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**OFFICE OF THE REGISTRAR OF TITLES
LAKE COUNTY, MINNESOTA**

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**LORI EKSTROM
REGISTRAR OF TITLES**

BY Lori Ekstrom Dep



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**OFFICE OF THE COUNTY RECORDER
LAKE COUNTY, MINNESOTA**

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**LORI EKSTROM
LAKE COUNTY RECORDER**

BY Juanne Johnson Dep



FOOD AND BEVERAGE SERVICE

ORDINANCE NUMBER 7

This Ordinance replaces Lake County Food and Beverage Ordinance Number 7, adopted August 19, 2011 and amended October 12, 2012, in its entirety. Effective April 9, 2019.

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An Ordinance Providing for the Licensing and Inspection of Restaurants and Places of Refreshment and Similar Food Service; Regulating Their Design, Construction, Operation and Maintenance and Providing for the Enforcement of this Ordinance and the Fixing of Penalties Throughout the Entirety of Lake County, Minnesota is established as follows:

This Ordinance shall be applicable to all food and beverage service establishments such as restaurants, boarding houses, and places of refreshment as defined in Minn. Stat., Chapter 157, and shall include temporary and push cart commissaries, drive-ins, bars, taverns, drive-in cafes, clubs, lodges, eating facilities at resorts, schools, public buildings and churches, except as exempted by Minn. Stat., Chapter 157 and all other businesses and establishments where meals, lunches, or drinks are served. In addition, this Ordinance shall serve as the criteria for evaluation of food and beverage service facilities in youth camps as defined in Minn. Stat. § 144.71, Subd. 2.

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The Lake County Board of Commissioners, pursuant to Minn. Stat. § 145A.05, Subd. 8, ordain:

SECTION 1 – PURPOSE

The purpose of this Ordinance is to establish standards for all food and beverage service establishments and to protect the health, safety and general welfare of the people of Lake County, including the following general objectives:

- 1) Prevent food borne illness;
- 2) Provide a minimum standard for the design, construction, operation and maintenance of food and beverage service establishments;
- 3) Correct and prevent conditions that may adversely affect persons utilizing food and beverage service establishments;
- 4) Meet consumer expectations for the quality and safety of food and beverage service establishments; and
- 5) Establish inspection requirements and associated procedures involved with administering and enforcing this Ordinance.

SECTION 2 – SCOPE

This Ordinance shall provide for the licensing and inspection of all food and beverage service establishments; regulation of the design, construction, operation and maintenance of such establishments; and the enforcement of violations of this Ordinance.

This Ordinance shall be applicable to all food and beverage service establishments as set forth in Minn. Stat., Chapter 157, and this Ordinance.

SECTION 3 – AUTHORITY

This Ordinance is enacted pursuant to Minn. Stat. § 157.16, which establishes the authority for the State to license food and beverage service establishments, and Minn. Stat. § 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 authorized under the provisions of these sections.

SECTION 4 - DEFINITIONS

Words and phrases not defined in this Ordinance shall have the meaning ascribed to them in Minnesota Rules, Chapter 4626 and Minn. Stat. §§ 144.71, Subd. 2 and 157.15 or successor rules or statutes thereof. Where terms are not defined through the methods authorized by this Ordinance, the Merriam-Webster Collegiate Dictionary, available at www.m-w.com, shall be considered as providing ordinarily accepted meanings.

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The following definitions shall apply in the interpretation and enforcement of this Ordinance:

- 4.1 **Additional Food Service.** Additional Food Service means a location at a food and beverage service establishment, other than the primary food preparation and service area, used to prepare or serve food to the public. Additional food service does not apply to school concession stands.
- 4.2 **Appeals Board.** Appeals Board means a representative from the Lake County Board of Commissioners or designated appointee, Health and Human Services Director, and Public Health Supervisor.
- 4.3 **Approved.** Approved means acceptable to the Health Department based on a determination of conformity with principles, practices, and generally recognized standards that protect public health.
- 4.4 **Authority.** Authority means the Lake County Board of Commissioners and Lake County Health Department or agents thereof.
- 4.5 **Bed and Breakfast Establishment.** Bed and Breakfast Establishment means an operator occupied residence that:
 - a. Provides sleeping accommodations to the public for a fee; and
 - b. has no more than fourteen (14) guest rooms all in a single structure; and
 - c. provides not more than one meal per day to its guests as part of the fee; and
 - d. provides sleeping accommodations for no more than thirty (30) consecutive days to a particular guest.

