

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.

1.02 This Ordinance is adopted pursuant to Minnesota Statutes Chapters 145A, 157 with the exception of section 157.16, Subd. 2 and Subd. 3, and 375, and the Home Rule Charter for Ramsey County.

This Ordinance shall be liberally construed to achieve all these purposes.

2.00 SCOPE

2.01 This Ordinance shall be applicable to all Lodging Establishments, 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.

2.02 When a Lodging Establishment 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 Establishments pursuant to Minnesota Statutes, section 145A.07, or is in a non-delegated city, the provisions of 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.

- 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 Subd.4.
- C. "County" shall mean Ramsey County, Minnesota.
- D. "County Board" shall mean the Ramsey County Board of Commissioners.
- E. "Director" shall mean the Director of Saint Paul – Ramsey County Public Health or designee.

- F. "Hotel" or "Motel" shall have the meaning given in Minnesota Statutes, section 157.15 Subd.7.
- G. "Lodging Establishment" shall have the meaning given in Minnesota Statutes, section 157.15 Subd.8.
- H. "Person" shall have the meaning given in Minnesota Statutes, section 157.15, Subd. 10
- I. "Resort" shall have the meaning given in Minnesota Statutes, section 157.15, Subd.11.

4.00 LICENSE ADMINISTRATION

4.01 License Required. No Person shall operate a Lodging Establishment 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.

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 Establishment 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 STANDARDS FOR HEALTH, SAFETY AND NUISANCE PREVENTION

6.01 Standards Adopted. Minnesota Statutes, sections 157.177 and Chapter 327, and 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. 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, will be subject to enforcement under the Ramsey County Administrative Ordinance.

9.00 EFFECTIVE DATE This Ordinance shall be effective upon passage by the County Board and its publication in accordance with law.