

LYON COUNTY

**PUBLIC HEALTH
YOUTH CAMP ORDINANCE**

ADOPTED _____

LYON COUNTY – PUBLIC HEALTH YOUTH CAMP ORDINANCE

CONTENTS

SECTION	I.	PURPOSE
SECTION	II.	AUTHORITY
SECTION	III.	DEFINITIONS
SECTION	IV.	ADMINISTRATION
SECTION	V.	ADOPTION OF YOUTH CAMP STATE STANDARDS
SECTION	VI.	FOOD AND BEVERAGE ORDINANCE; LODGING ORDINANCE; MHP/RCA ORDINANCE
SECTION	VII.	PUBLIC SWIMMING POOL ORDINANCE
SECTION	VIII.	PLAN REVIEW OF FUTURE CONSTRUCTION
SECTION	IX.	LICENSING AND COMPLIANCE PROCEDURES
SECTION	X.	INSPECTIONS
SECTION	XI	ADOPTION OF THE SAFE DRINKING WATER ACT AND STANDARDS OF THE PUBLIC WATER SUPPLIES
SECTION	XII.	ADMINISTRATIVE ORDINANCE
SECTION	XIII.	MINNESOTA DEPARTMENT OF HEALTH
SECTION	XIV.	PENALTIES
SECTION	XV.	SEVERABILITY
SECTION	XVI.	REPEAL OF PREVIOUS ORDINANCE
SECTION	XVII.	EFFECTIVE DATE

LYON COUNTY – PUBLIC HEALTH YOUTH CAMP ORDINANCE

The County Board of Lyon County ordains:

SECTION I - - PURPOSE

- 1.1 An Ordinance Providing for the Licensing and Inspection of Youth Camps, Regulating Their Design, Construction, Operation, and Maintenance, and Providing for the Enforcement of this Ordinance, and the Fixing of Penalties Throughout the Entirety of Lyon County, Thereof be and thereby is established as follows:
 - A. This Ordinance shall be applicable to all Youth Camps as defined in Minnesota Statutes, Section 144.71, subdivision 2; or successor statutes. These regulations do not apply to those camps defined in Minnesota Statutes, Section 144.71, subdivision 3; or successor statutes.

- 1.2 The purpose of this Ordinance is to establish standards for all Youth Camps and to protect the health, safety and general welfare of the residents of Lyon County, including the following general objectives:
 - A. Protect the public from unhealthy and unsanitary Youth Camps.
 - B. Correct and prevent conditions that may adversely affect persons attending Youth Camps.
 - C. Provide minimum standards for the design, construction, operation, and maintenance of Youth Camps.
 - D. Meet consumer expectations of the quality and safety of Youth Camps.
 - E. Establish inspection requirements and associated procedures involved with administering and enforcing this Ordinance.
 - F. Comply with the delegation agreement that Southwest Health and Human Services has entered into with the Minnesota Department of Health.

SECTION II - - AUTHORITY

- 2.1 This Ordinance is enacted pursuant to Minnesota Statutes 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 III - - DEFINITIONS

- 3.1 Unless specifically defined in this section, words or phrases used in this Ordinance shall have the meaning given in Minnesota Rules, Chapter 4630; or successor rules, and Minnesota Statutes, Section 157.15; or successor statutes.
- A. **COMMUNITY HEALTH BOARD:** Means the Southwest Health and Human Services Community Health Board or designee authorized by the County Board to carry out or enforce any provision of a County Public Health Ordinance; acting under the provisions of Minnesota Statute 145A.10, as the Board of Health.
 - B. **COUNTY:** Means the County of Lyon.
 - C. **COUNTY BOARD:** Means the Lyon County Board of Commissioners and their authorized representatives.
 - D. **DEPARTMENT:** Means Southwest Health and Human Services and its Environmental Health Services Staff.
 - E. **ENVIRONMENTAL HEALTH SPECIALIST:** Means the Southwest Health and Human Services Community Health Board's Environmental Health Specialist and any related staff acting under the Community Health Board's authority.
 - F. **LICENSE:** Includes the whole or part of any permit, certificate, approval, registration or similar form of permission or renewal required by County Public Health Ordinance or State law administered by the County for the operation of any business, service or facility.
 - G. **LICENSEE:** Means the person who has been given the authority by the issuance of a license by the County to establish, operate and/or maintain a facility or activity regulated by County Public Health Ordinances.
 - H. **YOUTH CAMP:** Means 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 therefore 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 Minnesota Statutes Chapter 257.

