403899 FILED JAN 26 '11 AT 9 AM Diane M. Lafferty, County Recorder

AITKIN COUNTY ORDINANCE REGULATING MANUFACTURED HOME PARKS AND RECREATIONAL CAMPING AREAS

Section 1.00 Purpose

The purpose of this ordinance is to establish standards for all mobile home parks and recreational camping areas and to protect the health, safety and general welfare of the people of Aitkin County.

Section 2.00 Scope.

This ordinance shall provide for the licensing and inspection of all mobile home parks and recreational camping areas; 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 manufactured home parks and recreational camping areas as defined in Minnesota Statutes and in this ordinance, whether or not a license is required pursuant to Minnesota Statutes Chapter 327 and MN Rule 4630.

Section 3.00 Authority

This ordinance is adopted by the Board pursuant to Minnesota Statutes Chapter 157A.05 and Section 145A.07 which authorizes the Commissioner of Health to enter into a delegation agreement with counties or cities organized under the provisions of to perform all or part of the licensing, inspection and enforcement duties.

SECTION 4.00 DEFINITIONS

4.01 **Commercial planned unit developments.** "Commercial planned unit developments" means land uses that provide transient, short-term lodging spaces, rooms, or parcels and their operations are essentially service-oriented. For example, hotel/motel accommodations, resorts, recreational vehicle and camping parks, and other service-oriented activities.

4.02 **County.** "County" shall mean the County of Aitkin.

4.03 **County Board.** "County Board" shall mean the Aitkin County Board of Commissioners and its authorized representatives.

4.04 **Deck.** "Deck" means a horizontal, unenclosed platform with or without attached railings, seats, trellises, or other features, attached or functionally related to a principal use or site and at any point the deck surface extends more than 30 inches above ground.

4.05 **Department.** "Department" shall mean the Aitkin County Environmental Services Department and its authorized representatives.

4.06 **Dependent Site.** "Dependent Site" shall mean recreational camping area sites, that do not have sewer connections and are dependent upon a central facility for this utility.

4.07 **Independent Site.** "Independent Site" shall mean recreational camping area sites that are provided with individual sewer connections.

4.08 **Individual Sewage treatment system.** "Sewage Treatment System" shall mean a system as described and regulated in the Aitkin County Individual Sewage Treatment System and Wastewater Ordinance No. 1.

4.09 **Landing.** "Landing" shall mean the top or bottom of a section of stairway, with or without railings.

4.10 **Manufactured Home.** "Manufactured Home" means a structure, transportable in one or more sections, which in the traveling mode is eight body feet or more in width or 40 body feet or more in length, or, when erected on site, is 320 or more square feet, and which is built on a permanent chassis and designed to be used as a dwelling with or without a

permanent foundation when connected to the required utilities, and includes the plumbing, heating, air conditioning, and electrical systems contained therein; except that the term includes any structure which meets all the requirements and with respect to which the manufacturer voluntarily files a certification required by the secretary and complies with the standards established under this ordinance.

4.11 **Manufactured Home Park.** "Manufactured Home Park" means any site, lot, field or tract of land upon which two or more occupied manufactured homes are located, either free of charge or for compensation and includes any building, structure, tent, vehicle or enclosure used or intended for use as part of the equipment of the manufactured home park.

The term "manufactured home park" shall not be construed to include manufactured homes, buildings, tents, or other structures temporarily maintained by any individual or company on premises associated with a work project and used exclusively to house labor or other personnel occupied in such work project. It also does not include single family duplex lots that were established in accordance with the Aitkin County Zoning Ordinance.

4.12 **Person.** "Person" shall mean any individual, firm, partnership, public or private corporation, municipality or other organization, receiver, trustee, assignee or agent, and with respect to acts prohibited or required herein, shall include employees or licensees.

4.13 **Platform.** "Platform" shall mean a horizontal, unenclosed structure with or without attached railings, seats, trellises, or other features, attached or functionally related to a principal use or site and the platform surface extends less than 30 inches above ground.

4.14 **Recreational Camping Area.** "Recreational Camping Area" means any area, whether privately or publicly owned, used on a daily, nightly, weekly, or longer basis for the accommodation of three or more tents, or recreational camping vehicles free of charge or for compensation.

