

CHAPTER 327

HOTELS, PUBLIC RESORTS, MOBILE HOMES

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HOTELS

327.01 LIABILITY TO GUEST. No inn or hotel keeper who has constantly in his or its inn or hotel a metal safe or suitable vault in good order and fit for the custody of money, bank notes, jewelry, articles of gold and silver manufacture, precious stones, personal ornaments, railway mileage books or tickets, negotiable or valuable papers, and bullion, and who keeps on the doors of the sleeping rooms used by guests suitable locks or bolts and suitable fastenings on the transoms and windows of the rooms, and who keeps a copy of this section, printed in distinct type, constantly and conspicuously posted in the office and on the inside of the entrance door of every bedroom and of every parlor and other public room in the building, shall be liable for the loss of or injury to property suffered by any guest unless such guest has offered to deliver the same to such innkeeper or hotel keeper for custody in such metal safe or vault, and such innkeeper or hotel keeper has omitted or refused to take the same and deposit it in such safe or vault for custody and to give such guest a receipt therefor. The keeper of any such inn or hotel shall not be liable for the loss, destruction, or injury of or to any property hereinbefore described for more than the sum of \$300 unless the same shall be lost, destroyed, or injured through theft or negligence of such innkeeper or hotel keeper. No keeper of any inn or hotel shall be required to accept for safe-keeping, as aforesaid, property in excess of the value of \$500 unless such acceptance thereof is in writing.

[1919 c. 511 s. 1; 1921 c. 479 s. 1] (7312)

327.02 BAGGAGE; LOSS, INJURY; LIMITATION OF LIABILITY. For the loss of or injury to the kind of baggage or property enumerated in this section, when actually delivered to the hotel proprietor or innkeeper for safe-keeping elsewhere than in the room assigned to such guest, the hotel proprietor or innkeeper shall not be liable unless such hotel proprietor or innkeeper shall have given the guest a check or receipt therefor to evidence such delivery; and when so received and checked the liability shall be limited to the following amounts:

\$150 for each trunk and its contents;

\$ 50 for each valise or traveling-case and its contents;

\$ 10 for each box, parcel, or package and its contents; and

\$ 50 for wearing apparel.

If any such property of a guest when not so delivered for safe-keeping shall be lost or injured in such hotel or inn through the negligence of such hotel proprietor or innkeeper, such hotel proprietor or innkeeper shall be liable for the actual value thereof.

[1919 c. 511 s. 2] (7313)

327.03 LIABILITY OF KEEPER. The liability of the keeper of a hotel or inn for loss, injury, or damage to the personal property of a guest of the character described in section 327.02, while contained in the room assigned to such guest, shall be that of a bailee for hire, and such liability shall not exceed for any one guest on

account of such property the sum of \$500, provided, that such loss or damage to such property shall not have resulted from the fault or negligence of such hotel or innkeeper.

[1921 c. 479 s. 2] (7314)

327.04 OTHER LOSS OR INJURY. For the loss of or injury to baggage or property of a guest not enumerated in sections 327.01 or 327.02, such as trunks, valises, traveling-cases, or other receptacles not suitable to be placed in the safe, containing property of special or unusual value delivered to the hotel proprietor or innkeeper for safe-keeping or other purpose, the hotel proprietor or innkeeper shall not be liable unless the owner or person delivering such property shall at the time of such delivery acquaint the hotel proprietor or innkeeper with the approximate value thereof, and, if demanded, with the nature of the contents thereof, and such hotel proprietor or innkeeper shall receive such property and give a check or receipt therefor; and, in such case, the liability shall not exceed the actual value of such receptacle and contents lost or the amount of the actual injury thereto.

When any person shall suffer his baggage or property to remain in any hotel after leaving such hotel as a guest, and after the relation of innkeeper and guest has ceased, or shall forward the same to such hotel before becoming a guest, and the same shall be received into such hotel, such hotel proprietor, after the lapse of ten days, may, at his or its option, hold such baggage or property at the risk of such owner, or he shall have the right to deposit such baggage or property in a storage warehouse, in which event he shall take from the proprietor of such storage warehouse a receipt for the same, in the name of the owner thereof, and hold the same for such owner; and such hotel proprietor, after he shall have so deposited such baggage or property in such storage warehouse, shall not be responsible for the loss thereof to such owner, provided he shall deliver to the owner of such baggage or property the storage warehouse receipt upon demand. Proof, on behalf of the guest, of the bringing of his property to the hotel or inn under the foregoing provisions, the loss thereof, and ordinary care on his part, shall be proof prima facie of negligence on the part of the hotel keeper or innkeeper.

