

2013-Or-____

**AN ORDINANCE
of the
CITY OF
MINNEAPOLIS**

By: Lilligren

Amending Title 11, Chapter 215 of the Minneapolis Code of Ordinances relating to Health and Sanitation: Polluted Water Wells.

The City Council of The City of Minneapolis do ordain as follows:

Section 1. That Section 215.40 of the above-entitled ordinance be amended to read as follows:

215.40. Tagging of polluted wells. When the commissioner of health finds that water from any well is contaminated, polluted or otherwise unfit or unwholesome for drinking purposes, the commissioner shall affix or cause to be affixed a metallic tag to the pump or other water-drawing device connected with said well, having thereon an inscription substantially as follows: "Do not drink this water. It is impure. ~~Dept. of Health~~ Minneapolis Health Department."

2013-Or-____

**AN ORDINANCE
of the
CITY OF
MINNEAPOLIS**

By: Lilligren

Amending Title 11, Chapter 216 of the Minneapolis Code of Ordinances relating to Health and Sanitation: Water Well Construction.

The City Council of The City of Minneapolis do ordain as follows:

Section 1. That Section 216.30 of the above-entitled ordinance be amended to read as follows:

216.20. Authority. This chapter is adopted pursuant to Minnesota Statutes 1990, Chapter 103I; Laws of Minnesota 1991, Chapter 355; and related rules, and a delegation agreement authorized by Minnesota Statute 103I.111 between the Minnesota Department of Health and the ~~Minneapolis Board of Health~~ Minneapolis Health Department authorizing the City to conduct a water well construction, reconstruction and sealing program.

2013-Or-____

**AN ORDINANCE
of the
CITY OF
MINNEAPOLIS**

By: Lilligren

Amending Title 11, Chapter 217 of the Minneapolis Code of Ordinances relating to Health and Sanitation: Deaths and Burials.

The City Council of The City of Minneapolis do ordain as follows:

Section 1. That Section 217.70 of the above-entitled ordinance be amended to read as follows:

217.70. Report required. In the event of a death from any contagious or infectious disease, the physician in attendance shall furnish to the ~~department of health~~ Minneapolis Health Department a written certificate of death, as described above, within twelve (12) hours of the time of such death.

Section 2. That Section 217.90 of the above-entitled ordinance be amended to read as follows:

217.90. Preparation for burial. The undertaker, near relatives and any other person who shall have charge of the burial or shipment of the dead body of any person who has died of any contagious or infectious disease shall observe and obey the following rules and regulations:

(a) The dead body of any person who has died of any contagious or infectious disease shall be thoroughly disinfected, and shall not be exposed to the view of any person who is not necessarily engaged in its preparation for burial.

(b) Such dead body shall not be placed or kept in any receiving vault, in any cemetery or burying ground, unless it shall be first enclosed in a hermetically sealed, zinc-lined or other metallic casket, and unless a written permit so to do has first been obtained from the ~~department of health~~ Minneapolis Health Department.

Section 3. That Section 217.150 of the above-entitled ordinance be amended to read as follows:

217.150. Time limit for burial. No person shall retain, or allow to be retained, unburied, the dead body of any human being for a longer time than three (3) days after

the death of such human being, without having obtained a written permit so to do from the ~~department of health~~ Minneapolis Health Department, which permit shall specify the length of time during which such dead body may be retained unburied. In case such dead person shall have died of Asiatic cholera, yellow fever, smallpox, scarlet fever, measles or diphtheria, the body of such person shall be buried within twenty-four (24) hours after death.

Section 4. That Section 217.160 of the above-entitled ordinance be amended to read as follows:

217.160. Unburied bodies to be reported. Any person who has discovered or seen, or who knows of the whereabouts within the city of the dead body of any human being, or of any part thereof, if such person has reason to believe that the fact of the death or of the existence or whereabouts of such dead body or of such part thereof is not known to the ~~department of health~~ Minneapolis Health Department, shall communicate immediately to the ~~department of health~~ Minneapolis Health Department the fact of such discovery, the place wherein and the time when such dead body or part thereof was discovered or seen, and the place where the same is or may be found, and any facts known to such person by which the same may be identified or the cause of death thereof ascertained.

Section 5. That Section 217.170 of the above-entitled ordinance be amended to read as follows:

217.170. Undertaker must have death certificate and permit. No undertaker, or any other person, shall remove for burial, shipment, or for any other purpose, whether scientific or otherwise, the dead body of any human being, without first presenting to the ~~department of health~~ Minneapolis Health Department a certificate of death (in accordance with the provisions of article II of this chapter) signed by a legally practicing physician or by the coroner and without obtaining therefrom a written permit so to do.

Section 6. That Section 217.180 of the above-entitled ordinance be amended to read as follows:

217.180. Bodies used for medical purposes. No physician, medical student or professor in a medical college or university or any other person shall use, obtain or receive any dead body of any human being, for dissection or for any other scientific purpose, except for autopsy immediately after death, who has died from Asiatic cholera, yellow fever, typhus fever, smallpox, scarlet fever, measles or diphtheria. The demonstrator of anatomy of any medical college or university, before using or receiving any dead human body for dissection or any other scientific purpose, shall certify to the ~~department of health~~ Minneapolis Health Department the name and nature of the disease of which such human body has died and shall obtain or cause to be obtained from the ~~department~~ Minneapolis Health Department a permit of burial for such body and shall preserve or cause to be preserved the remains of such dead body and bury or

cause the same to be properly buried in the cemetery or burying ground indicated in such permit.

Section 7. That Section 217.190 of the above-entitled ordinance be amended to read as follows:

217.190. Burials prohibited outside cemeteries. No human body shall be buried at any place except in a public cemetery or placed in a vault outside of a public cemetery without a written permit from the ~~department of health~~ Minneapolis Health Department.

Section 8. That Section 217.200 of the above-entitled ordinance be amended to read as follows:

217.200. Exhumations; permit required. No grave, tomb, vault or other receptacle in which any dead body has been placed shall be opened for the purpose of exhuming or removing such dead body, unless a written permit so to do has been granted by the ~~department of health~~ Minneapolis Health Department, which permit shall dictate any precautions to be observed in so doing which the said department may deem necessary for the preservation of the public health. No body shall be exhumed by any undertaker or other person without first filing with the ~~department of health~~ Minneapolis Health Department a written request that such exhumation be made, signed by some person legally authorized so to do.

Section 9. That Section 217.220 of the above-entitled ordinance be amended to read as follows:

217.220. Undertakers, sextons, etc., to be registered. Every person who acts as an undertaker or as a sexton or superintendent in charge of any vault, tomb, burying ground or cemetery, for the reception and burial of the human dead shall cause such person's name, place of residence and the title of such person's office to be registered at the office of the ~~department of health~~ Minneapolis Health Department.