Recreational camping area does not include youth camps, industrial camps, migrant labor camps, as defined in Minnesota Statutes and State Commissioner of Health Rules, United States Forest Service Camps, State Forest Service Camps, State Wildlife Management Areas or state-owned public access areas which are restricted in use to picnicking and boat landing.

4.15 **Recreational Camping Vehicle.** "Recreational Camping Vehicle" includes the following:

4.151 Any vehicular, portable structure built on a chassis, designed to be used as a temporary dwelling for travel, recreational and vacation uses;

4.152 Any structure designed to be mounted on a truck chassis for use as a temporary dwelling for travel, recreation and vacation;

4.153 Any portable, temporary dwelling to be used for travel, recreation and vacation, constructed as an integral part of a self-propelled vehicle; or

4.154 Any folding structure mounted on wheels and designed for travel, recreation and vacation use.

4.16 **Resort.** "Resort" means a lodging structure located on or near any lake, stream, skiing or hunting area, or any recreational area for convenient access, and held out to the public to be a place where sleeping accommodations are furnished to the public for recreational periods of one day, one week, or longer, and having for rent five or more cottages, rooms, or enclosures.

4.17 **Sanitary station.** "Sanitary station" means a facility used for removing and disposing of wastes from recreational vehicle holding tanks.

4.18 **Sewer system.** "Sewer system" means pipelines or conduits, pumping stations, and force main, and all other construction, devices, appliances, or appurtenances used for conducting sewage or industrial waste or other wastes to a point of ultimate disposal.

4.19 **Shoreland.** "Shoreland" means land located within the following distances from public waters: 1,000 feet from the ordinary high water level of a lake, pond, or flowage; 500 feet from the ordinary high water level of the Mississippi River; and 300 feet from a river or stream, or the landward extent of a floodplain designated by ordinance on a river or stream, whichever is greater. The limits of shorelands may be reduced whenever the waters involved are bounded by topographic divides which extend landward from the waters for lesser distances and when approved by the commissioner.

4.20 **Seasonal Establishment.** "Seasonal Establishment" shall mean any manufactured home park or recreational camping area that operates for a continuous period of six (6) months (183 days) or less during a calendar year.

4.21 **Year Round Establishment.** "Year Round Establishment" shall mean any manufactured home park or recreational camping area that operates on a year-round basis (in excess of 183 days).

SECTION 5.00 GENERAL REQUIREMENTS

5.01 **Location.** No manufactured home park or recreational camping area shall be so located that drainage from the park or camp area will endanger any water supply. All such parks and camps shall be well drained and no portion of the park or camp shall be located in an area subject to flooding, except that camps may be located in flood plain which has been approved for recreational use. No wastewater from manufactured homes or recreational camping vehicles shall be deposited on the surface of the ground.

5.02 **Caretaker.** A responsible attendant or caretaker shall be in charge of every manufactured home park or recreational camping area at all times and the duty of said attendant shall be to maintain the park, its facilities and equipment in a clean, orderly and sanitary condition. The caretaker or attendant shall be the owner or operator of the park or camping area, or his/her appointed representative.

5.03 **Spacing.**

5.031 No manufactured home shall be parked closer than thirty (30) feet to the side lot lines of a manufactured home park or closer than 10 feet to an internal street or alley or closer than 50 feet from any boundary line abutting upon a public street or highway. Each individual manufactured home site shall abut or face on a driveway, roadway, or clear unoccupied space of not less than 21 feet in width if no parking is allowed or if parking is allowed on one side of the street. The roadway must be 36 feet in width if parking will be allowed on both sides of the street. This space shall have unobstructed access at all times to a public road. There shall be an open space of at least 10 feet between the side of adjacent manufactured homes including their attachments, and at least three feet between manufactured homes when parked end to end. The space between manufactured homes may be used for parking of motor vehicles or other property provided such vehicle or other property be parked at least 10 feet from the nearest adjacent manufactured home position.

5.032 All new manufactured home parks constructed after January 1, 1970, shall allot the following minimum site sizes for each manufactured home: 4,000 square feet if sewage from the park is discharged into a soil absorption system; 2,800 square feet if any other acceptable method of sewage disposal is used.