[1919 c. 511 s. 3] (7315)

327.05 LIENS. Every innkeeper, hotel keeper, and keeper of a boarding house or lodging house, whether individual, copartnership, or corporation, shall have a lien upon and may retain the possession of all the baggage and other effects brought into his or its inn, hotel, boarding house, or lodging house by any guest, boarder, or lodger, whether the same is the individual property of such guest, boarder, or lodger or under his control, or the property of any other person for whose board, lodging, or other accommodation the person contracting for such board and lodging is liable for the proper charges owing such innkeeper, hotel keeper, or keeper of a boarding house or lodging house for any board, lodging, or other accommodation furnished to or for such guest, boarder, or lodger, and for all money paid out for or advanced to any such guest, boarder, or lodger, not to exceed the sum of \$200, and for such extras as are furnished at the written request signed by such guest, boarder, or lodger until the amount of such charges is paid, and any execution, attachment, or other process levied upon such baggage or effects shall be subject to such innkeeper's lien and the cost of satisfying it.

[1919 c. 511 s. 4] (7316)

327.06 RETENTION OF BAGGAGE. The innkeeper or hotel keeper may retain such baggage and other property upon which he has a lien for goods, board, or lodging furnished to the owner thereof, for a period of 90 days, at the expiration of which time, if such lien is not satisfied, such baggage and other property may be sold at public auction to satisfy the lien and the costs of sale. The sale shall be made by a sheriff or constable upon the notice and in the manner provided for in the case of sale under execution from justice courts.

[1919 c. 511 s. 5] (7317)

327.07 FRAUD. Any person who shall obtain food, lodging, or other accommodations at any hotel, lodging house, inn, boarding or eating house, without paying therefor, with intent to defraud the owner or manager thereof, or who obtains credit at any hotel, lodging house, inn, boarding or eating house by or through any false pretense, or by or through the aid, assistance, or influence of any baggage or effects in his possession and control, but not actually belonging to such person, shall be guilty of a misdemeanor; and upon conviction thereof shall

be punished by a fine of not less than \$10 nor more than \$100 or by imprisonment in the county jail for not more than 90 days.

[1919 c. 511 s. 6] (7318)

327.08 PROOF OF FRAUD. Proof that food, lodging, or other accommodations was obtained by false pretense or by false or fictitious show or pretense of baggage or other property, or proof that the person refused or neglected to pay for such food, lodging, or other accommodations on demand, or that he gave in payment of such food, lodging, or other accommodations negotiable paper on which payment was refused, or that he absconded without offering to pay for such food, lodging, or other accommodations, or that he surreptitiously removed or attempted to remove his baggage, shall be prima facie proof of the fraudulent intent mentioned in section 327.07; but sections 327.01, 327.02 and 327.04 to 327.08 shall not apply where there has been an agreement in writing for delay in payment for a period to exceed ten days.

[1919 c. 511 s. 7] (7319)

327.09 EQUAL RIGHTS IN HOTELS AND OTHER PUBLIC PLACES. No person shall be excluded, on account of race, color, national origin, or religion from full and equal enjoyment of any accommodation, advantage, or privilege furnished by public conveyances, theaters, or other public places of amusement, or by hotels, barber shops, saloons, restaurants, or other places of refreshments, entertainment, or accommodations.

[R L s 2812; 1943 c 579 s 1; 1965 c 585 s 1] (7321)

327.091 SETTING FIRE TO HOTEL BELONGINGS. Subdivision 1. **Penalty.** Any person in any hotel, rooming house, lodging house or other place of public abode who, by smoking or attempting to light or to smoke cigarettes, cigars, pipes or tobacco, in any manner in which lighters or matches are employed, shall in a careless or negligent manner set fire to any bedding, furniture, curtains, drapes, house or any household fittings, or any part of any building of the class hereinbefore set forth, so as to endanger life or property in any way, or to any extent, is guilty of a misdemeanor.

Subd. 2. **Notice required.** In each sleeping room of all hotels, rooming houses, lodging houses and other places of public abode, a plainly printed notice shall be kept posted in a conspicuous place advising tenants of the provisions of this section.

