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CASS COUNTY

RECREATIONAL CAMPING

AREA ORDINANCE

CASS COUNTY, MINNESOTA

REVISION DRAFT

MARCH 23, 1998 VERSION

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16

1 **CASS COUNTY RECREATIONAL CAMPING AREA ORDINANCE**

2

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4

5 **SECTION 1. GENERAL PROVISIONS**

6

7 1.1 Purpose. To set forth general requirements for the design, inspection and associated
8 procedures involved with administering and enforcing said ordinance relating to
9 Recreational Camping Areas by Cass County Environmental Services Department.

10
11 1.2 Legal Authority. This ordinance is enacted pursuant to Minnesota Statutes, Section
12 375.51; Minnesota Statutes, Chapter 394; Minnesota Statutes, Sections 327.14 to
13 327.28; and Minnesota Statutes, Sections 145A.01 to 145A.07; or successor statutes.

14
15 1.3 Jurisdiction. Any person, firm or corporation owning or operating a recreational
16 camping area within the legal boundaries of Cass County, and not exempted in
17 Section 3.2 of this ordinance, shall be required to meet all of the provisions of this
18 ordinance.

19
20 Where the conditions imposed by any provision of this ordinance are either more
21 restrictive or less restrictive than comparable conditions imposed by any other
22 provision of this ordinance, or any other applicable law, ordinance, rule or regulation,
23 the provision which establishes the higher standards for the promotion of the public
24 health, safety and general welfare shall prevail.

25
26 1.4 Severability. The provisions of this ordinance shall be severable. Should any section,
27 paragraph, sentence, clause, phrase or portion of this ordinance be declared invalid for
28 any reason, the remainder of said ordinance shall not be affected thereby.

29

30 **SECTION 2. DEFINITIONS**

31

32 2.1 Accessory Storage Structure. An accessory storage structure is no larger than 48
33 square feet, with a maximum height of eight feet, used for storage purposes.
34 Accessory storage structures shall not be used for dwelling purposes and only
35 one structure shall be allowed per site.

36
37 2.3 Board. Shall mean the Cass County Board of Health.

38
39 2.4 Deck. Shall mean a horizontal, unenclosed platform with or without attached railings.

40
41 2.5 Dependent Site. Shall mean recreational camping area sites which do not have sewer
42 connections and are dependent upon a central facility for this utility.

43
44 2.6 Environmental Services Department. Shall mean the Environmental Services
45 Department Director and all staff duly authorized to enforce the provisions of this
46 ordinance.

47

- 1 2.7 Independent Site. Shall mean recreational camping area sites which are provided with
2 individual water and sewer connections.
3
- 4 2.9 Municipality. Shall mean any city, town or township, village or county in Minnesota,
5 however organized.
6
- 7 2.11 Primary License. Means the initial license issued to the first person, firm or corporation
8 to establish and maintain, conduct or operate a recreational camping area at any one
9 location.
10
- 11 2.12 Recreational Camping Area. Means any area, whether privately or publicly owned,
12 used on a daily, nightly, weekly, or longer basis for the accommodation of five or more
13 tents, or recreational camping vehicles free of charge or for compensation.
14
- 15 2.13 Recreational Camping Vehicle. Recreational camping vehicle includes the following:
16
17 A. any structure designed to be mounted on a truck chassis for use as a temporary
18 dwelling for travel, recreation and vacation;
19 B. any portable, temporary dwelling to be used for travel, recreation and vacation,
20 constructed as an integral part of a self-propelled vehicle; and
21 C. any folding structure, mounted on wheels and designed for travel, recreation
22 and vacation use.
23
- 24 2.14 Renewal License. Means a license issued to a person, firm or corporation operating a
25 previously licensed recreational camping area.
26
- 27 2.15 Seasonal Establishment. Shall mean any recreational camping area which operates
28 for a continuous period of six (6) months, (183 days) or less during a calendar year.
29
- 30 2.16 Seasonal Site. A recreational camping site intended for occupancy by the same
31 recreational vehicle for a period of thirty (30) days or longer.
32
- 33 ?? 2.17 Square Footage. Shall mean the square footage of the recreational camping vehicle in
34 the traveling mode exclusive of the tongue and bumper.
35
- 36 2.18 Steps or Stairs. Shall mean structures whose primary purpose is to allow access to a
37 recreational vehicle. These structures must not exceed four feet in width and 32
38 square feet in area. Canopies or roofs are not allowed on these structures. Steps or
39 stairs may be constructed above the ground on posts or pilings or placed into the
40 ground. Permits will not be required for steps or stairs meeting the requirements of this
41 Section.
42
- 43 2.19 Transient Site. A recreational camping site intended for occupancy by recreational
44 camping vehicles and rented by the day or week and occupied by the same
45 recreational camping vehicle for up to thirty (30) days in any calendar year.
46
- 47 2.20 Year-Round Establishment. Shall mean any recreational camping area which
48 operates on a year-round basis (in excess of 6 months [183 days]).
49