Section 10. That Section 217.230 of the above-entitled ordinance be amended to read as follows:

217.230. Permit required for burial. No interment or deposit of the dead body of any human being, or any other disposition thereof in any tomb, grave, vault or cemetery shall be made without a written permit therefor granted by the ~~department of health~~ Minneapolis Health Department; and no sexton or any other person shall assist in, countenance or allow any interment or deposit of a dead body unless such permit has been granted by the ~~department of health~~ Minneapolis Health Department.

Section 11. That Section 217.240 of the above-entitled ordinance be amended to read as follows:

217.240. Sextons to report burials. Every sexton, superintendent of a cemetery, or other person in charge of any cemetery or burying ground shall receive the permits issued for burials in said cemetery or burying ground, preserve the same, and furnish to the ~~department of health~~ Minneapolis Health Department, upon Monday of each week, a written report, upon blank forms to be furnished upon application by said department, of all burials made or caused to be made by such person.

2013-Or-____

**AN ORDINANCE
of the
CITY OF
MINNEAPOLIS**

By: Lilligren

**Amending Title 11, Chapter 219 of the Minneapolis Code of Ordinances
relating to Health and Sanitation: Contagious Diseases.**

The City Council of The City of Minneapolis do ordain as follows:

Section 1. That Section 219.20 of the above-entitled ordinance be amended to read as follows:

219.20. Reports by physicians. Every physician who is called to attend any case of Asiatic cholera, whooping cough, yellow fever, smallpox, scarlet fever, measles, tuberculosis, diphtheria, membranous croup, typhus or typhoid fever within the city shall notify the ~~department of health~~ Minneapolis Health Department in writing, within twenty-four (24) hours after the first visit thereto or after the physician has first seen or prescribed therefor, of the existence of such disease and of the date of its appearance, together with the name and residence of the person affected therewith. Subsequent cases of contagious disease which may occur in the same family or at the same residence while the same is under quarantine regulations shall be reported in similar manner to the ~~department of health~~ Minneapolis Health Department by the physician in attendance upon said cases.

Section 2. That Section 219.30 of the above-entitled ordinance be amended to read as follows:

219.30. Reports by others attending sick persons. Every person who shall treat, attend or visit for the purpose of treating, with or without physical agencies, any other person who is sick or affected with any contagious or infectious disease, such as Asiatic cholera, whooping cough, yellow fever, smallpox, scarlet fever, measles, tuberculosis, diphtheria, membranous croup, typhus or typhoid fever, there being no regularly licensed physician in attendance, shall, within twenty-four (24) hours after the first treatment, attendance or visit, as aforesaid, report in writing to the ~~department of health~~ Minneapolis Health Department the existence of such disease, the date of its appearance, and the name and residence of the person affected therewith. Every person who shall so treat, attend or visit, as aforesaid, any other person who is sick with any such disease shall be presumed to have and possess such knowledge of the characteristic symptoms of said contagious and infectious diseases as is commonly

possessed by physicians regularly licensed to the practice of medicine under the laws of the State of Minnesota.

Section 3. That Section 219.40 of the above-entitled ordinance be amended to read as follows:

219.40. Reports by school principals, hotel manager, etc. Every proprietor, manager, superintendent, principal, owner, agent or other person in charge of any hotel, boarding house, boarding school, tenement house or other place of residence, or of any hospital, asylum or other public institution, in which any contagious or infectious disease may be discovered, shall give immediate notice to the ~~department of health~~ Minneapolis Health Department of the existence therein of such contagious or infectious disease, and of the name of the person or persons affected therewith.

Section 4. That Section 219.50 of the above-entitled ordinance be amended to read as follows:

219.50. Reports by persons having knowledge. Every person who may know of any case of contagious or infectious disease which such person has reason to believe has not been reported to the ~~department of health~~ Minneapolis Health Department, shall report immediately to the said department the name (if known) and the place of residence of the person affected with such disease, together with a statement of the name and nature of the disease.

Section 5. That Section 219.60 of the above-entitled ordinance be amended to read as follows:

219.60. Moving of sick persons; permit required. No person shall carry or remove, or aid in carrying or removing, or cause to be carried or removed from one building or place to another, or to or from any vehicle, any person who is sick with smallpox or any other contagious or infectious disease, without having first obtained a permit so to do from the ~~department of health~~ Minneapolis Health Department.

Section 6. That Section 219.70 of the above-entitled ordinance be amended to read as follows:

219.70. Report of recovery or death. Every physician who is attending a person affected with any contagious or infectious disease shall report promptly to the ~~department of health~~ Minneapolis Health Department the recovery or death of such person so affected, and certify to said department that the house in which such person has been quarantined has been thoroughly disinfected, together with the date of such disinfection.

Section 7. That Section 219.80 of the above-entitled ordinance be amended to read as follows:

219.80. Quarantine. Whenever quarantine has been established by the ~~department of health~~ Minneapolis Health Department upon or in any house in which a contagious or infectious disease exists, by a placard affixed to such house, such quarantine and all the provisions thereof shall be maintained until the recovery or death of the person or persons affected with such disease has been reported to the said department, and until the said house has been thoroughly disinfected, and until such disinfection has been approved and the placard has been removed by the said department. In the event of the occurrence of scarlet fever, the quarantine shall extend over a period of not less than three (3) weeks from the date of the appearance of such disease.

Section 8. That Section 219.90 of the above-entitled ordinance be amended to read as follows:

219.90. Permit to reenter school. Two (2) weeks after the disinfection of any house quarantined has been approved and the quarantine has been released by the ~~department of health~~ Minneapolis Health Department, a written permit may be issued by the said department authorizing the return and readmission to school of any child or children resident in such house, provided no other case of contagious or infectious disease shall have appeared in such house in the meantime.

Section 9. That Section 219.100 of the above-entitled ordinance be amended to read as follows:

219.100. Duty to vacate infected buildings. Every owner, agent or occupant of any building, or any part thereof, which is unfit for human habitation by reason and on account of its infection with any disease dangerous to human life or health, shall vacate such building or part thereof within such reasonable time as may be specified in a written notice to such effect, which shall be served by the ~~department of health~~ Minneapolis Health Department upon such owner, agent or occupant of said building.