5.033 In recreational camping areas, recreational camping vehicles shall be separated from each other and from other structures by at least 10 feet.

5.034 Any accessory structure such as attached awnings, car ports or individual storage facilities, shall, for the purpose of this separation requirement, be considered to be part of the recreational camping vehicle.

A minimum site size of 2,000 square feet shall be provided for each recreational camping vehicle in camping areas constructed after January 1, 1970.

All recreational camping vehicles shall be located at least 50 feet from any camping area property boundary line abutting upon a public street or highway and at least 30 feet from other park property boundary lines. Each individual recreational camping site shall abut or face on a driveway, roadway, or clear unoccupied space of not less than 14 feet for one way and 24 feet for two way roads. This space shall have unobstructed access at all times to a public road. Parking shall be on individual campsites or designated parking areas. There shall be no parking on interior access roads.

5.04 **Domestic Animals.** No domestic animals or house pets shall be allowed to run at large or commit any nuisances within the limits of a manufactured home park or recreational camping area. Any kennels, pens or other facilities provided for such pets shall be maintained in a sanitary condition at all times. Unless a different number is prescribed by local ordinance or park rule, the maximum number of dogs allowed per manufactured home is two, and the maximum number of cats allowed per manufactured home is four. In the case of new litters, the above numbers may be exceeded for ten weeks following the birth and only once per manufactured home during a calendar year.

5.05 Water Supply.

5.051 Every manufactured home park and recreational camping area 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 that is located, constructed and operated in accordance with the provisions of the rules of the Commissioner of Health governing public water supplies (Minn. Rules, parts 4720.0010 to 4720.4600) and wells (Minn. Rules, parts 4725.0100 to 4725.7600).

5.052 In manufactured home parks, the water supply shall be capable of supplying a minimum of 150 gallons per day per manufactured home, and in recreational camping areas, the water supply shall be capable of supplying 50 gallons per site per day for all sites lacking individual water connections, and 100 gallons per site per day for all spaces provided with individual water connections. In recreational camping areas water from the drinking water supply shall be available within at least 400 feet of every campsite.

5.053 The water piping system shall not be connected with non-potable or questionable water supplies and shall be protected against the hazards of back flow and back siphonage. The system shall be so designed and maintained as to provide a pressure of not less than 20 pounds per square inch under normal operating conditions at service buildings and other locations requiring a potable water supply. In manufactured home parks and on recreational camping sites provided with individual water service connections, riser pipes shall be so located and constructed that they will not be damaged by the parking of manufactured homes or recreational camping vehicles. Water riser pipes shall extend at least 4 inches above the ground elevation and the minimum pipe size shall be 3/4 inch. Adequate provisions shall be made to prevent freezing of service lines, valves and riser pipes. If underground stop and waste valves are installed, they shall be at least 10 feet from the nearest buried portion of the sewage system. Water risers on unoccupied sites shall be valved off. There shall be a horizontal distance of at least 10 feet between water and sewer pipes; provided, that where the sewer pipe and the water pipe is constructed of approved material the distance between may be less than 10 feet.

5.06 **Plumbing.** All systems of plumbing in manufactured home parks and recreational camping areas shall be installed in accordance with the provisions of the rules of the

Minnesota Commissioner of Health entitled the Minnesota Plumbing Code (Minn. Rules, parts 4715.0100 to 4715.5600).

5.07 Toilet, Bathing and Laundry Facilities

5.071 In dependent recreational camping areas one or more central buildings equipped with toilet and bathing facilities shall be provided. The number of fixtures shall be in accordance with the following schedule:

Number of Toilets Urinals Lavatories Showers

Number of Dependent Sites	Toilets		Urinals	Lavatories		Showers	
	Men	Women	Men	Men	Women	Men	Women
1-15	1	1	1	1	1	1	1
16-30	1	2	1	2	2	1	1
31-45	2	2	1	3	3	1	1
46-60	2	3	2	3	3	2	2
61-80	3	4	2	4	4	2	2
81-100	3	4	2	4	4	2	2
101-130	4	5	3	5	5	3	3
131-160	5	6	3	6	6	4	4
161-190	6	7	3	7	7	4	4
191-220	7	8	4	8	8	5	5
221-250	8	9	4	9	9	5	5
251-280	9	10	4	10	10	6	6
281-310	10	11	5	11	11	6	6

Privies and other toilets not connected to water-carried systems may be used in recreational camping areas when approved by the Department.

