

LODGING ESTABLISHMENT ORDINANCE FOR RAMSEY COUNTY

"The County Board of Ramsey County ordains"

1.00 PURPOSE AND AUTHORITY

1.01 It is the purpose and intent of this Ordinance to establish rules, regulations, and standards for Ramsey County, Minnesota to:

- a) Protect and promote the health, safety and the general welfare of the people of Ramsey County;
- b) Prevent illness;
- c) Correct and prevent conditions that may adversely affect persons utilizing Lodging establishments;
- d) Provide the minimum standards, as defined in Minnesota Statutes, Chapter 157, Minnesota Rules, Chapter 4625, and this Ordinance, for the design, construction, operation and maintenance of Lodging establishments located in Ramsey County;
- e) Meet consumer expectations for the quality and safety of Lodging establishments.

~~1.012 The purpose of this Ordinance is to establish standards to protect the health, safety and the general welfare of the people of Ramsey County. powers granted under authority granted to Ramsey County by This Ordinance is adopted pursuant to Minnesota Statutes Chapters 145A, 157 with the exception of section 157.16, SsSubd. 2 and SsSubd. 3, and 375, and the Home Rule Charter for Ramsey County. with the exception of 157.16, and 375.51 - 375.55, as now constituted and from time to time amended.~~

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This Ordinance shall be liberally construed to achieve all these purposes so as to ensure the health, welfare and safety of the citizens of Ramsey County and the general public.

12.00 SCOPE AND DEFINITIONS

12.01 Scope

~~A. This Ordinance rule shall be applicable to all Lodging eEstablishments, such as hotels, motels, lodging houses and resorts as defined in Minnesota Statutes, section 157.15, within the scope of, Minnesota Rules part 4625.0200, and this Ordinance, which are located in Ramsey County.~~

~~2.02B. When a Lodging eEstablishment is located in a statutory or home rule charter city which maintains a delegation of authority agreement with the Minnesota Department of Health to regulate Lodging eEstablishments pursuant to Minnesota Statutes, section §145A.55 or §145.918, 07, or is in a non-delegated city, the provisions of Sections III through VII shall not apply. Except where higher standards are established by city ordinance, the lodging establishments shall be subject to all other requirements of this ordinance this Ordinance shall not apply.~~

3.00 GENERAL PROVISIONS

3.01 Administrative Ordinance. All of the provisions of the Ramsey County Administrative Ordinance shall apply as if fully set forth herein.

3.02 Health Authority Defined. This Ordinance shall be administered by Saint Paul - Ramsey County Public Health. The term "Department" where used in this Ordinance or the Ramsey County Administrative Ordinance, or the term "Commissioner" used in Minnesota Rules Chapter 4625, shall mean Saint Paul - Ramsey County Public Health, its environmental health specialists, or other designated agents.

3.03 Definitions. Definitions of words, phrases, and terms used in this Ordinance shall be those set forth in Minnesota Statutes Chapter §157, Minnesota Rules Chapter 4625, as they may be amended from time to time, the Ramsey County Administrative Ordinance, and this section.

1.02 Definitions

~~For the purpose of this ordinance the following words shall have the following:~~

A. "Approved" shall mean acceptable to the Health Authority following its determination as to conformity with established public health practices.

B. "Boarding Establishment" shall have the meaning given in Minnesota Statutes §, section 157.15 sSubd.4.

C.A. -"County" shall mean Ramsey County, Minnesota.

CD. "County Board" shall mean the Ramsey County Board of Commissioners.

DE. "Director" shall mean the Director of Saint Paul – Ramsey County Public Health or designeehis/her designated agent.

~~B. "Health Authority" shall mean the Ramsey County Public Health Department, its environmental health specialist or other designated agent.~~

~~EE. -~~

"Hotel" or "Motel" shall have the meaning given in Minnesota Statutes §, section 157.15 sSubd.7., as it may be amended including all subsequent amendments thereto.

FG. "Lodging Establishment" shall have the meaning given in Minnesota Statutes §, section 157.15 sSubd.8., as it may be amended.

GH. "'Boarding Establishment" shall have the meaning given in Minnesota Statutes section 157.15 subd.4, as it may be amended. Person" shall have the meaning given in Minnesota sStatutes, §section 157.15, sSubd. 10

HI. "Resort" shall have the meaning given in Minnesota Statutes §, section 157.15, sSubd.11, as it may be amended.

