MINNEAPOLIS CHARTER COMMISSION

PLAIN-LANGUAGE CHARTER REVISION

SIDE-BY-SIDE COMPARISON:
SOURCE PROVISIONS TO SUCCESSOR PROVISIONS

Draft 12
March 2009

SOURCE PROVISIONS: 2009 CHARTER	SUCCESSOR PROVISIONS: REVISED CHARTER
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Chapter 1 **City and Ward Boundaries**	
§ 1. **Municipal Corporation Continued** The City of Minneapolis in the County of Hennepin in the State of Minnesota shall continue to be a municipal corporation under the name and style of the City of Minneapolis with the same boundaries as now are or may be hereafter established.	§ 1.1. **Name** The body corporate and politic that this charter governs is named the "City of Minneapolis." For this charter's purposes, the "City" means the City of Minneapolis, and its provisions refer to the City unless the context clearly indicates otherwise.

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	§ 1.2. **Status** The City is a municipal corporation having adopted this home-rule charter under the Minnesota Constitution, article XII, section 4.
	[§ 1.3(b)] **Restatement and supersession.** This charter fully restates and supersedes every prior version of, and any ordinance or other municipal act inconsistent with, this charter. But except as this charter or an amendment explicitly provides otherwise, the charter does not affect— (1) any ordinance or other municipal act adopted before its adoption or its latest revision or amendment; (2) the existence, status, function, composition, powers, or duties of any board, department, or other public body; or (3) the office, tenure, powers, or duties of any officer.
	§ 2.1. **City** The City has the boundaries established under law.

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§ 2. **Powers** The City of Minneapolis may sue and be sued, plead and be impleaded, in any court; make and use a common seal and alter it at pleasure; take and hold, lease and convey all such real, personal and mixed property as the purposes of the corporation may require, or the transaction[s] or exigencies of the business may render convenient within or without the limits of such city; shall be capable of contracting and being contracted with, and shall have all the general powers possessed by municipal corporations at common law, and in addition thereto shall possess powers hereinafter specifically granted, and all the authorities thereof shall have perpetual succession.	[§ 1.4(a)] **Powers plenary.** The City, acting through the boards, departments, and officers for which this charter or an ordinance provides, may exercise any power that a municipal corporation can lawfully exercise.
§ 3. **Thirteen Wards**	
A. The City shall consist of thirteen Wards with as nearly equal population as practicable. Within the time specified in paragraph C hereof the Redistricting Commission shall readjust the boundaries of the Wards in accordance with the following standards:	[§ 2.2(a)] **Number.** The City comprises 13 wards, designated by number. If possible, a redistricted ward keeps the number of the former ward from which its population mostly came.
1. A population quota for each Ward shall be determined by dividing the total population of the City by 13. In no case shall any Ward, when readjusted, have a population more than five percent over or under such population quota.	[§ 2.2(b)] **Characteristics.** The wards must be as equal in population as practicable. Each ward must— (1) not deviate from the mean ward population by more than five percent of that average

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2. Each Ward shall consist of contiguous compact territory not more than twice as long as it is wide, provided that the existence of any lake within any Ward shall not be contrary to this provision. Wherever possible, Ward boundary lines shall follow the centerline of streets, avenues, alleys and boulevards and as nearly as practicable, shall run due East and West or North and South.	[§ 2.2(b)(2)] consist of a compact, contiguous area, not longer than twice its width, whose boundaries lie along the centerline of public ways and, as far as practicable, run due north–south or east–west. A waterway or other body of water within a ward does not affect these characteristics
3. To the extent possible, the Wards shall be numbered consecutively, first on the East side of the Mississippi river and then on the West side and from North to South. However, notwithstanding the foregoing, effective the date of this amendment and thereafter, all newly drawn Wards shall retain the same numerical designation as the then currently existing Ward from which the newly drawn ward received the largest portion of its population.	[§ 2.2(a)] **Number.** The City comprises 13 wards, designated by number. If possible, a redistricted ward keeps the number of the former ward from which its population mostly came.

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4. Population shall be determined by use of the official population, as stated by census tracts and blocks in the official United States Census. Whenever it is necessary to modify census data in fixing a Ward boundary, the Redistricting Commission may compute the population of any part by use of other pertinent data or may have a special enumeration made of any block or blocks using the standards of the United States Census. If the population of any block or blocks is so determined, the Redistricting Commission may assume that the remainder of the census tract has the remaining population shown by the census. In every such case, the determination of the Redistricting Commission as to population shall be conclusive, unless clearly contrary to the census.	[§ 1.3(b)] **Characteristics.** The wards must be as equal in population as practicable. Each ward must— (1) not deviate from the mean ward population by more than five percent of that average, according to— (A) the latest decennial federal census; or (B) a special computation or enumeration ordered by the Redistricting Commission with respect to any particular block or tract, computed or enumerated as of the same time and in the same manner as the latest decennial federal census
	[§ 1.3(d)(4)] any reference to population or other enumeration refers to the latest decennial federal census;

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B. In each year ending in the number two, or whenever the number of Wards is changed, or when required by court order, Redistricting Commission shall be established to draw Ward boundaries.	[§ 2.2(c)] **Redistricting.** (1) **Policy.** The City must redistrict the wards, as this section 2.2(c) provides,— (A) after each decennial federal census; (B) as required by general or special law or by judicial decree; or (C) when the number of wards changes,
The Commission shall consist of members, as provided herein, who are eligible voters of the City.	[§ 2.2(c)(2)(B)] **Qualifications.** Each commissioner must be a qualified voter in the City.
The Redistricting Commission shall be appointed as follows:	[§ 2.2(c)(2)(A)] **Composition.** The Commission comprises—

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1. The largest number of City Council members who consider themselves to be affiliated with the same political party shall appoint one person to the Commission. The remaining members of the City Council shall appoint one person to the Commission.	[§ 2.2(c)(2)(A)] (i) one commissioner elected by but not from the greatest number of Council members who are members of the same political party (or, if there is more than one such number, from the majority that elected the Council president); (ii) one commissioner elected by but not from the remaining Council members;
2. The Charter Commission shall request a list of nominees from the following sources:	[§ 2.2(c)(3)(A)] **Nominations.** At least 45 days before the process begins, the Charter Commission must request nominations by letter to each major political party's city chair (or, if there is no city chair, its state chair); and by public notice inviting nominations by voters.
The City Chair, or if there is no City Chair, the State Chair, of each major political party, as defined by Minnesota Statute 200.02, Subdivision 7, whose candidate for governor or for United States senator in the preceding election received five (5) percent of the total ballots cast for that office in the City of Minneapolis.	[§ 2.2(c)(2)(C)(i)] **Political parties.** For this section 2.2(c)'s purposes— (I) a "political party" has the same meaning as in the Minnesota election law; and (II) a "major political party" means one within the Minnesota election law's meaning, whose nominee for governor or for United States senator received more than five percent of the votes in the City at the last gubernatorial or senatorial election.

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	[§ 2.2(c)(3)(A)] **Nominations.** At least 45 days before the process begins, the Charter Commission must request nominations by letter to each major political party's city chair (or, if there is no city chair, its state chair); and by public notice inviting nominations by voters.
Each party list shall contain at least six, but not more than ten, names of persons broadly representative of the city population.	[§ 2.2(c)(2)(C)(ii)] **Nomination by party.** Each major political party may nominate six to ten members for commissioner. The party's list must broadly reflect the City's population and must include racial minorities and other groups historically underrepresented in City government.
Nominees shall not currently be or within two years previous to appointment, have been, an elected official of municipal, county, state or federal government, nor an employee of a political party, nor a candidate, in a primary or general election, for a public office for which the ballot indicates a political party designation of candidates, nor an employee of city government.	[§ 2.2(c)(2)(C)(ii)] A party may not nominate anyone who, since two years before the process began, is or has— (I) held any elected public office; (II) appeared on a ballot listing his or her partisan affiliation in any election; (III) worked as an employee of any political party; or (IV) worked as an employee for the City.