[1951 c 103 s 1, 2; 1971 c 23 s 21]

327.095 BLIND PERSONS ACCOMPANIED BY DOG GUIDES; DISCRIMINATION PROHIBITED. Subdivision 1. **Right of blind persons to take dog guides into public places and conveyances.** It is lawful for a blind person to take a dog guide into any and all public buildings, eating places, public conveyances, hotels, tourist cabins, public inns, public elevators, or similar places when the dog guide can be properly identified as being from a recognized school for seeing eye or guide dogs and when such dog is properly harnessed so that the blind person may maintain control of the dog.

Subd. 2. **Extra payments or charges for seeing eye dogs prohibited.** No person shall require a blind person to make any extra payment or pay any additional charge for such a dog when taken into any of the places mentioned in subdivision 1.

Subd. 3. **Penalty.** Any person or any representative of any firm or corporation who attempts to deprive a blind person of the rights set forth in this section is guilty of a misdemeanor.

[1965 c 763 s 1]

TOURIST CAMPS

327.10 LODGING ESTABLISHMENT OPERATOR, DUTIES. Every person operating within this state a recreational camping area, cabin camp, lodging house, tourist rooms, motel, mobile home park, or resort furnishing sleeping or overnight stopping accommodations for transient guests, shall provide and keep thereat a suitable guest register for the registration of all guests provided with sleeping accommodations or other overnight stopping accommodations thereat; and every such guest shall be registered therein. Upon the arrival of every such guest, the operator of such camp or resort shall require him to enter in such register, or enter for him therein, in separate columns provided in such register, the name and home address of the guest and every person, if any, with him as a member of his party; and if traveling by motor vehicle, the make of such vehicle, registration number, and other identifying letters or characters appearing on the official number plate carried

thereon, including the name of the state issuing such official plate. Such registration shall be kept in an accurate and orderly manner and retained for one year so that the same will be always accessible for inspection by the proper authorities.

[1937 c 186 s 1; 1951 c 428 s 16; 1969 c 427 s 1] (10536-5)

327.11 GUEST, REGISTRATION. Every person, upon arriving at any lodging house, mobile home park, recreational camping area, cabin camp, motel or other resort described in sections 327.10 to 327.13 and applying for guest accommodations therein of the character described in section 327.10, shall furnish to the operator or other attendant in charge of such camp or resort the registration information necessary to complete his registration in accordance with the requirements of section 327.10, and shall not be provided with accommodations unless and until such information shall be so furnished.

[1937 c 186 s 2; 1951 c 428 s 17; 1969 c 427 s 2] (10536-6)

327.12 REGISTRATION RECORDS, INSPECTION. The registration records provided for in sections 327.10 to 327.13 shall be open to the inspection of all law enforcement officers of the state and its subdivisions.

[1937 c 186 s 3] (10536-7)

327.13 VIOLATION. Every person who shall violate any of the provisions of sections 327.10 to 327.12 shall be guilty of a misdemeanor.

[1937 c 186 s 4] (10536-8)

MOBILE HOME PARKS AND CAMPING AREAS

327.14 DEFINITIONS. Subdivision 1. **Terms.** For the purposes of sections 327.10, 327.11, 327.14 to 327.28 the terms defined in this section shall have the meanings ascribed to them.

Subd. 2. **Mobile home.** The words "mobile home" when used in sections 327.10, 327.11, 327.14 to 327.28 shall mean a transportable, single-family dwelling unit suitable for year round occupancy and containing the same water supply, waste disposal and electrical conveniences as immobile housing and subject to tax or registration, as such, under the provisions of chapters 168 or 273 and having no foundation other than wheels, jacks or skirtings.

Subd. 3. **Mobile home park.** The words "mobile home park" as used in sections 327.10, 327.11, 327.14 to 327.28 shall mean any site, lot, field or tract of land upon which two or more occupied mobile homes are harbored, either free of charge or for revenue purposes, and shall include any building, structure, tent, vehicle or enclosure used or intended for use as part of the equipment of such mobile home park.

Subd. 4. **Municipality.** The word "municipality" as used in sections 327.10, 327.11, 327.14 to 327.28 shall mean any city, town or township, village or borough in this state, however organized.