~~C. "Hotel" or "motel" shall mean any building or 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.~~

~~D. "Lodging house" shall mean every building or structure or any part thereof, kept, used, 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 at beds to let to the public.~~

E. ~~"Boarding 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, whether with or without sleeping accommodations, for periods of one week or more.~~

F. ~~"Resort" shall mean any building, structure, or enclosure, or any part thereof, located on, or on property neighboring any lake, stream, or 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.~~

G. ~~"Lodging establishment" shall mean a hotel, lodging house, boarding house, resort or similar facility where sleeping facilities are offered to the public.~~

H. ~~"Approved" shall mean acceptable to the Health Authority following its determination as to conformity with established public health practices.~~

I. ~~"Clean" shall mean the absence of dirt, grease, rubbish, garbage and other offensive, unsightly or extraneous matter.~~

J. ~~"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.~~

K. ~~"Usable floor space" shall mean all floor space in a sleeping room not occupied by closets, toilet rooms, shower or bathrooms.~~

~~2.00 SANITATION REQUIREMENTS.~~

~~The construction, operation, maintenance and equipment of lodging establishments shall be regulated as follows:~~

~~2.01 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.~~

~~2.02 Floors. The floors of all guest rooms, hallways, bathrooms, store rooms, 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 done as to minimize the raising of dust and the 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.~~

~~2.03 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 where suitably finished and kept clean.~~

~~2.04 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 Health Authority 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.~~

~~2.05 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. An area shall be considered well ventilated when excessive heat, odors, fumes, vapors, smoke or condensation is reduced to a negligible level and barely perceptible to the normal senses. During seasons when weather conditions require tempering of make-up air, adequate equipment shall be provided to temper the make-up air. Every gas-fired or oil-fired room heater and water heater shall be vented to the outside air.

~~2.06 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 3 feet apart when placed side by side. No sleeping quarters shall be provided in any basement having more than half its clear floor to ceiling height below the average grade of the adjoining ground. When strict compliance herewith is impracticable, the Health Authority may waive any of the provisions of this paragraph subject to such conditions as may be deemed desirable in the individual case.

~~2.07 Bedding and Linen.~~ All beds, bunks, cots, and other sleeping places provided for guests in hotels, motels, resort and lodging houses shall be supplied with suitable pillowslips 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 out or unfit for further use. Pillowslips, 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 guests occupying a guest room for an extended period of time, a fresh set of sheets and pillowslips 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, pillowslips, and bath linens furnished by a guest.

~~2.08 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.

~~2.09 Toilets.~~ Every hotel, motel and lodging house shall be equipped with adequate and conveniently located water closets for the accommodation of its employees and guests. Water closets, lavatories and bathtubs 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 20 occupants, or fraction thereof. 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. Toilets 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. Every resort shall be equipped with adequate and convenient toilet facilities for its employees and guests. If privies are provided, they shall be separate buildings and shall be constructed, equipped, and maintained in conformity with the standards of the Health Authority and shall be kept clean.

~~2.10 Water supply.~~ A safe and adequate supply of water shall be provided. The water supply shall be located, constructed and operated in accordance with the rules of the State of Minnesota. After September 30, 1980, the temperature of hot water which is provided in any public area or guest room, including but not limited to lavatories, bathtubs or showers shall not exceed 130 degrees F (54 degrees C).

~~2.11 Handwashing.~~ All lavatories for public use or furnished in guest rooms at hotels, motels, lodging houses and resorts shall be supplied with hot and cold running water and with soap. Scullery sinks shall 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 dryers shall be provided at all lavatories for use by employees or the public.

2.12 Eating utensils and drinking and vessels provided in guest rooms.

A. 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 Health Authority. Approved facilities for manual dishwashing shall consist of a three compartment sink with stacking and drainboards at each end. All mechanical dishwashing machines shall conform to Standard Number 3 of the National Sanitation Foundation, dated April, 1965. All dishes, glasses, utensils and equipment after washing and bactericidal treatment shall be permitted to drain and air dry.

B. Single service utensils or vessels as defined in the Ramsey County Food Protection Ordinance must be handled in a sanitary manner. Such utensils may not be re-used.

2.13 Waste disposal. All liquid waste shall be disposed of in an approved public sewerage system or in a sewerage system which is designed, constructed and operated in accordance with the rules of the Minnesota Pollution Control Agency. Prior to removal, all garbage and refuse in storage shall be kept in watertight, 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.

