

Ordinance 443 – Youth Camps

Section 443:00. Regulation of Youth Camps.

Subd. 1. Purpose. The purpose of this ordinance is to establish rules, regulations and standards for all youth camps to:

- (a) Protect and promote the health, safety and general welfare of the people of the City of St. Cloud;
- (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.

Subd. 2. Authority. This ordinance is adopted pursuant to powers granted under Minnesota Statute Chapters 145A, 145A.07, as it may be amended from time to time, which authorizes the Commissioner of Health to enter into an agreement with counties or cities organized under the provisions of Minnesota Statute Chapters 145A.03 to perform all or part of the licensing, inspection and enforcement duties authorized under the provisions of these sections.

Subd. 3. Jurisdiction. These ordinances are applicable to all youth camps, as defined in Minnesota State Statute 144.71 Subd. 2., within the legal boundaries of the City of St. Cloud. These regulations do not apply to those camps defined in Minnesota Statute 144.71 Subd. 3.

Section 443:01. Adoption of Standards. The standards for youth camps outlined in the Minn. Rules parts 4630 are hereby incorporated in and made part of this chapter. Wherein Minn. Rules Ch. 4626 refers to the Commissioner, Commissioner shall mean the Health Director for the City of St. Cloud and their designated agents.

Section 443:02. Definitions. Unless specifically defined in this section, words or phrases used in this chapter shall have the meaning given in Minnesota Rules Chapter 4630, or successor rules, and Minnesota Statute 157.15, or successor statutes, as they may be amended from time to time.

Subd. 1. *Department.* The City of St. Cloud Health & Inspections Department.

Subd. 2. *Youth Camp.* 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 M.S. Ch. 257.

Section 443:03. License Required. It shall be unlawful for any person, firm or corporation to operate a youth camp within the City of St. Cloud without possessing a valid license issued to them by the Department, as required by this ordinance. The City Council grants authority to issue and renew licenses pursuant to this section to the Health Director.

Subd. 1. Application for license. Application for a youth camp shall be made annually 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 in ordinance 512 and submitted to the Department not later than December 1 each year preceding the expiration of the current year's license. In the case of a new youth camp, a minimum of 30-days prior to the opening date of the youth camp.

Subd. 2. Late penalty. The penalty for late payment of license application will be set forth in ordinance 500 of this code.

Subd. 3. Licenses are valid from January 1 to December 31 for each year.

Subd. 4. The license shall not be transferable from one establishment, person, entity or location to another establishment, person, entity or location.

Section 443:04. Plan review of construction.

Subd. 1. Plan Review. 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 the youth camp 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:
 - a. Water supplies;
 - b. Sewage treatment methods;
 - c. Disposal of garbage and refuse;
 - d. 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 the work may begin; and
- (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.

Subd. 2. The Department shall approve the plans and specifications only if they meet the requirements of this chapter, Minnesota Rules 4626, Minnesota Rules 4625 and Minnesota Rules 4630 and any other applicable federal state or local laws and regulations.

Subd. 3. The youth camps shall be constructed and finished in conformance with the approved plans.

Subd. 4. Sewage treatment systems must comply with applicable state rules and be designed by a licensed sewage system designer and installed by a licensed installer.

Subd. 5. 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.

Subd. 6. 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 the proposed construction, including, but not limited to: the state's Fire Marshal; the state's Department of Labor and Industry Plumbing Division; or the appropriate county, city or township officials.

Section 443:05. Inspections.

Subd. 1. The Department shall inspect youth camps in accordance to the Minnesota Department of Health Requirements, Minnesota State Statutes 144.71 to 144.74, and applicable City Ordinances.

Subd. 2. The Department, after proper identification, shall be permitted, at any reasonable time, to enter youth camps for the purpose of making inspections to determine compliance with this chapter and other applicable codes. The Department shall be permitted to examine the records of the youth camp, to obtain information pertaining to persons employed, and to obtain any other information that may be necessary to determine whether the youth camp is in compliance with this chapter. Any interference with the Department in performance of his or her duties shall be grounds for immediate suspension of the license.

Subd. 3. Whenever an inspection of a youth camp is made, the findings will be recorded on the inspection report form. One copy of the inspection report form shall be furnished to the person in charge of the establishment. 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.

Subd. 4. The inspection report form shall specify a specific and reasonable period of time for the correction of the violation(s). Correction of the violation(s) shall be accomplished within the period specified. A reinspection will be conducted to verify compliance following the specified correcting time.

Subd. 5. The frequency of inspections shall be based time frames established in Minnesota State Statute 144.73, or sooner as determined by the Health Director.

Section 443:06. Emergency Orders.

Subd. 1. Whenever the Department finds an emergency exists which requires immediate action to protect the public health and or safety, it may, without notice or hearings, issue an order reciting the existence of such an emergency and require that the action be taken as it deems necessary to meet the emergency.

Subd. 2. Notwithstanding the other provisions of this chapter, the order shall be effective immediately. Any person to whom the order is directed shall comply therewith immediately, but upon appeal to the Department, shall be afforded a hearing before an independent hearing officer.

Section 443:07. Suspension of license.

Subd. 1. Licenses, in whole or in part, may be suspended temporarily by the Health Director or their designee at any time for failure by the holder to comply with the requirements of this ordinance or whenever the Health Director or their designee finds unsanitary or other conditions in the operation of a youth camp which in their judgment constitutes a substantial hazard to the public health. The licensee will be given notice of the immediate suspension on site, which will provide conditions which need to be completed prior to license reinstatement. The suspension will take place immediately. The licensee can request a hearing within 10 days of notice of the suspension and the hearing procedure will be the same as set forth in 443:11.

Subd. 2. Any license that has been suspended may at any time make application to the Department for a reinspection for the purpose of reinstatement of the license. Within five days following receipt of a written request, including a statement signed by the applicant that the conditions causing the suspension of the license have been corrected, the Health and Inspections Department will make a reinspection. If the applicant is complying with the requirements of this ordinance, the license will be reinstated.

Section 443:08. Revocation of license. For serious or repeated violations of any of the requirements of this ordinance, the license in whole or in part, may be revoked after an opportunity for a hearing before the City Council has been provided. Prior to such action, the Health Director will notify the license holder in writing and advising that the license will be revoked at the end of a ten day period. A license may be suspended for cause pending its revocation.

Section 443:09. Appeal and Hearing Procedure. Before the Department may revoke, suspend, deny or not renew a license, written notice must be sent to the applicant or owner/licensee setting forth the alleged grounds for the potential action. To appeal the revocation or suspension, the applicant or owner/licensee must submit a request for appeal in writing within 10 days of receiving the notice. The appeal will be before an independent hearing officer selected from the list of independent hearing officers maintained by the City of St. Cloud. At the hearing, the applicant/licensee may speak on his or her behalf and may present witnesses and other evidence he or she deems necessary. Upon the conclusion of the hearing, the hearing officer, on behalf of the City Council, shall issue a written decision that includes findings of fact. The applicant/licensee may appeal the hearing officer's decision to the Minnesota Court of Appeals by writ of certiorari.

Section 443:10. Enforcement. This ordinance will be enforced by the Health Director of the City of St. Cloud or their designee.

Section 443:11. Penalty for Non-Compliance. Any Youth Camps in violation this of this ordinance will be subject to the enforcement process and fees outlined in Section 1100 of St. Cloud City Ordinances and the penalty provisions of Section 100 of the St. Cloud City Ordinances.

Section 443:12. Severability. If any section or provision of this ordinance is held invalid, such invalidity will not affect other sections or provisions that can be given force and effect without the invalidated section or provision.

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