1 **SECTION 3. LICENSING**

2
3 3.1 License for Recreational Camping Area. No person, firm or corporation shall establish,
4 maintain, expand, conduct or operate a recreational camping area within Cass County
5 without first obtaining a license from the Environmental Services Department. Any
6 person, firm or corporation desiring to operate a manufactured home park in addition to
7 a recreational camping area on the same site need only obtain one license. The
8 license required shall be the one that relates to the greatest number of sites. The
9 license shall state the number of independent recreational camping sites and
10 dependent recreational camping sites allowed according to the Environmental Services
11 Department's criteria. No renewal license shall be issued if the number of sites
12 specified in the application exceeds those of the original application unless the plans
13 for expansion or the construction for expansion are first authorized by the
14 Environmental Services Department. Any recreational camping area located in more
15 than one municipality shall be dealt with as two separate camping areas. The license
16 shall be conspicuously displayed in the office of the camping area. The license is not
17 transferable as to place or person. Each primary license or renewal license shall
18 expire on the 31st day of December next following its issuance.

19
20 3.2 Other Parks.

21
22 A. State Parks. Nothing in this ordinance shall be construed to include any of the
23 state operated facilities within parks.

24
25 3.3 Application for Conditional Use Permit and License. Applications for a conditional use
26 permit and license to operate and maintain a recreational camping area shall be made
27 to the Environmental Services Department on forms provided by the Department.

28
29
30 3.4 Permit. When the plans and specifications have been reviewed by the Planning
31 Advisory Commission, the Environmental Services Department may issue a permit to
32 the applicant for the purpose of constructing or making alterations to the sewage
33 treatment system for a recreational camping area in accordance with the plans and
34 specifications presented.

35
36 When construction has been completed in accordance with approved plans and
37 specifications, the Environmental Services Department shall inspect the recreational
38 camping area. If upon completion of the inspection, it is found that the requirements of
39 this ordinance have been met by the applicant, the Environmental Services
40 Department may issue the primary license in the name of the County.

41
42 3.5 Denial of Construction. If the application to construct or make alterations upon a
43 recreational camping area and the appurtenances thereto or a primary license to
44 operate and maintain the same is denied by the Environmental Services Department,
45 the applicant shall be notified in writing of the reason or reasons for denying the
46 application. If the objections can be corrected, the applicant may amend the
47 application and resubmit it for approval. If the application is again denied, the applicant
48 may appeal the decision to the Cass County Board of Adjustment.

1 3.6 Licensing. Licenses shall be obtained on an annual basis. All license renewal
2 applications for year-round establishments shall be submitted to the Environmental
3 Services Department on forms provided by the Department no later than December
4 31st of the year preceding the year for which application is made.

5
6 All license renewal applications for seasonal establishments shall be submitted to the
7 Environmental Services Department on forms provided by the Department no later
8 than March 31st of the year for which the application is made. Applications received
9 after these dates are subject to a penalty equal to double the current license fee.

10
11 3.7 Licenses for recreational camping areas which operate for a continuous period of six
12 (6) months (183 days) or less shall be issued effective the first day of the
13 establishment's operation in the calendar year for which the license is issued. Such
14 renewal license shall expire after the 183rd day from the effective date of the license or
15 on December 31st of the year in which the license was issued, whichever occurs first.
16

17 **SECTION 4. CONSTRUCTION SITE PERMITS REQUIRED**

18
19 Construction site permits shall be obtained from the Cass County Environmental
20 Services Department prior to construction of any addition or deck.

21
22 Construction site permits may be granted to the holder of the recreational camping
23 license or to the client of a recreational camping area.

24
25 An application for permit shall be made on forms furnished by Cass County
26 Environmental Services Department.