Subd. 5. **Primary license.** The words "primary license" shall mean the initial license issued to the first person, firm or corporation to establish and maintain, conduct or operate a mobile home park or recreational camping area at any one location.

Subd. 6. **Annual license.** The words "annual license" shall mean a renewal license issued to the person, firm or corporation operating a previously licensed mobile home park or recreational park or recreational camping area.

Subd. 7. **Recreational camping vehicle.** The words "recreational camping vehicle" as used in sections 327.14 to 327.28 shall mean any of the following:

(a) Travel trailer means a vehicular, portable structure built on a chassis, designed to be used as a temporary dwelling for travel, recreational, and vacation uses, permanently identified "Travel Trailer" by the manufacturer of the trailer.

(b) Pick-up coach means a structure designed to be mounted on a truck chassis for use as a temporary dwelling for travel, recreation, and vacation.

(c) Motor-home means a portable, temporary dwelling to be used for travel, recreation, and vacation, constructed as an integral part of a self-propelled vehicle.

(d) Camping trailer means a folding structure, mounted on wheels and designed for travel, recreation, and vacation use.

Subd. 8. **Recreational camping area.** The words "recreational camping area" as used in sections 327.10, 327.11, 327.14 to 327.28 shall mean any area, whether privately or publicly owned, used on a daily, nightly, weekly, or longer basis for the accommodation of five or more units, consisting of tents, travel trailers, pick-up coaches, motor-homes, or camping trailers and whether use of such accommodation is granted free of charge or for compensation. Provided, that nothing in this definition shall be constructed to include children's camps, industrial camps, migrant la-

bor. camps, as defined in Minnesota Statutes and state board of health regulations and also shall not include United States forest service camps, state forest service camps, state wildlife management areas or state owned public access areas which are restricted in use to picnicking and boat landing.

[1951 c 428 s 1; 1965 c 668 s 1-3; 1969 c 427 s 3-8]

327.15 LICENSE FOR MOBILE HOME PARK AND RECREATIONAL CAMPING AREA. No person, firm or corporation shall establish, maintain, conduct or operate a mobile home park or recreational camping area within this state without first obtaining a license therefor from the state department of health; provided that any person, firm, or corporation desiring to operate either a mobile home park or a recreational camping area on the same site in connection with the other, need only obtain one license. Such license shall be issued for the calendar year applied for and shall expire at midnight on December 31 of such year. The license shall state the number of mobile home sites and recreational camping sites allowed according to state department of health approval. No renewal license shall be issued if the number of sites specified in the application exceeds those of the original application unless the plans for expansion or the construction for expansion are first approved by the department of health. Any mobile home park or recreational camping area located in more than one municipality shall be dealt with as two separate mobile home parks or camping areas. The license shall be conspicuously displayed in the office of the mobile home park or camping area. The license is not transferable as to place.

[1951 c 428 s 2; 1965 c 668 s 4; 1969 c 427 s 9]

327.16 APPLICATION. Subdivision 1. **Made to state department of health.** The application for annual license to operate and maintain a mobile home park or recreational camping area shall be made to the state department of health, at such office and in such manner as may be prescribed by that department.

Subd. 2. **Contents.** The applicant for such primary license or annual license shall make application in writing upon such form as the state department of health may provide, and shall set forth:

(1) The full name and address of the applicant or applicants, or names and addresses of the partners if the applicant is a partnership, or the names and addresses of the officers if the applicant is a corporation.

(2) A legal description of the site, lot, field, or tract of land upon which it is proposed to operate and maintain a mobile home park or recreational camping area.

(3) The proposed and existing facilities on and about said site, lot, field, or tract of land for the proposed construction or alteration and maintaining of a sanitary community building for toilets, urinals, sinks, wash basins, slop-sinks, and showers, drains, laundry facilities, source of water supply; sewage, garbage and waste disposal except that no toilet facilities shall be required to be constructed in any mobile home park which permits thereon only mobile homes equipped with toilet facilities discharging to water carried sewage disposal systems; and method of fire protection.

(4) The proposed method of lighting the structures and site, lot, field, or tract of land upon which said mobile home park or recreational camping area is to be located.

(5) Designate the calendar months of the year which applicant will operate said mobile home park or recreational camping area.

(6) Plans and drawings for new construction or alteration, including buildings, wells, plumbing and sewage disposal systems.

