

ORDINANCE NUMBER 38

AN ORDINANCE RELATING TO SANITATION REQUIREMENTS FOR CHILDREN'S CAMPS AND THE LICENSING AND INSPECTION THEREOF AND PRESCRIBING PENALTIES, ALL IN ACCORDANCE WITH MINNESOTA DEPARTMENT OF HEALTH RULES, CHAPTER 4630.

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ST. LOUIS COUNTY HEALTH DEPARTMENT

An Ordinance Relating to Sanitation Requirements for Children's Camps

This ordinance shall provide for the regulation and control of Children's Camps organized for education, recreational, or vacation purposes and is adopted pursuant to and in conjunction with Minn. Statutes 144.71-144.76 and all ordinances and regulations amendatory thereof including the St. Louis County Health Department Compliance Standards for Children's Camps.

SECTION 1 - PURPOSE

The purpose of this act is to protect the health and safety of children in attendance at children's camps.

SECTION 2 - DEFINITIONS

- 2.1 Children's Camp shall mean a parcel or parcels of land with permanent buildings, tents or other structures together with appurtenances thereon, established or maintained as living quarters where both food and lodging or the facilities therefor are provided for 10 or more people, operate 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.

Note: This definition does not include cabin and trailer camps, fishing and hunting camps, resorts, and 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 Minn. Statutes 257.08 to 257.17.

- 2.2 Board shall mean the St. Louis County Board of Health.
- 2.3 Commissioner of Health shall mean the Minnesota Commissioner of Health.
- 2.4 Health Officer shall mean the St. Louis County Health Officer or his authorized representative.

SECTION 3 - LICENSURE

- 3.1 The St. Louis County Health Officer is authorized to issue licenses for the operation of such children's camps and such camps are required to obtain such licenses, prior to commencing operation in any calendar year. It shall be unlawful for any person to operate a children's camp within the jurisdiction of the St. Louis County Board of Health who does not possess a valid license issued by the Health Officer as required by this ordinance. Only a person who complies with the requirements of

this ordinance and the standards of St. Louis County Board of Health shall be entitled to receive and retain such a license.

- 3.2 On or before June first annually or prior to the first day of operation in each calendar year, whichever comes first, every person, partnership or corporation, operating or seeking to operate a children's camp, shall make application in writing to the Health Officer for a license to conduct a children's camp. Such application shall be in such form and shall contain such information as the Health Officer may find necessary to his/her 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. The license year ends on December 31 annually.
- 3.3 If the Health Officer should determine from the application that the health and safety of the person using the camp will be properly safeguarded, he/she may, prior to actual inspection of the camp, issue the license in writing.
- 3.4 If the Health Officer should determine from the application or subsequent inspection that the health and safety of the persons in the camp will not be properly safeguarded, he/she may deny the application for licensure. Such applicant is then entitled to a hearing before the Board as outline in Section 4 of this ordinance.
- 3.5 The license shall be posted in a conspicuous place on the premises occupied by the camp and is not transferable.

SECTION 4 - INSPECTION, COMPLIANCE, HEARINGS AND APPEALS

- 4.1 It shall be the duty of the Health Officer to make at least one annual inspection of each children's camp. Access to the camp must be provided to the inspecting agency for the purpose of making such inspections. If, upon inspection, it is found that there is a failure to protect the health and safety of the persons using the camp, or a failure to comply with the camp regulations and standards prescribed by the Board of Health, the Health Officer shall give notice to the camp operator of such failure, which notice shall set forth the reason or reasons for such failure. The camp operator shall be given a reasonable time after receiving said notice in which to correct such failure and to comply with the requirements and standards.
- 4.2 Procedure for suspension or revocation. Any license granted hereunder shall be subject to revocation or suspension; provided, however, that the Health Officer shall first serve or cause to be served upon the licensee a written notice specifying the way or ways in which the licensee has failed to comply with this ordinance, or any compliance standards promulgated by the Board. Said notice shall direct the licensee to correct the condition specified in the notice within a period of time to be established by the Health Officer. If the licensee fails to comply with the terms and

conditions of said notice within the time specified, the Health Officer, depending on the severity of the violation, may immediately suspend the license or require the licensee to appear for a hearing before the Health Officer. The Health Officer shall review the facts and make such determination as he deems necessary in the matter. If the licensee fails to comply with such determination, the Health Officer shall suspend or call for a hearing before the Board at which time the licensee shall show cause why the license should not be revoked. Such hearing shall be considered an appeal hearing and shall be held in accordance with the appeal process as covered by section 4.4.