5.072 In recreational camping areas where laundry and bathing facilities are provided, such facilities shall be in buildings that are well constructed, in good repair and have adequate heating and ventilation, good lighting and floors of impervious material sloped to drain. Walls shall be of washable material. There shall be no exposed studs or rafters. Toilet facilities shall not be more than 400 feet from the furthest site to be served and shall be plainly marked according to gender.

5.073 In conjunction with bathing facilities there shall be provided a dressing area or dressing compartment, the floor of which shall be impervious and well drained. Mats, grids and walkways made of cloth or other absorbent material shall not be used, provided that single service mats may be used.

5.074 Where clothes drying lines are provided, they shall be located in areas out of regular pedestrian traffic patterns and where they will generally not be a hazard to the safety of the occupants of the camping area. No laundry trays, washing machines, dryers or extractors shall be located in any toilet, bath, or dressing room.

Recreational camping areas accommodating recreational camping vehicles having a self-contained liquid waste system with a waste reservoir shall provide a sanitary station for the disposal of wastewater. Such sanitary stations shall be equipped with a 4-inch sewer riser pipe, surrounded at the inlet by a concrete apron sloped towards the inlet drain, and provided with a suitable hinged cover. A water outlet, with the necessary means to prevent back flow of contamination into the camp water supply system shall be provided to permit periodic wash-down of the immediate adjacent areas. Each recreational camping area accommodating self-contained camping vehicles shall provide sanitary stations in

the ratio of 1 sanitary station to 300 recreational camping vehicle sites or fraction thereof. Sanitary stations shall be screened from other activities by visual barriers such as fences, walls or natural growth, and shall be separated from any recreational camping vehicle site by a distance of at least 50 feet. Final disposal of sewage from such sanitary stations shall be by a method acceptable to the Department and the Minnesota Pollution Control Agency.

Accessibility. All new and major remodeling of toilet, bathing and laundry facilities shall cause such facilities to be accessible in accordance with the Minnesota Accessibility Code, Minn. Rules Chapter 1341.

5.08 **Barbecue Pits, Fireplaces, Stoves and Incinerators.** In manufactured home parks and recreational camping areas, cooking shelters, barbecue pits, fireplaces, and wood burning stoves shall be so located, constructed, and maintained and used as to minimize fire hazards and smoke nuisance both on the property on which used and on neighboring properties. No open fire shall be permitted except in facilities provided. No open fire shall be left unattended. No fuel shall be used or no material burned ~~which~~ that emits dense smoke or objectionable odors.

5. 09 **Insect and Rodent Harborage and Infestation Control.** Manufactured home parks and recreational camping areas shall be maintained free of accumulations of debris or other materials that may provide rodent harborage or breeding places for flies, mosquitoes and other pests. Storage areas shall be so maintained as to prevent rodent harborage. Lumber, pipe and other building materials shall be stored at least one foot above the ground. Areas shall be so maintained as to prevent the growth of ragweed, poison ivy, poison oak, poison sumac and other noxious weeds considered detrimental to health.

5.10 **Night Lighting**. The walkways, drives and other used portions of manufactured home parks shall be lighted during hours of darkness.

5.11 **Community Kitchens and Dining Rooms.** When community kitchens and dining rooms are provided, such facilities and equipment shall be maintained in a clean and sanitary condition at all times.

5.12 **Bottled Gas.** Where bottled gas is used, the container shall be firmly connected to the appliance by tubing of copper of other suitable metallic material. Cylinders containing bottled gas shall not be located within five feet of any manufactured home door or recreational camping vehicle door. The container shall not be installed or stored even temporarily inside any manufactured home or recreational camping vehicle. No container may be permitted to stand free, but must be firmly mounted in an upright position.

