearing.

- I. Decisions of the Appeals Board. After such hearing, the Appeals Board shall sustain, modify, or withdraw the notice of suspension or emergency order, depending upon its findings as to whether the licensed establishment is being operated in compliance with the provisions of this ordinance section. 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 therefrom in any court of competent jurisdiction as provided by the laws of the State.
- J. Record of Proceedings. The proceedings of each hearing held before the Appeals Board pursuant to petitions, including the findings and the decision of the Countryside Public Health Service, shall be recorded and reduced to writing and entered as a public record in the Office of the Countryside Public Health Service Environmental Health Sanitarian. Such record shall include a copy of every notice, order, or writing issued in connection with the matter.
- K. Notices Not Appealed. Any notice served pursuant to the provisions of this ordinance section shall automatically become final if written petition for a hearing is not filed with the Countryside Public Health Service within ten (10) days after notice is served.

**Subsection 12.6: Penalties**

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 thereof, shall be guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine not to exceed seven hundred dollars (\$700.00) or by imprisonment not to exceed ninety (90) days. Each day that a violation continues shall constitute a separate offense. Such persons may be enjoined from continuing such violations.

**Subsection 12.7: Local Licenses Prohibited**

No municipality may impose any license: 1) Upon any licensed manufactured home park or recreational camping area complying with the provisions of this ordinance section; or 2) Upon any occupant of a licensed manufactured home park or recreational camping area.

**Subsection 12.8: Local Law Enforcement**

Any municipality which enacts or has enacted laws or ordinances relating to the safety and protection of persons and property is empowered to enforce the laws or ordinances within any manufactured home park or recreational camping area located in the municipality, notwithstanding the fact that the park or area may constitute private property.

**Subsection 12.9: Minnesota Department of Health**

The requirements contained in this ordinance section 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 regulations or adopts new regulations setting higher sanitary standards than the ones established in this ordinance section, the standards set by the Minnesota Department of Health shall govern and will be considered in the enforcement procedure as part of this ordinance section.