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Each party list shall include persons from groups traditionally under represented in city government, including racial minorities.	[§ 2.2(c)(2)(C)(ii)] The party's list must broadly reflect the City's population and must include racial minorities and other groups historically underrepresented in City government.
The names of the Council appointees and the lists of party nominees shall be submitted to the Charter Commission not later than February 1 in years ending in two. Requests for appointees and nominees shall be made by the Charter Commission 45 days prior to the above deadline.	[§ 2.2(c)(3)] (A) **Nominations.** At least 45 days before the process begins, the Charter Commission must request nominations by letter to each major political party's city chair (or, if there is no city chair, its state chair); and by public notice inviting nominations by voters. The deadline for nominations is 15 days before the process begins. . . . . (C) **Election by Council members.** The Council members must elect their commissioners within 45 days before the process begins.
3. The Charter Commission shall accept letters of nominations from duly eligible voters of the City. The letters may be self-nomination or the nomination of another, all of whom must be eligible voters of the City. Notice of the request for letters of nomination shall be a public notice made by the Commission 45 days prior to February 1 in years ending in two.	[§ 2.2(c)(2)(C)(iii)] **Nomination by voter.** Any eligible voter may nominate himself or herself or any other eligible voter for commissioner. The nomination must identify the political party of which the nominee is a member or state that the nominee is unaffiliated with any political party.

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	[§ 2.2(c)(3)(A)] **Nominations.** At least 45 days before the process begins, the Charter Commission must request nominations by letter to each major political party's city chair (or, if there is no city chair, its state chair); and by public notice inviting nominations by voters. The deadline for nominations is 15 days before the process begins.
Within 15 days after receiving the lists of party nominees and self nominees, the Charter Commission shall select by a majority vote of all of its members, two members from each major party to serve on the Redistricting Commission, at least one of which must be from the lists submitted by the parties. Remaining members may be chosen from either the lists submitted by the political parties or from the list of self nominees affiliated with that party. The Charter Commission at its discretion may also select by majority vote up to two other members from a list of names limited to those submitted only by: a) political parties who do not qualify as major parties; or b) self nominees who are not affiliated with any political party.	[§ 2.2(c)(2)(A)] (iii) two commissioners elected by the Charter Commission from each major political party, at least one of whom was nominated by the party; (iv) up to two commissioners elected by the Charter Commission who are either— (I) members of a political party or parties that are not a major political party, or (II) unaffiliated with any political party; and
	[§ 2.2(c)(3)(A)] **Nominations.** At least 45 days before the process begins, the Charter Commission must request nominations by letter to each major political party's city chair (or, if there is no city chair, its state chair); and by public notice inviting nominations by voters. The deadline for nominations is 15 days before the process begins.

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No political party shall constitute a majority of the Redistricting Commission.	[§ 2.2(c)(2)(A)] No political party's members may constitute a majority of the commissioners.
The members selected by the Charter Commission, and the Council appointees shall then, within ten days, meet at a time and place selected by the Charter Commission and elect by a majority vote one more person to serve on the Redistricting Commission who shall serve as its chair.	[§ 2.2(c)(2)(A)] (v) a chair elected by but not from the other commissioners.
If a chair is not selected within fifteen (15) days after the time set for the initial meeting, each contending faction shall name the person of their choice for chair and the selection shall be made by lot.	[§ 2.2(c)(3)(E)] If the Commission has not elected a chair within 15 days after convening, then each commissioner may cast a written ballot for chair and, if no chair is thereby elected, the city clerk will draw one ballot by lot and the person named on that ballot is the chair.
If a member shall cease to serve, the vacancy shall be filled in the same manner as that member's original appointment.	[§ 9.2(e)(4)] The electing or appointing body may fill any vacancy that this charter does not provide another method of filling.

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Each person selected as a member of the Commission shall take an Oath of Office before acting as a member. The written Oath shall be filed with the City Clerk.	[§ 9.2(a)] **Oath.** Before taking office, each officer must sign and file with the city clerk an oath in substantially the following form: "I swear [or 'affirm'] that I will faithfully discharge the office of [title], and will support the constitutions of the United States and of Minnesota."
Members of the Commission shall receive per diem on the same basis as members of the City Planning Commission.	
The City Council, upon request of the Redistricting Commission, shall promptly provide funding for such staff and other assistance as the Commission deems necessary to complete its work in a timely manner.	[§ 2.2(c)(4)] **Funding.** The City Council must provide for the staff and other resources that the Commission needs.
C. At or within the times prescribed by law,	[§ 2.2(c)(3)] **Schedule.** Subject to any applicable ordinance, general or special law, or judicial decree:

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the Redistricting Commission shall adopt a Ward boundary plan in accordance with the standards of paragraph A hereof. The Commission, with appropriate notice, shall hold at least two public hearings prior to adoption of the plan. At least one of the public hearings shall be for the purpose of reviewing the tentative plan. A copy of the tentative plan shall be published as a legal notice for the public at least seven (7) days prior to the public hearing on the tentative plan.	[§ 2.2(c)(3)(G)] **Public hearings.** Between seven and 30 days after giving public notice, the Commission must hold a public hearing on its tentative plan or plans. At least seven days after the first public hearing, and before adopting a final plan, the Commission must hold a second public hearing, either on a tentative plan or on its proposed final plan.
Neighborhoods, as delineated by the Planning Department, shall be solicited for their input.	[§ 2.2(c)(3)(F)] **Tentative plan.** Within 60 days after the process begins, the Commission must— (i) give public notice of a tentative plan or plans; and (ii) invite comments from each neighborhood organization recognized in a manner for which the City Council provides.
The plan shall state the boundaries and population of each Ward and shall be deemed completed when filed with the city Clerk with the signatures of a majority of the members of the commission.	[§ 2.2(c)(3)(H)] **Final plan.** Within 90 days after the process begins, the Commission must— (i) adopt a final plan redistricting the wards and delineating each redistricted ward's boundaries and stating its population, and (ii) file the plan with the city clerk.

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The Redistricting Commission shall, at this time, be dissolved; however, if the District Court finds the plan improper and returns it, the Commission shall reconvene for the purpose of revising and readopting the redistricting plan.	[§ 2.2(c)(3)(J)] **Expiration.** The Commission expires when the final plan takes effect, but must reconvene for the purpose of conforming the plan to the law if the district court finds that the plan is unlawful.
Whenever Wards have been so readjusted, no further Ward adjustment shall be made until the announcement of the next decennial United States Census.	[§ 2.2(c)(1)] and may not otherwise redistrict them.
In the event any territory shall be annexed to the City, it shall become part of the adjoining Ward.	§ 2.5. **Annexed territory** Any annexed territory joins the ward and the park district to which it is adjacent or, if adjacent to more than one ward or district, the least populous such ward or district.
D. Should the Redistricting Commission fail to adopt a plan within the time prescribed, each of the contending factions on the Redistricting Commission shall submit a plan, and one plan shall be selected by lot. Determinations by lot shall be supervised by the City Clerk.	[§ 2.2(c)(3)(H)] If the Commission has not adopted a final plan by the deadline, then each commissioner may cast a written ballot identifying a proposed final plan, and the city clerk will draw one ballot by lot and the plan identified on that ballot is the final plan.
E.	

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(1) The District Court shall exercise original jurisdiction in any matter relating to apportionment in the manner provided by law, and upon application by an appropriate party and after notice and hearing may compel the execution of any action required hereunder.	[§ 2.2(c)(6)] **Jurisdiction.** The district court enjoys original jurisdiction over any case arising out of redistricting under this section 2.2(c).
(2) If a redistricting plan is questioned in a proceeding before the Court, and insufficient time remains to determine the issue, the Court may either	
(a) postpone the effective date of the plan, or	
(b) if the proposed plan appears to more closely reflect the distribution of population than the existing Ward apportionment, order that the proposed apportionment be effective for the next election without prejudice to the issue with respect to subsequent elections.	
(3) If a redistricting plan is questioned in a proceeding before the Court, and the Court finds the plan is improper, the Court shall return the plan to the commission for revision and readoption.	[§ 2.2(c)(3)(J)] **Expiration.** The Commission expires when the final plan takes effect, but must reconvene for the purpose of conforming the plan to the law if the district court finds that the plan is unlawful.

