

CHAPTER 327

HOTELS, PUBLIC RESORTS

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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. 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. Every person who violates any provision of this section, or aids or incites another to do so, shall be guilty of a gross misdemeanor, and, in addition to the penalty therefor, shall be liable in a civil action to the person aggrieved for damages not exceeding \$500.

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

TOURIST CAMPS

327.10 TOURIST CAMP OPERATOR, DUTIES. Every person operating within this state a tourist cabin, cabin camp, lodging house, tourist rooms, motel, trailer coach 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] (10536-5)

327.11 GUEST, REGISTRATION. Every person, upon arriving at any lodging house, trailer coach park, tourist camp, 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] (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)

TRAILER COACH PARKS

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. **Trailer coach.** The words "trailer coach" when used in sections 327.10, 327.11, 327.14 to 327.28 shall mean any vehicle used or so constructed as to permit its being used as a conveyance upon the public streets or highways and subject to tax or registration, as such, under the provisions of Minnesota Statutes 1949, Chapters 168 or 169 and shall include self-propelled or nonself-propelled vehicles as designed, constructed, reconstructed or added to by means of an enclosed addition or room in such manner as will permit the occupancy thereof as a dwelling or sleeping place for one or more persons, having no foundation other than wheels, jacks or skirtings.

Subd. 3. **Trailer coach park.** The words "trailer coach 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 trailer coaches 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 trailer coach 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.

[1951 c 428 s 1]

327.15 LICENSE FOR TRAILER COACH PARK. No person, firm or corporation shall establish, maintain, conduct or operate a trailer coach park within this state without first obtaining an annual license therefor from the state department of health. Such annual license shall be issued for the calendar year applied for and shall expire at midnight on December 31 of such year. Any trailer coach park located in more than one municipality shall be dealt with as two separate trailer coach parks.

[1951 c 428 s 2]

327.16 APPLICATION. Subdivision 1. **Made to state department of health.** The application for annual license to operate and maintain a trailer coach park shall be made to the state department of health, at such office and in such manner as may be prescribed by regulations of that department; provided that when such trailer coach park is located within a municipality having an organized department or division of health, the application shall be filed with the local department of health who shall forward same to the state department.

Subd. 2. **Contents.** The application for such annual license shall be in writing and upon such form as the state department of health may by regulation 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, and present or last occupation of the applicant at the time of the filing of the application.

(2) A legal description of the site, lot, field, or tract of land upon which it is proposed to operate and maintain a trailer coach park.

(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; and method of fire protection, as in this act provided.

(4) The proposed method of lighting the structures and site, lot, field, or tract of land upon which said trailer coach park is to be located.

(5) Designate the calendar months of the year which applicant will operate said trailer coach park.

(6) Plans and drawings for new construction, including buildings, wells, and sewage disposal systems not in existence at the time of the application.

Subd. 3. **Fees; approval.** The application for the first annual primary license shall be submitted with all plans and specifications enumerated in subdivision 2, and payment of \$30 for each ten acres or fraction thereof, of land to be used in connection with such trailer coach park and shall be accompanied by an approved permit from the municipality whereon the park is to be located, or a statement

that the municipality does not require an approved permit; provided, however, that such permit shall not be required of any trailer coach park which was established prior to the effective date of this act. Each year thereafter the license fee shall be \$7. All license fees paid to the department of health shall be turned over to the state treasury.

When the application is received by the state department of health it shall promptly cause the trailer coach park 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 annual primary license any change in the sanitary or safety facilities of the intended trailer coach park 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 application has been approved, the state department of health shall issue a permit to the applicant to construct or make alterations pertaining to water and sewage disposal upon a trailer coach park and the appurtenances thereto according to the plans and specifications presented with the approved application.

No approval of plans and specifications and the issuance of a permit to construct or make alterations upon a trailer coach park and the appurtenances thereto by the state department of health shall be construed as having been approved for other than sanitation. Such a permit 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 permit. If the application for a permit to construct or make alterations upon a trailer coach park 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 re-submit it for approval, and if denied the applicant may appeal by writ of certiorari from the decision of the state board of health to the district court in the county in which said trailer coach park is located.

[1951 c 428 s 3; 1961 c 375 s 1]

327.17 [Repealed, 1959 c 562 s 1]

327.18 LICENSES; REVOCATION, SUSPENSION. Any license granted hereunder shall be subject to revocation or suspension by a court of proper authority and jurisdiction; 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 pertaining hereto. 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 longer period of time or 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 notices, within the time specified or such extended period or periods of time, the complaining official shall require the licensee to appear for a hearing before the State Board of Health, and then if the licensee does not comply, the complaining official may require the county attorney of the county in which such violation occurred to start a civil action to remove or abate such nuisance, insanitary, unhealthful or objectionable condition as complained of, in the court of proper authority and jurisdiction, of the city or county, in the name of the State of Minnesota, and if found guilty, a decision may be entered by the court to revoke or suspend such license.

[1951 c 428 s 5]

327.19 LICENSES REQUIRED. It shall be unlawful for any person, firm, or corporation to establish, maintain, conduct, carry on, or operate a trailer coach park

without first having received a license to maintain, conduct, carry on, and operate a trailer coach park, duly signed and executed, in the name of the State of Minnesota, and signed by the state department of health. Such license shall be conspicuously displayed in the office of the trailer coach park.