Section 10. That Section 219.130 of the above-entitled ordinance be amended to read as follows:

219.130. Attendance at school prohibited. No parent or guardian of any minor child shall permit such child, if afflicted with any contagious or infectious disease, or any other child of the same family or resident in the same house in which said afflicted child is living, to attend any private or public day school, night school or Sunday School. Every principal or teacher in charge of any private or public day school, night school or Sunday School shall report to the ~~department of health~~ Minneapolis Health Department the name and residence of any child affected with any contagious or infectious disease who shall present himself or herself for attendance at such school, shall cause such child to return home immediately, and shall exclude from attendance at such school any child so affected and any other child who may belong to the same family or live in the same residence as that to or at which such affected child may belong or reside, until

such time as the ~~department of health~~ Minneapolis Health Department shall issue a written permit providing for the readmission of such child to the school.

Section 11. That Section 219.230 of the above-entitled ordinance be amended to read as follows:

219.230. Disinfection of premises. In case of the vacation of any premises or apartments as mentioned in section 219.220, the commissioner of health or one of the commissioner's health officers shall immediately visit said premises or apartments and shall order and direct that said premises or apartments and all infected articles therein be properly and suitably disinfected. In case there shall be no remaining occupants in such premises or apartments and the same shall be vacant, the commissioner of health shall cause a notice in writing to be served upon the owner, or the agent of the owner of such premises or apartments, directing the renovation or disinfection of such premises or apartments under the direction and in conformity with the regulations of the ~~department of health~~ Minneapolis Health Department.

Section 12. That Section 219.510 of the above-entitled ordinance be amended to read as follows:

219.510. Definitions. (1) The term "high-risk sexual conduct" means:

- (a) Fellatio;
 - (b) Anal intercourse;
 - (c) Vaginal intercourse with persons who engage in sexual acts in exchange for money.
- (2) The term "hazardous site" means any commercial premises, building or structure, or any part thereof, which is a site of high-risk sexual conduct.
- (3) The phrase "booths, stalls, or partitioned portions of a room or individual rooms" means:
- (a) Enclosures specifically offered to persons for a fee or as an incident to performing high-risk sexual conduct; or
 - (b) Enclosures which are part of a business operated on the premises which offers movies or other entertainment to be viewed within the enclosure, including enclosures wherein movies or other entertainment is dispensed for a fee.

The phrase "booths, stalls, or partitioned portions of a room or individual rooms" does not mean enclosures which are private offices used by the owners, managers, or persons employed on the premises for attending to the tasks of their employment, and

which are not held out to the public or members of the establishment for hire or for a fee or for the purpose of viewing movies or other entertainment for a fee, and are not open to any persons other than employees.

- (4) The phrase "doors, curtains or portal partitions" means full, complete, nontransparent closure devices through which one cannot see or view activity taking place within the enclosure.
- (5) The phrase "open to an adjacent public room so that the area inside is visible to persons in the adjacent public room" means either the absence of any "door, curtain or portal partition" or a door or other device which is made of clear, transparent material such as glass, plexiglass or other similar material meeting building code and safety standards, which permits the activity inside the enclosure to be viewed or seen by persons outside the enclosure.
- (6) The words "commissioner of health" mean the City of Minneapolis Commissioner of Health.
- ~~(7) The words "director of operations and regulatory services" mean the City of Minneapolis Director of Operations and Regulatory Services.~~

Section 13. That Section 219.530 of the above-entitled ordinance be amended to read as follows:

219.530. Powers of the commissioner of health and the director of operations and regulatory services. (1) In exercising powers conferred by this or any other section of this Code relating to communicable diseases, the ~~board of health~~ Minneapolis Health Department and the commissioner of health ~~or the director of operations and regulatory services~~ shall be guided by the most recent instructions, opinions and guidelines of the Center for Disease Control of the United States Department of Health and Human Services which relate to the spread of infectious diseases. Any regulations which are adopted by the board of health which relate to controlling the spread of infectious diseases shall also apply in exercising the powers authorized by this Code.

- (2) In order to ascertain the source of infection and reduce its spread, the commissioner of health, and persons under the commissioner's direction and control, ~~or the director of operations and regulatory services, and persons under the director's direction and control,~~ shall have full power and authority to inspect or cause to be inspected, and to issue orders regarding any commercial building, structure or premises, or any part thereof, which may be a site of high-risk sexual conduct. If the commissioner of health ~~or the director of operations and regulatory services~~ determines that a hazardous site exists, the commissioner of health ~~or the director of operations and regulatory services~~ shall declare it to be a public health hazard and public health nuisance and shall then:

- (a) Notify the management, owner or tenant of the premises that the commissioner ~~or director~~ has reasonable belief that the premises, building or structure is a hazardous site.
- (b) Issue warnings to the management, owner or tenant of the premises stating the reasons for the commissioner's ~~or director's~~ belief that the premises, building, or structure is a hazardous site.
- (c) Once such notice and warnings have been issued, the commissioner, or the commissioner's appointee ~~or the director or the director's appointee~~ shall proceed as follows:
 - (i) After the management, owner or tenant of the premises has been notified in writing as to the basis of the commissioner's ~~or the director's~~ determination, the management, owner or tenant shall have ten (10) days to request a hearing before the commissioner or the commissioner's appointee ~~or the director or the director's appointee~~ for a determination as to the existence of such hazardous site. If the management, owner or tenant of the premises does not request a hearing within ten (10) days of the notice, the commissioner ~~or the director~~ shall then cause the premises to be posted with a warning advising the public that the premises have been declared a hazardous site. The commissioner of health ~~or the director of operations and regulatory services~~ shall cause orders to be issued to the management, owner or tenant of the premises constituting the hazardous site to take corrective measures to prevent high-risk sexual conduct from taking place within the premises.
 - (ii) If the management, owner or tenant of the premises requests a hearing, the hearing shall be held before the commissioner or the commissioner's appointee ~~or the director or the director's appointee~~ at a date not more than thirty (30) days after demand for a hearing. After considering all evidence, the commissioner or the commissioner's appointee ~~or the director or the director's appointee~~ shall make a determination as to whether the premises constitutes a hazardous site. The commissioner or the director shall then issue a decision based upon all evidence presented. If the commissioner or the commissioner's appointee ~~or the director or the director's appointee~~ makes a determination that the premises constitute a hazardous site, the commissioner ~~or the director~~ shall then issue an order and cause the premises, building or structure to be posted with a warning advising the public that the premises have been declared a hazardous site.

- (d) If, within thirty (30) days from issuance of the orders to the management, owner or tenant of the hazardous site, the commissioner of health ~~or the director of operations and regulatory services~~ determines that such corrective measures have not been undertaken, then the commissioner of health ~~or the director of operations and regulatory services~~ may order the abatement of the hazardous site as a public nuisance, which shall be enforced by mandatory or prohibitory injunction in a court of competent jurisdiction; or may secure a court order for the closure of the premises constituting the "hazardous site" until the premises, building, or structure is in compliance with the standards set forth in section 219.520
- (e) Any person who removes, destroys, or defaces warnings posted on premises shall be guilty of a misdemeanor.

