

CHILDREN'S CAMP ORDINANCE

FOR

GOODHUE COUNTY

"The County Board of Goodhue County ordains:"

SECTION I: PURPOSES. The purpose of this Ordinance is to establish standards to protect the health, safety and general welfare of the people of Goodhue County pursuant to the powers granted under Minnesota Statutes Section 145.911 - 145.922 and 144.71 - 144.76.

The general objectives include the following:

1. Protect the public from unhealthy and unsanitary children's camps.
2. Correct and prevent conditions that may adversely affect children attending camps.
3. Provide minimum standards for the design, construction, operation and maintenance of children's camps.
4. Meet consumer expectations of the quality and safety of children's camps.

SECTION II. SCOPE. To achieve these purposes this Ordinance incorporates the substance of existing Minnesota Health Statutes and Rules.

Subsection 1: This Ordinance shall be applicable to all children's camps as defined herein.

The Goodhue-Wabasha Board of Health and their duly authorized agents are empowered to enforce the provisions of this Ordinance. For this purpose and in this County they shall also have the duties, responsibilities and powers delegated, under Minnesota Rules (1983 Edition) Sections 4630.2300 - 4630.6500, to the Commissioners of Health, the Minnesota State Board of Health and Minnesota Department of Health or their agents. Existing regulations promulgated by the Minnesota Commissioner of Health and contained in Minnesota Rules 4630.2300 - 4630.6500, to the extent that they do not contradict the express terms of this Ordinance, and to the extent that they are more restrictive than the express terms of this Ordinance, are incorporated by reference in this Ordinance and may be enforced according to the terms and procedures of this Ordinance.

Subsection 2: Where the conditions imposed by any provision of this Ordinance are either more or less restrictive than comparable conditions imposed by any other provision of the 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 III. DEFINITIONS. For the purpose of this ordinance the following words shall have the following meanings:

Subsection 1: "Annual License" shall mean a renewal license issued to the person, firm or corporation operating a previously licensed children's camp.

Subsection 2: "County" shall mean Goodhue County and "County Board" shall mean the Goodhue County Board of Commissioners.

Subsection 3: "Health Authority" shall mean the Goodhue-Wabasha Board of Health and the Goodhue-Wabasha Community Health Service or its agent.

Subsection 4: "Children's Camp." For the purpose of such sections a children's 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 quarter where both food and lodging or the facilities therefor 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, fishing and hunting 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 under the provisions of Chapter 257 Minnesota Statutes.

Subsection 5: "Person" shall mean any individual, firm, partnership, corporation, trustee, or association, and with respect to acts prohibited or required herein, shall include employees and licensees.

Subsection 6: "Primary License" shall mean the initial license issued to the first person, firm or corporation to establish and maintain, conduct or operate a children's camp area at any one location.

SECTION IV. CAMP SITE. The camp site shall be reasonably distant from any environment detrimental to the health and safety of the children in attendance at the camp. Adequate area shall be available for the development of satisfactory water supply and waste disposal systems. In order to protect against all hazards which cannot be eliminated, suitable guards shall be installed and maintained.

SECTION V. BUILDINGS. All buildings used for food preparation and storage, sleeping, and other occupancy shall have roofs which do not leak, tight floors, and walls free of holes. They shall be so constructed as to provide broad and easy exit in case of fire or other emergency, and shall be adequately equipped with fire extinguishers and other fire-fighting equipment. Doors shall be tight-fitting, and both door and window openings

shall be sufficiently screened with a screen of not less than 16 meshes to the inch. All windows shall be so constructed as to be easily opened and closed, or shall be equipped with storm shields.

#### SECTION VI. SLEEPING QUARTERS.

Subsection 1: Individual beds. Each camper shall have 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 sleeping in such a manner as to provide a seven-foot horizontal separation between the heads of the sleepers.

Subsection 2: Bunk Beds. 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 12 inches, and the minimum space between the lower and upper bunk rails shall be 36 inches. No bunk shall be more than six feet above the floor. There shall be at least 36 inches between the upper bunk and the ceiling.

Subsection 3: Ventilation. Every sleeping room shall be ventilated. The area of direct opening to the outside shall be equivalent to at least five per cent of the floor area. Where this condition cannot be met, adequate mechanical ventilation shall be provided.