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F. The City Council shall enact the ordinances necessary to implement this section, provided that redistricting shall be governed by the law in effect on January 1 of the year in which a Redistricting Commission is established. No readjustment of Ward boundaries shall apply to any City election if the adopted plan goes into effect after the first date for filing for such elections. All Council Members, including those who take office as provided in Chapter 2, Section 16 or 16A of this Charter, may complete the term for which they are elected, or appointed notwithstanding changes in Ward boundaries.	[§ 2.2(c)(3)(I)] **Effective date.** The final plan takes effect upon, and applies to the first general election for which filing opens after, its adoption (or its being drawn by lot). A redistricting does not affect the eligibility or term of any incumbent holding office when the plan takes effect, and does not apply to any special election held before the next regular election.
	[§ 2.2(c)(5)] **Ordinances.** The City Council may enact any necessary or prudent ordinance implementing this section 2.2(c). No such ordinance applies to any redistricting process that begins within 30 days.
~~G. This amendment shall take effect immediately upon certification of its adoption by the voters of the City of Minneapolis.~~	
H. The method herein provided shall be the sole method for readjusting Ward boundaries, and the City Council shall have no power to readjust Ward boundaries except as in this section provided.	[§ 2.2(c)] and may not otherwise redistrict them.
Chapter 2 **Officers—Elections**	

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§ 1. **Elective Officers** The elective officers of the City shall be a Mayor, members of the City Council (who shall be known as Council Members) and such members of boards or commissions as elsewhere provided in this Charter.	[§ 8.1(a)] **Chief executive.** The chief executive officer is the Mayor.
	[§ 9.3(a)] **"Elected office" defined.** For this charter's purposes— (1) an "elected office" means one that the voters elect; and (2) an "elected officer"— (A) means the incumbent holding an elected office, and includes an appointee filling a vacancy in such an office pending an election; but (B) does not include an officer elected by a board to an office that is not an elected office.
The City Council shall consist of one (1) Council Member from each ward to be elected by the voters of the respective wards.	[§ 4.2(a)] **Composition.** The City Council comprises one Council member elected by and from each ward.

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§ 2. **Council to Appoint City Officers—Terms of Office** Except as in this Charter otherwise specifically provided, all other officers provided for in this Charter or deemed necessary for the proper management of the affairs of the City, shall be appointed by the City Council.	[§ 8.2(b)] **Departmental organization.** The ordinance establishing each department must provide for an officer or a board as its head, for any other necessary officer, and for appropriate staff and other resources. The Mayor nominates and the City Council appoints each department's head under section 9.4(b), except as this charter or any applicable law or ordinance otherwise provides.
	§ 9.4. **Other officers** (a) **Other offices.** The City Council may establish any other necessary office, in which case the Council must provide for its title, appointment, term, compensation, and duties. (b) **Appointment by Mayor or Council.** Where a general law, special law, ordinance, rule, or other authority provides for an officer's appointment by the Mayor, by the City Council, by any board whose membership mostly consists of Council members, or by any combination of them, and does not explicitly override this section 9.4(b), then the appointment is vested collectively in the Mayor, Executive Committee, and Council as this section provides.
The appointment of such officers shall require the affirmative vote of a majority of all members of the City Council.	[§ 4.4(a)(2)] **Acts.** An act by the Council takes a majority of its membership, except as this charter otherwise provides.

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	[§ 5.2(a)] **Election.** Each board elects or appoints its officers by a majority of its membership.
All officers required to be appointed by the City Council shall, unless in this Charter otherwise provided, hold their respective offices for the term of two years from and after the first business day in January of even numbered years,	[§ 9.2(c)] **Tenure.** Each officer takes office, after taking the required oath— (1) in the case of an elected officer elected in a regular election, on the first weekday in January that is not a holiday in the calendar year next following the election; (2) in the case of an elected officer elected at a special election, when the results are certified; and (3) in the case of any other office, as any applicable ordinance provides, otherwise upon election or appointment, and serves until his or her successor takes office. An ordinance establishing an office may provide for the officer's term, otherwise the term is two years.
and all officers elected by the people, or appointed by the City Council or otherwise shall continue in office until their successors are elected or appointed and have qualified.	[§ 5.2(e)] **Tenure.** Each officer serves until his or her successor takes office.

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Nothing in this Charter contained shall be construed as legislating out of office any elected official of the City of Minneapolis, or any officer appointed by the City Council thereof.	[§ 1.3(b)] **Restatement and supersession.** This charter fully restates and supersedes every prior version of, and any ordinance or other municipal act inconsistent with, this charter. But except as this charter or an amendment explicitly provides otherwise, the charter does not affect— (1) any ordinance or other municipal act adopted before its adoption or its latest revision or amendment; (2) the existence, status, function, composition, powers, or duties of any board, department, or other public body; or (3) the office, tenure, powers, or duties of any officer.
§ 3. **Terms of Office of Mayor and Council Members** The terms of office of the Mayor and Council Members shall be for four years commencing on the first business day of January of the year following their election.	[§ 4.2(b)] **Term; election.** Each Council member's term is four years. Each ward's voters elect their Council member in each year following a year whose number is evenly divisible by four.

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	[§ 8.1(b)] **Term; election.** The Mayor's term is four years. The Mayor is elected by the voters in a regular election held in each year following a year whose number is evenly divisible by four.
§ 4. **Election** A general city election for the election of city officers shall be held biennially on the first Tuesday after the First Monday in November of each odd-numbered year.	§ 3.2. **Regular elections** (a) **Election years.** A regular election occurs in the last calendar year before any elected officer's term expires. (b) **Regular election.** The City holds its regular election on the uniform municipal election day for which the Minnesota election law provides.
~~§ 4A. Presidential Preference Poll~~	
~~The City Council may, by ordinance or resolution, establish a presidential preference poll to be conducted at the general City election in the years immediately preceding each presidential election year. The ordinance or resolution shall set forth the procedures applicable to the presidential preference balloting including the requirements for prospective presidential candidates to have their names appear on the ballot.~~	

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§ 5. **Candidate Filing** Prior to January 1st of the election year, the City Council shall fix and determine the opening and closing dates for the filing of candidates for office.	[§ 3.2(c)] No act scheduling a filing period applies to any election held in the same calendar year.
The time allowed for the filing of candidates for office shall never be less than 15 days (and the closing date of such filing shall never be less than 40 days), before the General Election.	[§ 3.2(c)] **Schedule.** For each regular election, the City Council must provide by ordinance for a filing period of at least 15 days ending at least 40 days before the election.
§ 5A. **Conduct of Elections** Notwithstanding the provisions of Minnesota Statutes, Section 205.17, subdivision 2, or any other provision of law and except as otherwise provided in this section, the City General Election for Mayor and City Council shall be conducted in the manner provided by law for elections for nonpartisan offices. All such candidates shall, however, state the name of their political party or political principle, stated in three words or less, on their affidavits of candidacy and affidavits of candidacy for Mayor and City Council shall otherwise conform with all requirements of the Minnesota general election laws pertaining to affidavits of candidacy for partisan offices. The political party or political principle shall be placed on the General Election ballot with the names of the candidates for such offices.	[§ 3.1(a)] **General law applies.** Unless it is inconsistent with this charter, the Minnesota election law applies to each municipal election. [§ 3.1(d)(1)] **Nonpartisan ballot.** The ballot for each elected office is a nonpartisan ballot. Each candidate for Mayor or for Council member may state, in up to three words, his or her political party or principle, which will appear on the ballot.