Subd. 3. **Fees; approval.** The application for the primary license shall be submitted with all plans and specifications enumerated in subdivision 2, and payment of \$30 for each 50 sites or fraction thereof, in such mobile home park or recreational camping area and shall be accompanied by an approved permit from the municipality wherein the park is to be located, or a statement that the municipality does not require an approved permit. Each year thereafter the fee shall be \$7 for the annual license. All license fees paid to the department of health shall be turned over to the state treasury. The fee submitted for the primary license shall be retained by the state even though the proposed project is not approved and a license is denied; provided that the amount of money retained by the state shall not exceed \$30. The fees for license to operate a recreational camping area shall become effective January 1, 1970, and the fees for license to operate a mobile home park shall become effective July 1, 1969.

When construction has been completed in accordance with approved plans and

specifications the state department of health shall promptly cause the mobile home park or recreational camping area and appurtenances thereto to be inspected. When such inspection and report has been made and the state department of health finds that all requirements of sections 327.10, 327.11, 327.14 to 327.28, and such conditions of health and safety as the state department of health may require, have been met by the applicant, the state department of health shall forthwith issue such primary license in the name of the state.

Subd. 4. Sanitary facilities. During the pendency of the application for such primary license any change in the sanitary or safety facilities of the intended mobile home park or recreational camping area shall be immediately reported in writing to the state department of health through the office through which the application was made. If no objection is made by the state department of health to such change in such sanitary or safety facilities within 60 days of the date such change is reported, it shall be deemed to have the approval of the state department of health.

Subd. 5. Permit. When the plans and specifications have been approved, the state department of health shall issue an approval report permitting the applicant to construct or make alterations pertaining to water and sewage disposal upon a mobile home park or recreational camping area and the appurtenances thereto according to the plans and specifications presented.

Such approval does not relieve the applicant from securing building permits in municipalities having a building code; or from complying with any other municipal ordinance or ordinances, applicable thereto, not in conflict with this statute.

Subd. 6. Denial of construction. If the application to construct or make alterations upon a mobile home park or recreational camping area and the appurtenances thereto or a primary license to operate and maintain the same is denied by the state board of health, it shall so state in writing giving the reason or reasons for denying the application. If the objections can be corrected the applicant may amend his application and resubmit it for approval, and if denied the applicant may appeal from the decision of the state board of health as provided in section 327.18.

[1951 c 428 s 3; 1961 c 375 s 1; 1965 c 668 s 5-9; 1969 c 427 s 10]

327.17 [Repealed, 1959 c 562 s 1]

327.18 LICENSES; REVOCATION, SUSPENSION. Subdivision 1. **Procedure for revocation or suspension.** Any license granted hereunder shall be subject to revocation or suspension by the state department of health; provided, however, that the state department of health shall first serve or cause to be served upon the licensee a written notice specifying the way or ways in which such licensee has failed to comply with this statute, or any special rules or regulations promulgated by the state department of health. Said notice shall direct the licensee to remove or abate such nuisance, insanitary or objectionable condition, specified in such notice, within five days, or within such extended period of time as may be reasonably allowed by the complaining official. If the licensee fails to comply with the terms and conditions of said notice, within the time specified or such extended period of time, the department of health shall require the licensee to appear for a hearing before the state board of health or the duly authorized employees of the department of health. The state board of health shall review the facts and make such determination as it deems necessary in the matter. If the licensee fails to comply with such determination, the board shall direct the department of health to suspend or revoke the license.

Subd. 2. Summary proceeding. Notwithstanding any other provision of this section, the department of health upon finding that there is a clear and present danger to the public health may order the immediate removal of one or more mobile homes or recreational camping vehicles, and may also order closing of the central building for the purpose of reducing the amount of liquid waste being discharged to the sewerage system. The order shall be complied with immediately. The licensee may appeal such order to the district court and shall be entitled to immediate trial de novo on the validity of said order. Failure of the licensee to comply with such order, or failure of a mobile home or recreational camping vehicle occupant to vacate under such order, shall be a misdemeanor.

Subd. 3. Procedure for hearing and appeal. The procedure for hearings or for appeals from the orders of the department or of the board where provided in sections 327.14 to 327.29 shall be in accordance with Minnesota Statutes 1961, Chapter 15 as amended.