2.14 Insect and rodent control. Every hotel, motel, lodging house and resort 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 for the elimination of such pests such as cleaning, renovation or fumigation shall be used. The Health Authority may order the facility to hire an exterminator licensed by the State to exterminate pests when:

A. The infestation is so extensive that it is unlikely that a non professional can eradicate the pests effectively, or

B. The extermination method of choice can only be carried out by a licensed exterminator, or

C. Upon reinspection, it is found that an establishment has not been brought into compliance with a prior order to rid the establishment of pests.

2.15 Personnel health and cleanliness. No person shall resume work after visiting the toilet without thoroughly washing his or her hands. Personnel of hotels, motels, lodging houses and resorts may be required to undergo medical examination to determine whether or not they are cases or carriers of a communicable disease.

2.16 Cleanliness of premises. The premises of all hotels, motels, lodging houses and resorts shall be kept clean and free of litter or rubbish.

2.17 Fire protection. All lodging establishments shall provide suitable fire escapes which shall be kept in good repair and accessible at all times. Hallways shall be marked and exit lights provided; fire extinguishers shall be provided and shall be recharged annually and kept accessible for use. No sleeping quarters shall be maintained in rooms which do not have an 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.

~~2.18 Plumbing and swimming pools.~~ All new plumbing in hotels, motels, lodging houses and resorts, and all plumbing reconstructed or replaced after January 1, 1968 shall be designed, constructed and installed in conformity with the Minnesota plumbing code. All swimming pools and other artificial recreational bathing facilities shall be located, constructed and operated in conformity with 7 MCAR section 1.141.

~~2.19 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 in areas to which the public has access. Any such establishment may install open type ice bins only if the ice therefrom is dispensed in the manner provided in subpart S. 2.~~

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 pre filled, individual sanitary containers of ice, or by making available pre filled, disposable, closed bags of ice.~~

~~3.00 LICENSE REQUIRED~~

4.00 LICENSE ADMINISTRATION

4.01 License Required. No Person shall operate a Lodging eEstablishment, ~~as defined in Minnesota Statutes, section 157.15, or this Ordinance,~~ unless a license for the current calendar year of the applicable type shall have been obtained from the Department pursuant to this Ordinance and the Ramsey County Administrative Ordinance.

4.02 License Application. The application for such licenses shall be made on forms furnished by the Department and shall set forth such information as may be reasonably required by the Department. The issuance of such licenses and their maintenance, termination, and administration shall be in accordance with and subject to all conditions of the Ramsey County Administrative Ordinance, unless otherwise provided herein.

4.03 License Fees. Fees for licenses issued hereunder shall be those established from time to time by resolution of the County Board.

4.04 License Expiration. Licenses issued pursuant to this Ordinance shall expire on the last day of December each year and shall be renewed pursuant to the Ramsey County Administrative Ordinance.

4.05 Transfer and Display of License. Only a person who complies with the requirements of this Ordinance and ordinances applicable thereto of the city or town in which the Lodging establishment is located shall be entitled to receive a license. A license shall not be transferable as to person or place. A license obtained for a Lodging establishment shall be conspicuously displayed to the public.

~~It is unlawful for any person to operate or permit the operation of a lodging establishment, regardless of whether a fee is charged for such use, unless the County has issued a valid license therefor which is in full force and effect. Licensing of lodging establishments shall be done pursuant to the Ramsey County Administrative Ordinance. Only a person who complies with the provisions of this ordinance and ordinances applicable thereto of the city or cities in which the lodging facility is located shall be entitled to receive a license.~~

54.00 LICENSE FEES

~~Fees for licenses issued hereunder shall be those established from time to time by a resolution of the County Board of Commissioners.~~

~~5.00 LICENSE EXPIRATION AND RENEWAL~~

~~Licenses issued under this ordinance shall expire and shall be renewed pursuant to the Ramsey County Administrative Ordinance.~~

5.00 INSPECTIONS AND PLAN REVIEW

5.01 Inspection Required. The Department shall inspect each Lodging establishment prior to issuing a license for a new establishment or change of ownership. A license shall not be issued until the corrections required by the Department as a result of the pre-licensing inspection have been made to the satisfaction of the Department.

5.02 Inspection of Lodging Establishments. The Department shall inspect every Lodging eEstablishment as frequently as it may deem necessary to insure compliance with this Ordinance, but not less than the minimum frequency for establishments established by Minnesota Statutes, section 157.20 or other applicable statutes or rules.