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§ 5B. **Voting Method** The elected officers shall be elected by the method of Single Transferable Vote, sometimes known as Ranked Choice Voting or Instant Runoff Voting. The City Council shall, by ordinance, establish the ballot format and rules for counting the votes.	[§ 3.1] (b) **Voting method.** The voters elect the City's elected officers by single transferable voting. The City Council must provide by ordinance the method of counting the votes and of breaking a tie. . . . . (d) **Ballots.** The City Council must provide by ordinance for the ballot's format.
The method shall be used for the first municipal election after adoption and all subsequent elections unless the City Council certifies, by ordinance, no later than four months prior to the election that the City, will not be ready to implement the method in that election. Such certification must include the reasons why the City is not ready to implement the method.	[§ 3.1(b)] . . . . **Note.** The amendment that added this voting method to the charter provided, "The method shall be used for the first municipal election after adoption and all subsequent elections unless the City Council certifies, by ordinance, no later than four months prior to the election that the City, will not be ready to implement the method in that election. Such certification must include the reasons why the City is not ready to implement the method."

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§ 6. ***Election Judges—Council to Fix Compensation*** *The City Council shall at least 14 days before any special or general City Election appoint such judges of election as may be necessary to constitute a full board for every election precinct, as provided by general laws. The compensation of elections judges shall be forty (40) percent greater than the prevailing minimum wage as defined by state law unless the City Council sets a different rate.* ~~This amendment shall become effective January 1, 2000.~~	
§ 7. **City Council to Designate Election Precincts and Places of Holding Elections** The City Council shall, from time to time as it shall deem necessary, by a resolution adopted at least 90 days previous to the general City election, designate the boundaries of the several election districts of the City, and for that purpose, may divide the several wards into such number of precincts as it may deem necessary; but no election precinct shall cover any territory of more than one (1) ward. The City Council shall also designate the place of holding elections in each precinct. In case the City Council shall neglect or refuse to provide such election precincts and places of holding election as herein provided, and in all cases of special elections, the election precincts and places of holding elections shall continue to be the same as at the general election next preceding said election: Provided, that when it may be necessary to designate any other place for holding a special election than the place where was held the last general election in any precinct, the City Council may so designate some other place in such precinct for holding said special election.	§ 2.4. **Precincts** (a) **Precincts, polling places.** For the convenient administration of elections, the City Council must divide each ward into precincts and designate a polling place in each precinct. Each precinct must lie wholly within a single ward and park district. (b) **Effective date.** An act dividing a ward into precincts, or designating a polling place, takes effect after 90 days or at such later time as the act provides. An act designating a new polling place may take effect sooner if the old polling place is unavailable.

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§ 8. ***City Council to Provide Ballots and Ballot Boxes*** *The City Council shall provide all necessary ballots and ballot boxes to be used for each general and special election held in the City for the election of City officers or for any other City purposes.*	
§ 9. **Ballot at City Election** The names of all candidates to be voted on at any general City election or special election for City purposes shall be placed on one ballot. Regardless of whether they are contested or uncontested, the offices on the ballot shall be in the following order: Mayor; Council Member; Board of Estimate & Taxation Member; Park and Recreation Commissioner at Large; Park and Recreation Commissioner by District; ~~Library Board Member~~.	[§ 3.1(d)(2)] **Order.** The candidates' names must appear on a single ballot, which lists the offices being elected in this order: (A) Mayor; (B) Council member; (C) Board of Estimate & Taxation member; (D) Park & Recreation commissioner at large; and (E) Park & Recreation commissioner by district.

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§ 10. **Council to Call Special Elections** The City Council may order special elections, when necessary for any purpose, and provide for the holding of the same.	[§ 3.3(b)] **Other special elections.** The City Council must schedule a special election as required by law on any question that the voters may lawfully decide, and may schedule any other lawful special election. Unless the law provides otherwise, the Council may schedule such an election in connection with the next regular election. This section 3.3(b) is subject to section 10.4(e).
§ 10. **City Clerk to Give Notice of Time and Places of Holding Elections** The City Clerk shall give notice of the time and places of holding general city election, which notice shall be given at least 15 days before the general city election, and unless otherwise specifically provided for in this Charter, the City Clerk shall give 15 days' notice of the time and places of holding special elections.	[§ 3.1(b)] **Administration.** The city clerk administers each election under the City Council's direction. The clerk must give public notice of the time and place of holding each election at least 15 days before the election.
§ 12. ***In Case of Tie Vote*** *When two or more candidates for any elective city office shall receive an equal number of votes at the general city election or at a special election, the election shall be determined as between those candidates by the casting of lots in the presence of the City Council at such time and in such manner as the City Council shall direct.*	[§ 3.1(b)] The City Council must provide by ordinance the method of counting the votes and of breaking a tie.

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§ 13. **Filing for Nominations** All candidates for election at any city election shall file their affidavit for such election and pay their fee therefor, in the same manner as provided in the general election laws of the State of Minnesota, except only that such filing shall be made with, and such fee paid to the City Clerk instead of the County Auditor, and such filing must be made, and the fee therefor paid, not later than the 40th day preceding the general election.	[§ 3.1] (a) **General law applies.** Unless it is inconsistent with this charter, the Minnesota election law applies to each municipal election. . . . . (c) **Administration.** The city clerk administers each election under the City Council's direction.
	[§ 3.2(c)] **Schedule.** For each regular election, the City Council must provide by ordinance for a filing period of at least 15 days ending at least 40 days before the election.
§ 14. **Election Returns** The returns of all elections for City officers, charter amendments and other propositions or elections for any other City purpose, shall be made to the City Clerk, and within two (2) weeks after such election, the City Council shall meet and canvass the returns thereof, and declare the results as it appears from such returns, and the City Clerk shall forthwith give notice to the officers elected of their respective elections.	[§ 3.1(b)] **Administration.** The city clerk administers each election under the City Council's direction. The clerk must give public notice of the time and place of holding each election at least 15 days before the election.

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§ 15. **General Laws to Govern Elections—Exceptions** Notwithstanding the other provisions of this chapter relating to Instant Runoff Voting, all general laws of the State of Minnesota relating to elections and the preliminaries thereto, unless this Charter otherwise specifically provides, shall, so far as applicable, apply and govern all elections under this Charter and the same are hereby adopted and made part of this Charter.	[§ 3.1(a)] **General law applies.** Unless it is inconsistent with this charter, the Minnesota election law applies to each municipal election.
§ 16. **Vacancy in Office of Mayor and Council Members—How Filled**	
Whenever any vacancy shall occur in the office of Mayor or in the office of any Council Member prior to March 1st of the year of the general City election for the office of Mayor or Council Member, it shall be filled for the unexpired term by a special election ordered by the City Council and held City-wide if the vacancy is in the office of the Mayor or held in the applicable ward if the vacancy is in the office of a Council Member. The special election shall be held within seventy-five (75) days after such vacancy shall occur.	[§ 4.2(d)(1)] **Early vacancy.** When a Council member vacates his or her office before March 1 in the year of the next regular election, the Council must schedule a special election filling the vacancy, held within 75 days after the vacancy occurs.
	[§ 8.1(e)] **Vacancy.** Whenever the Mayor vacates his or her office before the year of the next regular election, or in that year before March 1, the City Council must provide for a special election filling the vacancy within 75 days after the vacancy occurs.