2013-Or-____

**AN ORDINANCE
of the
CITY OF
MINNEAPOLIS**

By Lilligren

**Amending Title 11, Chapter 225 of the Minneapolis Code of Ordinances
relating to Health and Sanitation: Garbage and Refuse.**

The City Council of The City of Minneapolis do ordain as follows:

Section 1. That Section 225.40 of the above-entitled ordinance be amended to read as follows:

225.40. Duty to provide solid waste containers. The owner, manager, proprietor, agent or occupant of any house, store, hotel, restaurant, or saloon within the city shall provide containers for the collection of solid waste. These containers shall be made of metal or approved plastic, as defined in section 225.580 of this Code, and be equipped with tight-fitting covers. Containers shall be placed upon the premises that such person may own, occupy or control in a situation as remote as possible from any surrounding dwellings and not less than twenty-five (25) feet from any adjacent street. The owner, manager, proprietor, agent or occupant shall empty and cleanse the containers or cause the same to be emptied and cleaned as often as may be necessary to prevent such containers or the contents thereof from becoming a nuisance, or as often as the ~~department of health and family support~~ Minneapolis Health Department may direct.

Section 2. That Section 225.290 of the above-entitled ordinance be amended to read as follows:

225.290. License required; application, issuance. (a) No person shall engage in the business or occupation of hauling solid waste within the city without first obtaining a license so to do and complying with all the requirements for the conduct of such business as hereinafter provided.

(b) No person shall place or allow to be placed on any street, boulevard or alley any container for which a street use permit is required, as per section 91.20 and which has a capacity of more than five (5) cubic feet, and which is designed or utilized for the collection of building debris, solid waste, or any other material without first obtaining a license so to do and complying with all the requirements for the conduct of such business as hereinafter provided.

(c) Application for such license shall be made to the ~~department of licenses and consumer services~~ licensing official and shall be accompanied by the fees hereinafter set forth, payable to the city finance officer. Such application shall be subscribed and sworn to by the applicant and shall contain the name and address of the proposed licensee and the owner of the vehicle or vehicles to be used in the collection and hauling of solid waste, together with a description of the vehicle. A license shall be issued or denied pursuant to section 259.30.

Section 3. That Section 225.300 of the above-entitled ordinance be amended to read as follows:

225.300. Insurance. No license shall be issued and no renewal of an issued license shall be granted unless and until the person applying for such license shall first file with the ~~department of licenses and consumer services~~ licensing official a policy or policies of insurance or an original duplicate of such policy or policies of an insurance company authorized to do business in the State of Minnesota, insuring such person against loss in the sum of at least twenty-five thousand dollars (\$25,000.00) against liability imposed by law on account of bodily injuries or death of any one person in one accident (other than persons covered by any worker's compensation law), and (subject to said limit for one person) to a limit of not less than fifty thousand dollars (\$50,000.00) against liability imposed by law for bodily injuries or death of two (2) or more persons in one accident, and in the sum of at least five thousand dollars (\$5,000.00) against liability imposed by law on account of damage to or destruction of property, except property of others in charge of the insured, by reason of the ownership, use, maintenance or operation of any hauling vehicle. Said policy shall provide that it may not be canceled by the insurer except upon thirty (30) days' written notice to the ~~department of licenses and consumer services~~ licensing official. In case of cancellation of such insurance, the license shall be suspended until such insurance has been replaced. If the licensee operates more than one vehicle, the licensee may file one policy of insurance covering all of such vehicles, which policy of insurance shall, however, insure or indemnify the licensee as to each vehicle in the amounts hereinbefore stated. No cancellation of a policy of insurance at the request of the named insured, or the company, shall be effective until after the expiration of thirty (30) days' written notice of such proposed cancellation has been filed with the ~~department of licenses and consumer services~~ licensing official, and in the event of the cancellation of any such policy of insurance without replacement, the license issued shall be suspended.

Section 4. That Section 225.330 of the above-entitled ordinance be amended to read as follows:

225.330. Register to be kept of licenses issued. The ~~department of regulatory services, licenses and consumer services division~~ licensing official shall keep a register of each license issued, the number thereof, the name of the person to whom the license

is issued, the date when issued, the date of expiration of the license, and the amount paid therefor, and such data as may be required with respect thereto.

Section 5. That Section 225.340 of the above-entitled ordinance be amended to read as follows:

225.340. Marking of vehicles. At the time a license is issued, the applicant shall be furnished with two (2) metal plates or decals, for each licensed vehicle, which plates or decals shall show thereon the number, the name of the city and the license year. Within ten (10) days after the issuance of the license the applicant shall attach such metal plates or decals and keep them attached on the upper half of each side of the cargo box and no more than twelve (12) inches from the front edge of the box. Where the cargo box is not an integral part of the vehicle, such plates or decals shall be placed one on the upper half of each side of the cab. Said plates or decals shall be issued by the ~~department of licenses and consumer services~~ licensing official.

Section 6. That Section 225.380 of the above-entitled ordinance be amended to read as follows:

225.380. Identification of containers. No person shall place or allow to be placed on any street, boulevard or alley any container for which a street use permit is required, as per section 91.20 and which has a capacity of more than five (5) cubic feet, and which is designed or utilized for the collection of building debris, solid waste, or any other material, without having the name and telephone number of the owner stenciled or painted in legible printing in a conspicuous place upon such container. Any box or container not identified or found not to have the proper street use permit, may be impounded by the ~~department of licenses and consumer services~~ environmental health division or the police department if found upon public property. Owners of impounded containers may reclaim such by paying the costs of pickup and storage incurred by the city. Containers, not reclaimed within thirty (30) days of impoundment, may be disposed of by the ~~director, department of licenses and consumer services~~ environmental health division or chief of police, according to law. Any container which is placed on a city street shall have suitable reflectors or warning lights attached, as required by section 427.310 of this Code of Ordinances or as otherwise required by law.

Section 7. That Section 225.450 of the above-entitled ordinance be amended to read as follows:

225.450. Right of entry. Liquid waste haulers, under the direction of the chief of police, the ~~director of environmental health~~ environmental health division, the director of inspections, the director of public works, or their authorized representatives, may enter upon any premises between sunrise and sunset for the purpose of examining any vault, privy or private drain, and with consent of the owner or with an appropriate warrant or as otherwise permitted by law, may have access to any and all parts of every dwelling or building necessary for such examination and for such length of time as may be necessary to complete the same, and also for the purpose of cleaning the same when

necessary. Designated employees of the chief of police, the ~~director of environmental health~~ environmental health division, the director of inspections, the director of public works, shall have the same right of access. Access may also be obtained at any time when one of the above-named officials or their authorized representatives determines that entry for such examination and/or cleaning is necessary because conditions appear to be present that pose an imminent danger to life or health which makes it unreasonably impracticable to either obtain consent or obtain a warrant to permit such entry.