The term does not include hotels, motels, boarding houses, or food and beverage service establishments.

- 4.6 **Board.** Board means the Lake County Board of Commissioners acting under the provisions of Minn. Stat. § 145A.11, as the Board of Health.
- 4.7 **Certified Food Protection Manager (CFPM).** Certified Food Protection Manager (CFPM) means an individual who has a valid Minnesota food protection manager's certification under Minnesota Rules, part 4626.0033.
- 4.8 **Employee.** Employee means a licensee, person in charge, food employee, person having supervisory or management duties, person on the payroll, family member, volunteer, person performing work under contractual agreement, or other person working in a food establishment.
- 4.9 **Food and Beverage Service Establishment.** Food and beverage service establishment means a building, structure, enclosure, or any part of a building, structure, or enclosure used as, maintained as, advertised as, or held out to be an operation that prepares, serves, or otherwise provides food or beverages, or both, for human consumption. The terms Food and Beverage Service Establishment and Food Establishment are used interchangeably.
- 4.10 **Food Cart.** Food Cart means a food and beverage service establishment that is a nonmotorized vehicle self-propelled by the operator.
- 4.11 **Food Catering.** Food Catering means the preparation of food in an approved food and beverage service establishment and may include the transportation of such food for service and consumption at some other site. A food establishment doing food catering is responsible for maintaining control of and ensuring the safety of the food from preparation to service to the consumer.
- 4.12 **Food Preparation / Risk Level.** Food Preparation / Risk Level means the level of significant risk to the health and safety of the public when preparing potentially hazardous food and temperature–time control for public food service.

High Risk (Level 3) – Any food and beverage service establishment that:

- a. Serves potentially hazardous foods that require extensive processing on the premises, including manual handling, cooling, reheating, or holding for service; or

- b. Prepares foods several hours or days before service; or
- c. Serves menu items that epidemiologic experience has demonstrated to be common vehicles of foodborne illness; or
- d. Draws its drinking water from a surface water supply.

Examples: Food establishments that cool or thaw any food product, food establishments that have hot holding of food (i.e. soups, meat, side dishes), food establishments with a salad bar, fast food restaurants, large full-service restaurants.

Medium-Risk (Level 2) – Any food and beverage service establishment that:

- a. Serves potentially hazardous foods but with minimal holding between prep and service; or
- b. Serves foods, such as pizza, that require extensive handling followed by heat treatment.
Examples: food and beverage service establishments that serve only frozen pizzas made to order, lodging establishments with continental breakfasts that do not have hot-holding items such as eggs or breakfast meats.

Low-Risk (Level 1) – A food and beverage service establishment that is not a high-risk or medium risk establishment. *Examples: coffee shops with pre-packaged foods only,*