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For the purpose of selecting the candidates to be voted on at such special election, the Council shall fix the dates for filing of candidates for such office which shall be for a period of not less than eight (8) days, and the closing date for such filing shall not be less than forty (40) days prior to the date fixed for the special election. All provisions of this Charter pertaining to special elections shall apply to any special election provided for by this section, except as otherwise specifically provided herein.	[§ 3.3(a)] **Elected office.** A special election occurs whenever a vacancy occurs in an elected office before the term expires, and this charter does not provide another method of filling the vacancy. For each special election, the City Council must provide by ordinance for a filing period of at least eight days ending at least 40 days before the election.
Until the vacancy in the office of Mayor has been filled by the special election, the then President of the City Council shall take the oath of office of, and become, and shall be styled Acting Mayor for the interim period, and as such shall exercise all the powers and discharge all the duties of Mayor, and while so acting shall be entitled to the salary of Mayor, but such salary shall be in lieu of, and not additional to, the salary as Council Member in [the] event such person shall occupy both offices.	[§ 8.1(f)(1)] **Temporary vacancy.** Whenever the Mayor cannot discharge his or her duties, or the office is vacant pending an election, then the Council president (or, if the Council president cannot act, the Council vice-president) must act as Mayor until the Mayor (or the Council president, if the vice-president is acting as Mayor) resumes his or her duties or a new Mayor takes office. Any action taken by the Council president or vice-president, or any other successor, acting as Mayor is as valid as if taken by the Mayor. Any successor acting as Mayor draws the Mayor's salary instead of the salary of the office by virtue of which he or she is acting as Mayor.
Whenever any vacancy shall occur in the office of Mayor on or after March 1st of the year of the general City election for the office of Mayor, the then President of the City Council shall fill the vacancy for the remainder of the vacated term in the same manner as provided above.	

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Whenever any vacancy occurs in the office of any Council Member on or after March 1st of the year of the general City election for the office of Council Member, such vacancy shall be filled by the City Council appointing a qualified voter from the ward for which the vacancy exists, to hold office for the remainder of such unexpired term, provided that no such appointment shall be made after the opening date for filing for such position in the next ensuing city general election.	[§ 4.2(d)(2)] **Late vacancy.** When a Council member vacates his or her office— (A) after March 1 in the year of the next regular election, and (B) before filing opens for the election, —the Council appoints a successor who serves out the unexpired term.
When a vacancy for Council Member exists on or after the first date for filing, the person elected at the general City election, upon certification of the general City election results, shall fill the position for the remainder of the unexpired term.	[§ 4.2(d)(3)] **Election after vacancy.** When a Council member is elected while the office is vacant, the elected member takes office upon election, and serves out the unexpired term as well as the term for which he or she was elected.
§ 16A. **Special Election Process May Commence Upon Submission of Notice of Resignation by Mayor or Council Member** When a Council Member or Mayor files with the City Clerk a notice of vacation of office to be effective on a given date in the future, such action shall result in the vacation of that office on that given date. When such a notice of vacation has been filed with the City Clerk, the provisions of this Charter for filling the Council Member or mayoral vacancy may be commenced but the special election shall not be held until the vacancy has occurred.	[§ 3.3(a)] **Elected office.** A special election occurs whenever a vacancy occurs in an elected office before the term expires, and this charter does not provide another method of filling the vacancy.

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§ 17. **Removal from City—Neglect, Etc.** Any officer removing from the City or ward for which such officer was elected or appointed	[§ 9.3(b)] **Qualifications.** No person is eligible as an elected officer unless he or she can vote for that office.
or any officer elected under the provisions of this Charter, who shall refuse or neglect to enter upon the discharge of the duties of such office for ten (10) days after the beginning of the term which the officer was elected to fill, the officer having at least ten (10) days prior thereto been notified of his or her election, or any officer appointed under the provisions of this Charter who shall refuse or neglect to enter upon the discharge of the duties of office for ten (10) days after notice of his or her appointment shall be deemed to have vacated or abandoned the office.	[§ 9.2(e)] **Vacancy.** (1) **Determination.** (A) **Elected office.** Each board to which the voters elect an elected officer determines when that office is vacant. (B) **Other office.** The electing or appointing body determines when any other office is vacant.
Any officer having entered upon the duties of an office may resign the same by and with the consent of the City Council.	[§ 9.2(e)(2)] **Resignation.** Any officer may resign— (A) by tendering a written resignation that the electing or appointing authority accepts; or (B) in any other manner provided by law.

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All vacancies, except as herein provided, shall be filled by the City Council.	[§ 9.2(e)(4)] **Vacancies.** The electing or appointing body may fill any vacancy that this charter does not provide another method of filling. Where the voters are the electing body, the City Council may fill the vacancy.
§ 18. **Oath of Office—Bonds of City Officers—Approval of Bonds** Every person elected or appointed to any office under this Charter shall, before entering upon the duties of office, take and subscribe an oath of office, and file the same with the Clerk of the City.	[§ 9.2(a)] **Oath.** Before taking office, each officer must sign and file with the city clerk an oath in substantially the following form: "I swear [or 'affirm'] that I will faithfully discharge the office of [title], and will support the constitutions of the United States and of Minnesota."
The Finance Officer, Clerk and such other officers as the City Council shall require, shall severally, before they enter upon the duties of their respective offices, execute to the City of Minneapolis, bonds in such form, amounts and upon such conditions as the City Council shall prescribe.	[§ 9.2(b)] **Bond.** The city clerk, the finance officer, and any other officer that the City Council requires, must before taking office deliver an executed bond in whatever amount and form and on whatever conditions the Council requires.

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§ 19. ***Violations by Officers—Penalty; Forfeiture*** *Any elective or appointive officer of the City of Minneapolis, or any person employed in the services of the City of Minneapolis, who shall willfully violate or evade any of the provisions of law, or commit any fraud upon the City, or convert any of the public property to his or her own use or knowingly permit any other person to convert it, or by gross or culpable neglect of duty allow the same to be lost to the City, shall be deemed guilty of a misdemeanor and in addition to the penalties imposed by law, and on conviction, shall forfeit the office and be excluded forever after from receiving or holding any office under the Charter of the City of Minneapolis and shall be liable to refund to the City, at the suit of any taxpayer or citizen, any amount lost to said City by reason of any such violation of law.*	§ 1.5. **Enforcement** (a) **Liability.** An ordinance may impose a duty, and may provide that a violation will result in . . . (6) forfeiture of office, in the case of an officer who violates an ordinance relating to the office.
Chapter 3 **Powers and Duties of Officers**	
§ 1. **Powers and Duties of Mayor**	

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The Mayor shall take care that the laws of the State and the ordinances of the City are duly observed and enforced within the City.	[§ 8.1] (a) **Chief executive.** The chief executive officer is the Mayor. . . . (c) **Duties.** The Mayor must— (1) take care that all laws and ordinances are faithfully observed and enforced within the City;
The mayor shall take care that all other officers of the City discharge their respective duties, and to that end may maintain an action of mandamus or other appropriate action against any delinquent City officer.	[§ 8.1(c)(2)] take care that each other officer discharges his or her duties, for which purpose the Mayor may seek a writ of mandamus or other appropriate action against any delinquent officer;
The Mayor shall address the City Council annually on the state of the City proposing therein plans and programs for the physical and economic development of the City. The Mayor shall make recommendations for legislation and other actions by other governmental bodies which actions would assist in such physical and economic development of the City and shall from time to time give the City Council such information and recommend such measure(s) as may be deemed advantageous to the City.	[§ 8.1(c)] (3) recommend action in the City's interest by any other government; (4) report annually to the City Council on the state of the City, and recommend appropriate measures for the City's physical and economic development; and

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As part of the State of the City message, the Mayor shall set forth the goals the City should accomplish in the fiscal year that begins on January 1st of the next calendar year. The City Council shall review the proposed goals, make any desired amendments thereto, and approve them prior to the Mayor's budget submission to the City Council for the following fiscal year as directed in Chapter 5, section 8, of the Charter.	[§ 8.1(c)] **Duties.** The Mayor must— . . . (4) report annually to the City Council on the state of the City, and recommend appropriate measures for the City's physical and economic development . . . .
	§ 10.1. **Fiscal year** The fiscal year coincides with the calendar year. (a) **Schedule.** Each year, for the next fiscal year— (1) **Goals and priorities.** By April 1, the Mayor must establish the City's goals and priorities. The City Council must review, and may amend, those goals and priorities by August 15.
All ordinances, resolutions and other actions of the City Council, except those related to its organization, rules or procedures, shall, before they take effect, be presented to the Mayor, and if (the Mayor) approves thereof, the Mayor shall sign the same, and such as	[§ 4.4(a)(3)(F)] by two-thirds of its membership, pass an act over the Mayor's veto (sec. 4.4(c));