SECTION IV - - ADMINISTRATION

- 4.1 The Department shall administer and interpret the provisions of this Ordinance. In addition to the duties set forth herein, the Department shall maintain adequate files and records relating to all licenses or permits issued, inspections made, work approved, and other official actions.
- 4.2 The 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 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 the Ordinance.
 - C. Cooperate with local and State personnel in the enforcement of this Ordinance and State regulations, rules, and requirements relating to Youth Camps.
 - 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 Youth Camp at any reasonable time for the purpose of administrating and enforcing this Ordinance.
 - F. The Department may impose additional requirements to protect against health hazards related to the conduct of their operation.
 - G. Interpret the provisions and intent of the Ordinance as may be necessary from time to time.

SECTION V - - ADOPTION OF YOUTH CAMP STANDARDS

- 5.1 The standards for Youth Camps outlined in the Minnesota Rules Chapter 4630.2300 to 4630.4700 are hereby incorporated in and made part of this Ordinance. Wherein Minnesota Rules Chapter 4626 refers to the Commissioner, Commissioner shall mean the Southwest Health and Human Services Community Health Board and its designated agents.

**SECTION VI - - FOOD AND BEVERAGE ORDINANCE; LODGING ORDINANCE;
MHP/RCA ORDINANCE**

- 6.1 The guidelines related to food and beverage establishments of the Lyon County Public Health Food and Beverage Ordinance, as amended from time to time, are hereby incorporated in and made part of this Ordinance.
- 6.2 The guidelines related to lodging establishments of the Lyon County Public Health Lodging Ordinance, as amended from time to time, are hereby incorporated in and made part of this Ordinance.
- 6.3 The guidelines related to manufactured home parks and recreational camping areas of the Lyon County Public Health MHP/RCA Ordinance, as amended from time to time, are hereby incorporated in and made part of this Ordinance.

SECTION VII- - PUBLIC SWIMMING POOL ORDINANCE

- 7.1 The guidelines related to swimming pools and other artificial recreational bathing facilities of the Lyon County Public Health Swimming Pool Ordinance, as amended from time to time, are hereby incorporated in and made part of this Ordinance.

SECTION VIII- - PLAN REVIEW OF FUTURE CONSTRUCTION

- 8.1 General. Whenever a Youth Camp is constructed or remodeled, or whenever an existing structure is converted to be used as a Youth Camp establishment, properly prepared plans and specifications for such Youth Camp area construction, remodeling, or conversion shall be submitted to the Department with applicable fees for review and approval before construction, remodeling, or conversion is begun. The plans and specifications must include, but are not limited to:
 - A. Completed plan review applications on forms provided by the Department.
 - B. A legal description of the site, lot, field or tract of land upon which the applicant proposes to operate and maintain a Youth Camp.
 - C. The source of all the following:
 - 1. Water supplies
 - 2. Sewage treatment methods
 - 3. Disposal of garbage and refuse
 - 4. The method of fire and storm protection
 - D. Drawings for new construction or alteration, including food service facilities, lodging facilities, MHP/RCA facilities, buildings, wells, plumbing and sewage treatment systems.

- E. Drawings must show the layout of sleeping rooms, room size, maximum occupancy, exits to hallways or outdoors, fire escapes, window locations and describing ventilation and heating equipment, and floor and wall finishes, and must receive approval by the Department before such work may begun.
- F. 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.

8.2 Approval.

- A. The Department shall approve the plans and specifications only if they meet the requirements of the Ordinance, Minnesota Rules Chapter 4626 (MN Food Code), Minnesota Rules 4625, Minnesota Rules 4630, 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 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 Marshal, the Minnesota Department of Labor and Industry Plumbing Division, or the appropriate county, city, or township officials.

SECTION IX - - LICENSING AND COMPLIANCE PROCEDURES

9.1 Licenses needed. It shall be unlawful for any person to operate a Youth Camp within Lyon County who does not possess a valid license issued to them by the Department, as required by this Ordinance. Only a person, who complies with the requirements of this Ordinance, and all other applicable County Public Health Ordinance, shall be entitled to receive and retain such a license. Licenses shall not be transferable from one establishment, person, or location to another establishment, person, or location. All licenses expire as of December 31st each year.

9.2 Application for License.

- A. Any person desiring to operate a Youth Camp shall make written application for a license on forms provided by the Department. Each application for a license; shall be completed in full, and together with the appropriate license fee, as described herein, shall be submitted to the Department not later than January 31st each year, following expiration of the previous year's license, or in the case of a new Youth Camp, prior to

the opening date of such Youth Camp. Any person who operates a Youth Camp 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.