27
28 Each application shall include:

- 29
30 1. written approval from the holder of the recreational camping area license;
31 2. dimensions of the camping site; and
32
33
34
35

36 **SECTION 5. GENERAL REQUIREMENTS**

37
38 5.1 Location. No recreational camping area shall be located so that drainage from the
39 camp area will endanger any water supply. All camping areas shall be well drained
40 and no portion of the camping area shall be located in an area subject to flooding,
41 except that recreational camps may be located in a flood plain which has been
42 approved for recreational use. No waste water from recreational camping vehicles
43 shall be deposited on the surface of the ground.
44

45 5.2 Spacing. All recreational camping vehicles shall be located at least 25 feet from any
46 camping area property boundary line abutting upon a public street or highway and at
47 least ten feet from other park property boundary lines.

1
2 5.3 Lot size.
3

4 A. New campgrounds and expansions of existing campgrounds.
5

6 Sites that are designated as seasonal sites shall have a minimum of 5,000
7 square feet. Additions and accessory storage structures meeting the
8 requirements of Sections 2.1 and 2.2 may be constructed on these sites.
9

10 Sites that are designated as transient sites shall have a minimum of 2,000
11 square feet. No additions or accessory structures shall be permitted on these
12 sites.
13

14 Transient sites created after the enactment of this ordinance shall not be
15 converted to seasonal sites unless two sites are combined to form a 4,000
16 square foot site, meeting all the requirements of a seasonal site.
17

18 B. In recreational camping areas in existence prior to the adoption date of this
19 ordinance, 4,000 square feet shall be required for each site containing a park
20 trailer.
21

22 5.4 Water Supply. Every recreational camping area shall obtain a safe, adequate supply
23 of water from a public water supply system, a public non-community water supply
24 system, or a source of supply and system which is located, constructed and operated
25 in accordance with the provisions of the rules of the Commissioner of Health governing
26 public water supplies (Minnesota Rules, Parts 4720.0100 to 4720.4600) and wells
27 (Minnesota Rules, Parts 4725.0050 to 4725.7450).
28

29 A. In recreational camping areas, the water supply shall be capable of supplying
30 75 gallons per site per day for all sites lacking individual water connections, and
31 100 gallons per site per day for all spaces provided with individual water
32 connections. In recreational camping areas, water from the drinking water
33 supply shall be available within at least 400 feet of every campsite.
34

35 B. The water piping system shall not be connected with nonpotable or
36 questionable water supplies and shall be protected against the hazards of
37 backflow and back siphonage. The system shall be so designed and
38 maintained as to provide a pressure of not less than 20 pounds per square inch
39 under normal operating conditions at service buildings and other locations
40 requiring a potable water supply. In recreational camping sites provided with
41 individual water service connection, riser pipes shall be so located and
42 constructed that they will not be damaged by the parking of recreational
43 camping vehicles. Water riser pipes shall extend at least four inches above the
44 ground elevation, and the minimum pipe size shall be 3/4 inch. Adequate
45 provisions shall be made to prevent freezing of service lines, valves and riser
46 pipes. If underground stop and waste valves are installed, they shall be at least
47 ten feet from the nearest buried portion of the sewage system. Water risers on
48 unoccupied sites shall be valved off. There shall be a horizontal distance of at
49 least ten feet between water and sewer pipes; provided that where the sewer
50 pipe and the water pipe is constructed of an approved material, the distance
between may be less than ten feet.

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5.5. Toilet, Bathing and Laundry Facilities. In dependent recreational camping areas, one or more central buildings equipped with such facilities shall be provided. The number of fixtures shall be in accordance with the following schedule:

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
311-340	11	12	5	12	12	7	7
341-370	12	13	5	13	13	7	7
371-400	13	14	6	14	14	8	8

