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OFFICE OF THE
REGISTRAR OF TITLES
LAKE COUNTY, MINNESOTA

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RECORDED ON
09/09/2011 10:00AM

ERICA KOSKI
REGISTRAR OF TITLES

~~BY~~ Erica Koski Deputy

LAKE COUNTY LODGING ORDINANCE # 10

2011

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OFFICE OF THE
COUNTY RECORDER
LAKE COUNTY, MINNESOTA

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LAKE COUNTY RECORDER

BY Rogers Moe Deputy

LAKE COUNTY LODGING ORDINANCE

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A Regulation providing for the Inspection and Licensing of hotels, motels, lodging/boarding house, bed and breakfast, vacation rental home, bunk house and resorts; Regulating their Design, Construction, Operation and Maintenance and providing for the Administration and Enforcement is established as follows:

SECTION I – PURPOSE

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

1. Provide a minimum standard for the design, construction, operation and maintenance of lodging establishments.
2. Correct and prevent conditions that may adversely affect persons utilizing lodging establishments.
3. Meet consumer expectations for the quality and safety of lodging establishments.

SECTION II – SCOPE

This ordinance shall provide for the licensing and inspection of all lodging 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 lodging establishments, such as hotels, motels, lodging/boarding houses, bed and breakfasts, vacation rental home and resorts as defined in Minnesota Statutes, Chapter 157 and Minnesota Rules, Chapter 4624.01000-this Lake County ordinance # 10.

SECTION III – AUTHORITY

This ordinance is enacted pursuant to Minnesota Statute Chapter 157 which establishes the authority for the State to license lodging establishments and Chapter 145A, Section 145A.05, which authorizes the Commissioner of Health to enter into an agreement with counties or cities organized under the provisions of Section 145A.05 to perform all or part of the licensing, inspection and enforcement duties authorized under the provisions of these sections.

SECTION IV - DEFINITIONS

For the purpose of this ordinance, the following definitions will apply:

- 4.1 Approved shall mean acceptable to the Environmental Health Department following its determination as to conformity with departmental standards and established public health practices.
- 4.2 The Appeals Board shall consist of a representative of the Lake County Board or a designated appointee, Human Services Director and the Public Health Supervisor.
- 4.2 Board shall mean the Lake County Board of Commissioners.

- 4.3 Environmental Health Department shall mean the Lake County Environmental Health Department or its agent.
- 4.4 License shall mean a new or renewal license issued to the person, firm or corporation operating the food and beverage service.
- 4.4 Boarding/Lodging House shall mean every building or structure or enclosure, or any part thereof, used as, maintained as, or advertised as, or held out to be an enclosure where meals or lunches are furnished to five or more regular boarders, with sleeping accommodations, for periods of one week or more.
- 4.5 Clean shall mean absence of dirt, grease, rubbish, garbage and other offensive, unsightly or extraneous matter.
- 4.6 Employee shall mean and include any person whose duties include the cleaning, maintenance, or housekeeping of any part of the building or buildings, the rendering of service to guests or performing duties of any type in connection with the operation of a lodging establishment.
- 4.7 Garbage shall mean all organic waste resulting from the handling, storage, preparation, or cooking of food, as well as including refuse, such as paper, plastics, and cardboard that are contaminated with organic wastes.
- 4.8 Authority shall mean the Lake County Board of Commissioners and Lake County Environmental Health Department or its agent.
- 4.9 Bunk House shall mean multiple beds in a shared sleeping unit, with no less than 60 square feet of useable floor space per occupant.
- 4.10 Hotel-Motel shall mean a building, structure or enclosure, or any part thereof, kept, used as, maintained as, or advertised as, or held out to the public to be an enclosure where sleeping accommodations are furnished to the public and furnishing accommodations for periods of less than one week.
- 4.11 Infestation shall mean the presence, within or around a dwelling of any insects, rodents, or other pests.
- 4.12 Lodging establishment shall mean a hotel/motel, lodging/boarding house, resort, bed and breakfast, vacation home rental, bunk house or similar facility where sleeping facilities are offered to the public.
- 4.13 Vacation Rental Home Any home, cabin, condominium or similar building represented to the public as a place where sleeping accommodations are furnished to the public on a nightly, weekly and for less than thirty days basis for compensation and is not a bed and breakfast, resort, hotel or motel.
- 4.14 Person shall include an individual, partnership, corporation, association, or other legal entity.

