

CAMPING

The development of a campground at the fairgrounds requires organizations to address numerous issues. For example, whether to allow just tents or also campers/recreational vehicles, and the need for camp hosts and access to water. Camping policies may also address pets and horses; management of noxious weeds (e.g., poison ivy); sanitation needs; fire rules; use of sharp tools, alcohol, tobacco and drugs, among others.



CAMPING



STATE AND LOCAL REQUIREMENTS

As with all topics, the organization should meet all state and local requirements related to camping. The Department of Natural Resources has a number of resources online in addition to its rules that might affect any campground.

The Minnesota Department of Health (MDH) also has some regulatory authority over campgrounds. The MDH addresses issues ranging from the amount of fresh water accessible to each campsite to space between RVs if applicable.

Agricultural society staff should review Minnesota Administrative Rules Chapter 4630, Camps and Mobile

Home Parks to ensure compliance. Some of the topics addressed include caretakers (a.k.a. camp hosts), RV spacing, domestic animals, water supply, plumbing, sewage disposal, toilets, bathing and laundry facilities, barbecue pits, fireplaces, stoves, incinerators, garbage and refuse, night lighting, licensing, inspection and camp fires.

Other major concerns pertaining to campgrounds are adequate drainage, sewage treatment, plumbing requirements, campsite access, Americans with Disabilities Act (ADA) accessibility requirements, maximum grade requirements for RVs, and so on.

REGISTRATION OF GUESTS

Minnesota Statutes, Section 327.11 requires the registration of all guests and vehicles that stay overnight, and Minnesota Statutes, Section 327.12 describes the record keeping requirements.



ACCESS TO WATER

Recreational camping areas must provide access to drinking water within at least 400 feet of every campsite per Minnesota Administrative Rule 4630.0600, Subparagraph 3. Campsites are also required to conform to design, quality and quantity of water specifications, and other issues. Be sure to verify compliance with all federal, state and local laws.



SANITATION

Campsites must meet requirements related to sanitation. Minnesota Administrative Rule 4630.0900 gives ratios for the number of sites to the number of toilets, urinals, lavatories and showers, as well as the requirements for disposal of certain other wastes. *See Chapter 28 for more details about sanitation.*





POISON IVY AND NOXIOUS WEEDS

Campgrounds are required to be placed in areas that are free of poison ivy and other noxious weeds. In Minnesota, poison ivy is common, especially in locations that seem perfect for a campground. Prior to establishing a campground, noxious weeds should be removed. *See Chapter 22 for more details about grounds keeping.*



Poison Ivy

CAMPING AGREEMENTS

Similar to when renting fair facilities (*see Chapter 7, Facility Use and Lease Agreements*), MCIT recommends having a written agreement with all who use camp facilities, including any volunteers or other staff. The agreement should contain the responsibilities of each party, a hold harmless and indemnification clause to protect the agricultural society, and campground rules. In certain situations, a liability waiver agreement may be appropriate. The agricultural society should work with the county attorney or other legal counsel when developing an agreement.

While staff/volunteers go through the agreement with the camper at registration, it is good practice to discuss information such as available facilities, campground rules, camper expectations and emergency information. The fair representative should answer any questions the camper may have, as well.



Provide a written agreement for all who use the camp facilities, including volunteers and staff.



CAMP HOSTS

Minnesota Administrative Rule 4630.0300, Caretaker states: “A responsible attendant or caretaker shall be in charge of every mobile home park or recreational camping area at all times and the duty of said attendant or caretaker shall be to maintain the park, its facilities, and equipment in a clean, orderly, and sanitary condition”

Whether calling them “caretakers,” “camp hosts” or something else, every campground must have someone in charge of taking care of the facilities. This person may also take care of registration and other tasks. Larger facilities may have multiple people fulfilling this role.

NUMEROUS WAYS TO STRUCTURE THE ROLE

The State of Minnesota does not specify how to establish the camp host role; just that campgrounds need one. Each camping area can determine how it fulfills the camp host responsibility.

Some organizations consider their caretakers to be volunteers. For example, the Department of Natural Resources (DNR) and some smaller county parks offer free or discounted campsites for a predetermined amount of time to people who agree to perform the duties of the camp host.

Another option is for the organization to hire a paid employee to fill this role, which could be part of other responsibilities.

Some camping areas may have an agreement with the caretaker that establishes him or her as an



Caretakers provide a well-maintained, clean and safe campground.

independent contractor. The agreement outlines the roles and responsibilities of the caretaker to include those of the camp host. *See Chapter 9 for more details about managing independent contractor relationships.*

VOLUNTEER OR INDEPENDENT CONTRACTOR MAY PROVE TO BE AN EMPLOYEE

The agreement structure determines whether the caretaker is a volunteer, independent contractor or employee. In addition to wage and hour issues, take into account workers’ compensation implications.

Some questions to consider:

- What are the rights and responsibilities of each party: caretaker and agricultural society?
- If the caretaker is injured on the campground, who pays for the medical care?
- If the caretaker is receiving reduced rent of a space that functions as the caretaker’s primary address, is this enough to qualify as an employee?



Consider whether the caretaker will be a volunteer, independent contractor or employee.



- What rights to the campsite does the caretaker have? If the caretaker were considered a tenant and the agricultural society a landlord, this would give the caretaker some additional rights and provide some limits on the actions that a fair may take.
- How will the situation change if the agricultural society chooses to terminate the caretaker?
- What notice must be given by either party to terminate the relationship?
- Is the reduction of rent a taxable benefit, a source of income or neither?
- What happens if the caretaker’s spouse does some of the work of the caretaker? Would the spouse’s conduct create an employment relationship and, therefore, qualify for workers’ compensation?

As with any position that can be filled by a volunteer, independent contractor or an employee, the answers to these questions are not always easy to determine.

DUTIES AND PROCEDURES

Largely, the duties of the caretaker are defined by Administrative Rules Chapter 4630. They shall take care of the grounds and maintain cleanliness and sanitation. Other duties may include greeting new campers when they arrive and being accessible to campers during predetermined days and hours.

Camp hosts should follow established procedures for maintaining campground cleanliness, including the regular removal of refuse, safety, security and emergency management. *(See Chapter 18 for more about emergency action plans.)*

As with the maintenance of other fairgrounds facilities, record keeping helps ensure due diligence and is vital to the successful running of any campground.



Create procedures for maintaining the campground that the caretaker can follow.

Caretakers may be asked in some situations to advise campers about the rules of the campground. Caretakers are rarely given the authority or responsibility to enforce rules beyond contacting the appropriate authorities, such as law enforcement or the DNR, when necessary.

Resources

More information is available through the Office of the Revisor of Statutes*

- Minnesota Statutes Chapter 327—see 327.14- 327.29, Manufactured Home Parks and Camping Areas
- Minnesota Administrative Rules Chapter 4630, Camps and Mobile Home Parks
- Minnesota Administrative Rules Chapter 6100, Outdoor Recreation, Department of Natural Resources

*This is not a complete list. Be sure to consult with legal counsel to verify compliance with all federal, state and local laws.