6

- 1 A. In primitive recreational camping areas, only the toilet facilities shall be required
2 at the above ratio. These camps must be advertised as "Primitive". Privies and
3 other toilets not connected to water-carried systems may be used in recreational
4 camping areas when authorized by the Environmental Services Department. In
5 recreational camping areas where laundry and bathing facilities are provided,
6 such facilities shall be in buildings which are well constructed, in good repair
7 and have adequate heating and ventilation, good lighting and floors of
8 impervious material sloped to provide proper drainage. Walls shall be of
9 washable material. There shall be no exposed studs or rafters. Toilet facilities
10 shall not be more than 400 feet from the furthest recreational camping site to be
11 served and shall be plainly marked according to sex.
- 12 B. In conjunction with bathing facilities, a dressing area or dressing compartment
13 shall be provided, the floor of which shall be impervious and well drained. Mats,
14 grids and walkways made of cloth or other absorbent material shall not be used,
15 except that single service mats may be used.
- 16 C. Where clothes drying lines are provided, they shall be located in areas out of
17 regular pedestrian traffic patterns and where they will generally not be a hazard
18 to the safety of the occupants of the camping area. No laundry trays, washing
19 machines, dryers or extractors shall be located in any toilet, bath or dressing
20 area.
- 21 D. Recreational camping areas accommodating recreational camping vehicles
22 having a self-contained liquid waste system with a waste reservoir, shall provide
23 a sanitary station for the disposal of waste water. Such sanitary stations shall
24 be equipped with a four inch sewer riser pipe, surrounded at the inlet by a
25 concrete apron sloped towards the inlet drain, and provided with a suitable
26 hinged cover. A water outlet, with the necessary means to prevent backflow of
27 contamination into the camp water supply system shall be provided to permit
28 periodic washdown of the immediate adjacent areas. Each recreational
29 camping area accommodating self-contained camping vehicles shall provide
30 sanitary stations at the ratio of one station per 100 recreational camping vehicle
31 sites or fraction thereof. Sanitary dumping stations shall be screened from
32 other activities by visual barriers, such as fences, walls or natural growth, and
33 shall be separated from any recreational camping vehicle site by a distance of
34 at least 50 feet. Final disposal of sewage from such dumping stations shall be
35 by a method acceptable to the Minnesota Pollution Control Agency.
- 36
- 37 E. The temperature of hot water which is provided in any public area, including, but
38 not limited to lavatories, bath tubs, or showers shall not exceed 130 degrees
39 Fahrenheit (55 degrees Celsius).
- 40

41 5.6 Plumbing. All systems of plumbing in recreational camping areas shall be installed in
42 accordance with the provisions of the rules of the Commissioner of Health entitled the
43 Minnesota Plumbing Code (Minnesota Rules, Parts 4715.0100 to 4715.6000).

44

45 5.7 Sewage Treatment and Disposal. All sewage and other water carried wastes shall be
46 discharged into a public sewage system which is being operated under a valid National
47 Pollution Discharge Elimination System (NPDES) permit. When such a system is not
48 available, a sewage treatment system which is designed, constructed and operated in
49 accordance with the applicable Cass County ordinances shall be provided. All sewer
50 lines shall be located in trenches of sufficient depth to be free of breakage from traffic,
51 or other movements and shall be separated from the park water supply system by at

1 least ten feet, unless special acceptable construction of sewer and water lines is
2 provided.

3
4 A. Individual site sewer connections shall be at least a four inch diameter sewer
5 riser pipe. The sewer connections shall consist of one pipeline only, without
6 branch fittings. All joints shall be watertight. All materials used for sewer
7 connections shall be corrosion resistant, nonabsorbent and durable. The inner
8 surface shall be smooth.

9 B. The sewer riser pipe shall be properly capped when a recreational camping
10 vehicle does not occupy the site. Surface drainage shall be directed away from
11 the riser; the rim of the riser pipe shall extend to at least four inches above
12 ground elevation. Systems of sewage treatment utilizing the discharge of
13 effluent to bodies of surface water or surface land application must receive the
14 approval of and comply with the water quality and effluent standards, and
15 system design criteria established by the Minnesota Pollution Control Agency.

16
17 5.8 Insect and Rodent Harborage, Infestation Control. Recreational camping areas
18 including storage areas, shall be maintained free of accumulations of debris or other
19 materials, which may provide rodent harborage or breeding places for flies, mosquitoes
20 and other pests. Any firewood piles shall be neatly stacked in a manner which does
21 not provide for rodent harborage. Lumber, pipe and other building materials shall be
22 stored at least one foot above the ground. Areas shall be so maintained as to prevent
23 the growth of ragweed, poison ivy, poison oak, poison sumac and other noxious weeds
24 considered detrimental to health.