- 4.13 **Guest.** Guest means an individual who rents a guest room in a bed and breakfast establishment.
- 4.14 **Guest Room.** Guest Room means a room or a group of rooms used or intended to be used for purposes of lodging by guests
- 4.15 **Hazard.** Hazard means a biological, chemical, or physical property that may cause an unacceptable consumer health risk.
- 4.16 **Health Department.** Health Department means the Lake County Health Department or its agent.
- 4.17 **Hot Water.** Hot Water means potable water that measures at least 100 degrees Fahrenheit (100°F) but not more than 130 degrees Fahrenheit (130°F).
- 4.18 **License.** License means the authorization issued by the Health Department to a person to operate a food establishment.
- 4.19 **Licensee.** Licensee means the person licensed by the authority who:
 - a. is the owner, the owner's agent, or other person legally responsible for the operation of the food establishment; and
 - b. possesses a valid license to operate a food establishment according to Minn Stat., Chapter 157.
- 4.20 **Lodging Establishment.** Lodging Establishment means: (1) a building, structure, enclosure, or any part thereof 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; or (2) a building, structure, or enclosure or any part thereof located within ten miles distance from a hospital or medical center and maintained as, advertised as, or held out to be a place where sleeping accommodations are furnished exclusively to patients, their families, and caregivers while the patient is receiving or waiting to receive health care treatments or procedures for periods of one week or more, and where no supportive services, as defined under Minn. Stat., § 157.17, Subd. 1(a), or health supervision services, as defined under Minn. Stat., § 157.17, Subd. 1(b), or home care services, as defined under Minn. Stat., § 144A.471, Subds. 6 and 7, are provided.
- 4.21 **Mobile Food Unit.** Mobile Food Unit means a food and beverage service establishment that is a vehicle mounted unit, either:
 - a. motorized or trailered, operating no more than 21 days annually at any one place, or operating more than 21 days annually at any one place with the approval of the Authority, as defined in Minnesota Rules, part 4626.0020, subpart 70; or
 - b. operated in conjunction with a permanent business licensed under Minnesota

Statutes, Chapter 4626 or Chapter 28A at the site of the permanent business by the same individual or company, and readily movable, without disassembling, for transport to another location.

- 4.22 **Person.** Person means an association, corporation, individual, partnership, government, or governmental subdivision or agency.
- 4.23 **Restaurant.** Restaurant means a food and beverage service establishment, whether the establishment serves alcoholic or nonalcoholic beverages, which operates from a location for more than 21 days annually. Restaurant does not include a food cart or a mobile food unit.
- 4.24 **School Concession Stand.** School Concession Stand means a food and beverage service establishment located in a school, on school grounds, or within a school-owned athletic complex, that is operated in conjunction with school-sponsored events.
- 4.25 **Seasonal Permanent Food Stand.** Seasonal Permanent Food Stand means a food and beverage service establishment which is a permanent food service stand or building, but which operates no more than 21 days annually.
- 4.26 **Seasonal Temporary Food Stand.** Seasonal Temporary Food Stand means a food and beverage service establishment that is a food stand which is disassembled and moved from location to location, but which operates no more than 21 days annually at any one location.
- 4.27 **Special Event Food Stand.** Special Event Food Stand means a food and beverage service establishment which is used in conjunction with celebrations and special events, and which operates no more than three times annually for no more than ten total days.

SECTION 5 – ADMINISTRATION

The Health Department shall administer and interpret the provisions of this Ordinance. In addition to the duties set forth herein, the Health Department shall maintain adequate files and records relating to all licenses or permits issued, inspections made, work approved and other official actions.

The Health Department shall have all powers necessary to administer and enforce the provisions of this Ordinance. In addition to the other powers set forth herein, and without limitation, the Health Department shall be empowered to do the following:

- 1) Prepare reports and recommendations regarding any additional measures that the Health Department deems necessary to affect the purpose of this Ordinance.
- 2) Obtain assistance and cooperation from other state and local health, legal and law enforcement officials in the administration and enforcement of this Ordinance.
- 3) Cooperate with local and state personnel in the enforcement of this Ordinance and state regulations, rules and requirements relating to food and beverage service establishments.
- 4) Arrange for the enforcement of any and all rules, orders, permits and other requirements established herein or issued pursuant to this Ordinance.
- 5) Enter upon the premises of any food and beverage service establishment at any reasonable time for the purpose of administering and enforcing this Ordinance.
- 6) Impose additional requirements to protect against health hazards related to the conduct of their operation, and prohibit the sale or distribution of any or all foods.
- 7) Interpret the provisions and intent of this Ordinance as may be necessary from time to time.