- B. License renewals shall be obtained on an annual basis. License Renewal applications shall be submitted on forms provided by the Department no later than December 31st of the year preceding the year for which application is made.
- C. Proprietors of any Youth Camp shall pay an annual license fee at a rate specified by action of the Community Health 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 Community Health Board action, shall be added to the amount of the license fee and paid by the proprietor, if the annual license fee has not reached the Department office by the dates specified in section 9.2A.
- D. From and after October 1 of each year, the license fee for new youth camps or new operators shall be one-half of the appropriate annual license fees, plus any penalty which may be required.
- E. The fees prescribed by the Community Health Board shall apply to all licenses which become effective on or after January 1 of the licensing year.

SECTION X - - INSPECTIONS

The Department shall inspect Youth Camps according to Minnesota Statutes 157 and rules adopted under Minnesota Statutes 157.

- 10.1 It shall be the duty of the Department to inspect each licensed or permitted Youth Camp in accordance with Minnesota Department of Health requirements. Re-inspections required, due to non-compliance with correction orders, may be charged an additional fee. The Department shall maintain a written policy for charging re-inspection fees.
- 10.2 The Department, after proper identification, shall be permitted at any reasonable time, to enter any Youth Camp for the purpose of making inspections to determine compliance with this Ordinance, and all other applicable County Public Health Ordinances. The Department shall be permitted to examine the records of the Youth Camp to obtain information pertaining to food and equipment purchased, received, or used, persons employed, and to obtain any other information that may be necessary to determine whether the establishment is in compliance with this Ordinance, and all other applicable County Public Health Ordinances. Any interference with the Department in performance of his/her duties shall be grounds for immediate suspension of the license.
- 10.3 Whenever an inspection of a Youth Camp 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 Youth Camp. 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 litigations.

- 10.4 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.
- 10.5 The frequency of inspections shall be based on the degree of hazard to the public and comply with the time frames established in Minnesota Statute, Section 157.20; or successor statutes.
- 10.6 Whenever the Department finds that an emergency exists which requires immediate action to protect the public health, the Department may issue an order reciting the existence of such an emergency and require such action be taken as the Department deems necessary to meet the emergency. Any person to whom such order is directed shall comply therewith immediately, but upon filing a written petition with the Department, shall be afforded a hearing prescribed in Section VII of the Lyon County Public Health Administrative Ordinance.

SECTION XI - - ADOPTION OF THE SAFE DRINKING WATER ACT AND STANDARDS OF THE PUBLIC WATER SUPPLIES

- 11.1 The requirements of the Safe Drinking Water Act as outlined in Minnesota Statutes Chapter 144, Sections 144.381 to 144.387 and the standards for Public Water Supplies as outlined in Minnesota Rules Chapter 4720 for carrying out the authority to regulate transient water systems and for carrying out the authority related to wellhead protection are hereby incorporated in and made part of this Ordinance. Wherein Minnesota Rules Chapter 4720 refers to the Commissioner, Commissioner shall mean the Southwest Health and Human Services Community Health Board and its designated Environmental Health Services staff.
- 11.2 Every youth camp shall obtain a safe, adequate supply of water from a public community water supply system, a public non-community water supply system, or a source of supply and system which is located, constructed, and operated in accordance with the provisions of Minnesota Rules Chapter 4725.

SECTION XII - - ADMINISTRATIVE ORDINACE

- 12.1 The guidelines related to licensing, fees and enforcement of licensed establishments of the Lyon County Public Health Administrative Ordinance, as amended from time to time, are hereby incorporated in and made part of this Ordinance.

SECTION XIII- - MINNESOTA DEPARTMENT OF HEALTH

- 13.1 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 sanitary 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 XIV- - PENALTIES

- 14.1 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 hereof, shall be guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine not to exceed one thousand dollars (\$1,000) or by imprisonment not to exceed ninety (90) days, or both. Each day that a violation continues shall constitute a separate offense. Such persons may be enjoined from continuing such violations.
- 14.2 In the event of a violation or a threat of violation of this Ordinance, the County Attorney may take appropriate action to enforce this Ordinance, including 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.

SECTION XV - - SEVERABILITY

- 15.1 If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, said invalidity does not affect other provisions or applications of this Ordinance, which can be given effect without the invalid provision or application, and for this purpose, the provisions of the Ordinance are severable.

SECTION XVI - - REPEAL OF PREVIOUS ORDINANCE

- 16.1 This Ordinance, adopted _____, hereby repeals and replaces in its entirety, the Lyon County Environmental Health Licensing Ordinance of July 6, 2010.

SECTION XVII- -EFFECTIVE DATE

17.1 This Ordinance shall be effective upon passage by the County Board and publication according to law.

Adopted this _____ day of _____, _____.

**Chairman
Lyon County Board of Commissioners**

Attest:

Lyon County Administrator