

(6) For helper's license, \$5.;

(7) For each trawl, \$500.

Approved May 13, 1963.

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CHAPTER 692—S. F. No. 1595

*An act relating to county planning and zoning activities; amending Minnesota Statutes 1961, Sections 394.22, Subdivision 4; 394.24, Subdivision 2; 394.25, by adding a subdivision; 394.26, by adding a subdivision; 394.27, Subdivision 2; 394.30, Subdivision 1; and 394.33.*

Be it enacted by the Legislature of the State of Minnesota:

Section 1. Minnesota Statutes 1961, Section 394.22, Subdivision 4, is amended to read:

Subd. 4. **County planning; administration.** "Municipality" means a city, village, or borough however organized ~~and any town having the powers of villages pursuant to law.~~

Sec. 2. Minnesota Statutes 1961, Section 394.24, Subdivision 2, is amended to read:

Subd. 2. Official controls adopted by a board shall apply to and be binding upon only that area or parts thereof outside the incorporated limits of a city, village, or borough ~~and the limits of towns having the powers of villages pursuant to law.~~

Sec. 3. Minnesota Statutes 1961, Section 394.25, is amended by adding a subdivision to read:

Subd. 8. *Any statute of Minnesota, any administrative rule or regulation of any department of the state of Minnesota affecting the county, or any code. The term "code" as used herein means any compilation of regulations or standards or part thereof prepared by any governmental agency or any trade or professional association for general distribution in printed form as a standard or model on the subject of building construction, plumbing, electric wiring, inflammable liquids, sanitary provisions, public health, safety, or welfare. All requirements of statutes for the publication or posting of resolutions shall be satisfied in such case if the resolution incorporating the statute, regulation, ordinance or code is published or posted in the required manner and if, prior to such posting or publication, at least three copies of the statute, rule, regulation, ordinance*

**Changes or additions indicated by italics, deletions by strikeout.**

*or code are marked as official copies and filed for use and examination by the public in the office of the county auditor. Provisions of the statute, rule, regulation, ordinance or code thus incorporated in such resolution by reference shall be as much a part of the resolution as if they had been set out in full therein.*

Sec. 4. Minnesota Statutes 1961, Section 394.26, is amended by adding a subdivision to read:

*Subd. 3. Public hearings required by this subdivision shall be conducted by the planning advisory commission as provided in Minnesota Statutes, Section 394.30, subdivision 2, or in the event no planning advisory commission has been established, the meeting shall be conducted by such person as the board of county commissioners shall direct.*

Sec. 5. Minnesota Statutes 1961, Section 394.27, Subdivision 2, is amended to read:

Subd. 2. The board of adjustment shall consist of three members whose appointment, term of office, or removal from the board shall be as provided in the resolution creating the board of adjustment; provided that no elected officer of the county nor any employee of the board of commissioners shall serve as a member of the board of adjustment and that one member of such board of adjustment shall also be a member of any planning commission appointed under the provisions of sections 394.21 to 394.37. *The members of such board of adjustment shall serve without compensation but may be paid their necessary expenses in attending meetings of the board and in the conduct of the business of the board.*

Sec. 6. Minnesota Statutes 1961, Section 394.30, Subdivision 1, is amended as follows:

**394.30 Planning advisory commission.** Subdivision 1. The board of county commissioners which has adopted a resolution indicating its intent to avail itself of the authority granted by sections 394.21 to 394.37 may at that time or any subsequent time appoint a planning advisory commission composed of *not less than five nor more than eleven* members appointed by the chairman of the board. Four members of such commission shall be chosen from the electors of the county provided that not less than three shall be residents of the portion of the county lying outside the incorporated limits of municipalities. ~~The fifth~~ *One* member of such commission shall be a member of the board. In addition the board may designate any county officer or employee as an ex officio member of such commission. The term of office and removal as well as filling vacancies

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on the board shall be as provided in the resolution creating the commission.

Sec. 7. Minnesota Statutes 1961, Section 394.33 is amended to read:

**394.33 Relations with townships.** The governing body of any township may continue to exercise the authority to plan and zone as provided by law, but after the adoption of official controls for a county or portion thereof by the board of county commissioners no township ~~other than those having the powers of villages~~ shall enact official controls inconsistent with the standards prescribed in the official control adopted by the board.

Approved May 13, 1963.

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#### CHAPTER 693—S. F. No. 1776

*An act relating to the county surveyor; amending Minnesota Statutes 1961, Section 389.011, Subdivision 1.*

Be it enacted by the Legislature of the State of Minnesota:

Section 1. Minnesota Statutes 1961, Section 389.011, Subdivision 1, is amended to read:

**389.011 County surveyor; qualifications; appointment; election; termination of office; performance of duties; bonds.** Subdivision 1. **Qualifications.** Any county surveyor elected or appointed after July 1, 1961, or any surveyor designated to perform the professional duties of a county surveyor after July 1, 1961, shall be registered in Minnesota as a land surveyor as provided in Minnesota Statutes, Chapter 326. Such professional duties shall include any of the duties involved in the practice of land surveying as provided in Minnesota Statutes, Chapter 326. Any county surveyor or other surveyor designated to perform the duties of a county surveyor at all times while holding such office or while such designation is in effect shall be duly registered in Minnesota as a land surveyor. Failure on the part of any such land surveyor to keep his registration current shall be deemed adequate grounds for the board of county commissioners to declare said office vacant and to appoint a properly qualified person to such office. As used in this section the term land surveyor shall mean a surveyor duly registered in Minnesota as a land surveyor.

Any county surveyor or other surveyor designated to perform

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