Section 8. That Section 225.460 of the above-entitled ordinance be amended to read as follows:

225.460. Cleaning to preserve health; assessment of cost. Whenever in the judgment of the chief of police, the ~~director of environmental health~~ environmental health division, the director of inspections, the director of public works, or their authorized representatives, there exists on any private property any sink, privy or private drain which needs cleaning, altering, relaying or repairing in order to protect the public health or to prevent the same from becoming or continuing noisome or offensive, such individual or authorized representative, shall give notice in the manner provided for in section 227.100. notice, correction, and assessment shall take place using the procedures set out in section 227.100, And pursuant to abatement of nuisance authority in Laws of Minnesota for 1994, Article 9, Section 4. This shall include the definition of "owner" as used in section 227.100.

Section 9. That Section 225.520 of the above-entitled ordinance be amended to read as follows:

225.520. Inspections. Every owner, keeper or driver of any liquid waste cart or tank shall submit the said cart or tank for inspection to ~~director of environmental health for the department of regulatory services or his or her designee~~ the environmental health division, as requested. If the condition of the said cart or tank is not approved by the ~~director or the director's designee~~ environmental health division, such owner, keeper or driver shall keep the same out of service until it is cleaned, altered or repaired.

Section 10. That Section 225.580 of the above-entitled ordinance be amended to read as follows:

225.580. Requirements for containers. All containers in which solid waste is placed shall be made of metal or approved plastic and be equipped with tight covers. Every dwelling unit, rooming unit, and shared bath unit that utilizes city collection, pursuant to section 225.600 of this Code, shall be provided with an adequate number of serviceable mobile refuse containers (MRC) as required by the city engineer to hold the solid waste accumulated by such units until collected for disposal. Any container that does not conform to all the provisions of this section, or that may have ragged or sharp edges or any other defect liable to hamper or injure the person collecting the contents thereof, must be promptly replaced by a proper container upon receipt of notice to that

effect from the city engineer. No container may be placed in or adjacent to a public right-of-way for collection in such a manner that blocks access to any curb cut or garage access point of any adjoining property. Plastic solid waste containers shall meet the standards of the National Sanitation Foundation Standard No. 21 (as revised 1975). A copy of the standard will be on file at the Minneapolis ~~Department of Health and Family Support~~ Health Department.

2013-Or-____

**AN ORDINANCE
of the
CITY OF
MINNEAPOLIS**

By: Lilligren

**Amending Title 11, Chapter 227 of the Minneapolis Code of Ordinances
relating to Health and Sanitation: Nuisances Generally.**

The City Council of The City of Minneapolis do ordain as follows:

Section 1. That Section 227.90 of the above-entitled ordinance be amended to read as follows:

227.90. Offensive conditions and vegetation declared. (a) *In general.* No owner, agent or occupant of any privately owned lands or premises shall place upon, or permit upon the owner's premises any noxious weeds as are defined in Minnesota Statutes or Minnesota Rules, dirt or rubbish, or any swill, offal, garbage (except in authorized containers), ashes, barnyard litter, manure, yard cleanings, dead animals, inoperable vehicle as defined in the Zoning Code, or any other foul or unhealthy material, or any other condition on said premises, in such a manner as to constitute a nuisance. Except as part of a managed natural landscape as defined in this section, any weeds or grass growing upon any lot or parcel of land in the city to a greater height than eight (8) inches or which have gone or are about to go to seed are hereby declared to be a nuisance condition and dangerous to the health, safety and good order of the city. Ground cover planted and maintained above earth-sheltered buildings need not comply with the height limitation of this section; however, such ground cover shall not contain noxious weeds. Fallen trees, fallen tree limbs, dead trees, dead tree limbs, which in the opinion of the ~~director of inspections~~ environmental health division constitute a health, safety or fire hazard, are declared to be a nuisance condition. Further, when in the opinion of the ~~director of inspections~~ environmental health division, trees, brush and plant growth, which due to location and manner of growth constitute a hazard to the public or may cause injury or damage to persons or property when such growth is in violation of sections 244.1580 or 427.280 shall also constitute a nuisance condition.

(b) *Right to install and maintain a managed natural landscape.* An owner, authorized agent, or authorized occupant of any privately owned lands or premises may, consistent with this subsection and all other applicable laws, statutes, rules and ordinances, install and maintain a managed natural landscape.

(1) *Definitions.*

Managed natural landscape means a planned, intentional and maintained planting of native or non-native grasses, wildflowers, forbs, ferns, shrubs or trees, including but not limited to rain gardens, meadow vegetation, and ornamental plantings.

Meadow vegetation means grasses and flowering broad-leaf plants that are native to, or adapted to, the State of Minnesota, and that are commonly found in meadow and prairie plant communities, not including noxious weeds.

Noxious weed shall have the meaning assigned by Minnesota Statutes, Section 18.77, Subd. 8.

Ornamental plants means grasses, perennials, annuals and groundcovers purposefully planted for aesthetic reasons.

Rain garden means a native plant garden that is designed not only to aesthetically improve properties, but also to reduce the amount of stormwater and accompanying pollutants from entering streams, lakes and rivers.

Turf-grass lawn means a lawn comprised mostly of grasses common used in regularly cut lawns or play areas (such as but not limited to bluegrass, fescue, and ryegrass blends), intended to be maintained at a height of no more than eight (8) inches.

(2) *Findings.*

The city council finds that the installation and maintenance of managed natural landscapes is beneficial to the city's environment and its residents and serves to further adopted city goals in that managed natural landscapes require fewer potentially harmful and costly inputs, improve stormwater retention, increase water quality and biodiversity, reduce greenhouse gas emissions, and provide habitat for wildlife such as birds, butterflies and other beneficial insects and species.

(3) *Requirements.*

- a. Managed natural landscapes may include plants and grasses in excess of eight (8) inches in height and which have gone to seed, but may not include any noxious weeds and must be maintained so as to not include unintended vegetation.

- b. Managed natural landscapes may not include any plantings, which due to location and manner of growth constitute a hazard to the public or may cause injury or damage to persons or property when such growth is in violation of sections 244.1580 or 427.280
- c. Managed natural landscapes shall not include turf-grass lawns left unattended for the purpose of returning to a natural state.