SECTION 6 - ADOPTION OF FOOD AND BEVERAGE SERVICE ESTABLISHMENT STANDARDS

The standards for food and beverage service establishments outlined in Minnesota Rules, parts 4626.0010 to 4626.1855 or successor rules thereof are incorporated herein and made part of this Ordinance, except the following:

- 1) Minnesota Statutes, § 157.16, Subd. 2(a) and Minnesota Rules, part 4626.0033, subparts G through O;
- 2) Minnesota Rules part 4626.1785, subpart A; and
- 3) those authorities which the Minnesota Department of Agriculture has responsibility to administer and enforce.

Wherein Minnesota Rules, Chapter 4626 refers to the Commissioner, for purposes of this Ordinance, Commissioner shall mean the Lake County Board of Commissioners and its designated agents.

SECTION 7 – HANDWASHING LAVATORY REQUIREMENT

A handwashing lavatory shall be equipped to provide hot water through a mixing valve or combination faucet at all times.

SECTION 8 – ACCESS TO FOOD AND BEVERAGE REGULATIONS REQUIRED

The owner or operator of a food and beverage service establishment must maintain a copy of the Minnesota Food Code (Minnesota Rules, Chapter 4626) and Lake County Food and Beverage Service Ordinance Number 7 on the premises at all times, or provide for immediate electronic access to the Minnesota Food Code (Minnesota Rules, Chapter 4626) and Lake County Food and Beverage Service Ordinance Number 7 on the premises at all times. All employees shall have access to these legal authorities at all times.

SECTION 9 - EMBARGO, CONDEMNATION, AND TAGGING

The Health Department may condemn and cause to be removed, embargo, and/or tag any item deemed to be in violation of Minnesota Rules, Chapter 4626 in accordance with parts 4626.1805 through 4626.1815.

SECTION 10 - PLAN REVIEW OF FUTURE CONSTRUCTION

Whenever a food and beverage service establishment or bed and breakfast is constructed or remodeled, or whenever an existing structure is converted to use as a food and beverage service establishment or a bed and breakfast, properly prepared plans and specifications for such food service area construction, remodeling, or conversion shall be submitted to the Health Department with applicable fees for review and approval before construction, remodeling, or conversion is begun. The plans and specifications shall indicate the proposed equipment layout, room finish materials, plumbing specifications, kitchen exhaust ventilation and make-up air specifications, construction materials, and the manufacturer's name and model number of proposed equipment. The plans and specifications shall be drawn to scale and shall be legible and complete in all details and must be submitted to the Health Department for review and approval prior to the start of construction.

- 1) The Health Department shall approve the plans and specifications only if they meet the requirements of this Ordinance, the Minnesota Food Code (Minnesota Rules, parts 4626.0010 to 4626.1855) and any other applicable federal, state or local laws and regulations. The establishment shall be constructed and finished in conformance with the approved plans.
- 2) The licensee must obtain an inspection from the Health Department prior to the start of operation. Construction must be completed and approved before operation can begin.

- 3) The licensee is responsible for obtaining written approval for the proposed construction from any other agency or official that may have authority over elements of such proposed construction including, but not limited to, the Minnesota State Fire Marshall, the Minnesota Department of Labor and Industry Plumbing Division, or the appropriate County, City or Township officials.
- 4) If, after a plan review is approved and a letter is delivered to an establishment, the establishment requests a change to the plan review which contains changes to five (5) or more pieces of equipment or types of finish materials, or requests a change that increases the scope of the project, an additional plan review fee, as set by the Board, will be assessed.

SECTION 11 - PROCEDURE WHEN INFECTION IS SUSPECTED

When the Health Department has reasonable cause to suspect the possibility of disease transmission from a food or beverage service establishment employee, the Health Department shall, under the direction and/or guidance of the Minnesota Department of Health, secure an illness or morbidity history of the suspected employee, and/or make other investigations as may be required, and take appropriate action. The Health Department may require any or all of the following measures:

- 1) The immediate exclusion of the employee from all food establishments;
- 2) The immediate closure of the food establishment concerned until, in the opinion of the Health Department, no further danger of disease outbreak exists;
- 3) Restriction of the employee's services to some area of the establishment where there would be no danger of transmitting disease; and
- 4) Adequate medical and laboratory examinations of the employee, or other employees, and their bodily discharges.

