

Sec. 2. Minnesota Statutes 1965, Section 340.07, Subdivision 14, as amended by Laws 1967, Chapter 19, Section 1, is amended to read:

Subd. 14. "Restaurant" means any establishment, other than a hotel, under the control of a single proprietor or manager, having appropriate facilities for the serving of meals, and where, in consideration of payment therefor, meals are regularly served at tables to the general public, and which employs an adequate staff to provide the usual and suitable service to its guests, and the principal part of the business of which is the serving of foods. In cities of the first class such establishment shall have facilities for seating not less than 50 guests at one time; in cities of the second and third class and villages of over 10,000 population, such establishment shall have facilities for seating not less than 30 guests at one time, or such greater number as the municipality may determine; and in cities of the fourth class and villages of 10,000 population or less, in such manner as the municipality shall determine; *and in an unincorporated or unorganized area of a county such establishment shall have facilities for seating not less than 100 guests at one time or such greater number as the county board may determine.*

Approved May 24, 1967.

CHAPTER 698—S. F. No. 1347

[Coded]

An act relating to county government; authorizing enactment of county ordinances; specifying procedures; and providing penalties for violations.

Be it enacted by the Legislature of the State of Minnesota:

Section 1. **[375.51] Counties; ordinances; enactment, publication.** Subdivision 1. **Enactment of ordinances.** In any instance in which a county board is authorized by law to enact ordinances, such county ordinances shall be adopted in the manner hereinafter prescribed except as otherwise provided by law. Every county ordinance shall be enacted by a majority vote of all the members of the county board except where a larger number is required by law. It shall be signed by the chairman of the board and attested by the clerk of the board. The ordinance shall be published as hereinafter provided. Proof of the publication shall be attached to and filed with the ordinance in the office of the county auditor. Every ordinance

Changes or additions indicated by italics, deletions by strikeout.

shall be recorded in an ordinance book in the office of the county auditor within 20 days after its publication. All ordinances shall be suitably entitled and shall be substantially in the style:

"The county board County ordains:"

Subd. 2. Notice of intention to enact ordinance. No ordinance of a county shall be enacted unless a notice of the intention to enact such ordinance has been published in the official newspaper of the county not less than ten days before the meeting at which the ordinance is to be considered. The notice shall state the subject matter and the general purpose of the proposed ordinance. Proof of the publication of the notice shall be attached to and filed with the ordinance, if enacted, in the office of the county auditor.

Subd. 3. Publication. Every ordinance enacted by a county board shall be published at least once as part of the proceedings of the meeting at which the ordinance was enacted. Publication shall be made in the official newspaper of the county but additional publications, either in the official newspaper or other newspaper, may be ordered. An ordinance may be published in its entirety, or otherwise as hereinafter provided.

To the extent of the authority described in subdivision 1 of this section, a county may incorporate in an ordinance by reference any statute of Minnesota, any administrative rule or regulation of any department of the state of Minnesota affecting the county, or any code. The term "code" as used herein means any compilation of regulations or standards or parts thereof prepared by any governmental agency or any trade or professional association for general distribution in printed form as a standard or model on the subject of building construction, plumbing, electric wiring, inflammable liquids, sanitary provisions, public health, safety, or general welfare.

In the case of lengthy ordinances, or ordinances which include charts or maps, the ordinance need not be published in its entirety if the title of the ordinance and a summary of the ordinance is included in the publication of the proceedings of the meeting at which the ordinance was enacted. In such case and in the case a statute, administrative rule or regulation or a code is adopted by reference, all requirements of statute for the publication of ordinances shall be satisfied if the summary of the ordinance or the ordinance incorporating the statute, regulation, ordinance or code is published in the required manner and if, prior to such publication, at least three copies of the entire ordinance or of the statute, rule, regulation or code are marked as official copies and filed for use and examination by the public in the office of the county auditor. Provisions of the entire ordinance or of the statute, rule, regulation or code thus in-

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corporated in such ordinance by reference shall be as much a part of the ordinance as if they had been set out in full therein.

Sec. 2. [375.52] **Revision and codification.** Any county may revise and codify and print in book, pamphlet or newspaper form any general and special laws, ordinances, resolutions and rules in force in the county. Such codification shall be a sufficient publication of any ordinance included in it and not previously published in a newspaper if a substantial quantity of the codification is printed for general distribution to the public. A notice that copies of the codification are available in the office of the county auditor shall be published in the official county newspaper for at least two successive weeks. The county board is authorized to make a reasonable charge for the cost of printing and distribution of ordinances or a codification of ordinances.

Sec. 3. [375.53] **Violations of ordinances; penalties.** The county board shall have power to declare that the violation of any ordinance shall be a penal offense and to prescribe penalties therefor. Such penalties shall not exceed those permitted for conviction of a misdemeanor as defined by law.

Sec. 4. [375.54] **Prosecutions under ordinance.** Subdivision 1. All prosecutions for violation of county ordinances shall be brought by the county attorney in the name of the county upon complaint and warrant as in other criminal cases.

Sec. 5. [375.55] **Disposition of fines recovered for ordinance violations.** All fines, forfeitures, and penalties recovered for the violation of any county ordinance shall be paid into the county treasury. Every court or officer receiving such moneys, on or before the tenth day after the last day of the month in which such moneys were collected, shall make return thereof under oath and be entitled to duplicate receipts for the amounts paid. One of the receipts shall be filed with the county auditor.

Approved May 24, 1967.

CHAPTER 699—S. F. No. 1413

An act relating to insurance; permitting an agent to direct that his commissions be paid to a partnership or corporation that employs him; amending Minnesota Statutes 1965, Section 60.81.

Be it enacted by the Legislature of the State of Minnesota:

Changes or additions indicated by italics, deletions by ~~strikeout~~.