

order, authorize the use of such tires on the streets and highways of this state, specifying in such order the months during which the tires may be used. The metal wire or coils used in such tires shall be of a limited hardness so that the wire or coils shall wear at the same rate as the rubber in such tires. When the tire is at rest, the wire or coils shall not protrude beyond the rubber surface of the tire, or shall protrude only to such an insignificant amount as not to cause damage to the highway roadways beyond the tolerable limits set by the commissioner. A certified copy of the order shall be filed with the secretary of state prior to the date that such tires are authorized by the order to be used on the highways and streets. The use of such tires in accordance with, and during the times specified in, the commissioner's order shall be lawful notwithstanding the provisions of subdivision 1.

Sec. 3. **REPEALER.** Minnesota Statutes 1971, Section 169.72, Subdivision 2, is repealed.

Approved May 19, 1973.

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## CHAPTER 379—S.F.No.225

[Coded in Part]

*An act relating to water resources; providing for the regulation of shoreland use and development in municipalities; prescribing the powers and duties of municipalities and state agencies in relation thereto; amending Minnesota Statutes 1971, Sections 105.485, Subdivisions 2 and 3, and by adding subdivisions; and 462.357, Subdivision 1.*

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

Section 1. Minnesota Statutes 1971, Section 105.485, Subdivision 2, is amended to read:

Subd. 2. **WATER RESOURCES; SHORELANDS; REGULATION AND DEVELOPMENT IN MUNICIPALITIES; DEFINITIONS.** For the purposes of this section the terms defined in this section have the meanings given them: (a) "Shoreland" means land located within the following distances from the ordinary high water elevation of public waters: (1) Land within 1,000 feet from the normal high watermark of a lake, pond, or flowage; and (2) land within 300 feet of a river or stream or the landward side of flood plain delineated by ordinance on such a river or stream, whichever

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is greater. (b) "Unincorporated area" means the area outside a city, village, or borough. (c) "Municipality" means a city, village, or borough.

Sec. 2. Minnesota Statutes 1971, Section 105.485, Subdivision 3, is amended to read:

Subd. 3. **COMMISSIONER'S DUTIES.** Before April 1, 1974, the commissioner of natural resources shall promulgate, in the manner provided in chapter 15, model standards and criteria, other than a model ordinance, for the subdivision, use, and development of shoreland in municipalities, which standards and criteria shall include but not be limited to those listed below in regard to unincorporated areas. Before July 1, 1970, the commissioner of natural resources shall promulgate, in the manner provided in chapter 15, model standards and criteria for the subdivision, use, and development of shoreland in unincorporated areas, including but not limited to the following: (a) The area of a lot and length of water frontage suitable for a building site; (b) the placement of structures in relation to shorelines and roads; (c) the placement and construction of sanitary and waste disposal facilities; (d) designation of types of land uses; (e) changes in bottom contours of adjacent public waters; (f) preservation of natural shorelands through the restriction of land uses; (g) variances from the minimum standards and criteria; and (h) a model ordinance. The following agencies shall provide such information and advice as may be necessary to the preparation of the rules and regulations, or amendments thereto: The state departments of agriculture, economic development, and health; the state planning agency; the pollution control agency; the state soil and water conservation commission; and the Minnesota historical society. In addition to other requirements of chapter 15, the model standards and ordinance promulgated pursuant to this section, or amendments thereto, shall not be filed with the secretary of state unless approved by the executive officer of the state board of health and the director of the pollution control agency.

Sec. 3. Minnesota Statutes 1971, Section 105.485, is amended by adding subdivisions to read:

Subd. 6. **MUNICIPAL SHORELAND MANAGEMENT.** Before April 1, 1974, each municipality having shoreland within its corporate limits shall submit to the commissioner, for his review, any ordinances, rules, or regulations affecting the use and development of its shorelands. The commissioner shall review the ordinances, rules, or regulations and determine whether they are in substantial compliance with municipal shoreland management standards and criteria promulgated pursuant to subdivision 3. In making his review the commissioner also shall consider any feature unique to the municipal shoreland in question, including but not

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limited to the characteristics of the waters which may be affected by development, storm sewer facilities, and sanitary and waste disposal facilities in existence at the time of the commissioner's review. If the commissioner determines that the ordinances, rules, or regulations of a municipality do not substantially comply with the state standards and criteria for municipal shoreland management, he shall so notify the municipality and shall indicate to the municipality the changes which are necessary to bring the ordinances, rules, or regulations into substantial compliance with state standards and criteria. Within one year after receiving this notice from the commissioner, the municipality shall make the changes necessary to bring the ordinances, rules, or regulations into substantial compliance with state standards and criteria. If a municipality has no ordinance, rule, or regulation affecting the use and development of shoreland on April 1, 1974, it shall adopt such an ordinance, rule, or regulation complying with state standards and criteria for municipal shoreland management, before July 1, 1975. If (a) a municipality has no ordinance, rule, or regulation affecting the use and development of shoreland on April 1, 1974, and fails to adopt such an ordinance by July 1, 1975, or if (b) the corporate boundaries of the municipality are expanded to include shorelands not previously included within the municipal boundaries and the municipality fails to adopt such an ordinance within one year after including the shorelands within its municipal boundaries, or if (c) the commissioner determines that a municipal shoreland management ordinance does not substantially comply with the state standards and criteria for municipal shoreland management and that the municipality has failed to make the necessary changes within one year after receiving notice of noncompliance, the commissioner may adopt an ordinance, rules, or regulations for the municipality in the following manner. The commissioner shall hold at least one public hearing on the proposed ordinance, rules, or regulations in the manner provided in section 462.357, after giving notice as provided in section 462.357. The ordinance, rules, or regulations are effective for the municipality on the date and in accordance with such regulations relating to compliance as the commissioner shall prescribe. The ordinance shall be enforced as provided in section 462.362. The penalties provided in section 462.362 apply to violations of the ordinances, rules, or regulations adopted for the municipality by the commissioner. The costs incurred by the commissioner in adopting the ordinances, rules, or regulations for the municipality shall be paid by the municipality and collected from the municipality in the same manner as such costs are paid by a county and collected from county pursuant to subdivision 5; and any tax levied to pay the costs shall be levied in excess of any limitation as to rate or amount, but shall not cause the amount of other taxes which are subject to any limitation to be reduced in any amount whatsoever.