25
26 5.9 Garbage and Refuse - Handling and Disposal. The storage, collection and disposal of
27 refuse and garbage in the recreational camping areas shall be so conducted as to
28 create no health hazards, rodent harborage, insect breeding areas, accident or fire
29 hazards, or air pollution. In recreational camping areas, garbage and refuse containers
30 shall be provided at the minimum of one 30-gallon container for every four sites. As an
31 alternative, a centrally located facility may be provided. Refuse and garbage collection
32 shall be made at least once each week or more often if necessary to prevent nuisance
33 conditions. Final disposal of refuse and garbage shall be accomplished in accordance
34 with the criteria and standards established by the Minnesota Pollution Control Agency
35 and in accordance with the Cass County Solid Waste Ordinance and Solid Waste
36 Management Plan.

37
38 5.10 Community Kitchen and Dining Rooms. When community kitchens and dining rooms
39 are provided, such facilities and equipment shall be maintained in a clean and sanitary
40 condition at all times.

41
42 5.11 Barbecue Pits, Fireplaces, and Stoves. When provided, cooking shelters, barbecue
43 pits, fireplaces, and wood burning stoves shall be located, constructed, maintained and
44 used as to minimize fire hazards and smoke nuisance, both on the property on which
45 used and on neighboring property. No open fire shall be permitted except in facilities
46 provided. No open fire shall be left unattended. No fuel shall be used or no material
47 burned which emits dense smoke or objectionable odors. At no time shall garbage or
48 refuse be burned on the premises.

- 1
2 5.12 Caretaker. A responsible attendant or caretaker shall be in charge of every
3 recreational camping area at all times, and the duty of the attendant shall be to
4 maintain the camping area, its facilities and equipment in a clean, orderly and sanitary
5 condition. The caretaker or attendant shall be the owner or operator of the camping
6 area, or an appointed representative.
7
- 8 5.13 Plan Review of Future Construction. When an establishment in Cass County, licensed
9 or to be licensed under the provisions of this ordinance, is hereafter constructed or
10 remodeled, a plan showing all work to be done and materials to be used shall be
11 submitted to the Environmental Services Department before such work begins. The
12 plans and specifications shall be drawn to scale, shall be legible and complete in all
13 details. Following review of the plans and specifications, the Environmental Services
14 Department may issue the necessary permits and/or licenses to the applicant.
15
- 16 5.14 Site identification. All sites shall be clearly identified with a number or a letter. This
17 identification shall be provided at each site throughout the campground.
18
- 19 5.15 Swimming pools. All swimming pools in recreational camping areas shall be installed
20 and operated in accordance with the provisions of the rules of the Commissioner of
21 Health entitled, Public Swimming Pool Rules (Minnesota Rules, Parts 4717.0150 to
22 4715.7800).
23

24 **SECTION 6. NON-CONFORMING STRUCTURE**

25
26 A non-conforming structure is a deck, addition, accessory storage structure or other
27 alteration to a recreational camping vehicle or recreational camping site that does not
28 conform to the size, construction or setback requirements of this ordinance or other
29 applicable Cass County ordinances.
30

31 Existing non-conforming structures must be brought into compliance within two (2)
32 years of the date that a recreational camping vehicle is removed or replaced. A permit
33 shall be obtained by the campground owner, at no cost, from the Environmental
34 Services Department prior to replacing a recreational camping vehicle on any site
35 containing an addition or accessory storage structure. Campground owners shall, with
36 assistance and review by the Environmental Services Department, develop an
37 inventory of all existing seasonal sites containing an addition or accessory storage
38 structure. This inventory shall include: site number, site size, the size of each
39 recreational camping vehicle in the traveling mode, the make and model number of
40 each recreational camping vehicle and the size of accessory storage structures, decks,
41 and additions or combinations thereof. This inventory shall be developed and
42 submitted to the Environmental Services Department within one (1) year from the
43 adoption of this ordinance. An administrative fee, established by resolution of the
44 County Board, payable to the County of Cass, shall be charged to the campground
45 owner in addition to any fines or penalties which may be imposed as a result of legal or
46 administrative action taken to resolve non-conformities which extend beyond the two-
47 year compliance window.

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SECTION 7. INSPECTIONS

7.1 It shall be the duty of the Environmental Services Department to inspect every recreational camping area as frequently as may be necessary to insure compliance with this ordinance. The person operating a recreational camping area shall, upon request of the Environmental Services 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 necessary to ascertain compliance with this ordinance.