- 4.3 Where a license has been suspended by the Health Officer it shall be reinstated upon compliance with the requirements and standards of the Board of Health.
- 4.4 Appeal. An appeal may be taken by any person aggrieved by the issuance or denial of any license, order, interpretation, or other official action made pursuant to the provisions of this ordinance. All appeals shall be to the Board within 45 days of receipt of notice by appellant from the administrator of any order, requirement, decision, or determination made by the Administrator. An appeal stays all proceedings in furtherance of the action appealed from unless the Board certifies that by reason of the facts stated in the certificate, a stay would cause imminent peril to life or property. On appeal, the Board shall conduct a public hearing at which all interested parties shall be given opportunities to present relevant information and to examine personnel of the Department in order to determine the basis for any action taken. Notice of said hearing, unless otherwise provided herein, shall be submitted to the affected owner and other interested persons at least 15 days in advance of said hearing. At the conclusion of said hearing, the Board shall, as appropriate, make a determination respecting the appeal and prepare written findings of fact and recommendations in respect thereto. Such hearings shall be conducted according to applicable Minnesota Statutes and to the rules of procedure of the Board.
- 4.5 Decisions. Decisions by the Board shall be made within 15 days of the date a public hearing is closed. The Board shall keep a written record of its proceedings showing the vote, absence, or failure of each member to vote on each question. The Board shall render its decisions in writing, stating its reasons in sufficient detail so that it can be determined that the decision was made in reliance on testimony given at the public hearing, and according to the criteria contained in this ordinance.
- 4.6 Where a license has been revoked by the Board, the licensee, prior to relicensing, must submit to the Health Officer a new application along with any other relevant information as may be required.

SECTION 5 - COMPLIANCE STANDARDS

The St. Louis County Board of Health is authorized to adopt and enforce such reasonable

compliance standards as it determines necessary to protect the health and safety of children in attendance at children's camps. Such compliance standards may be altered, revised or rescinded from time to time as the Board deems necessary and may include, but are not limited to, reasonable restrictions and limitations on the following:

- (1) Camp sites and buildings, including location, layout, lighting, ventilation, heating, plumbing, drainage and sleeping quarters;
- (2) Sanitary facilities including water supply, toilet and shower facilities, sewage and excreta disposal, waste and garbage disposal, and the control of insects and rodents, and
- (3) Food service, including storage, refrigeration, sanitary preparation and handling of food, the cleanliness of kitchens and the proper functioning of equipment.

SECTION 6 - WAIVER OF STANDARDS

The Health Officer may grant a temporary waiver of certain specific requirements of the compliance standards if, in his opinion, such waiver will not compromise the health and safety of the children or staff and will comply with the intent of this ordinance.

SECTION 7 - COMPLIANCE WITH OTHER LAWS, ORDINANCES, AND REGULATIONS

Any facility licensed as a children's camp in St. Louis County must be in compliance with all other federal, state and local laws, ordinances and regulations as they pertain to such facility.

SECTION 8 - FEES

The Board of Health shall be empowered to set, revise or rescind and collect such fees as it deems necessary for the administration of this ordinance. Fees may include, but are not limited to, those charged for permits and licenses. The Board may establish a late fee for any or all categories.

SECTION 9 - PENALTY

Any person violating any of the provisions of this act or of the regulations or standards promulgated hereunder shall be guilty of a misdemeanor.

SECTION 10 - EFFECTIVE DATE

Public hearing held by the St. Louis County Board of Commissioners on September 23, 1985.

Commissioner Kron moved the adoption of this ordinance, and Commissioner Doty duly

seconded the motion and it was declared adopted upon the following vote:

Yeas - Commissioners Doty, Kron, Lamppa, Shannon, Janezich, Cerkvenik, and
Chairman Krueger

Nays - None

Absent - None

This ordinance was declared adopted by the St. Louis County Board of Commissioners on
the 23rd day of September 1985 with the effective date being the same.

MARILYN KRUEGER, Chairman
St. Louis County Board of Commissioners

ATTEST Certified as a complete and accurate
copy of Ordinance No. 38

KAREN ERICKSON RUSSELL PETERSEN, County Auditor
Clerk of County Board

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