- 4.15 Resort shall mean any building, structure, enclosure, or any part thereof, located on, or on property neighboring any lake, stream, skiing or hunting area for purposes of providing convenient access thereto, kept, used, maintained or advertised as, or held out to the public to be an enclosure where sleeping accommodations are furnished to the public and primarily to those seeking recreation, for periods of one day, one week or longer, and having for rent five or more cottages, rooms or enclosures.
- 4.16 Bed and Breakfast shall mean a lodging establishment that is located within an owner-occupied home or resident-managed home. Rooms are rented on a nightly basis. A continental to full scale breakfast is served. If the establishment serves 10 or fewer persons, then domestic equipment is allowed. If there are 11 or more persons, then all provisions of commercial equipment meeting the standards of NSF International apply.
- 4.17 Good Repair shall mean free of corrosion, breaks, cracks, chips, pitting, excessive wear and tear, leaks, obstructions and similar defects so as to constitute a good and sound condition.
- 4.18 Usable Floor Space shall mean all floor space in a sleeping room not occupied by closets, toilet rooms, showers, or bathrooms.
- 4.19 Risk Level shall mean a probability or threat of injury or loss to the Public's health or safety. High Risk – lodging establishment has public pool and any level of food preparation risk level; Medium Risk – lodging establishment has the corresponding food risk level; Low Risk – lodging establishment has the corresponding food risk level or no food services.

SECTION V – ADMINISTRATION

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

The Environmental 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 Environmental Health Department shall be empowered to do the following:

- A. Prepare reports and recommendations regarding any additional measures that he/she deems necessary to affect the purpose of this Ordinance.
- B. Obtain assistance and cooperation from other State and local health, legal and law enforcement officials in the administration and enforcement of this Ordinance.
- C. Cooperate with local and State personnel in the enforcement of this Ordinance and State regulations, rules and requirements relating to food and beverage establishments.
- D. Arrange for the enforcement of any and all rules, orders, permits and other requirements established herein or issued pursuant to this Ordinance.

- E. Enter upon the premises of any lodging establishment at any reasonable time for the purpose of administrating and enforcing this Ordinance.
- F. The Environmental Health Department may impose additional requirements to protect against health hazards related to the conduct of their operation, and may prohibit the sale or distribution of any or all foods.
- G. Interpret the provisions and intent of this Ordinance as may be necessary from time to time.

SECTION VI – LICENSE NEEDED

It shall be unlawful for any person to operate lodging establishments within Lake County who does not possess a valid license issued by the Environmental Health Department as required by this regulation. Only a person who complies with the requirements of this Ordinance and Ordinances applicable thereto of the City or Township in which the lodging establishment is located, shall be entitled to receive and retain such a license. Licenses shall not be transferrable. The license year shall be from January 1st to December 31st.

SECTION VII - APPLICATION FOR A LICENSE

- 7.1 Any person desiring to operate a lodging establishment shall make written application for a license on forms provided by the Environmental Health Department. Such application shall include: the applicant's full name and address and whether such applicant is an individual, firm, partnership or corporation, the location and type of proposed lodging establishment, as well as the signature of the applicant or applicants. If a partnership, the names of the partners, together with their addresses shall be included. Each application for a license, together with the appropriate license fee, and required documentation shall be submitted to the Environmental Health Department.
- 7.2 Any lodging establishment shall pay an annual license fee based on the number of sleeping rooms at a per room rate specified by resolution of the Board. Such rates may be changed by resolution of the Board from time to time as they 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 reached the Environmental Health Department office by the dates specified on the application. Refer to Appendix A. Any person who operates a lodging establishment without submitting a license application and appropriate fee and required documentation shall be deemed to have violated this ordinance and shall be subject to prosecution as provided for in this ordinance.

SECTION VIII – PLAN REVIEW OF FUTURE CONSTRUCTION

Whenever a lodging establishment is constructed or remodeled, or whenever an existing structure is converted to use as a lodging establishment, properly prepared plans and specifications for such food service area construction, remodeling, or conversion shall be submitted to the Environmental 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 of work areas, and the manufacturer's name and model number of proposed equipment and facilities. The plans and specifications shall be drawn to scale and shall be legible and

complete in all details, and must be submitted to the Department for review and approval prior to the start of construction.