7.2 Notice of Suspension.

- A. Whenever, upon inspection of any recreational camping area, the Environmental Services Department finds that conditions or practices exist which are in violation of any provision of this ordinance, the Environmental Services Department may give notice in writing to the operator of such business, that unless such conditions or practices are corrected within a reasonable period to be determined by the Environmental Services Department, the operator's license may be suspended. At the end of such period, the Environmental Services Department may reinspect the recreational camping area, and if it is found that such conditions or practices have not been corrected, written notice shall be given to the operator that the latter's license has been suspended. Upon receipt of notice of suspension of the license, the operator shall immediately cease operation of the recreational camping area, and no person shall occupy any unit therein except the owner's quarters.
- B. Nothing in this section shall be construed to prevent the Environmental Services Department from suspending a license only as to such portion of the premises that does not comply with the provisions of this ordinance and permitting the continued operation of the remaining portions of such premises which do comply.

7.3 Revocation of License. For serious or repeated violations of any of the requirements of this ordinance, the license may be permanently revoked after an opportunity for a hearing before the Cass County Board of Adjustment has been provided by the Environmental Services Department. Prior to such action, the Environmental Services Department shall notify the license holder in writing, advising that the license shall be permanently revoked at the end of a five-day period. A license may be suspended for cause pending its revocation or a hearing relative thereto.

7.4 Emergency Orders. Whenever the Environmental Services Department finds that an emergency exists which requires immediate action to protect the public health, it may, without notice or hearings, issue an order reciting the existence of such an emergency and require that such action be taken as it deems necessary to meet the emergency. Notwithstanding the other provisions of this ordinance, such order shall be effective immediately.

1 **SECTION 8. APPEALS**

- 2
- 3 8.1 Appeals Petition. Any person who has been refused a license to operate a
4 recreational camping area, or whose license has been suspended or revoked, or who
5 has received an emergency order or a notice that his/her license is to be suspended or
6 revoked unless existing conditions are corrected, may appeal that decision to the Cass
7 County Board of Adjustment. The petition for appeal shall be filed within 20 days of
8 receipt of said notice.
- 9
- 10 8.2 Date of Hearing. The hearing shall be held not more than 60 days after the filing of the
11 petition. The Chair of the Cass County Board of Adjustment may postpone the date of
12 the hearing for a reasonable time for good and sufficient cause.
- 13
- 14 8.3 Notice of Hearing. The Environmental Services Department shall cause ten days
15 written notice of the hearing to be given to the petitioner by personal service or by
16 mailing to the petitioner's last known address.
- 17
- 18 8.4 Proceedings. At the hearing, the petitioner, the petitioner's agent or attorney shall be
19 given an opportunity to be heard and to show cause why the license refusal, notice of
20 suspension or revocation, or the emergency order should be modified or withdrawn,
21 and on any decision relating to the issuance of licenses, the Cass County Board of
22 Adjustment may consider exceptional circumstances under which the strict
23 enforcement of any provisions of this ordinance would cause undue hardship and
24 would be unreasonable, impractical or not feasible. In all cases, the Environmental
25 Services Department shall present a written statement of its findings and decision to
26 the Cass County Board of Adjustment at the time of the hearing.
- 27
- 28 8.5 Decision. After the hearing, the Cass County Board of Adjustment shall sustain,
29 modify or withdraw the decision of the Environmental Services Department and shall
30 issue findings to support its decision. A copy of the decision of the Cass County Board
31 of Adjustment shall be served by certified mail to the petitioner. Any person aggrieved
32 by the decision of the Cass County Board of Adjustment may seek relief therefrom in
33 any court of competent jurisdiction as provided by the laws of the State of Minnesota.
- 34
- 35 8.6 Notice Not Appealed. Any notice served pursuant to the provisions of this ordinance
36 shall automatically become final if a written petition for a hearing is not filed with the
37 Environmental Services Department within 20 days after notice is served.
- 38

39 **SECTION 9. ENFORCEMENT**

- 40
- 41 9.1 The Cass County Board of Commissioners and the Environmental Services
42 Department are responsible for the administration and enforcement of this
43 ordinance. Any violation of the provisions of this ordinance or failure to comply with
44 any of its requirements by a landowner or their agent, including violations of or failure
45 to comply with conditions and safeguards established in connection with the granting
46 of, or contained with, variances or conditional uses shall constitute a misdemeanor