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

Subd. 7. MUNICIPAL USE OF LAND OTHER THAN SHORELAND. Municipal planning and land use controls for land other than shoreland in the vicinity of shoreland shall be, to the maximum extent practical, compatible with planning and land use controls for shoreland adopted pursuant to subdivision 6.

Sec. 4. Minnesota Statutes 1971, Section 462.357, Subdivision 1, is amended to read:

462.357 PROCEDURE FOR PLAN EFFECTUATION; ZONING. Subdivision 1. **AUTHORITY FOR ZONING.** For the purpose of promoting the public health, safety, morals and general welfare, a municipality may by ordinance regulate the location, height, bulk, number of stories, size of buildings and other structures, the percentage of lot which may be occupied, the size of yards and other open spaces, the density and distribution of population, the uses of buildings and structures for trade, industry, residence, recreation, public activities, or other purposes, and the uses of land for trade, industry, residence, recreation, agriculture, forestry, soil conservation, water supply conservation, conservation of shorelands, as defined in section 105.485, flood control or other purposes, and may establish standards and procedures regulating such uses. The regulations may divide the municipality into districts or zones of suitable numbers, shape and area. The regulations shall be uniform for each class or kind of buildings, structures or land and for each class or kind of use throughout such district, but the regulations in one district may differ from those in other districts. The ordinance embodying these regulations shall be known as the Zoning Ordinance and shall consist of text and maps. A city, village, or borough may by ordinance extend the application of its zoning regulations to unincorporated territory located within two miles of its limits in any direction, but not in a county or town which has adopted zoning regulations; provided that where two or more noncontiguous municipalities have boundaries less than four miles apart, each is authorized to control the zoning of land on its side of a line equidistant between the two noncontiguous municipalities unless a town or county in the affected area has adopted zoning regulations. Any city, village, or borough may thereafter enforce such regulations in the area to the same extent as if such property were situated within its corporate limits, until the county or town board adopts a comprehensive zoning regulation which includes the area.

Sec. 5. [105.485] Subd. 8. **EXTENT OF AUTHORITY OF MUNICIPALITY.** Nothing in this act shall be construed to prohibit a municipality from adopting and enforcing ordinances, rules, or regulations affecting the use and development of shoreland which are more restrictive than the state standards and criteria.

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Sec. 6. This act is effective July 1, 1973.

Approved May 19, 1973.

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## CHAPTER 380—S.F.No.410

[Coded in Part]

*An act relating to public welfare; abolishing the town system of poor relief and placing responsibility for poor relief in the county; fixing responsibility for welfare in the counties; providing a penalty; amending Minnesota Statutes 1971, Sections 245.77; 261.01; 261.03; 261.04, Subdivision 1; 261.063; 261.07, Subdivision 1; 261.08; 261.10; 275.09, Subdivision 3; 376.424; 393.01, Subdivision 3; and 393.07, Subdivision 2; 393.08, Subdivision 1; repealing Minnesota Statutes 1971, Sections 261.02; 261.05; 261.06; 261.061; 261.064; 261.065; 261.066; 261.067; 261.14; 261.141; 261.142; 261.143; and 393.08, Subdivision 2.*

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

Section 1. **[261.001] PUBLIC WELFARE; ABOLITION OF TOWN SYSTEM OF POOR RELIEF.** Subdivision 1. The town system for caring for the poor is hereby abolished; hereafter, the county welfare board of each county shall administer poor relief.

Subd. 2. All county welfare boards affected by this act are hereby authorized to take over for the county as of the effective date of this section, the ownership of all case records relating to the administration of poor relief in the several municipalities and towns in the county.

Sec. 2. **[261.002] TRANSFER OF TOWN EMPLOYEES.** Subdivision 1. The term "merit system" as used herein shall mean the rules for a merit system of personnel administration for employees of county welfare boards adopted by the commissioner of public welfare in accordance with the provisions of Minnesota Statutes, Section 393.07, including the merit system established for Hennepin county pursuant to Laws 1965, Chapter 855, as amended, the federal social security act as amended, and merit system standards and regulations issued by the federal social security board and the United States children's bureau.

Subd. 2. All employees of any municipality or town who are engaged full time in poor relief work therein on the effective date of this section shall be retained as employees of the county and placed under the jurisdiction of its welfare board.

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