All licenses issued under sections 327.10, 327.11, 327.14 to 327.28 shall be personal to the licensee and be nontransferable without the written consent of the licensor first being obtained.

[1951 c 428 s 6]

327.20 RULES. Subdivision 1. **Regulations.** No domestic animals or house pets of trailer coach occupants shall be allowed to run at large, or commit any nuisances within the limits of a trailer coach park. Each trailer coach park 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) Every trailer coach park shall be in charge of a responsible attendant or caretaker at all times, whose duty it shall be to maintain the park, its facilities and equipment in a clean, orderly and sanitary condition, and be answerable with the licensee, for any violation of the provisions of this act.

(2) No trailer coach 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 trailer coaches shall be deposited on the surface of the ground.

(3) Each trailer coach shall be allotted a site of not less than 900 square feet. No trailer coach shall be parked closer than three feet to the side lot lines of a trailer coach park, if the abutting property is improved property, or closer than ten feet to a public street or alley. Each individual trailer 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 every trailer coach and at least three feet between the ends of every trailer coach. After January 1, 1952, newly developed trailer coach parks and the expanded portions of previously established parks shall allot a site of not less than 1,200 square feet for each trailer. The space between trailers may be used for the parking of motor vehicles, provided such vehicle be parked at least ten feet from the nearest adjacent trailer coach position.

(4) An adequate supply of water of safe, sanitary quality, approved by the state department of health shall be furnished at each trailer coach park, where water from other sources than that supplied by a city or village is proposed to be used, the source of such supply shall first be approved by the state department of health. At least one water supply outlet shall be provided within 300 feet of every individual trailer site.

Subd. 2. **Health and safety.** The state department of health may prescribe such regulations for the operation and maintenance of trailer coach parks and for safeguarding the health and safety of persons occupying trailer coaches in licensed trailer coach parks as the department shall deem to be necessary and expedient; and such regulations shall be posted in a conspicuous place in the office of the licensed trailer coach park in such form as the department may determine. 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]

327.21 DUTIES OF STATE DEPARTMENT OF HEALTH. Subdivision 1. **Approval of application for permit.** When the state department of health has approved an application for a permit to construct or make alterations upon a trailer coach park or the appurtenances thereto or a license to operate and maintain the same it shall retain the original and keep a file thereof, one copy shall be returned to the applicant or his agent, one copy to the municipal board of health if the trailer coach park is located within the limits of a municipality having an organized board of health.

Subd. 2. **Forms.** The state department of health shall furnish all necessary forms to be executed in making application for all licenses under this act.

Subd. 3. **Notice.** It shall be the duty of the state department of health to notify, or cause to be notified, the treasurer of each municipality of the issuance of each trailer coach park license issued within the jurisdiction of such municipality.

Subd. 4. **Reports.** It shall be the duty of each licensee to file a report on or

before August 15 each year with the school board or boards of the school district or respective districts wherein the trailer coach park is located, giving the names and ages of all children of school age in attendance thereof, living in said trailer coach park on the first day of August preceding.

[1951 c 428 s 8]

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. **Trailer coach park.** The term "trailer coach park" shall not be construed to include trailer coaches, 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 trailer coach park 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, shall pay or cause to be paid to the municipal treasurer, the respective amounts, as herein provided for the licensee to pay as monthly fees, and keep a register and make all reports, as herein required of a licensee.

[1951 c 428 s 10; 1961 c 375 s 2]

327.24 ENFORCEMENT. It shall be 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 state department of health applicable to trailer coach parks. Such officials are hereby granted the power and authority to enter upon the premises of such trailer coach parks at any time for the purposes herein set forth, or for the purpose of enforcing this statute.

[1951 c 428 s 11]

327.25 OPERATION, PART OF YEAR. If any applicant for a trailer coach park license desires to operate such trailer coach 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 trailer coach parks he 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]

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

[1951 c 428 s 13]

327.27 FIRE PREVENTION. Subdivision 1. **Extinguishers.** Each trailer coach owner shall provide each trailer coach with a fire marshal approved type extinguisher, kept in constant usable condition. No trailer coach may be parked more than three days without a usable fire extinguisher in the trailer.

Subd. 2. **Speed limit.** It shall be unlawful for any type vehicle to travel at a rate in excess of ten miles per hour within the limits of a trailer coach park.

Subd. 3. **Wheels on trailer coaches.** The wheels and running gear of every trailer coach located within a trailer coach park shall be left on the trailer coach.

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 trailer coach park.

[1951 c 428 s 14]

327.28 UNLAWFUL PARKING OF TRAILER COACHES. Where a licensed trailer coach park is reasonably available in the general area it shall be unlawful for any person to occupy any trailer coach located elsewhere than in a licensed trailer coach park (1) unless the said occupant owns the land where said trailer coach is parked, and (2) unless adequate sanitary and water facilities are avail-

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able for occupants' use 24 hours each day. This section shall not apply to trailer coaches parked under section 327.23, subdivision 2.

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

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]