Section 2. That Section 227.100 of the above-entitled ordinance be amended to read as follows:

227.100. Abatement of offensive conditions and vegetation. (a) When there exists on private property a condition which is in violation of section 227.90, a notice to remove the offensive matter or correct the nuisance condition shall be served by the chief of police, the chief of the fire department, ~~director of inspections~~, commissioner of health, or their authorized representatives, upon the owner. Such notice may be served personally or may be served by mail. Such notice shall describe the matter to be removed and require removal thereof within three (3) days not to include Saturdays, Sundays or holidays following service of the notice. If at the end of said three (3) days following service of such notice the offensive matter has not been removed, or the nuisance condition corrected, the city shall cause the correction or removal and disposition.

(b) For properties in which there have been two (2) or more notices issued to remove offensive matter or to correct nuisance conditions within the prior twelve-month period, compliance with section (a) shall not be required. For these properties, the second notice issued within a twelve-month period shall contain a general notice that the city may abate future violations of section 227.90 without providing additional specific notice of the violation. This general notice shall remain in effect for twelve (12) months from the date it is sent. This notice shall inform the owner that the costs incurred by the city will be assessed pursuant to the procedure set forth by this ordinance.

(c) Whether notice was provided pursuant to section (a) or section (b), all costs, including an administrative fee of one hundred dollars (\$100.00), incurred by the city for the removal and disposition of the offensive matter or for correcting the nuisance shall be assessed, levied and collected as a special assessment payable in one (1) sum or by up to ten (10) equal annual installments as the council may provide against the premises from which it was removed, in the manner provided for in this section. In cases where there have been one (1) authorized removal of offensive conditions and/or vegetation at a given site within any twelve-month period, the second and subsequent abatement assessments shall have a double administrative fee until such time as no authorizations are required for a period of twelve (12) months.

(d) When the city causes the correction or removal and disposition of a nuisance under this section, the chief of police, the chief of the fire department, ~~director of inspections~~, commissioner of health, or their authorized representatives shall mail to the

owner a notice of intent to assess the costs of said action. Such notice shall state the amount and basis for the costs and the time, date and place of a hearing before a hearing officer appointed by the council to determine the validity and amount of the proposed assessment. The notice may require, as a prerequisite to an owner's challenge of an assessment, that the owner file written objections to the assessment no later than fifteen (15) days before the hearing. The notice shall state that the owner may appeal the assessment to the district court within thirty (30) days after the adoption of the assessment by the council at an annual meeting. The notice shall also inform the owner of the provisions of Minnesota Statutes Sections 435.193 to 435.195 and of the existence of any deferment procedure.

(e) "Owner," for the purposes of this section, shall mean the person who is listed as the contact person on the current rental licensing application on file with the city, if any, or, if none, the person listed as owner by the city assessor on the homestead record, or, if none, the taxpayer as shown by the records of the city assessor.

Section 3. That Section 227.110 of the above-entitled ordinance be amended to read as follows:

227.110. Offensive occupants. No person shall exercise, carry on, follow, engage in, or work at, any business, trade, calling or occupation which shall be dangerous, hurtful, unwholesome, offensive or unhealthy to the neighborhood. The chief of police, ~~director of inspections~~, commissioner of health or other authorized representative shall give notice to such person to forthwith cease and desist from such business or trade, and if such person shall refuse or neglect to do so within forty-eight (48) hours from the time of such notification, then such person shall be guilty of a violation of this Code.

Section 4. That Section 227.150 of the above-entitled ordinance be amended to read as follows:

227.150. Transporting offensive substances. No person shall remove or cause to be removed, cleaned or carried, the contents of any privy vault or cesspool or any offal, butchers' waste, garbage, swill, rough tallow or slaughterhouse refuse, or any carcass of any dead animal without having first obtained a written permit so to do from the ~~department of health~~ Minneapolis Health Department, and such person shall comply with all the requirements and conditions of such permit.

Section 5. That Section 227.170 of the above-entitled ordinance be amended to read as follows:

227.170. Enforcement. The chief of police, ~~director of inspections~~, commissioner of health or their authorized representatives shall enforce the provisions of this article, and for the purpose of enforcing the same, or satisfying themselves whether there has been any violation thereof, they shall, where they may have reasonable cause to believe that this article has been violated in any particular, enter

into any building or upon any lot or premises whatsoever and make reasonable search and examination as to the existence or presence upon such premises of any nuisance or offensive substance or practice hereinbefore specified, or otherwise. No person shall resist, oppose or obstruct the above city officers in any manner in the enforcement of this article.

2013-Or-____

**AN ORDINANCE
of the
CITY OF
MINNEAPOLIS**

By: Lilligren

Amending Title 11, Chapter 229 of the Minneapolis Code of Ordinances relating to Health and Sanitation: Pest and Vermin Control.

The City Council of The City of Minneapolis do ordain as follows:

Section 1. That Section 229.10 of the above-entitled ordinance be amended to read as follows:

229.10. Definitions. The following words and phrases when used herein shall have the meanings respectively ascribed to them in this section:

Approved: Approved by the commissioner of health pursuant to the applicable provisions of this Code of Ordinances and other ordinances and regulations.

Building: Any structure, whether public or private, that is adapted or intended for occupancy for dwelling purposes, for the transaction of business, for the rendering of professional service, for amusement, for the display, sale or storage of goods, wares or merchandise, or for the performance of work or labor, including hotels, rooming houses, office buildings, public buildings, stores, theaters, markets, restaurants, grain elevators, warehouses, workshops, factories and all houses, garages, coops, sheds, barns and other structures.

Commissioner of health: The term "commissioner of health" as used herein shall include the commissioner of health and the commissioner of health's authorized representatives of the ~~department of public health~~ Minneapolis Health Department.

Extermination: The elimination or eradication of rats by any or all accepted measures, such as poisoning, fumigation, trapping, clubbing, etc.

Food and foodstuffs: Food for human consumption and also includes grain and other feed for animals and fowl.

Garbage: Waste matter of animal, fruit or vegetable origin.

Infestation: The presence of any insects, rodents, vermin or other pests.

Occupant: Any person or persons in charge, care or control of any property. Whenever the entire premises or building is occupied as a place of business under a single management, the person or persons in charge of such business shall be considered the owner.

Owner: Any person who alone or jointly or severally with others shall have actual possession of or have charge, care or control of any building or property within the city as executor, executrix, administrator, administratrix, trustee, guardian or agent. Such person or persons shall be deemed and taken to be the owner or owners of such building or property within the true intent and meaning of this chapter, and shall be bound by the provisions of this chapter to the same extent as the owner.

Premises: A platted lot or part thereof or unplatted lot or parcel of land or plat of land, either occupied or unoccupied by a building as herein defined.

Rat harborage: Any physical condition or place which may provide shelter or protection for rats, thus favoring their multiplication or existence inside, outside or under a structure of any kind or on any lot or premises within the city.

Ratproof container: A container constructed of or lined with metal or other material that is impervious to rats. Doors or covers shall be impervious to rats and tight fitting to prevent the entrance of rats.