SECTION 12 - COMPLIANCE PROCEDURES

- 13.1 Licenses Needed. No person shall operate a food service in Lake County without a valid food service license issued by the Health Department as required by this Ordinance. Only a person who complies with the requirements of this Ordinance shall be entitled to receive and retain such a license. Food service licenses are not transferable with respect to the licensee and/or the location. A valid license shall be posted in a conspicuous location in every food establishment. All licenses expire as of December 31st of each year.
- 13.2 Application for License
 - A. Any person desiring to operate a food and beverage service establishment shall make written application for a license on forms provided by the Health Department. Such application shall include: the establishment name, address and phone number, the applicant's full name and address, whether such applicant is an individual, firm, partnership or corporation, the location and type of proposed food establishment, as well as the signature of the applicant(s). If a partnership, the names of the partners, together with their addresses shall be included. If incorporated, articles of incorporation shall be included. Each application for a license, together with the appropriate license fee and required documentation as described herein, shall be submitted to the Health Department.
 - B. Proprietors of any food and beverage service establishment shall pay an annual license fee at a rate specified by resolution of the Board. This annual license fee may be adjusted from time to time as the Board shall deem appropriate. A penalty fee at a rate specified by Board resolution shall be added to the amount of the license fee and paid by the proprietor if the annual license fee has not been postmarked or delivered personally or electronically to the Health Department office by the dates specified in the license application.
 - C. Any person who operates a food and beverage service establishment without submitting a

license application and appropriate fee shall be deemed to have violated this Ordinance and shall be subject to prosecution as provided for in this Ordinance.

13.3 Inspection and Correction

- A. The Health Department shall inspect food and beverage service establishments according to Minn. Stat., Chapter 157 and rules adopted thereunder or successor statutes and rules.
- B. The person operating a food and beverage service establishment shall, upon request of the Health Department, and after proper identification, permit access to all parts of the food and beverage service establishment at any reasonable time for purpose of inspection and shall exhibit and allow copying of any records necessary to ascertain sources of foods or other compliance with the provisions of this Ordinance.
- C. Every person engaged in the operation of a food and beverage service establishment shall, upon request, furnish reasonable samples free of charge to the Health Department for laboratory analysis.
- D. Whenever an inspection of a food and beverage service establishment is made, the findings shall be recorded on the inspection report 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 requests it, except when report forms are a part of pending litigation.
- E. The inspection report form shall specify a specific and reasonable period of time for the correction of the violations. Correction of the violations shall be accomplished within the period specified.
- F. The inspection frequency of a food and beverage service establishment will depend on the Food Preparation Risk Level. At a minimum: a Level 3 or High Risk establishment will be inspected every 12 months; a Level 2 or Medium Risk establishment will be inspected every 18 months; and a Level 1 or Low Risk establishment will be inspected every 24 months.

13.4 Suspension of License

- A. Licenses may be suspended temporarily by the Health Department at any time for failure by the holder to comply with the requirements of this Ordinance. Whenever a license holder or operator has failed to comply with any notice requiring corrective action issued under the provisions of this Ordinance, that license holder or operator may be notified in writing that the license, upon service of notice by mail, email, or hand delivery, is immediately suspended and that an opportunity for a hearing before the Appeals Board will be provided if a written request for appeal, addressed to the Health Department, is postmarked or delivered personally or electronically within ten (10) days.
- B. Notwithstanding the other provisions of this Ordinance, whenever the Health Department finds unsanitary or other condition(s) in the operation of a food and beverage service establishment which, in its judgment, may constitute a substantial hazard to the public health, it can, without warning, notice or hearing, issue a written notice to the license holder or operator citing such condition(s), specifying the corrective action to be taken, and specifying the time period within which such action shall be taken. If deemed necessary, such order shall state that the license is immediately suspended, and all food and beverage service operations are 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 a hearing before the Appeals Board.
- C. 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 their opinion the condition(s) causing suspension of the license has/have been corrected, the Health Department shall make a re-inspection. If the applicant is in compliance with the requirements of this Ordinance and Minnesota Rules, Chapter 4626, the license shall be reinstated.