- A. The Environmental Health Department shall approve the plans and specifications only if they meet the requirements of this Ordinance, the Minnesota Food Code, Minnesota Rules, Chapter 4626.0010 to 4626.1870 and any other applicable Federal, State or Local laws and regulations.
- B. The establishment shall be constructed and finished in conformance with the approved plans.
- C. The licensee must obtain an inspection from the Environmental Health Department prior to the start of the operation. Construction must be completed and approved before operation can begin.
- D. 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.

SECTION IX - INSPECTION

- 9.1 It shall be the duty of the Environmental Health Department to inspect every lodging establishment as frequently as may be necessary to insure compliance with this regulation. The person operating a lodging establishment shall, upon request of the Environmental Health Department and after proper identification, permit access to all parts of the establishment at any reasonable time for purpose of inspection and shall exhibit and allow copying of any records necessary to ascertain compliance with this regulation.
- 9.2 The Environmental Health Department shall have the right to enter and have access to the lodging establishment at any time during the conduct of business. No persons shall interfere with or hinder the Environmental Health Department in the performance of its duties or refuse to permit the Environmental Health Department to make such inspections.
- 9.3 Lodging establishments will be inspected at a minimum every 12 months for High Risk, every 18 months for Medium Risk, every 24 months for Low Risk.

SECTION X - NOTICE OF SUSPENSION

- 10.1 Whenever upon inspection of lodging establishment the Environmental Health Department finds that conditions or practices exist which are in violation of any provision of this regulation, the Environmental Health Department shall give notice with a form of service of suspension sent to the operator of such business, that unless such conditions or practices are corrected within a reasonable period to be determined by the Environmental Health Department, the operator's license may be suspended.

- 10.2 At the end of such period, the Environmental Health Department shall re-inspect such lodging establishment and if the Environmental Health Department finds that such conditions or practices have not been corrected, the Environmental Health Department may issue a form of suspension notice to the operator that the operator's license has been suspended.
- 10.3 Upon receipt of notice of suspension of the license, such operator shall immediately cease operation of the lodging establishments no person shall occupy for sleeping purposes any unit therein except the owner's quarters when existing in the same building.
- 10.4 Nothing in this section shall be construed to prevent the Environmental Health Department from suspending a license only as to such portion of the premises that do not comply with the provisions of this regulation and permitting the continued operation of the remaining portions of such premises which do comply.

SECTION XI - EMERGENCY ORDERS

- 11.1 Whenever the Environmental Health Department finds that an emergency exists which requires immediate action to protect the public health, the Environmental Health Department may, without notice or hearings, issue a form of suspension order reciting the existence of such an emergency and require that such action be taken as the Environmental Health Department deems necessary to meet the emergency. Notwithstanding the other provisions of this regulation, such order shall be effective immediately.
- 11.2 Any person to whom such order is directed shall comply therewith immediately but upon petition to the Environmental Health Department shall be afforded a hearing before the Appeals Board.

SECTION XII - APPEAL FROM SUSPENSION OF LICENSE

Any person whose license to operate a lodging establishment has been suspended, or who has received notice from the Environmental Health Department that his license is to be suspended unless existing conditions or practices are corrected, may request and shall be granted a hearing on the matter before the Appeals Board and the procedure provided by Section XII of this regulation; provided that if no petition for such hearing is filed within (10) ten days following the day in which such license was suspended, such license shall be deemed to have been revoked.

SECTION XIII - APPEALS BOARD

- 13.1 Requests for Hearing. Any persons affected by a notice of suspension or emergency order which has been issued and served as provided in Section IX and X shall be granted a hearing on the matter before the Appeals Board upon filing in the office of the Environmental Health Department written petition requesting such hearing and setting forth a brief statement on the grounds therefore. Said petition shall be filed within(10) ten days after the notice was served.
- 13.2 Date of Hearing. The hearing requested shall be held not more than ten days after the date on which the petition was filed. Appeals Board may postpone the date of the

hearing for a reasonable time beyond such (10) ten day period if a good and sufficient reason exists for such postponement.

- 13.3 **Notice of Hearing.** The Environmental Health Department shall cause (5) five 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.
- 13.4 **Proceedings.** At such hearing, the petitioner, petitioner's 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 Environmental Health Department should be modified or withdrawn. The Environmental Health Department shall present a detailed, written statement of finding of fact and recommendations to the Appeals Board.
- 13.5 **Decisions of the Appeals Board.** The Appeals Board within (3) days of the hearing 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 regulation. 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 therein from any court of competent jurisdiction as provided by the laws of the State.
- 13.6 **Record of Proceedings.** The proceedings of each hearing held before the Appeals Board pursuant to petition, including the findings of fact and the decision, 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.
- 13.7 **Notices not appealed.** Any notice served pursuant to the provisions of this regulation shall automatically become final if written petition for a hearing is not filed with the Environmental Health Department within (10) ten days after the notice is served.