5.13 **Fuel Oil Supply Systems.** All piping from outside fuel storage tanks or cylinders to manufactured homes or recreational camping vehicles shall be permanently installed and securely fastened in place. All fuel oil storage tanks or cylinders shall be securely fastened in place and shall not be located inside or beneath any manufactured home or recreational camping vehicle or less than five feet from any manufactured home or recreational vehicle exit. All fuel oil containers shall be mounted upon a stand or rack constructed of a non-combustible material.

5.14 **Fire Protection.** Fire protection shall be provided in accordance with the requirements of the State Fire Marshall.

5.15 **Speed Limit.** The speed limit in a mobile home park or recreational camping area shall not be greater than 10 miles per hour. The speed limit shall be clearly posted throughout the mobile home park or recreational camping area and may be enforced by the municipality in which the park or area is located. A local municipality may, by ordinance, increase the speed limit over 10 miles per hour but not to exceed 30 miles per hour.

5.16 **Streets and Roadways.** A manufactured home park owner shall maintain streets and roadways in the park so as to permit passage of emergency vehicles and normal residential travel.

5.17 **Skirting.** All manufactured homes within the park shall be skirted.

SECTION 6.00 LICENSING

6.01 **License Required.** No person shall operate a manufactured home park or recreational camping area within Aitkin County unless a license for the current year has been obtained pursuant to this ordinance.

6.02 **Transfer of License**. Only a person who complies with the requirements of this ordinance shall be entitled to receive a license. Licenses shall not be transferable as to person or place.

6.03 **License Fees.** Fee for licenses issued hereunder shall be those established from time to time by resolution of the County Board. An additional fee shall be charged for each additional service or operation that is separate, distinct or unique from the central or main manufactured home park or recreational camping area.

6.04 **Application.** The application for such licenses shall be made on forms furnished by the Department and shall set forth the general nature of the business, the location, and other information as the County Board may require. The issuance of such licenses and their maintenance, termination and administration shall be in accordance with and subject to all conditions of the Aitkin County Administrative Procedure Ordinance relative to the general requirements for licenses in Aitkin County.

6.05 **Seasonal Establishments.** Renewal of licenses for manufactured home parks and recreational camping areas which operate for a continuous period of six (6) months (183 days) or less shall be issued effective the first day of the establishments operation in the calendar year for which the license is issued. Such renewal license shall expire after the 183rd day from the effective date of the license or on December 31 of the year-that the license was issued, whichever occurs first.

SECTION 7.00 INSPECTION

7.01 **Inspection Prior to Approval of Application.** Prior to approval of an application for a license for a new manufactured home park or recreational camping area or for a manufactured home park or recreational camping area that has not previously been licensed by Aitkin County or the Minnesota Department of Health, the Department shall inspect the proposed manufactured home park or recreational camping area to determine compliance with the requirements of this ordinance.

7.02 **Inspection of Manufactured Home Parks or Recreational Camping Areas.** The Department shall inspect every manufactured home park and recreational camping area as frequently as it may deem necessary to insure compliance with this ordinance, but not less than one complete inspection each 12 months.

7.03 **Notification of Inspection results**. The Department shall notify the licensee in writing regarding the results of each inspection. The inspection report shall be delivered to the licensee or the licensee's authorized agent in person or by certified or registered mail. A copy of the inspection report shall be filed with the records of the Department and the Licensee shall maintain a copy for at least 3 years of the date of the last inspection.

7.04 **Removal and Correction of Violations.** All licensees, owners, or operators of manufactured home parks or recreational camping areas having received a report giving notification of one or more violations of this ordinance shall correct or remove each violation in a reasonable length of time determined by the Department. The length of time for the correction or removal of each such violation shall be noted on the inspection report. The failure to remove or correct each such violation within the time period noted on the inspection report shall constitute a separate violation of this ordinance for each day the violation exists.

SECTION 8.00 CONSTRUCTION - PLAN REVIEW

8.01 **Plan Review.** All persons, who hereafter construct, remodel or convert buildings or facilities for use as manufactured home parks or recreational camping areas, shall submit a complete set of plans and specifications to the Department for review and approval before any construction can begin. The plans and specifications shall show the layout; arrangement; mechanical, plumbing and electrical specifications; construction materials of work areas; and location, size and type of equipment and facilities. The plans must be drawn to scale and must be legible and complete in all details. Plumbing specifications shall be submitted to the Minnesota Department of Health for approval.