SECTION VII. KITCHEN. The kitchen shall be separated from the dining room by a partition. The walls, ceiling floor, and partitions shall be so constructed as to be easily cleaned. The kitchen shall be used for no other purpose than the storage or preparation of food and the washing and storage of dishes and other food service equipment. No person other than kitchen personnel shall be permitted to enter the food preparation area. The kitchen shall be well ventilated. Illumination to afford a minimum of 20 footcandles of light at all working surfaces and at least ten footcandles on other surfaces and equipment during periods of food preparation and service shall be provided.

#### SECTION VIII. FOOD PROCUREMENT AND STORAGE.

Subsection 1: Food. All food shall be of good quality. No hermetically sealed, nonacid, and low-acid food which has been processed in a place other than a commercial food-processing establishment shall be used. Meat shall be obtained from officially approved sources. Potentially hazardous food, including milk, shall be stored in clean refrigerators of adequate capacity at a temperature of 40 degrees Fahrenheit or below. Each refrigerator shall be equipped with an accurate thermometer. Nonperishable food shall be stored off the floor in clean, well ventilated rooms which are reasonably insect- and rodent-proof. Storage areas shall be illuminated at not less than five footcandles of light measured at 30 inches from the floor.

Subsection 2: Milk. All milk shall be pasteurized. Milk for drinking shall be received in two-quart, quart, pint or half-pint containers and shall be served from the original container, but where a milk dispenser of a design acceptable to the Minnesota Department of Health is used, cups and glasses may be filled directly from the dispenser. Pitchers or other nondrinking vessels shall not be filled from a dispenser and used for serving milk.

When concentrated or powdered milk is used, it shall be mixed and handled in a sanitary manner. It shall be prepared immediately prior to the time it is to be consumed and only in the quantity needed for that one period of serving.

Subsection 3: Storage of Poisonous Substances. Insecticides, germicides, other poisonous substances, and cleaning materials shall not be stored in the same room with foods.

SECTION IX. FOOD SERVICE. The kitchen shall be kept clean. All food service equipment and utensils shall be so designed and of such material and workmanship as to be smooth, easily cleanable, and durable, and shall be in good repair. The food contact surfaces of such equipment and utensils shall be nontoxic, corrosion-resistant, relatively nonabsorbent, and easily accessible for cleaning. Equipment which meets the National Sanitation Foundation standards will comply with these provisions. All equipment shall be so installed and maintained as to facilitate the cleaning thereof, and of all adjacent areas. Food-handling procedures which will minimize the possibility of food contamination shall be practiced.

SECTION X. FOOD SERVICE PERSONNEL HEALTH AND CLEANLINESS. All persons shall wear clean outer garments and shall keep their hands clean at all times while engaged in handling food, drink, utensils, or equipment. No person shall resume work after visiting the toilet without first thoroughly washing his hands. Separate hand-washing facilities with hot and cold water, soap and approved sanitary towels or other approved hand-drying devices shall be provided for use of the kitchen and food service personnel in the food service area. No person shall expectorate or use tobacco in any form in rooms in which food is prepared. No person who has, or is a carrier of, a communicable disease, or who has infected sores or wounds, shall engage in the handling, preparation, or serving of food and drink, nor shall any person so affected be delegated duties that could cause his disease to be communicated to other camp occupants or visitors.

SECTION XI. DISHWASHING FACILITIES. One of the following methods shall be employed in dishwashing:

Subsection 1: Manual. A three-compartment sink or equivalent shall be provided, with compartments of adequate length, width, and depth to permit the complete immersion of the largest utensils to be washed and wire baskets or racks of dishes, and each compartment shall be supplied with hot and cold running water. There shall be a sufficient number of baskets to hold the dishes and utensils used during the peak load. The utensils and dishes shall be thoroughly washed in hot water containing a suitable soap

or detergent in the first compartment, rinsed in clean water in the second compartment, and immersed completely in clean water at a temperature of not lower than 170 degrees Fahrenheit for at least two minutes in the third compartment. The third compartment shall be properly equipped with a heating unit or other means to maintain the specified temperature while in use. A thermometer which will accurately measure the temperature of the water in the third compartment shall also be provided. Drain racks shall be a part of the three-compartment sink and adequate space shall be available for drainage. Dishes and utensils shall be air-dried.

Subsection 2: Mechanical. Water pressure in the lines supplying the wash and rinse sections of the dishwashing machine shall be maintained at a flow pressure of not less than 15 pounds per square inch, but not to exceed 25 pounds per square inch, and the water shall be at a manifold temperature not lower than 180 degrees Fahrenheit. The machines shall be equipped with thermometers which will accurately indicate the temperature of the wash and rinse water. New dishwashing machines shall conform to Standard Number 3 of the National Sanitation Foundation dated June, 1982. Dishes and utensils shall be air-dried.