SECTION XIV
THE CONSTRUCTION, MAINTENANCE, AND EQUIPMENT OF LODGING
ESTABLISHMENTS SHALL BE REGULATED AS FOLLOWS:

- 14.1 **Building.** Every building, structure or enclosure used to provide lodging accommodations for the public shall be kept in good repair, and so maintained as to promote the health, comfort, safety, and well being of persons accommodated.
- 14.2 **Floors.** The floors of all guest rooms, hallways, bathrooms, storerooms, and all other spaces used or traversed by guests shall be of such construction as to be easily cleaned, shall be smooth, and shall be kept clean and in good repair. Cleaning of floors shall be so done as to minimize the raising of dust and exposure of guests thereto. The requirements of this section shall not prevent the use of rugs, carpets, or natural stone which can be kept clean. Abrasive strips for safety purposes may be used wherever deemed necessary to prevent accidents.
- 14.3 **Walls and Ceilings.** The walls and ceilings of all rooms, halls, and stairways shall be kept clean and in good repair. Studs, joists, or rafters shall not be left exposed except when suitably finished and kept clean.

- 14.4 Screening. When flies, mosquitoes, and other insects are prevalent, all outside doors, windows and other outer openings shall be screened: Provided that such screening shall not be required for rooms deemed by the Board to be located high enough in the upper stories of the building as to be free of such insects, or in such areas where other effective means are provided to prevent their entrance.
- 14.5 Lighting and Ventilation. All rooms and areas used by patrons and guests and all other rooms or spaces in which lighting and ventilation, either natural or artificial, are essential to the efficiency of the business operation shall be well lighted and ventilated.
- 14.6 Space. Every room occupied for sleeping purposes by one person shall contain at least 70 square feet of usable floor space, and every room occupied for sleeping purposes by more than one person shall contain not less than 60 square feet of usable floor space for each occupant thereof. Under no circumstances shall there be provided less than 400 cubic feet of air space per occupant. Beds shall be spaced at least three feet apart when placed side by side. No sleeping quarters shall be provided in any basement having more than half of its clear floor to ceiling height below the average grade of the adjoining ground. When strict compliance herewith is impracticable, the Board may waive any of the provisions of this paragraph subject to such conditions as may be deemed desirable in the individual case.
- 14.7 Bedding and Linen. All beds, bunks, cots, and other sleeping places provided for guests in hotels, motels, resorts and lodging houses shall be supplied with suitable pillow slips and under and top sheets. All bedding including mattresses, quilts, blankets, pillows, sheets, spreads, and all bath linen shall be kept clean. No bedding, including mattresses, quilts, blankets, pillows, bed and bath linen, shall be used which are worn or unfit for further use. Pillow slips, sheets and bath linen after being used by one guest shall be washed before they are used by another guest, a clean set being furnished each succeeding guest. For any guest occupying a guest room for an extended period of time, a fresh set of sheets and pillow slips shall be furnished at least once each week, and at least two clean towels shall be furnished each day, except that the proprietor will not be responsible for the sheets, towels, pillow slips, and bath linen furnished by a guest.
- 14.8 Room Furnishings. All equipment, fixtures, furniture and furnishings, including, windows, draperies, curtains and carpets, shall be kept clean and free of dust, dirt, vermin and other contaminants, and shall be maintained in good order and repair.
- 14.9 Toilets. Lodging establishment shall be equipped with adequate and conveniently located water closets for the accommodation of its employees and guests. Water closets, lavatories and bath tubs or showers shall be available on each floor when not provided in each individual room. Toilet, lavatory and bath facilities shall be provided in the ratio of one toilet and one lavatory for every ten occupants, or fraction thereof, and one bath tub or shower for every 20 occupants, or fraction thereof. Hot water shall not exceed 130 degrees Fahrenheit (approximately 55 degrees Celsius) at any shower, bath tub or lavatory facility. Every resort shall be equipped with adequate and convenient toilet facilities for its employees and guests. Toilet rooms shall be well ventilated by natural or mechanical methods. The doors of all toilet rooms serving the public and employees shall be self-closing. Toilet and bathrooms shall be kept clean

and in good repair and shall be well lighted and ventilated. Handwashing signs shall be posted in each toilet room used by employees. If privies are provided, they shall be separate building and shall be constructed, equipped, and maintained in conformity with the standards of the Board and shall be kept clean.