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shall not be signed, the Mayor shall return to the City Council, with his or her objections thereto, by depositing the same with the City Clerk, to be presented to the City Council at their next meeting thereafter. Upon the return of any ordinance, resolution or other action of the City Council by the Mayor, the vote by which the same was passed shall be deemed to have been reconsidered, and the question shall be again put upon the passage of the same, notwithstanding the objections of the Mayor, and if upon such vote the City Council shall pass the same by a vote of two-thirds of the members of the Council, it shall have the same effect as if approved by the Mayor. If any ordinance, resolution or other action of the City Council shall not be returned by the Mayor within five days, Sundays excepted, after it shall be presented to the Mayor, the same shall have the same force and effect as if approved by the Mayor.	[§ 4.4(c)] **Mayor's signature or veto.** The Council must present each act to the Mayor in the manner that this charter prescribes for giving notice. The act takes effect— (1) when the Mayor signs it; (2) five days after its presentation to the Mayor, if he or she neither signs nor vetoes it; or (3) if the Mayor vetoes it by returning it with an objection within five days (excluding Sundays) after its presentation, only if the Council at its next meeting by two-thirds of its membership again passes the act over the Mayor's veto.
	[§ 5.3(f)(1)] "**Act" defined.** For this charter's purposes, the noun "act"— (A) means any ordinance, resolution, appropriation, any other lawful action of a legislative nature, and any action amending, repealing, or otherwise affecting any such act; but (B) does not include a rule or other vote that relates to a board's internal organization or procedure.

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The Mayor or one (1) person designated in writing by the Mayor, said designation to be on file with the City Clerk and the City Attorney, under the Mayor's direction shall sign all contracts made for the City of Minneapolis, by authority of the City Council.	
All ordinances, resolutions, and other actions of the Park and Recreation Board, except those related to its organization, rules or procedures, shall, before they take effect, be presented to the Mayor, and if the Mayor approves thereof, the Mayor shall sign the same, and such as shall not be signed, the Mayor shall return to the Board, with his or her objections thereto, by depositing the same with the secretary of the Board, to be presented to the Board at their next meeting thereafter. Upon the return of any ordinance, resolution, or other action of the Board by the Mayor, the vote by which the same was passed shall be deemed to have been reconsidered, and the question shall be again put upon the passage of the same, notwithstanding the objections of the Mayor, and if upon such vote the Board shall pass the same by a vote of two-thirds of the members of the Board, it shall have the same effect as if approved by the Mayor. If any ordinance, resolution, or other action of the Board shall not be returned by the Mayor within five (5) days, Sundays excepted, after it shall be presented to the Mayor, the same shall have the same force and effect as if approved by the Mayor. The Mayor may	[§ 7.2(j)] **Mayor's signature or veto.** The Board must present each act to the Mayor in the manner that this charter prescribes for giving notice. The act takes effect— (1) when the Mayor signs it; (2) five days after its presentation to the Mayor, if he or she neither signs nor vetoes it; or (3) if the Mayor vetoes it by returning it with an objection within five days (excluding Sundays) after its presentation, only if the Board at its next meeting by two-thirds of its membership again passes the act over the Mayor's veto.

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call special meetings of the Park and Recreation Board by notice to each of the members, to be delivered personally or left at their usual places of abode. At such special meeting no other business shall be transacted than such as is designated in the call.	[§ 5.3(f)(1)] "**Act" defined.** For this charter's purposes, the noun "act"— (A) means any ordinance, resolution, appropriation, any other lawful action of a legislative nature, and any action amending, repealing, or otherwise affecting any such act; but (B) does not include a rule or other vote that relates to a board's internal organization or procedure.
Notwithstanding any provisions of the Minneapolis City Charter and Minnesota Statutes 422A.02 and 423.72 to the contrary, whenever the Charter or said state laws provide that the Mayor be a member of any board, commission or department, the Mayor may appoint or designate a representative to serve in place of the Mayor on such board, commission or department for a term of office not to exceed the Mayor's own term. Such representatives shall be citizens of the state and residents of the City.	[§ 8.1(d)] **Delegation.** The Mayor may attend by proxy any board, committee, or other public body of which he or she is a member.
§ 2A. **City Council—Election of President and Vice—President—Their Duties** At the first meeting of the City Council in January of each year after a general municipal election they shall proceed to elect by ballot from their members a President	§ 4.3 **Meetings**. (a) **Organizational meeting.** The Council must elect its officers and organize its committees at the first meeting in January following each general election.

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and Vice-President.	[§ 5.2(b)] **President.** Each board at its organizational meeting must elect from its membership a president.
§ 2B. **Succession—Mayor and Council President—Duties and Succession**	

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If the Mayor is unable for any reason to discharge his or her required duties, a member of the City Council shall serve as Acting Mayor. The line of succession for Acting Mayor shall be the Council President, Council Vice-President, and then as determined by resolution of the City Council. Acts performed by the Acting Mayor shall have the same force and validity as if performed by the Mayor.	[§ 8.1(f)] **Succession.** (1) **Temporary vacancy.** Whenever the Mayor cannot discharge his or her duties, or the office is vacant pending an election, then the Council president (or, if the Council president cannot act, the Council vice-president) must act as Mayor until the Mayor (or the Council president, if the vice-president is acting as Mayor) resumes his or her duties or a new Mayor takes office. Any action taken by the Council president or vice-president, or any other successor, acting as Mayor is as valid as if taken by the Mayor. Any successor acting as Mayor draws the Mayor's salary instead of the salary of the office by virtue of which he or she is acting as Mayor. (2) **Succession plan.** The City Council must by ordinance adopt a succession plan, which must— (A) define the circumstances under which the Mayor cannot discharge his or her duties, and how such an inability ends; and (B) establish a line of succession beyond the Council vice-president, which must include each Council member, and may include other elected or appointed officers after the Council members.

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In case the President is absent from any meeting of the City Council, the Vice-President shall discharge the duties of such President and act in the President's place. In case the Vice-President also is absent from the same meeting of the City Council, the City Council shall select a Chair pro tem in accordance with Robert's Rules of Order.	
Within ninety (90) days after the effective date of this subsection, and, thereafter, at the first meeting of the City Council in January of each year after a municipal general election, the City Council shall, by resolution, adopt a succession plan which will establish the lines of succession for the Mayor and the Council President consistent with the provisions of this section.	[§ 8.1(f)(2)] The City Council must review the plan at each organizational meeting.
§ 3. **City Coordinator—Compensation** There shall be appointed a City Coordinator as provided by this chapter. The City Council shall prescribe by ordinance or resolution the general duties and fix the compensation of the City Coordinator.	§ 8.2. **Departments** (a) **The departments generally.** The City Council must establish, organize, and otherwise provide for— (1) a city coordinator, and an appropriate office and staff;

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§ 4. **Executive Committee** There is hereby established an executive committee consisting of the Mayor, the President of the City Council, and up to three additional members of the City Council to be chosen by the Council; provided, however, that not all of the members of the executive committee shall be of the same political party, unless the Mayor and all of the members of the City Council shall be members of the same political party.	[§ 4.5(b)] **Organization.** The Executive Committee comprises— (1) the Mayor, as chair; (2) the Council president; and (3) up to three Council members elected by the Council. The Committee's members may not all belong to the same political party unless the Mayor and all the Council members belong to the same political party.
The executive committee shall establish its own rules and procedures.	[§ 5.3(d)] **Rules.** Each board may adopt rules of order for the conduct of its own business.
It shall be chaired by the Mayor.	[§ 4.5(b)(1)] the Mayor, as chair