1 and shall be punishable as defined by Minnesota State Statutes. Violations of this
2 Ordinance can occur regardless of whether or not a permit is required for a regulated
3 activity pursuant to Section 4.1 of this Ordinance. Each day of a violation of this
4 ordinance or each day that a failure to comply with any requirements of this
5 ordinance continues shall constitute a separate offense. The Cass County
6 Environmental Services Department and the Cass County Sheriff shall have the
7 power to enforce this ordinance by issuing citations for criminal violations of this
8 ordinance upon the owner of a property and/or their agent. Cass County, through
9 the Environmental Services Department may sue for injunctive relief on any violation,
10 including restoration of the premises to its condition existing prior to the violation.
11

12 **9.2** The Department may enforce the provisions of the ordinance whether through
13 criminal prosecution, civil remedy, or both. Utilization of a civil remedy shall not
14 prevent a criminal prosecution for the same violation. A criminal prosecution for a
15 violation shall not be a bar to a civil remedy.
16

17 **9.3** The Department may issue cease and desist orders to halt the progress of any on-
18 going violation. When any work has been stopped by the Department for any valid
19 reason whatsoever, it shall not again be resumed until the reason for the work
20 stoppage has been completely satisfied and the cease and desist order lifted.
21

22 **9.4** It shall be the duty of the County Attorney and County Sheriff to perform such duties
23 as may be necessary to enforce the provisions of this ordinance.
24

25 **9.5** Any application for a permit which is made after the work is commenced and which
26 requires a permit shall be charged an additional administrative fee. In addition, the
27 Planning Commission, Board of Adjustment, or the Department may require
28 correction and/or restoration of the property concerned to its original state should the
29 application for a permit be denied or if the action permitted does not include all or
30 part of the work commenced prior to approval of said permit.
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32 **9.7** Upon approval of a conditional use, variance, or other permit application, the
33 Planning Commission, Board of Adjustment, or the Department may require a surety
34 bond, cash escrow, certificate of deposit, securities, letter of credit or cash deposit
35 prior to the issuing of a land use permit or initiation of work on the proposed
36 improvements or development. Said security shall be irrevocable and shall
37 guarantee conformance and compliance with the conditions of the conditional use or
38 variances and the Ordinance of the County.

39 **SECTION 10. VARIANCES**

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41 **10.1** The Cass County Board of Adjustment, is vested with authority to act upon variances
42 from the provisions of this ordinance and to act upon an appeal of any order,
43 requirement, decision or determination of any administrative official regarding this
44 ordinance.
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1 **SECTION 11. LOCAL GOVERNMENT AUTHORITY**

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11.1 Local Licenses Prohibited. No municipality may impose any license: 1) upon any licensed recreational camping area complying with the provisions of this ordinance; or 2) upon any occupant of a licensed recreational camping area.

11.2 Local Law Enforcement. Any municipality which enacts or has enacted laws or ordinances relating to the safety and protection of persons and property is empowered to enforce the laws or ordinances within any recreational camping area located in the municipality, notwithstanding the fact that the park or area may constitute private property.

13 **SECTION 12. MINNESOTA DEPARTMENT OF HEALTH**

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The requirements contained in this ordinance are intended to be comparable to the Minnesota Department of Health Standards and are intended to meet the minimum requirements set forth by the Minnesota Department of Health. Whenever the Minnesota Department of Health amends regulations or adopts new regulations setting higher sanitary standards than the ones established in this ordinance, the standards set by the Minnesota Department of Health shall govern and will be considered in the enforcement procedure as part of this ordinance.

1 **SECTION 13. EFFECTIVE DATE**

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3 This ordinance shall be in full force and effective as of _____, 1998.

4
5 **SECTION 14. REPEALER**

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7 The Ordinance Regulating Recreational Camping Areas in Cass County, adopted on _____,
8 199__, and all subsequent amendments are hereby repealed.

9
10 PASSED BY (UNANIMOUS) (MAJORITY) VOTE OF THE CASS COUNTY BOARD OF
11 COMMISSIONERS THIS ___ DAY OF _____, 1998.

12
13 APPROVED:

14
15 _____
16 GLENN WITHAM, Chairman

17
18
19 ATTEST BY:

20
21
22 _____
23 Robert H. Yochum
24 Cass Administrator
25