13.5 Revocation of License. For serious or repeated violations of any of the requirements of this Ordinance or Minnesota Rules, Chapter 4626, the license may be permanently revoked after an opportunity for a hearing before the Appeals Board has been provided. Prior to such action, the Health Department shall notify the license holder in writing, advising that the license shall be permanently revoked at the end of a five (5) day period.

13.6 Appeals Board

- A. Request for Hearing. Any person affected by a notice of embargo, suspension, or revocation shall be granted a hearing on the matter before the Appeals Board upon filing a written petition requesting such a hearing and a brief statement setting forth the reasons for appeal with the Health Department. The petition shall be postmarked or delivered personally or electronically within ten (10) days after the notice was served.
- B. Date of Hearing. The hearing requested shall be held not more than ten (10) days after the date on which the petition was postmarked or delivered personally or electronically. The Appeals Board may postpone the date of the hearing for a reasonable time beyond such ten (10) day period, if in its judgment a good and sufficient reason exists for such postponement.
- C. Notice of Hearing. The Health Department shall give five (5) days written notice of the hearing to the petitioner by personal service or by mailing to the petitioner's last known address.
- D. Proceedings. At the hearing the petitioner, their agent or attorney shall be given an opportunity to be heard and to show 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 their findings of fact and recommendation(s) to the Appeals Board at the time of the hearing.
- E. Decisions of the Appeals Board. The Appeals Board, within three (3) days after such hearing, shall sustain, modify or withdraw the notice of embargo, suspension, or revocation depending upon its findings of fact. A copy of the decision of the Appeals Board shall be served by mail to the petitioner. Any person aggrieved by the decision of the Appeals Board may seek relief therein from any court as provided by the laws of the state.
- F. Record of Proceedings. The proceedings of each hearing held before the Appeals Board pursuant to petition, including the findings of fact and the recommendation(s) of the Health Department, shall be recorded and reduced to writing and entered as a public record in the office of the County Attorney. Such record shall include a copy of every notice, order, or writing issued in connection with the matter.
- G. Notices not Appealed. Any notice served pursuant to the provisions of this Ordinance shall automatically become final if a written petition for a hearing, addressed to the Health Department, is not postmarked or delivered personally or electronically within ten (10) days after the notice is served.

SECTION 13 - SEVERABILITY

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.

SECTION 14 - MINNESOTA DEPARTMENT OF HEALTH RULES

The requirements contained in this Ordinance are intended to be comparable to Minnesota Department of Health Rules and are intended to meet the minimum requirements set forth by the Minnesota Department of Health. Whenever the Minnesota Department of Health amends rules or adopts new rules setting more restrictive standards than the ones established in this Ordinance, the rules set by the Minnesota Department of Health shall govern and will be considered in the enforcement procedure as part of this Ordinance.

SECTION 15 - PENALTIES

Any person, firm, or corporation who shall violate any of the provisions, fail to comply with any of the provisions, or make any false statement in any document required to be submitted under the provisions of this Ordinance, shall be guilty of a misdemeanor and, upon conviction, shall be punished by a fine not to exceed one thousand dollars (\$1000) or by imprisonment not to exceed ninety (90) days or both. Each day that a violation continues shall constitute a separate offense. Such persons, firms or corporations may be enjoined from continuing such violations.

In the event of a violation, or a threat of a violation, of this Ordinance, the County Attorney may also take other appropriate action to enforce this Ordinance including, but not limited to, application for injunctive relief, action to compel performance, or other appropriate action in Court, if necessary, to prevent, restrain, correct or abate such violations or threatened violations.