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Notwithstanding any other provision of this Charter or special law to the contrary, the executive committee shall have the exclusive power to appoint and remove during their terms of office the Police Chief, Fire Chief, City Engineer, Commissioner of Health, City Attorney, City Assessor, City Coordinator, Civil Service Commissioner, and any officer in a department or agency who, by statute, Charter or ordinance, is appointed by the Mayor or City Council or by any public board the majority of whose members are members of the City Council. An appointment or removal shall be effective only upon approval by action of the City Council taken in compliance with the requirements of Chapter 2, section 2, and Chapter 3, section 1 of this Charter.	[§ 9.4(b)] **Appointment by Mayor or Council.** Where a general law, special law, ordinance, rule, or other authority provides for an officer's appointment by the Mayor, by the City Council, by any board whose membership mostly consists of Council members, or by any combination of them, and does not explicitly override this section 9.4(b), then the appointment is vested collectively in the Mayor, Executive Committee, and Council as this section provides. The Council may prescribe the Executive Committee's process, and may require consultation with any interested Council committee or member, but may not limit the candidates that the Mayor may nominate or the Committee may review. This section 9.4(b) does not apply to any appointment for which another provision within this charter provides unless the other provision explicitly refers to this section. (1) **Nomination by Mayor.** The Mayor enjoys the exclusive power of nominating the officer in the first instance. (2) **Recommendation by Executive Committee.** The Executive Committee must review the Mayor's nomination, which it may forward to the City Council with a recommendation that the candidate be appointed. (3) **Appointment by City Council.** The City Council may appoint a candidate that the Executive Committee has recommended. The Council may not appoint a candidate that the Executive Committee has not recommended. If the Council does not accept or reject a recommendation by its first meeting held at least 60 days after the Mayor's nomination, then the nominee is appointed.

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	[§ 9.4(b)(6)] **Removal.** The City Council may not remove an officer appointed under this section 9.4(b) unless the Executive Committee so recommends, and may not remove a Civil Service commissioner except for cause.
When considering an appointment or removal the executive committee shall follow procedures prescribed by ordinance or resolution of the City Council which may include provision for participation by members and committees of the City Council, but in the case of an appointment such procedures may not impose a limitation on the candidates to be considered by the executive committee.	[§ 9.4(b)] The Council may prescribe the Executive Committee's process, and may require consultation with any interested Council committee or member, but may not limit the candidates that the Mayor may nominate or the Committee may review.
All appointments by the executive committee shall be made from nominations submitted by the Mayor.	[§ 9.4(b)(1)] **Nomination by Mayor.** The Mayor enjoys the exclusive power of nominating the officer in the first instance.

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If after three nominations or if within ninety days after a position becomes vacant, the Mayor has failed to gain an executive committee appointment and Council approval to fill the position, a majority of the executive committee may submit in writing to the Mayor a list of at least three qualified persons from which the Mayor shall nominate a person to fill the position. If that nomination fails of approval, the executive committee may submit a new list of three qualified persons and the Mayor shall again nominate from such list, and these steps shall be repeated until a nomination results in an appointment and in its approval by the Council. If the Mayor fails to nominate from a list within twenty days after receipt thereof, then a majority of the executive committee may appoint from such a list.	[§ 9.4(b)(4)] **Failure of appointment.** If an office has been vacant for at least 90 days (or 30 days in the case of the police chief), or if the Mayor has nominated three candidates that the Executive Committee or the Council has rejected, then the Executive Committee may name three or more candidates, from whom the Mayor must nominate one. If the Mayor has not, after 20 days, nominated a candidate so named, then the Executive Committee may recommend one such candidate to the Council, and the Council may appoint the recommended candidate, without the Mayor's nomination. This process recurs until an officer is appointed.
A person holding an office or seat filled by appointment by the executive committee who has not been reappointed and approved by the City Council within six months after expiration of his or her term shall vacate the office or seat and shall remain vacant until a new appointment is made and confirmed. The executive committee may designate someone to fill the vacated office on a temporary basis for a period not to exceed ninety days.	[§ 9.4(b)(7)] **Holding over.** Any officer subject to appointment under this section 9.4(b) whose term has expired but whose successor has not been appointed may continue in office for up to 180 days. The Executive Committee may thereafter appoint a temporary successor for up to 90 days. The office is otherwise vacant until a successor is appointed.
The executive committee may suspend without pay any officer appointed by it in the unclassified service for a period not to exceed five (5) working days at one time, and for longer periods with the approval of the City Council.	[§ 9.4(b)(5)] **Suspension.** The Executive Committee may suspend without pay any officer appointed under this section 9.4(b). Any such suspension expires after five days unless the City Council extends it.

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Further duties of the executive committee shall be only as prescribed by ordinance or resolution of the City Council.	[§ 4.5(a)] **Function and powers.** The Executive Committee enjoys the powers and performs the duties that this charter, or the City Council by ordinance or resolution, prescribes.
§ 5. **City Clerk—*Election—Duties***	
There shall be a Clerk of said City, styled the "City Clerk," who shall be elected by the City Council.	[§ 8.2(a)(2)] a city clerk, and an appropriate office and staff;
The Clerk shall keep the corporate seal and all the papers and records of the City, and keep a record of the proceedings of the City Council, at whose meetings it shall be the Clerk's duty to attend.	
Copies of all papers filed in the Clerk's office and transcripts from the records of the City Council certified by the Clerk under the corporate seal shall be evidence in all courts the same as if the originals were produced.	[§ 5.3(f)(2)] **Effect.** Any board that can adopt an act must provide for each such act's certification, publication, and codification. An act so certified, published, and codified— (A) is admissible as evidence, (B) establishes a presumption that the act is valid, and (C) is entitled to judicial notice.

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The Clerk shall draw and sign all orders on the Finance Officer in pursuance of any order or resolution of the City Council, and keep a full and accurate account thereof in books provided for that purpose.	
The Clerk shall have power to administer oaths and affirmations and shall perform all other services by law required of clerks of cities or townships, within said City.	
The Clerk shall pay into the city treasury, upon the last day of each month, all fees and moneys, allowed by public law and collected by the Clerk during that month, and shall hold office for the term of two (2) years, beginning with the day such person is qualified as clerk.	
The Clerk may, by and with the consent of the City Council, employ such clerical and other staff as may be necessary.	[§ 8.2(a)(2)] a city clerk, and an appropriate office and staff;

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§ 6. ***Assistant City Clerk—Powers and Duties*** *The City Clerk may appoint an Assistant City Clerk, to be confirmed by the City Council; the salary of which Assistant City Clerk shall be fixed by the City Council, and said Assistant City Clerk shall have all the powers, duties and responsibilities of the City Clerk. It shall be the duty of such Assistant Clerk to assist the Clerk in the care of the papers and files, and in making the records of said city. Such Assistant Clerk shall also attend such meetings of any of the committees of the City Council as such committee may designate, and act as clerk of such committees. The Assistant Clerk shall have authority in the disability or absence of the City Clerk to certify and affix the corporate seal to copies of files and transcripts of records, and all such certificates shall have the same validity as if made by said City Clerk.*	
§ 7. **City Attorney—Appointment—*Powers and Duties***	
The City Council shall at the time and in the manner specified in this chapter for the appointment of other city officers elect and appoint a City Attorney.	[§ 8.2(a)] **The departments generally.** The City Council must establish, organize, and otherwise provide for— . . . . (5) a city attorney and legal department;