Ratproofing: The closing of openings in building foundations, under and around buildings, doors, windows, vents and other places which could provide a means of entry for rats, with material impervious to rat penetration.

Rats: All rats, muskrats, mice, rodents, vermin and other pests.

Rubbish: Combustible or noncombustible waste material, except garbage, and shall include, but not be limited to, such material as ashes, excelsior, rubber, tin cans, leather, lumber, tree branches, yard trimmings, scrap metal, glass, crockery and dust.

Section 2. That Section 229.30 of the above-entitled ordinance be amended to read as follows:

229.30. Enforcement. It shall be the duty of the commissioner of health ~~or his duly authorized representative~~ to enforce the provisions of this chapter. This shall not be construed so as to prohibit the ~~director of inspections~~ environmental health division from enforcing the provisions of the housing maintenance code pertaining to rats in dwellings or on the same lot or premises with a dwelling.

2013-Or-____

**AN ORDINANCE
of the
CITY OF
MINNEAPOLIS**

By: Lilligren

Amending Title 11, Chapter 230 of the Minneapolis Code of Ordinances relating to Health and Sanitation: Pesticide Control.

The City Council of the City of Minneapolis do ordain as follows:

Section 1. That Section 230.50 of the above-entitled ordinance be amended to read as follows:

230.50. Enforcement. This chapter shall be enforced ~~jointly~~ by agents of the ~~health department and department of inspections~~ Minneapolis Health Department pursuant to rules and administrative procedures for such enforcement promulgated under the authority of the city council.

2013-Or-____

**AN ORDINANCE
of the
CITY OF
MINNEAPOLIS**

By: Lilligren

Amending Title 11, Chapter 231 of the Minneapolis Code of Ordinances relating to Health and Sanitation: Public Swimming Pool Code.

The City Council of the City of Minneapolis do ordain as follows:

Section 1. That Section 231.50 of the above-entitled ordinance be amended to read as follows:

231.50. "Commissioner" defined. Wherever the term "commissioner" is used in the Minnesota Rules, it shall be held to mean the environmental health division of the ~~city department of regulatory services~~ Minneapolis Health Department.

Section 2. That Section 231.60 of the above-entitled ordinance be amended to read as follows:

231.60. Enforcement. The ~~department of operations and regulatory services commissioner~~ shall enforce the provisions of this chapter. The ~~director of operations and regulatory services commissioner~~, or designee thereof, after proper identification, shall at all reasonable times have the right to enter into and upon premises to inspect and sample the water in public pools for compliance with this chapter.

Section 3. That Section 231.100 of the above-entitled ordinance be amended to read as follows:

231.100. Pool closure. When any of the following conditions are found, a public pool must be immediately closed to use when so ordered by the ~~director of operations and regulatory services commissioner~~, or designee thereof. The owner of the pool or the owner's agent must place a sign at the entrance to the pool indicating that the pool is closed. The pool must remain closed until the condition is corrected and approval to reopen is granted by the ~~director of operations and regulatory services commissioner~~, or designee thereof. A pool must be closed when one (1) of the following conditions exist:

- (1) The units of lifesaving equipment specified in Minnesota Rules, Chapter 4717 are not provided.

- (2) The water clarity standard specified in 231.70(g) is not met.
- (3) The disinfection residual specified in 231.70(d) is not met.
- (4) The pool has been constructed or physically altered without approval of plans as required by Minnesota Rules, Chapter 4717.
- (5) There is any condition that endangers the health or safety of the public.

2013-Or-____

**AN ORDINANCE
of the
CITY OF
MINNEAPOLIS**

By: Lilligren

Amending Title 11, Chapter 232 of the Minneapolis Code of Ordinances relating to Health and Sanitation: Suntanning Facilities.

The City Council of The City of Minneapolis do ordain as follows:

Section 1. That Section 232.10 of the above-entitled ordinance be amended to read as follows:

232.10. Definitions. *Department* means the ~~department of licenses and consumer services of the City of Minneapolis~~ Minneapolis Health Department.

Consumer means any member of the public who is provided access to a tanning facility in exchange for a fee or other compensation, or any individual who, in exchange for a fee or other compensation, is afforded use of a tanning facility as a condition or benefit of membership or access.

Fee means the amount charged to any individual or group of individuals in exchange for use of a tanning facility or facilities, whether direct or by virtue of membership or access.

Other compensation means the payment or exchange of goods, or anything of value, for use of the tanning facility or facilities.

Tanning facility or *tanning facilities* means a room or a booth which houses ultraviolet lamps or products containing such lamps intended for the irradiation of any part of the living human body for cosmetic or nonmedical related purposes.

Tanning equipment means sunlamp products and ultraviolet lamps intended to induce skin tanning through the irradiation of any part of the living human body.

Operator means the person designated by the licensee/permittee for the facility to assist and instruct the public in the correct operation of the tanning facility.

Ultraviolet radiation for purposes of this chapter will be referred to as follows:

- (1) *UVA (Ultraviolet A) radiation* means radiation in the wavelength between three hundred twenty (320) to four hundred (400) nanometers (one billionth).
- (2) *UVB (Ultraviolet B) radiation* means radiation in the wavelength between two hundred sixty (260) to three hundred twenty (320) nanometers (one billionth).
- (3) *UVC (Ultraviolet C) radiation* means radiation in the wavelength between one hundred eighty (180) to two hundred sixty (260) nanometers (one billionth).

Section 2. That Section 232.60 of the above-entitled ordinance be amended to read as follows:

232.60. Suspension and revocation of license. Suspension of license. Whenever the ~~health officer~~ Department finds unsanitary or other conditions in the operation of a suntanning facility which, in the officer's judgment, constitutes a substantial hazard to the public health, the ~~officer~~ Department may, in addition to any other action taken, refer the matter to the appropriate city council committee ~~on licenses and consumer services~~ for consideration of license suspension or revocation. The license holder shall be given reasonable notice of any hearing held before the committee and shall be given an opportunity to present evidence and be heard.

2013-Or-____

**AN ORDINANCE
of the
CITY OF
MINNEAPOLIS**

By: Lilligren

Amending Title 11, Chapter 233 of the Minneapolis Code of Ordinances relating to Health and Sanitation: Ozone-Depleting Compounds.

The City Council of The City of Minneapolis do ordain as follows:

Section 1. That Section 233.30 of the above-entitled ordinance be amended to read as follows:

233.30. Requirements to recycle CFCs. (1) *Salvage automobiles.* A person who processes automobiles for salvage must remove CFCs for recycling prior to disposal or sale of the materials containing CFCs. This subdivision does not apply to crushed automobiles or automobiles that have been processed in a manner that makes removal and recovery of CFCs impossible.