SECTION 16 - REPEAL OF PREVIOUS ORDINANCE

This Ordinance replaces Lake County Food and Beverage Service Ordinance Number 7, adopted August 19, 2011 and amended October 9, 2012, in its entirety.

SECTION 17 - EFFECTIVE DATE

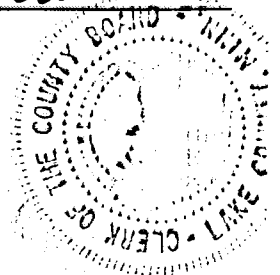
This Ordinance is effective immediately upon passage by the Lake County Board of Commissioners.

April 9, 2019
Date

Rich Sve
Rich Sve, Chairman
Lake County Board of Commissioners

April 9, 2019
Date

Laurel Buchanan
Laurel Buchanan
Clerk of the Board



T000045610

AFFIDAVIT OF PUBLICATION
STATE OF MINNESOTA)
)SS.
COUNTY OF LAKE)

A00Q191664

Christine Mallory, being duly sworn, on oath says that she is the Editor or authorized agent or employee of the publisher of the newspaper known as the North Shore Journal, and has full knowledge of the facts which are stated below.

1000045610

(A) The newspaper has complied with all the requirements constituting qualifications as a qualified newspaper, as provided by Minnesota Statute 331.A.02, 331.A.07, and other applicable laws, as amended.

(B) The printed

**NOTICE OF A PUBLIC HEARING REGARDING
AMENDMENTS TO THE LAKE COUNTY FOOD AND
BEVERAGE ORDINANCE #7**

which is attached was cut from the columns of said newspaper, and was printed and published once each week, for 1 successive week; it was first published on Friday, the 22nd day of February, 2019; and printed below is a copy of the lower case alphabet from A to Z, both inclusive, which is hereby acknowledged as being the size and type used in the composition and publication of the notice.

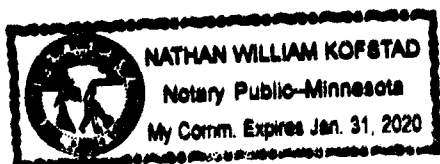
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BY: *Christine Mallory*
Editor/Authorized Agent

Subscribed and sworn to before me on
This 28th day of
Feb., 2019

[Signature]

Notary Public



**NOTICE OF PUBLIC
HEARING
REGARDING
AMENDMENTS TO
THE LAKE COUNTY
FOOD AND
BEVERAGE
ORDINANCE #7**

Notice is hereby given that the Lake County Board of Commissioners will conduct a public hearing on March 12, 2019, at 2:30 p.m. in the Lake County Service Center, 616 Third Avenue, Two Harbors, Minnesota for the purpose of considering proposed amendments to Lake County Food and Beverage Ordinance #7. All interested persons are invited to attend the public hearing to give input. Written comments may also be submitted to the Lake County Administrator's Office, 616 Third Avenue, Two Harbors, MN 56616 prior to the hearing.

IN SUMMARY, THE PROPOSED AMENDMENTS WOULD:

- Adopt and conform to the new Minnesota Food Code (Minnesota Rules Chapter 4826), which became effective January 1, 2018;
- Add the following new local requirements (not included in the Minnesota Food Code):
 - Certified Food Protection Manager must be on duty during all hours of operation, as well as at special events;
 - Hot water must be available at hand sinks used by employees;
 - Minnesota Food Code and Lake County Food and Beverage Ordinance must be available and accessible by employees;
- Allow for an additional fee if an establishment makes extensive changes after plan review has been submitted;
- Define terms that were previously not defined; and
- Clarify language and correct grammar and punctuation

A draft of the proposed amendments to the Lake County Food and Beverage Ordinance #7 can be viewed on the Lake County website: www.co.lake.mn.us. Copies are also available at the Lake County Auditor's Office during regular office hours, Monday through Friday 8 a.m. to 4:30 p.m.

Northshore Journal:
February 23, 2019