Subsection 3: Where equipment or utensils must be cleaned in place or where for other reasons the methods described in subsections 1 and 2 are not feasible, other procedures that will provide equivalent cleaning and sanitizing shall be used.

In order to protect the clean dishes and utensils from contamination, proper storage space shall be provided.

SECTION XII. WATER SUPPLY. Every camp shall be provided with a safe supply of water acceptable to the Health Authority and adequate to supply all needs of the occupants for culinary, drinking, and bathing purposes. Water, except that served at meals, shall be dispensed either by means of satisfactorily designed drinking fountains or individual paper cups.

SECTION XIII. BATHING AND HAND-WASHING FACILITIES. Suitable hand-washing facilities shall be conveniently located at or near each toilet. Separate hand-washing facilities with hot and cold water, soap and approved sanitary towels or other approved hand-drying devices shall be provided for the use of kitchen and food service personnel in the food service area. Shower facilities, if provided, should be on the basis of one shower head for every 25 persons.

SECTION XIV. PLUMBING. All new plumbing shall be installed according to the rules of the State Board of Health and the provisions of Minnesota Rules Chapter 4715, the Minnesota Plumbing Code as adopted by the Minnesota Department of Health. Alterations to existing plumbing, when undertaken, shall conform to the provisions of the Minnesota Plumbing Code. Where existing plumbing defects are found to create a serious public health hazard, correction shall be undertaken immediately.

SECTION XV. TOILET FACILITIES. Toilet facilities shall be provided on the basis of one seat for every 12 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 the water front where physically feasible, but the sewage disposal system serving the facilities shall not be located within 50 feet of the water's edge. Toilet tissue shall be provided at each unit. Toilet facilities, including rooms and fixtures, shall be kept in a clean condition and in good repair.

SECTION XVI. SEWAGE AND EXCRETA DISPOSAL. Where water flush toilets are used, a sewage disposal system acceptable to the Health Authority shall be provided. Where water flush toilets are not provided, privies of the pit type, which conform to a standard of construction acceptable to the Health Authority shall be used. Such privies shall be placed separate and apart from the sleeping, living, and kitchen quarters. Toilets of the privy or pit type hereinafter constructed shall be located at least 100 feet from the kitchen and dining quarters.

SECTION XVII. LIQUID WASTES. Liquid wastes from the kitchen, laundry, shower rooms, and other sources shall be combined with the liquid toilet wastes or shall be disposed of separately by soil absorption in a manner which will not endanger a water supply, pollute any surface water, or create nuisances, or otherwise constitute a hazard to the public health and safety.

SECTION XVIII. PLAN SUBMISSION. Plans and specifications covering the installation of new systems of plumbing, water supply, and sewage disposal or the material alteration or extension of existing systems of plumbing water supply, and sewage disposal shall be submitted to the Health Authority for review and approval.

SECTION XIX. GARBAGE; 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 burning in an approved incinerator, or burying, or by other means acceptable to the Health Authority. All containers for the collection of garbage and refuse shall be kept in a sanitary condition.

SECTION XX. SWIMMING BEACH. 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 areas designated for swimming shall be properly marked, shall be kept free of weeds, sharp stones, sunken logs, and other debris and shall preferably have a gradual slope. Swimming pools shall be constructed and operated in accordance with standards acceptable to the Minnesota Department of Health and the Health Authority. All

waterfront activities involving campers, staff members, or visitors shall be adequately supervised.

SECTION XXI. DESIGNATION OF RESPONSIBLE PERSONS BY CAMPER. Each camper and staff member shall file with the camp operator the name, address, and telephone number of one or more duly licensed practitioners of the healing arts or other responsible persons who are to be notified in case of illness or injury.

SECTION XXII. 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.

SECTION XXIII. 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.

SECTION XXIV. 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. A statement of conscientious objection signed by the parent or guardian or a medical reason for exemption signed by a licensed physician may be substituted.

If the health evaluation record identifies 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 campers participation in camp activities and/or medical requirements, must be presented to the camp operator.

SECTION XXV. HEALTH RECORDS. A health record of every camper and staff member shall be kept by the camp operator. In addition to the certificate of health, it shall include the detailed records of the individual's illnesses and injuries occurring and the first-aid treatments given during the period of attendance at camps.