[1951 c 428 s 5; 1965 c 668 s 10; 1969 c 427 s 11]

327.19 [Repealed, 1965 c 668 s 14]

327.20 RULES. Subdivision 1. **Regulations.** No domestic animals or house pets of occupants of mobile home parks or recreational camping areas shall be allowed to run at large, or commit any nuisances within the limits of a mobile home park or recreational camping area. Each mobile home park or recreational camping area licensed under the provisions of sections 327.10, 327.11, 327.14 to 327.28 shall, among other things, provide for the following, in the manner hereinafter specified:

(1) A responsible attendant or caretaker shall be in charge of every mobile home park or recreational area at all times, and the duty of said attendant or caretaker shall be to maintain the park, its facilities and equipment in a clean, orderly and sanitary condition.

(2) No mobile home park shall be so located that the drainage of the park area will endanger any water supply. All such parks shall be well drained. No waste water from mobile homes or recreational camping vehicles shall be deposited on the surface of the ground. All sewage and other water carried wastes shall be discharged into a municipal sewage system whenever available. When such a system is not available, a sewage disposal system acceptable to the state board of health shall be provided.

(3) No mobile home shall be parked closer than three feet to the side lot lines of a mobile home park, if the abutting property is improved property, or closer than ten feet to a public street or alley. Each individual mobile home site shall abut or face on a driveway or clear unoccupied space of not less than 16 feet in width, which space shall have unobstructed access to a public highway or alley. There shall be an open space of at least ten feet between the sides of adjacent mobile homes including their attachments and at least three feet between mobile homes when parked end to end. The space between mobile homes may be used for the parking of motor vehicles and other property, provided such vehicle or other property be parked at least ten feet from the nearest adjacent mobile home position. The requirements of this paragraph shall not apply to recreational camping areas and variances may be granted by the state board of health in mobile home parks when the variance is applied for in writing and in the opinion of the board such variance will not endanger the health and welfare of mobile home park occupants.

(4) An adequate supply of water of safe, sanitary quality shall be furnished at each mobile home park or recreational camping area. The source of such supply shall first be approved by the state department of health. At least one water supply outlet shall be provided at convenient locations throughout the mobile home park or recreational camping area.

(5) All plumbing shall be installed in accordance with the provisions of the regulations of the state board of health and the provisions of the Minnesota plumbing code.

Subd. 2. Health and safety. The state department of health may prescribe such regulations for the operation and maintenance of mobile home parks or recreational camping areas and for safe-guarding the health and safety of persons occupying licensed mobile home parks and recreational camping areas as the department shall deem to be necessary and expedient. Such regulations pertaining to health and safety shall have the force and effect of law, and any violation thereof shall constitute a misdemeanor; and upon conviction therefor the offender may be punished as otherwise provided by law.

[1951 c 428 s 7; 1965 c 668 s 11; 1969 c 427 s 12]

327.21 [Repealed, 1965 c 668 s 14]**327.22 [Repealed, 1961 c 375 s 5]**

327.23 CONSTRUCTION OF TERMS; MUNICIPAL PARKS. Subdivision 1. **State parks.** Nothing in sections 327.10, 327.11, 327.14 to 327.28 should be construed to include any of the state parks in Minnesota.

Subd. 2. Mobile home park. The term "mobile home park" shall not be construed to include mobile homes, buildings, tents or other structures temporarily maintained by any individual or company on premises associated with a work project and used exclusively to house labor or other personnel occupied in such work project. The state department of health may by regulation prescribe such sanitary facilities as it may deem necessary to provide for the sanitation of such structures and the safety of the occupants thereof.

Subd. 3. Municipal parks. Any mobile home park or recreational camping area owned or operated by any municipality or political subdivision of this state shall

meet all sanitary and safety provisions of sections 327.10, 327.11, 327.14 to 327.28, shall be inspected as herein provided, and make all reports, as herein required of a licensee.

[1951 c 428 s 10; 1961 c 375 s 2; 1965 c 668 s 12; 1969 c 427 s 13, 14]

327.24 ENFORCEMENT. Subdivision 1. **Violations.** It is the duty of the state department of health to enforce the provisions of sections 327.10, 327.11, 327.14 to 327.28 and the rules and regulations of the department applicable to mobile home parks. The department may request the county attorney of the county in which a violation occurs to initiate action to abate the unlawful operation of a mobile home park. Officials of the department may enter upon the premises of such mobile home parks at any time for the purposes herein set forth, or for the purpose of enforcing this statute.

