

## CHAPTER 394

### PLANNING, DEVELOPMENT, ZONING

394.21 Authority to carry on county planning and zoning activities.

#### 394.21 AUTHORITY TO CARRY ON COUNTY PLANNING AND ZONING ACTIVITIES.

*[For text of subd 1, see M.S.1998]*

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. 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), clauses (1) to (9), without payment of compensation.

**History:** 1999 c 96 s 1,2