5.03 Inspection Report. The Department shall deliver an inspection report to the owner, manager, or the employee who appears to be responsible for operations at the time of inspection. The Department may, in lieu of delivering such report, post it upon an inside wall of the Lodging establishment, not in a public area, and such inspection report shall not be defaced or removed by any person except the Department. The posting of the inspection report upon the inside wall of the Lodging establishment shall constitute service of an official notification of the inspection by the Department. The Department may, in lieu of posting such report, deliver it to the licensee or authorized agent by certified or registered mail. A copy of the inspection report shall be filed with the records of the Department.

5.04 Access to Premises and Records; Interference with Health Authority. The person operating the Lodging establishment shall, upon request and after proper identification of the Department, permit access to all parts of the establishment at any reasonable time for the purpose of inspection, and shall exhibit and allow copying of any records as necessary. No persons shall interfere with or hinder the Department in the performance of its duties, or refuse to permit the Department to make such inspections.

5.05 Removal and Correction of Violations. After receiving or having posted a report giving notification of one or more violations of this Ordinance, a licensee shall correct each violation in a reasonable length of time as determined by the Department. The length of time for the correction of each such violation shall be noted on the inspection report. The failure to correct each such violation within the time period noted on the inspection report shall constitute a separate violation of this Ordinance.

5.06 Construction Plan Review Required. A person shall not begin to construct, extensively remodel, or alter a Lodging establishment until the Department has reviewed and approved the plans and specifications required by this section. –The Lodging establishment shall be constructed and finished in conformance with the approved plans and this Ordinance. The Department may inspect the Lodging establishments as frequently as deemed necessary during construction to ensure that construction occurs in conformance with this Ordinance. The Department shall conduct a final inspection prior to the start of operations and issuance of an approved license. If work has commenced prior to approval of plans when required, the Department may issue orders to halt the construction, extensive remodeling, expansion, or alteration, or may issue orders, including demolition or removal, if reasonably necessary to determine compliance with the standards of this Ordinance.

~~6.00 INSPECTION OF LODGING ESTABLISHMENTS~~

~~The Health Authority shall inspect every lodging establishment as frequently as deemed necessary to ensure compliance with this ordinance, but not less than once per year.~~

~~67.00 CONSTRUCTION PLAN REVIEW~~

~~All persons who hereafter construct, remodel or convert buildings or facilities for use as a lodging or boarding facility shall conform and comply in their construction or alteration with the requirements of this ordinance. Plans and specifications for such construction, remodeling or alteration which shall show layout; mechanical, plumbing, and electrical specifications; construction materials; and location and type of equipment and facilities shall be filed by its owner in the office of the Health Authority. The statutory or home rule charter city shall not issue a building permit for the facility or remodeling or alteration permit for the facility until such plans have the approval of the Health Authority. The lodging establishment shall be constructed and finished in conformance with the approved plans. The Health Authority shall inspect the lodging establishments as frequently as deemed necessary during construction to ensure the construction occurs in conformance with the approved plans. The Health Authority shall conduct a final inspection prior to the start of the operations and issuance of an approved license.~~

~~6.00 STANDARDS FOR HEALTH, AND SAFETY AND NUISANCE PREVENTION~~

6.01 Standards Adopted. Minnesota Rules, Chapter 4625 with the exception of part 4625.2300, in effect on the effective date of this Ordinance, and as they may be amended-, and all future revisions thereof, are hereby adopted by reference and made part of this Ordinance except where they are specifically amended by this Ordinance.

6.02 Standards Amended. The above adopted rules are hereby amended as follows:

A. The standard imposed by Minnesota Rules part 4625.2355, is modified as follows: A party may appeal the denial, revocation, or refusal to renew a variance in accordance with and subject to all conditions of the Ramsey County Administrative Ordinance, unless otherwise provided herein.

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

8.00 PENALTY Any person who violates this Ordinance, or who permits a violation to exist on the premises under the person’s control, or fails to take action to abate the existence of the violation within the specified time period when ordered or notified to do so by the Department, shall be guilty of a misdemeanor, and upon conviction thereof, shall be punished as provided by law.

9.00 EFFECTIVE DATE This Ordinance shall be effective upon ~~thirty (30) days after passage by the County Board and its publication in accordance with law.~~

~~8.00 PENALTY~~

~~Any person violating a provision of this ordinance shall be guilty of a misdemeanor and upon conviction thereof shall be punishable pursuant to the Ramsey County Administrative Ordinance.~~

~~9.00 EFFECTIVE DATE~~

~~This ordinance shall be effective upon passage by the County Board.~~