(2) *Refrigeration equipment.* A person processing scrap refrigerators, room and central air-conditioning units, or freezers must remove and recycle, destroy, or properly dispose of the CFCs.

(3) *Mobile air-conditioning equipment.* A person servicing or removing mobile air-conditioning equipment must:

- (a) Recapture CFCs, provide storage for recaptured CFCs, and transfer recaptured CFCs to a recycler; or
- (b) Recapture and recycle the CFCs to an allowed use.

(4) *Servicing of appliances.*

- (a) A person servicing refrigerators, room and central air-conditioning units, or freezers must:
 - 1. Recapture CFCs, provide storage for recaptured CFCs, and transfer recaptured CFCs to a recycler; or
 - 2. Recapture CFCs and recycle the CFCs to an allowed use.

(b) The recovered CFCs may be properly disposed of or destroyed.

(5) *Foam not required to be recycled.* This section does not require recycling of rigid or flexible foam.

(6) *Rules.* The commissioner of health and ~~director of regulatory services~~ may adopt rules for recycling CFCs and introduce standards for CFC recycling requirements which are not inconsistent with rules adopted by the Minnesota Pollution Control Agency (MPCA).

2013-Or-____

**AN ORDINANCE
of the
CITY OF
MINNEAPOLIS**

By: Lilligren

Amending Title 11, Chapter 234 of the Minneapolis Code of Ordinances relating to Health and Sanitation: Indoor Smoking.

The City Council of The City of Minneapolis do ordain as follows:

Section 1. That Section 234.80 of the above-entitled ordinance be amended to read as follows:

234.80. Violation and penalties. (1) *Proprietors.* It is a violation of this chapter for the proprietor or other person in charge of any premises subject to this chapter to fail to comply with the requirements of 234.30, or to retaliate against an employee, applicant for employment or customer, as prohibited by 234.50

(2) *Civil fines.* Violations of this chapter may be enforced administratively pursuant to Chapter 2 of this Code. Each day of violation constitutes a separate offense.

(3) *Adverse license action.* Violation of any provision of this chapter by a licensee shall be adequate grounds for the denial, refusal to renew, revocation or suspension of said license.

(4) *Enforcement.* The provisions of this chapter shall be enforced by the ~~department of operations and regulatory services~~ Minneapolis Health Department, the police department and fire department.

(5) *Injunctive relief.* The city attorney may bring a civil action against the proprietor or other person in charge of a public place or place of work to enjoin repeated or continuing violations of this chapter.

2013-Or-____

**AN ORDINANCE
of the
CITY OF
MINNEAPOLIS**

By: Lilligren

**Amending Title 11, Chapter 235 of the Minneapolis Code of Ordinances
relating to Health and Sanitation: Dogs in Outdoor Food and Liquor
Establishments.**

The City Council of The City of Minneapolis do ordain as follows:

Section 1. That Section 235.10 of the above-entitled ordinance be amended to read as follows:

235.10. Definitions. As used in this chapter:

Dangerous and potentially dangerous dog has the meaning specified in Minnesota Statute Section 347.50 and Title 4 of this Code.

Designated outdoor dog area means a specifically identified and defined outdoor area located on the premises of a licensed food or liquor establishment which has been approved by the ~~director of licenses and consumer services~~ Minneapolis Health Department pursuant to the requirements of this chapter.

Food establishment means those establishments licensed pursuant to Title 10 of this Code.

Liquor establishment means those establishments licensed pursuant to Title 14 of this Code.

Other person in charge has the meaning specified in the Minnesota Clean Indoor Air Act Rules, Minnesota Rules, part 4620.0100, subpart 10, as amended from time to time.

Outdoor area means any area utilized for food or beverage service and consumption located on the licensed premises of a food or liquor establishment but shall not include any "indoor area" as that term is defined in Minnesota Statute Section 144.413.

Proprietor has the meaning specified by the Minnesota Clean Indoor Air Act Rules, Minnesota Rules, part 4620.0100, subpart 13, as amended from time to time.

Section 2. That Section 235.20 of the above-entitled ordinance be amended to read as follows:

235.20. Designated outdoor dog areas authorized. (a) Licensed food and liquor establishments shall be eligible to apply for approval to allow dogs to accompany persons patronizing designated outdoor dog areas. The designated outdoor dog area shall be limited to approved outdoor areas; however, a dog may be present in an approved interior corridor solely for the purpose of being transported directly between the entry of the establishment and a designated outdoor dog area if direct access to the designated outdoor dog area is not capable of being provided. An approved interior corridor shall meet the requirements of the Minnesota Food Code, Minnesota Rules, part 4626.1585 6-501.115, as amended from time to time.

(b) An applicant seeking approval for a designated outdoor dog area shall provide the following required information on an application or license addendum form as required by the ~~director of licenses and consumer services~~ licensing official:

- (1) The name, location, and mailing address of the establishment;
 - (2) The name, mailing address, and telephone contact information of the applicant;
 - (3) A description of the designated outdoor areas in which the applicant intends to allow dogs; and
 - (4) A description of the days of the week and hours of operation that patrons' dogs will be permitted in the designated outdoor areas.
- (c) An approval for a designated outdoor dog area issued pursuant to this chapter may not be transferred to a subsequent owner upon the sale of the establishment but shall expire automatically upon the sale of the establishment. The subsequent owner shall be required to reapply for approval pursuant to this chapter if the subsequent owner wishes to continue to accommodate patrons' dogs, in addition to complying with all other applicable licensing requirements of this Code.

Section 3. That Section 235.60 of the above-entitled ordinance be amended to read as follows:

235.60. Violation and penalties. (1) *Proprietors.* It is a violation of this chapter for the proprietor or other person in charge of any premises subject to this chapter to fail to comply with the requirements of sections 235.20 or 235.30

- (2) *Patrons.* It is a violation of this chapter for a patron of any premises subject to this chapter to fail to comply with the requirements of section 235.40
- (3) *Civil fines.* Violations of this chapter may be enforced administratively pursuant to Chapter 2 of this Code. Each day of violation constitutes a separate offense.
- (4) *Adverse license action.* Violation of any provision of this chapter by a licensee shall be adequate grounds for the denial, refusal to renew, revocation or suspension of the establishment's licenses or of the establishment's approval to provide designated outdoor dog areas.
- (5) *Enforcement.* The provisions of this chapter shall be enforced by the ~~department of operations and regulatory services~~ Minneapolis Health Department.
- (6) *Injunctive relief.* The city attorney may bring a civil action against the proprietor or other person in charge of a public place or place of work to enjoin repeated or continuing violations of this chapter. Failure to seek injunctive relief shall not bar the pursuit of any other form of enforcement provided by this section or applicable law.