SECTION XXVI. HAZARDOUS WEAPONS. Firearms and other hazardous weapons shall be kept in locked compartments and shall be used only under supervision.

SECTION XXVII. 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.

SECTION XXVIII. LICENSE FOR CHILDREN'S CAMPS. No person, firm or corporation shall establish, maintain, conduct or operate a children's camp area within this county without first obtaining a license therefor from the Health Authority. A license shall expire and be renewed as prescribed by this Ordinance. The license shall state the number of campers allowed according to approval of the Health Authority. No renewal license shall be issued if the number of sites specified in the application exceeds those of the original application unless the plans for expansion or the construction for expansion are first approved by the Health Authority. The license shall be conspicuously displayed in the office of the children's camp. The license is not transferable as to place.

SECTION XXIX. APPLICATION.

Subsection 1: The application for a permit to operate and maintain a children's camp shall be made to the Health Authority at such office and in such manner as may be prescribed by that department.

Subsection 2: Contents. The applicant for a primary license or annual license shall make application in writing upon a form provided by the Health Authority setting forth:

- 1) 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.
- 2) A legal description of the site, lot, field, or tract of land upon which the applicant proposes to operate and maintain a children's camp.
- 3) The proposed and existing facilities on and about the site, lot, field, or tract of land for the proposed construction or alteration and maintaining of a sanitary community building for toilets, urinals, sinks, wash basins, slop-sinks, showers, drains, laundry or toilet facilities, and method of fire and storm protection.
- 4) The proposed method of lighting the structure and site, lot, field, or tract of land upon which the children's camp is to be located.
- 5) The calendar months of the year which the applicant will operate the children's camp.
- 6) Plans and drawings for new construction or alteration, including buildings, wells, plumbing and sewage disposal systems.



Subsection 3: Plan: approval. The application for the primary license shall be submitted with all plans and specifications enumerated in subdivision 2, and payment of a fee in an amount prescribed by the County Board and shall be accompanied by an approved zoning permit from the municipality or county wherein the park is to be located, or a statement from the municipality or county that it does not require an approved zoning permit. The fee for the annual license shall be in an amount prescribed by the County Board. The fee submitted for the primary license shall be retained by the county even through the proposed project is not approved and a license is denied.

When construction has been completed in accordance with approved plans and specifications the Health Authority shall promptly cause the children's camp and appurtenances thereto to be inspected. When the inspection and report has been made and the Health Authority finds that all requirements of this Ordinance and such conditions of health and safety as the Health Authority may require, have been met by the applicant, the Health Authority shall forthwith issue the primary license in the name of the county.

Subsection 4: Sanitary Facilities. During the pendency of the application for such primary license any change in the sanitary or safety facilities of the intended children's camp shall be immediately reported in writing to the Health Authority through the office through which the application was made. If no objection is made by the Health Authority to such change in such sanitary or safety facilities within 60 days of the date such change is reported, it shall be deemed to have the approval of the Health Authority.

Subsection 5: Permit. When the plans and specifications have been approved, the Health Authority shall issue an approval report permitting the applicant to construct or make alterations pertaining to water and sewage disposal upon a children's camp 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 or county ordinance or ordinances, applicable thereto, not in conflict with this Ordinance.

Subsection 6: Denial of construction. If the application to construct or make alterations upon a children's camp and the appurtenances thereto or a primary license to operate and maintain the same is denied by the Health Authority, he shall so state in writing giving the reason or reasons for denying the application. If the objections can be corrected the applicant may amend his application and resubmit it for approval, if denied the applicant may appeal from the decision of the Health Authority as provided in this Ordinance.

Subsection 7: The issuance of such licenses and their maintenance, termination and administration shall be in accordance with and subject to all conditions of the Licensing Procedures established by this Ordinance. The application for license shall be accompanied by the license fee together with any penalty applicable.

Subsection 8: Inspection of Children's Camps. The Health Authority shall inspect every licensed establishment as frequently as it may deem necessary to insure compliance with this Ordinance, but not less than one complete inspection per year.

Subsection 9: License Fees. Fees for licenses issued hereunder, and plan review fees, shall be those established from time to time by resolution of the County Board of Commissioners. The fees required for a license shall be paid at the office of the Health Authority. No license shall be issued until the fees therefor, and all previously owing fees and penalties of the owner have been paid in full. No fees shall be charged for licenses issued under this ordinance for calendar year 1985 or ensuing years, without specific authorization from the County Board.