14.10 Water Supply. A safe, adequate supply of water shall be obtained from either a public community water supply system or a public non-community water supply system. In either case, the source of supply and the system must be operated, located and constructed in accordance with the appropriate rules of the Minnesota Department of Health.

14.11 Handwashing. All lavatories for public use or furnished in guest rooms at lodging establishment shall be supplied with hot and cold running water and with soap. Scullery sinks should not be used as handwashing sinks.

In the case of separate housekeeping cabins at resorts not supplied with running hot water, equipment shall be provided for heating water in the cabin.

Individual or other approved sanitary towels or warm-air hand dryers shall be provided at all lavatories for use by employees or the public.

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

Dishwashing machines shall be equipped with thermometers which will accurately indicate the temperature of the wash and rinse water. Standard #2, Commercial Spray-Type Dishwashing and Glasswashing Machines, 1996 and subsequent editions.

All dishes, glasses, utensils and equipment after washing and bactericidal treatment shall be permitted to drain and air dry.

14.12.2 Eating utensils and drinking and vessels provided in guest rooms. Single service utensils or vessels as defined in the Lake County Food and Beverage Ordinance must be handled in a sanitary manner. Such utensils may not be re-used.

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

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

- 14.14 Insect and Rodent Control. Every lodging establishment shall be so constructed and equipped as to prevent the entrance, harborage or breeding of flies, roaches, bedbugs, rats, mice and all other insects and vermin, and specific means necessary, such as cleaning, renovation or fumigation, for the elimination of such pests shall be used. The Environmental Health Department may order the facility to hire an exterminator licensed by the state to exterminate pests when:
- 1) The infestation is so extensive that it is unlikely that a nonprofessional can eradicate the pests effectively
 - 2) The extermination method of choice can only be carried out by a licensed exterminator; or
 - 3) Upon reinspection, it is found that an establishment has not been brought into compliance with a prior order to rid the establishment of pests.
- 14.15 Personnel Health and Cleanliness. No person shall resume work after visiting the toilet without first thoroughly washing his hands. Personnel of lodging establishment resorts may be required to undergo medical examination to determine whether or not they are cases or carriers of a communicable disease.
- 14.16 Cleanliness of Premises. The premises of all lodging establishment shall be kept clean and free of litter or rubbish.
- 14.17 Fire Protection. All lodging establishments shall provide suitable fire escapes which shall be kept in good repair and accessible at all time. Hallways shall be marked and exit lights provided; fire extinguishers shall be recharged annually and kept accessible for use. No sleeping quarters shall be maintained in rooms which do not have unobstructed egress to the outside or to a central hall leading to a fire escape. ALL FIRE PROTECTION MEASURES SHALL BE IN ACCORDANCE WITH REQUIREMENTS OF THE STATE FIRE MARSHAL.
- 14.18 Plumbing and Swimming Pools. All new plumbing in lodging establishment and all plumbing reconstructed or replaced after the effective date of this ordinance shall be designed, constructed, and installed in conformity with Chapter 4715 the Minnesota Plumbing Code.
- All swimming pools, hot tubs, spas and other artificial recreational bathing facilities shall be located, constructed and operated in conformity with the standards of the Minnesota Department of Health, Mn Rules, Chapter 4717, the Abigail Taylor Act, Minnesota Statutes Chapter 144.1222 and Lake County Environmental Health Department.
- 14.19 Identification of Each Unit. The entrance door to every efficiency or rooming unit in any lodging establishment shall be plainly marked on the outside, either numerically or alphabetically. No two units may be assigned the same number or letter.
- 14.20 Sanitary Dispensing of Ice. Any lodging establishment which makes ice available in public areas, including but not limited to lobbies, hallways, and outdoor areas shall restrict access to such ice in accordance with the following provisions:

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

SECTION XV - SEVERABILITY

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

SECTION XVI – MINNESOTA DEPARTMENT OF HEALTH

The requirements contained in this ordinance are intended to be comparable to the 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 XVII - 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 one thousand dollars (\$1000) and/or by imprisonment of 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.

