

## CHAPTER 461

## HEALTH REGULATIONS

Sec.	Sec.
461.01 Licensing restaurants in villages and boroughs	461.09 Dense smoke; abatement
461.02 Licensing soft-drink vendors	461.10 Free water for free public baths
461.03 Inspection of milk, dairies	461.11 Free public baths
461.04 Dairy inspector; appointment; fees	461.12 Municipalities may issue cigarette licenses; fees
461.05 Certificate of sanitary condition	461.13 Apportionment of fees
461.06 Sale of milk without certificate; penalty	461.14 Prior licenses not affected
461.07 Regulation of smoke	461.15 Blind persons not to pay cigarette licenses
461.08 Ordinances	

**461.01 LICENSING RESTAURANTS IN VILLAGES AND BOROUGHES.** There is hereby conferred upon villages and boroughs authority by ordinance or by-law to license and regulate the business of keeping restaurants, cafes, and public eating houses, to impose reasonable license fees therefor, and to prescribe penalties for violations of such ordinances or by-laws.

[1923 c. 378] (1933-15)

**461.02 LICENSING SOFT-DRINK VENDORS.** There is hereby conferred upon each city, borough, and village in the state the authority by ordinance to license and regulate the business of vendors at retail of non-intoxicating beverages, to impose such reasonable license fee therefor as may be prescribed by such ordinance, and to provide for the punishment of any violation of any such ordinance according to the provisions of law.

[1919 c. 432 s. 1] (1973)

**461.03 INSPECTION OF MILK, DAIRIES.** The governing body of any municipality in this state may provide for the inspection of milk and cream sold within its limits, and of dairies, and of dairy herds kept for the production of such milk and cream. Two or more such municipalities may contract with one another to provide joint administration of this law and may by contract apportion the expense thereof.

[1909 c. 354 s. 1; 1943 c. 275 s. 1; 1945 c. 119 s. 1] (1800)

**461.04 DAIRY INSPECTOR; APPOINTMENT; FEES.** The council may appoint a competent licensed veterinarian as city dairy inspector for the city, and he shall once a year inspect all dairies and dairy herds kept for the production of milk sold within the limits of the city. For each inspection he shall be entitled to a fee of 25 cents for each animal inspected, to be paid by the owner of the animal. The dairy inspector of the city shall be appointed at the first meeting of the council after the municipal election in the city and shall hold office until his successor is appointed.

[1909 c. 354 s. 2] (1801)

**461.05 CERTIFICATE OF SANITARY CONDITION.** If the inspector finds that such dairies or dairy herds are in a sanitary and wholesome condition he shall issue to the owner of the dairy or dairy herd a certificate setting forth such facts, which certificate shall be and remain in force for a period of one year after its issuance, and no longer.

[1909 c. 354 s. 3] (1802)

**461.06 SALE OF MILK WITHOUT CERTIFICATE; PENALTY.** Every person who sells or attempts to sell in the city any milk produced by a dairy or dairy herd without having a certificate to the effect that the dairy or dairy herd has been inspected within the preceding year and is in a sanitary, wholesome, and healthy condition, shall be guilty of a misdemeanor.

[1909 c. 354 s. 4] (1803)

**461.07 REGULATION OF SMOKE.** The council or other governing body of each city in this state, which now has or hereafter may have 20,000, and not more than 50,000, inhabitants, is hereby authorized and empowered to enact and publish, and to provide penalties for the violation of, ordinances to regulate, control, prohibit, and abate the issuance or emission of dense smoke in the city.

For the purposes of sections 461.07 and 461.08 the population of each city of this state shall be ascertained and determined according to the last census taken under and pursuant to the laws and authority of the state of Minnesota.

[1917 c. 8 s. 1] (1641)

**461.08 ORDINANCES.** Such ordinances may define the meaning of dense smoke, and declare the issuance or emission thereof to be a public nuisance, and provide all effective steps for the abatement thereof.

[1917 c. 8 s. 2] (1642)

**461.09 DENSE SMOKE; ABATEMENT.** Any city of the third class in the state, in addition to all the powers now possessed, is hereby authorized and empowered, acting by and through its council by ordinance duly enacted by an affirmative vote of not less than two-thirds of all the members elect of the council to control, regulate, prevent, and prohibit the emission of dense smoke from the smoke stack of any locomotive, engine, stationary engine, or building within the limits of any such city, and to declare such emission of dense smoke to be a public nuisance, and to provide for the summary abatement thereof; and in addition thereto to impose such a penalty by fine or imprisonment upon the person or persons who may cause, permit or allow such nuisance to exist, as may be deemed proper, such penalty not to exceed in any case a fine of \$100.00, or 90 days' imprisonment.

[1913 c. 341 s. 1] (1677)

**461.10 FREE WATER FOR FREE PUBLIC BATHS.** Any city of the first class in the state is hereby authorized and empowered, acting by and through its board of water commissioners, or council or other governing body, to furnish or cause to be furnished free of charge to all persons or corporations who shall provide free public baths in the city, all water necessary for properly maintaining and supplying such baths.

[1913 c. 10 s. 1] (1575)

**461.11 FREE PUBLIC BATHS.** The term "free public baths," as used in section 461.10, means all buildings and institutions for bathing purposes which shall be maintained without expense to the city wherein the same shall be located, and which shall be open to use, without charge, by all of the inhabitants of the city without discrimination.

[1913 c. 10 s. 2] (1576)

**461.12 MUNICIPALITIES MAY ISSUE CIGARETTE LICENSES; FEES.** The governing body of each village, borough, and city of any class, may, after January 1, 1942, license and regulate the sale at retail of cigarettes, cigarette paper, or cigarette wrappers and fix the license fee therefor at not to exceed \$12.00 per annum, and provide for the punishment of any violation of such regulations, and may make such other provisions for the regulation of the sale of cigarettes within its jurisdiction as are permitted by law. The county board may make like provisions for licensing and regulating the sale of cigarettes in areas outside the limits of any municipality; provided, that no license shall be issued for the conduct of such business in any town, unless the consent of the governing body of such town, if organized, is filed with the application for such license.

[1941 c. 242 s. 3; 1941 c. 405 s. 3]

**461.13 APPORTIONMENT OF FEES.** The fees for licenses granted by the governing body of any municipality shall be for the benefit of the municipality; fees for licenses issued by the county board shall be paid to the county treasurer who shall apportion ten per cent thereof to the general revenue fund of the county and the balance to the town in which the business licensed is conducted. If a license is issued by the county board for the conduct of business in an area outside the limits of any organized town or municipality, the entire fee shall be paid to the general revenue fund of the county.

[1941 c. 242 s. 4; 1941 c. 405 s. 4]

**461.14 PRIOR LICENSES NOT AFFECTED.** Sections 461.12 and 461.13 shall not affect the validity of any license issued prior to December 1, 1941.

[1941 c. 242 s. 5; 1941 c. 405 s. 5]

**461.15 BLIND PERSONS NOT TO PAY CIGARETTE LICENSES.** No applicant for any license required of persons for the sale or manufacture of cigarettes shall be required to pay any fee to the state or any political subdivision thereof if he furnishes a doctor's certificate showing that he is blind, as defined by Laws 1937, Chapter 324.

[1941 c. 461]