Subsection 10: Expiration Dates for Licenses.

- 1) Primary license. Primary children's camp license shall be issued for the calendar year for which application is made and shall expire on December 31 of such year.
- 2) Renewal license for year-round establishments. Renewal licenses for children's camps which operate on a year-round basis (in excess of six months (182 days a year)) shall be issued for the calendar year for which application is made and shall expire on December 31 of such year.
- 3) Renewal license for seasonal establishments. Renewal license for children's camps which operate for a continuous period of six months (182 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 183rd day from the effective date of the license or on December 31 of the year in which the license was issued, whichever occurs first.

Subsection 11: Application. On or before January first annually, every person, partnership or corporation, operating or seeking to operate a children's camp, shall make application in writing to the Health Authority for a license to conduct a children's camp. Such application shall be in such form and shall contain such information as the Health Authority may find necessary to his determination that the children's camp will be operated and maintained in such a manner as to protect and preserve the health and safety of the persons using the camp. Where a person, partnership or corporation operates or is seeking to operate more than one children's camp, a separate application shall be made for each camp. Applications not filed within 15 days of January 1 or within 15 days of the opening of the camp in the licensing year may be subject to a penalty.

Subsection 12: Issuance of Permits. If the Health Authority should determine from the application that the health and safety of the persons using the camp will be properly safeguarded, he may, prior to actual inspection of the camp, issue a permit in writing. The permit shall be posted in a conspicuous place on the premises occupied by the camp.

Subsection 13: Posting. Each inspection report shall be posted by the Health Authority upon an inside wall of the office of the children's camp, not in a public area, and such inspection report shall not be defaced or removed by any person, except the Health Authority. The posting of the inspection report upon the inside wall of the office of the children's camp shall constitute service of an official notification of the inspection by the Health Authority. The Health Authority may, in lieu of posting such report, deliver it to the licensee or his authorized agent in person or by certified or registered mail. A copy of the inspection report shall be filed with the records of the Health Authority.

Subsection 14: Access to Premises and Records - Interference with Health Authority. The person operating the children's camp shall, upon request of the Health Authority and after property identification, permit access to all parts of the establishment at any reasonable time for the purpose of inspection. No persons shall interfere with or hinder the Health Authority in the performance of his duties, or refuse to permit the Health Authority to make such inspections.

Subsection 15: Removal and Correction of Violations. All licensees, owners, or operators of children's camps having a report posted in the office of the camp or having received a report giving notification of one or more violations of this ordinance shall correct or remove each violation in a reasonable length of time determined by the Health Authority. The length of time for the correction or removal of each such violation shall be noted on the inspection report. The failure to remove or correct each such violation within the time period noted on the inspection report shall constitute a separate violation of this Ordinance.

Subsection 16: License Suspension and Revocation Procedures. A Licensing Board is hereby established. The Licensing Board shall consist of the senior county nurse, a Sanitarian III from the Minnesota Department of Health, and the Chairman of the County Board of Commissioners, or their designated representatives. The designated representative for the senior county nurse shall be a County Nurse, and the designated representative for the Chairman of the County Board of Commissioners shall be a County Commissioner. The County Commissioner shall act as Chairman of the Licensing Board.

If, after written notice and reasonable opportunity for compliance have been given a licensee under the terms of this Ordinance, the County Sanitarian finds upon reinspection of a children's camp that the establishment is in violation of this Ordinance, he shall notify the Licensing Board in writing of his findings and shall request that the Licensing Board take appropriate action to suspend or revoke the license of the establishment. Nothing in this Section shall be construed to prevent the Sanitarian from extending the time period for correction of violations or from recommending closure only as to such portion of the premises or equipment as do not comply with provisions of this Ordinance and permitting the continued operation of the remaining portion of such premises or equipment which do comply.

Whenever the County Sanitarian finds that an emergency exists which requires immediate action to protect the public health, he may, after compliance with established procedures of the Health Authority, issue an order reciting the existence of such an emergency and require such action be taken as he deems necessary to meet the emergency. Notwithstanding the other provisions of this Ordinance, such order shall be effective immediately, Any person to whom such order is directed shall comply therewith immediately, but upon filing a written petition with the Health Authority shall be afforded a hearing in the manner prescribed elsewhere in this Section.