Subd. 2. **Penalty.** Any person, firm or corporation who shall fail to comply, or who operates without first complying with the provisions of sections 327.10 to 327.28, is guilty of a misdemeanor.

[1951 c 428 s 11; 1965 c 668 s 13; 1969 c 427 s 15]

327.25 OPERATION, PART OF YEAR. If any applicant for a mobile home park license desires to operate such mobile home park only during the months from May 1 to October 1, he shall pay the above mentioned annual license fee. If in the opinion of the state department of health the sanitary and facility requirements herein contained are too rigid for the seasonal mobile home parks, the department may in writing or by regulation modify such requirements as circumstances may permit and require.

[1951 c 428 s 12; 1961 c 375 s 3; 1969 c 427 s 16]

327.26 NO LOCAL LICENSES. No city, town, village, borough or political subdivision of this state may impose any license (1) upon any licensed mobile home park or recreational camping area complying with the provisions of sections 327.10, 327.11, 327.14 to 327.28, or (2) upon any occupant of any such mobile home park, on or after January 1, 1952.

[1951 c 428 s 13; 1969 c 427 s 17]

327.27 REGULATORY PROVISIONS. Subdivision 1. **Fire extinguishers.** Each mobile home owner shall provide each mobile home with a fire marshal approved type extinguisher, kept in constant usable condition. No mobile home may be parked more than three days without a usable fire extinguisher in the mobile home.

Subd. 2. **Speed limit.** It shall be unlawful for any type vehicle to travel at a rate in excess of ten miles per hour while within the limits of a mobile home park or recreational camping area and such ten miles per hour limit shall be clearly posted throughout the mobile home park.

Subd. 3. [Repealed, 1969 c 427 s 22]

Subd. 4. **Certain practices prohibited.** No animal washing, car washing, or other slop creating practices shall be carried on in any building, structure or other place not designated for such purposes. No pets or domesticated animals shall be allowed to enter the buildings containing the sanitary or washing facilities for the mobile home park.

[1951 c 428 s 14; 1969 c 427 s 18-20]

327.28 UNLAWFUL PARKING OF MOBILE HOMES. Where a licensed mobile home park is reasonably available in the general area it shall be unlawful for any person to occupy any mobile home located elsewhere than in a licensed mobile home park unless adequate sanitary and water facilities are provided for occupants' use 24 hours each day. This section shall not apply to mobile homes parked under section 327.23, subdivision 2.

[1951 c 428 s 15; 1959 c 562 s 4; 1961 c 375 s 4; 1969 c 427 s 21]

327.29 INFORMATIONAL REPORT. To aid in the enforcement of the provisions of Laws 1959, Chapter 562, the operator of each trailer coach park as defined in Minnesota Statutes, Section 327.14, and any act amendatory thereof or supplementary thereto, shall report monthly on the number of trailer coaches in the trailer coach park, whether or not each trailer coach is registered in Minnesota, and whether or not the owner or occupant thereof is employed in the state. This report shall be made to the secretary of state on or before the 15th day of each month on forms and in the manner prescribed by the secretary of state.

[1959 c 562 s 5]

MOBILE HOMES BUILDING CODE

327.31 DEFINITIONS. Subdivision 1. Unless clearly indicated otherwise by the context, the terms defined by this section have the meanings given them.

Subd. 2. "Authorized representative" includes any person, firm or corporation, or employee thereof, approved or hired by the commissioner to perform inspection services.

Subd. 3. "Code" means the standards code promulgated by the American National Standards Institute and identified as ANSI A119.1, including all revisions thereof in effect on May 21, 1971, and further revisions adopted by the commissioner.

Subd. 4. "Commissioner" means the commissioner of administration.

Subd. 5. "Dealer" means any person, other than a manufacturer, as defined in sections 327.31 to 327.34, who sells three or more mobile homes in any consecutive twelve month period.

Subd. 6. "Mobile home" means a factory-built structure or structures equipped with the necessary service connections and made so as to be readily movable as a unit or units on its or their own running gear and designed to be used as a dwelling unit or units without a permanent foundation. The phrase 'without a permanent foundation' indicates that the support system is constructed with the intent that the mobile home placed thereon will be moved from time to time at the convenience of the owner.