8.02 **Plan Review Fees.** The appropriate fee, as established by resolution of the County Board, shall be submitted at the time construction plans are submitted.

8.03 **Construction Inspections**. The Department shall inspect the Mobile Home Park or recreational camping area as frequently as it may deem necessary during construction to ensure that construction occurs in conformance with this ordinance.

8.04 **Building Permits.** A city or town shall not issue a building permit for a mobile home park or recreational camping area or remodeling or alteration permit for such establishment until such plans have the approval of the Department.

8.05 **Plan Approval.** The Department shall review and approve or not approve the plans and specifications within 30 days of the time a complete set of plans and specifications are submitted. The Department shall notify the applicant, in writing, of the results of the review.

8.06 **Final Inspection.** The Department shall conduct a final inspection prior to the start of operations and issuance of an approved license. The mobile home park or recreational camping area shall be constructed and finished in conformance with the approved plans.

8.07 **Expansion.**

8.071 An expansion, conversion or change of use of a resort, mobile home park or recreational camping area shall be through a Conditional Use Permit through the Aitkin County Planning and Zoning Office. Expansions, conversions or changes in use within Shorelands of Aitkin County shall meet the requirements set forth in Section 8.0 (Commercial Planned Unit Development) of the Aitkin County Shoreland Ordinance.

8.072 A compliance inspection of all individual sewage treatment systems on the property shall be completed prior to acceptance of an application for a Conditional Use Permit. Any individual sewage treatment systems not in compliance shall be repaired, replaced or otherwise brought into compliance when the Conditional Use Permit is approved or as otherwise agreed upon, in writing, by the Department.

9.00 SEWAGE DISPOSAL

9.01 All sewage and other water-carried wastes shall be managed in accordance with the Aitkin County Individual Sewage Treatment System and Wastewater Ordinance No. 1.

9.02 All sewer lines shall be located in trenches of sufficient depth to be free of breakage from traffic, or other movements and shall be installed in accordance with Minnesota Rules Chapter 4715 (Minnesota Plumbing Code).

9.03 Individual site, sewer connections shall be at least a 4-inch diameter sewer riser pipe. The sewer connections shall consist of one pipeline only without branch fittings. All joints shall be watertight. All materials used for sewer connections shall be corrosive-resistant, nonabsorbent and durable. The inner surface shall be smooth.

9.04 The sewer riser pipe must be properly capped when a manufactured home or recreational camping vehicle does not occupy the site. Surface drainage shall be directed away from the riser, the rim of the riser pipe shall extend at least 4 inches above ground elevation.

SECTION 10.00 SOLID WASTE.

10.01 The storage, collection and disposal of refuse and garbage in the manufactured home parks and recreational camping areas shall be so conducted as to create no health hazards, rodent harborage, insect breeding areas, accident or fire hazards, water pollution or air pollution. All refuse and garbage shall be stored in fly-tight, water-tight, rodent proof containers which shall be located convenient to any manufactured home site, provided that, on days of collection plastic garbage and refuse bags may be used for outside storage as long as no nuisance conditions are created. In recreational camping areas, garbage and refuse containers shall be provided on the ratio of at least one for every four sites or centrally located facilities may be provided. Refuse and garbage collection shall be made as often as necessary, but not less frequently than once per week, to prevent nuisance conditions. Final disposal of refuse and garbage shall be accomplished in accordance with the criteria and standards established by the Aitkin County Solid Waste Ordinance.

10.02 **Open Burning.** Open burning of solid waste is prohibited.

SECTION 11.00 REGISTRATION OF GUESTS.

11.01 Persons operating a recreational camping area or a manufactured home park furnishing overnight accommodations for transient guests, shall provide and keep a guest register. Upon arrival, every guest shall provide the name and home address of all persons in their party, the make of the party's motor vehicle, vehicle registration number, the state the vehicle is registered and other identifying letters or characters appearing on the plate. Such registration shall be kept in an accurate and orderly manner and retained for one year.

11.02 **Guest Registration.** Every person, upon arriving at a recreational camping area or manufactured home park applying for guest accommodations shall furnish the operator or other attendant in charge the information necessary to complete registration.