Any person whose license to operate or any owner of licensed property who has been affected by a notice of orders for changes or alterations, closure order or emergency order issued and served as provided in this Ordinance, shall be granted a hearing on the matter before the Licensing Board. A written petition requesting such hearing and setting forth a brief statement on the grounds thereof shall be filed in the office of the Health Authority.

Subsection 17: Date of Hearing. The hearing requested shall be held not more than ten days after the date on which the petition was filed. The Chairman of the Licensing 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.

Subsection 18: Notice of Hearing. The County Sanitarian shall cause five days written notice of the hearing to be given to the licensee and to the owner of the licensed premises by personal service or by registered mail addressed to the licensee at the address of the licensed establishment and to the owner of the premises at his last known address.

Subsection 19: 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 orders for changes or alterations, the closure order or emergency order issued by the County Sanitarian should be modified or withdrawn. The Sanitarian shall present a detailed written statement of his findings and decision to the Licensing Board at the time of the hearing.

Subsection 20: Decisions of the Licensing Board. After such hearing, the Licensing Board shall sustain, modify or withdraw the notice of orders for changes or alterations, closure order or emergency order, depending upon its findings as to whether the licensed establishment is being operated in compliance with the provisions of this Ordinance. If the Licensing Board sustains, modifies or withdraws such closure order or emergency order, a copy of the decisions of the Licensing Board shall be served by mail to the licensee and the owner of the premises.

Subsection 21: Variance. With respect to existing buildings, whenever it is not practical or advisable to require strict compliance with the structural requirements of this Ordinance, the Board of Appeals may approve a variance from such provisions when in its judgment existing conditions are of an acceptable compliance with the spirit and intent of the Ordinance and will reasonably protect the health and safety and welfare of the occupants and the public.

Subsection 22: Record of Proceedings. The proceedings of each hearing held before the Licensing Board pursuant to petition, including the findings and the decision of the Sanitarian, shall be taken into the minutes and reduced to writing and entered as a public record in the office of the Sanitarian. Such record shall include a copy of every notice or order or stay or writing issued in connection with the matter.

Subsection 23: Stays. Pursuant to petition, the Licensing Board may stay enforcement of an order made after a hearing provided the Licensing Board finds that immediate enforcement of the order would result in the extreme hardship to the person or persons affected and that no public health or safety hazard exists.

Subsection 24: Open Hearing and Appeal. All hearings of the Licensing Board shall be open to the public. Any person whose license under this Ordinance has been affected by a ruling or order of the Licensing Board shall have a right to appeal on questions of law and fact, within thirty (30) days after the receipt of notice of the Licensing Board's action, to the District Court in the County in which the affected license has been issued.

#### SECTION XXX. CONSTRUCTION OF TERMS; MUNICIPAL PARKS

Subsection 1: State Parks. Nothing in this Ordinance should be construed to include any of the state parks in Minnesota.

Subsection 2: Municipal Parks. Any children's camp owned or operated by any municipality or political subdivision of this state shall meet all sanitary and safety provisions of sections 327.10, 327.11, 327.14 to 327.28, shall be inspected as herein provided, and make all reports, as herein required of a licensee.

SECTION XXXI. SWIMMING POOLS. The Goodhue-Wabasha Board of Health and their duly authorized agents are empowered to enforce the Minnesota Rules governing public swimming pools in Children's Camps. In this county they shall have the duties, responsibilities and powers delegated under Minnesota Rules (1983 Edition) Sections 4717.0100 to 4717.3900; said existing Rules are incorporated by reference in this Ordinance and may be enforced according to the terms and procedures of this Ordinance. The Minnesota Department of Health shall retain responsibility for review of all plans proposing construction of swimming pools regulated by this section.

#### SECTION XXXII. ENFORCEMENT.

Subsection 1: Misdemeanor. Any person who violates a provision of this County Ordinance shall be guilty of a misdemeanor and upon conviction thereof shall be punished thereof as provided by law. A separate offense shall be deemed committed upon each day during or on which a violation occurs or continues.

Subsection 2: Equitable Relief. In the event of a violation or a threat of violation of this Ordinance, the County Attorney shall take appropriate action to prevent, restrain, correct or abate such violations or threatened violations.

SECTION XXXIII. SEVERABILITY. If any provision or application of any provision of this Ordinance is held invalid, that invalidity shall not affect other provisions of applications of this Ordinance.

SECTION XXXIV. EFFECTIVE DATE. This Ordinance shall be effective upon passage by the County Board and publication according to the law.