In the event of a violation, or a threat of a violation, of this Ordinance, the County Attorney also may take other appropriate action to enforce this Ordinance, including but not limited to, application of 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.

EFFECTUATION OF ORDINANCE # 10

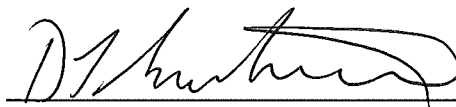
Section XVIII This ordinance repeals and replaces in its entirety the Lake County Lodging Ordinance # 10, adopted January 1, 1979.

Section XIX This Ordinance shall take effect and be in full force on August 19, 2011.

Recommended by the Lake County Public Health Department after a public hearing on July 26, 2011 and passed by the Lake County Board of Commissioners this 26th day of July, 2011.

9-6-2011

DATE



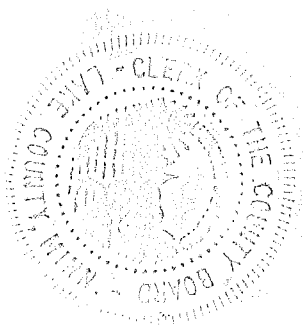
Derrick Goutermont, Chairman
Lake County Board of Commissioners

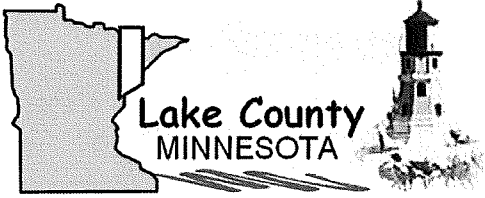
9-6-2011

DATE



Laurel Buchanan, Clerk of the Board





Board of Commissioners
Lake County Courthouse
601 Third Avenue
Two Harbors, MN 55616

Phone: 218-834-8320 Fax: 218-834-8360
Website: co.lake.mn.us

First District - Thomas Clifford, M.D.
Second District - Derrick Goutermont
Third District - Brad Jones
Fourth District - Paul Bergman
Fifth District - Rich Sve

RESOLUTION NO. 11072605

**REPEAL OF CURRENT LAKE COUNTY PUBLIC HEALTH ORDINANCE #10
AND ADOPTION OF UPDATED LAKE COUNTY PUBLIC HEALTH ORDINANCES #10 – LODGING**

WHEREAS, Lake County Public Health updated **PUBLIC HEALTH ORDINANCE #10 - LODGING**; and

WHEREAS, Lake County Public Health held a public hearing regarding the proposed updates to Ordinance #10 – Lodging, on July 26, 2011 at 2:00 p.m. , in the Commissioners’ Chamber in Two Harbors, Minnesota; and

WHEREAS, Lake County Public Health forwarded the proposed draft Ordinance to the Lake County Board for adoption;

NOW, THEREFORE, BE IT RESOLVED, that the Lake County Board of Commissioners hereby repeals the current Lake County Lodging Ordinance #10, approves the final draft of the revisions to Ordinance # 10-Lodging, and adopts new Lake County Lodging Ordinance #10, effective August 19, 2011. This new ordinance hereby repeals and replaces in its entirety the Lake County Lodging Ordinance effective January 1, 1979.

Adopted: July 26, 2011

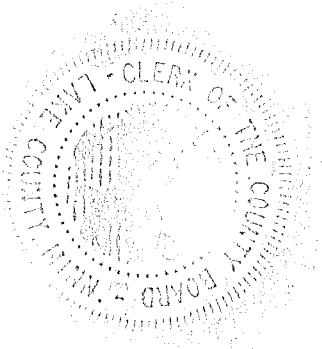
Commissioner Sve moved the adoption of the foregoing resolution and the same was declared adopted upon a majority vote of all members present. Yea: Bergman, Clifford, Goutermont, Sve. Nay: Jones. Absent: None

STATE OF MINNESOTA)
ss.
County of LAKE)

I, Laurel Buchanan, clerk of the Board, Lake County, Minnesota, do hereby certify that I have compared the foregoing resolution with the original filed in my office on the 26th day of July, 2011, and that the same is a true and correct copy of the whole thereof.

WITNESS my hand and seal of office at Two Harbors, Minnesota this 29th day of July, 2011.

Laurel Buchanan
Clerk of the Board



Laurel D. Buchanan
Administrative Clerk of the Board

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