Subd. 7. "Person" means a person, partnership, corporation or other legal entity.

Subd. 8. "Seal" means a device or insignia issued by the commissioner to be displayed on the mobile home to evidence compliance with the code.

[1971 c 409 s 1]

327.32 UNIFORM STANDARDS CODE ESTABLISHED. Subdivision 1. After July 1, 1972, no person shall:

(a) Sell, or offer for sale, in this state, any mobile home manufactured after July 1, 1972;

(b) Manufacture any mobile home in this state; or

(c) Park any mobile home manufactured after July 1, 1972, in any mobile home park in this state;

unless the mobile home complies with the code and bears a seal issued by the commissioner, and is accompanied by a certificate by the manufacturer or dealer, both evidencing that it so complies with the code.

Subd. 2. The commissioner shall issue seals to any manufacturer or dealer upon application supported by such evidence as the commissioner deems necessary to establish that the seals will be affixed only to mobile homes which comply with the code.

Subd. 3. No person shall alter any mobile home to which a seal has been affixed if such alteration causes such mobile home to be in violation of the code. The commissioner may make rules regarding alterations and permits therefor.

Subd. 4. Upon a showing that another state provides for the sealing of mobile homes upon compliance with standards which are at least equal to those provided in the code, the commissioner may, by rule, provide that a seal affixed under the authority of such state shall have the same effect as a seal affixed under authority of this state, and thereafter any mobile home which bears the seal of such state shall not be required to bear the seal of this state as provided in subdivision 1 hereof. The commissioner may make any such rule contingent upon such other state granting reciprocal effect to seals affixed under authority of this state.

Subd. 5. No mobile home which bears a seal as provided herein shall be required by any agency or political subdivision of this state to comply with any other building, plumbing, heating, or electrical code or any construction standards other than the code as defined in sections 327.31 to 327.34 nor be subject to any other state or local building inspection, except as the commissioner shall, by rule, provide in the case of alterations.

[1971 c 409 s 2; Ex1971 c 48 s 27]

327.33 ADMINISTRATION. Subdivision 1. The commissioner shall, through his own inspectors or through a designated recognized inspection service acting as his authorized representative perform sufficient inspections of manufacturing premises and mobile homes to insure that the provisions of sections 327.31 to

327.34 are being complied with. The commissioner shall have the exclusive right to conduct such inspections.

Subd. 2. The commissioner shall by rule establish reasonable fees for seals or inspection or both which are sufficient to cover all costs incurred in the administration of sections 327.31 to 327.34. All fees received by the commissioner shall be deposited in the state treasury and credited to the general fund.

Subd. 3. The commissioner may adopt such other rules as may be necessary to administer and enforce sections 327.31 to 327.34, including such periodic revisions of the code as he may deem necessary to protect the health and safety of the public. Revisions shall, to the extent practicable, be uniform with those adopted by other states. All rules shall be adopted in the manner prescribed by Minnesota Statutes 1969, Sections 15.0411 to 15.0417.

Subd. 4. The commissioner may appoint such employees within the department of administration as he may deem necessary for the administration of sections 327.31 to 327.34.

[1971 c 409 s 3]

327.34 PENALTIES. Subdivision 1. It shall be a misdemeanor for any person,

(a) to sell, or offer to sell, any mobile home manufactured after July 1, 1972 which does not comply with the code or if manufactured after July 1, 1972 which does not bear a seal as required by sections 327.31 to 327.34;

(b) to affix a seal, or cause a seal to be affixed, to any mobile home which does not comply with the code;

(c) to alter a mobile home in a manner prohibited by sections 327.31 to 327.34;

(d) to fail to correct a code violation in a mobile home owned, manufactured, or sold by him within 90 days of being ordered to do so in writing by an authorized representative of the commissioner; or

(e) to interfere with, obstruct, or hinder any authorized representative of the commissioner in the performance of his duties.

Subd. 2. The issuance of seals to any manufacturer convicted of a violation of sections 327.31 to 327.34 may be suspended by the commissioner, and no further seals shall be issued to any such manufacturer except upon proof satisfactory to the commissioner that the conditions which brought about the violation have been remedied.

Subd. 3. Seals remain the property of the department of administration and may be removed by the commissioner from any mobile home which is in violation of the code.

[1971 c 409 s 4]