394.21 AUTHORITY TO CARRY ON COUNTY PLANNING AND ZONING.

Subdivision 1. **Except most populous counties.** For the purpose of promoting the health, safety, morals, and general welfare of the community any county in the state having less than 300,000 population according to the 1950 federal census is authorized to carry on county planning and zoning activities.

Subd. 1a. **Amortization prohibited.** Except as otherwise provided in this subdivision, a county, regardless of population, under this chapter or under a special or local law, must not enact, amend, or enforce an ordinance providing for the elimination or termination of a use by amortization which use was lawful at the time of its inception. This subdivision does not apply to adults-only bookstores, adults-only theaters, or similar adults-only businesses, as defined by ordinance.

Subd. 2. MS 1971 [Repealed, 1974 c 571 s 51]

Subd. 3. **Nuisance.** Subdivision 1a does not prohibit a county from enforcing an ordinance providing for the prevention or abatement of nuisances, as defined in section 561.01, or eliminating a use determined to be a public nuisance, as defined in section 617.81, subdivision 2, paragraph (a), clause (2), items (i) to (x), without payment of compensation.

History: *1959 c 559 s 1; 1999 c 96 s 1,2; 2011 c 76 art 1 s 55*