11.03 **Registration Records, Inspection.** The registration records shall be open to the inspection of all state and local law enforcement officers.

SECTION 12.00 PARK SHELTERS.

12.01 In the case of manufactured home parks with less than ten manufactured homes, all mobile home park owners shall provide to this Department, a plan for the sheltering or the safe evacuation to a safe place of shelter of the residents of the park in times of severe weather conditions, such as tornadoes, high winds, and floods. The shelter or evacuation plan shall be developed with the assistance and approval of municipality where the park is located and shall be posted at conspicuous locations throughout the park. The park owner shall provide each resident with a copy of the approved shelter or evacuation plan. Nothing in this paragraph requires the Department to review or approve any shelter or evacuation plan developed by the park. Failure of a municipality to approve a plan submitted by a park shall not be grounds for action against the park by the Department if the park has made a good faith effort to develop the plan and obtain municipal approval.

12.02 All owners of a manufactured home park with ten or more manufactured homes, licensed prior to March 1, 1988 shall provide a safe place of shelter for park residents or a plan for the evacuation of park residents to a safe place of shelter within a reasonable distance of the park for use by park residents in times of severe weather such as tornadoes or high winds. The municipality must approve the shelter or evacuation plan by March 1, 1989.

The municipality may require the park owner to construct a shelter if it determines that a safe place of shelter is not available within a reasonable distance from the park. A copy of the municipal approval and the plan shall be submitted by the park owner to the Department. The park owner shall provide each resident with a copy of the approved shelter or evacuation plan.

12.03 A manufactured home park with ten or more manufactured homes, receiving its initial license after March 1, 1988, must provide an approved storm shelter except those exempted in Minn. Stat. Chapter 327 section 327.20.

SECTION 13.00 VARIANCE.

In any case where, upon application of responsible persons, the Department finds that by reason of exceptional circumstances the strict enforcement of Section 5.03, Section 5.05 item B and Sections 5.07, through 5.14 would cause undue hardship and would be unreasonable, impractical or not feasible, the Department in its discretion may permit a variance. The Department shall grant a variance only to these sections according to the procedures set forth in Minnesota Rules, Section 4717.7000 through 4717.7050.

Such variances may be reviewed periodically and rescinded or altered as necessary to protect the public health or eliminate nuisance conditions.

SECTION 14.00 ENFORCEMENT.

14.01 **Misdemeanor.** The violation of any provision of this Ordinance shall be a misdemeanor, and upon conviction thereof, the violator shall be subject to fine of not more than one thousand dollars ($1000.00) or imprisonment for a term not to exceed 90 days or both. A separate offense shall be deemed committed upon each day during or on which a violation occurs or continues.

14.02 **Injunction.** In the event of a violation or the threatened violation of any provision of this Ordinance, or any provision or condition of a permit issued pursuant to this Ordinance, the county in addition to other remedies, may institute appropriate actions or proceedings to prevent, restrain, correct, or abate such violation or threatened violation.

14.03 **Interpretation.** In their interpretation and application, the provisions of this ordinance shall be held to be minimum requirements and shall be liberally construed in favor of the governing body and shall not be deemed a limitation or repeal of any other powers granted by State Statutes.

SECTION 15.00 SEVERABILITY.

If any section, clause, provision, or portion of this ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this ordinance shall not be affected thereby.

SECTION 16.00 SUPREMACY.

When any condition imposed by a provision of this ordinance is either more restrictive or less restrictive than similar conditions imposed by any provision of any other county ordinance or state regulation, the more restrictive conditions shall prevail.

SECTION 17.00 EFFECTIVITY.

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

Adopted by the Aitkin County Board of Commissioners this 25 Day of

January 2011.

Chairperson
Aitkin County Board of Commissioners

Attest:

Kirk Peysar
Aitkin County Auditor

Approved as to Form:

Jim Ratz
Aitkin County Attorney

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Aitkin County Zoning

1-26-9

RECORDED ✓
TRACT INDEX ✓
GRANTOR ✓
GRANTEE ✓
COMPARED ✓

COUNTY RECORDER
AITKIN COUNTY, MINNESOTA
FILED

JAN 26 2011 9 A M

Diane M. Lafferty

As Doc. No.

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