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The City Attorney may appoint two Deputy City Attorneys, who shall be in the unclassified service, and the City Attorney may, by and with the consent of the City Council, appoint such other assistants and clerical force as may be necessary. Deputy City Attorneys shall have the same employee benefits, except as to appointment and removal, as persons in the classified service and any person appointed as a deputy who has a permanent civil service classification shall be deemed to be on leave of absence from such classified position while serving in such appointive position and upon termination of such service shall be returned to the permanent civil service classification from which such leave was taken and if no vacancy is available in such civil service classified position, seniority shall prevail and the person most recently certified to such position shall be returned to the civil service classification held by that person prior to such certification.	[§ 8.2(c)] (2) **Deputy city attorneys.** The city attorney may appoint two deputies, who serve in the unclassified service, but with the same employee benefits (except as to hiring and removal) as an officer in the classified service. If a deputy is appointed from the classified service, then he or she is treated as taking a leave of absence while serving as a deputy, after which he or she is entitled to return to his or her permanent grade in the classified service. If no vacancy is available in that grade, then the least senior employee so classified returns to his or her grade before being so classified.
	[§ 8.2] (a) **The departments generally.** The City Council must establish, organize, and otherwise provide for— . . . . (5) a city attorney and legal department;
The City Attorney, the City Attorney's deputies and assistants shall constitute the legal department of the City of Minneapolis, and shall have charge of all legal matters connected with the city government and all the several heads and departments of the same, and of the several boards of said city which now exist or are hereafter established in connection with the city government.	[§ 8.2(c)] **City attorney.** (1) **Function.** Except as this charter otherwise provides, the city attorney and the

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The City Attorney shall be the head of such legal department and shall have the control, supervision and direction of all matters of such department. The City Attorney shall be the legal advisor of the Mayor, City Council, its committees, and all other officers of the city and of the boards hereinabove named. The City Attorney shall, either personally or by such deputies or assistants as he or she may designate, render and perform all the legal services incident to the legal department, when required, furnish opinions on legal questions submitted to him or her by the Mayor and other officers, the City Council or its committees, or by any of the above named boards. The City Attorney shall personally, or by deputy or assistant designated by the City Attorney attend the stated and special meetings of the Council, and when requested, the meetings of the committees or any of the above named boards.	legal department under his or her direction— (A) have full charge of all legal matters in connection with the City's government; and (B) must counsel each board, department, and officer, and deliver an opinion on any legal question from any such board, department, or officer, who must consult only the city attorney for any necessary legal advice.
The Deputy City Attorneys and assistants shall assist in the legal department of the city as the City Attorney may direct and indicate, and shall be under the City Attorney's supervision and direction in the performance of their duties. The City Attorney shall designate a deputy to act as the City Attorney in the absence or inability of the City Attorney to act.	
The above named boards shall in no case employ, retain or pay any attorney for legal services in their boards or departments, and it is hereby made the duty of said boards and each of them, whenever the advice, opinion or services of an attorney are required, to call upon the City Attorney for such advice, opinion or services, and the same shall be given by the City Attorney or by an assistant designated by the City Attorney.	[§ 8.2(c)(1)(B)] who must consult only the city attorney for any necessary legal advice

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Provided, that the provisions of this section shall not apply to the Board of Park Commissioners of the City of Minneapolis.	[§ 7.3(e)] **Attorney.** The Board may appoint its own attorney at law.
§ 8. ***City Engineer—Assistant Engineer—Compensation***	
There shall be appointed by the City Council a City Engineer, who shall be a registered professional engineer. The City Engineer may by and with the consent of the City Council employ such assistants as may be necessary. The City Engineer's office shall be at some convenient place in said city, and the City Council shall prescribe the duties and compensation of the City Engineer and the compensation of all assistants employed by the City Engineer.	
The City Engineer may appoint an Assistant City Engineer who shall assist in the duties of the office, and act as City Engineer in the absence or inability of the City Engineer to act.	
§ 9. ***The City Engineer—Duties and Powers*** *The City Engineer shall have supervision and general charge of all work done for the city and of all work done on any street, highway or alley in the city, may direct the manner of performing such work, and the construction of all sidewalks, street crossings, bridges or other structures in or upon such streets, may suspend any such work or construction as shall not conform to the City Engineer's requirements or those of the City Council, and shall take care that the terms of all contracts for any work or construction in behalf of the city are fully complied with.*	

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§ 10. ***City Engineer—Plans and Surveys Made by City Engineer—City Property*** *All surveys, profiles, plans and estimates made by the City Engineer or assistants, for the city, shall be the property of said city and shall be carefully preserved in the office of the Engineer, open to the inspection of parties interested, and the same, together with all the books and papers pertaining to said office, shall be delivered over to [by] the City Engineer at the expiration of his or her term of office, to the City Engineer's successor or to the City Council.*	
§ 10. **Finance Officer—*Powers and Duties—Assistant Finance Officer***	
Pursuant to, and subject to the limitations of, Minnesota Laws of 1983, Chapter 160, the City Council may, by ordinance, provide the manner of appointment and prescribe the functions, duties and responsibilities of the Finance Officer. The Council may also designate by such ordinance a title for the Finance Officer. *Except as is or may be otherwise provided by any such ordinance or by the aforementioned statute, the Finance Officer shall have all the powers, duties, functions, responsibilities and ex officio positions heretofore vested by charter or statute in the Comptroller-Treasurer of the City. It shall be the duty of the Finance Officer to keep regular books of account, both of the City of Minneapolis and of the several boards of said City, in which the Finance Officer shall enter all indebtedness of said City, and which shall at all times show the precise financial condition of the City and of said several boards, the amount of bonds, orders, certificates or other evidences of indebtedness outstanding, and the redemption of the same when redeemed.*	[§ 8.2(a)(4)] a city finance officer, and an appropriate office and staff;

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The Finance Officer may, by and with the consent of the City Council, appoint an Assistant Finance Officer who shall assist in the duties of the office and act as Finance Officer in the absence or in case of the inability of the Finance Officer to act. The Finance Officer may from time to time designate in writing a person regularly employed in the office to act as Finance Officer in the event of the simultaneous absence or inability to act of both the Finance Officer and assistant Finance Officer.	
§ 12. ***Finance Officer To Countersign Bonds, Etc.*** *The Finance Officer shall countersign all bonds, orders, certificates or other evidences of indebtedness of the city, or any board thereof, and no such bond, order, certificate or other evidence of indebtedness shall be valid until so countersigned.*	
§ 13. ***Finance Officer To Keep Records and Accounts*** *The Finance Officer shall keep accounts of orders drawn on the treasury in separate books and shall note thereon the cancellation thereof whenever the same shall be canceled, and shall keep such other books and records as shall be convenient for the preservation of the accounts of all transactions and business of the city, or of said boards, and all books, lists and records heretofore kept, or which shall be kept, in the Finance Officer's office, and copies certified by the Finance Officer shall be competent evidence of all matters shown by them.*	

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§ 14. ***Finance Officer To Keep Accounts with Other Officers*** *The Finance Officer shall keep accounts with all other receiving or disbursing officers of said city or its several boards. In such accounts the Finance Officer shall charge such officers with all amounts received by them from all sources of revenue and with all city property in their hands or control as such officers, and credit them with all amounts disbursed or property disposed of on proper authority, and with all money or property turned over to the city or to their successors in office. The Finance Officer shall examine the reports, books, papers and vouchers of other receiving and disbursing officers, and perform such other duties as the City Council may direct.*	
§ 15. ***Finance Officer To Render Yearly Financial Statement*** *The Finance Officer shall as soon as may be after the close of each fiscal year report to the City Council the financial condition of the city and the several boards thereof.*	
§ 16. ***Finance Officer To Countersign Contracts*** *The Finance Officer shall countersign all contracts made in behalf of said city, and no such contract shall be valid until so countersigned. The Finance Officer shall keep a book and shall enter all contracts, which shall be open to the inspection of all parties interested in the book. The Finance Officer shall not, directly or indirectly, be interested in any contract or job to which the city or any board thereof is a party.*	

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§ 17. ***Finance Officer To Audit Claims Against the City and Board*** *All claims and demands against the City of Minneapolis before the same shall be allowed by the City Council, and all claims against the several boards thereof, before the same shall be allowed by said boards, shall be audited and adjusted by the Finance Officer; and all orders on the Treasury, either on the part of the City or of said boards, shall be examined and kept by the Finance Officer until delivered to the persons entitled thereto, and the receipts for all orders so delivered shall be preserved. The Finance Officer shall not be required to countersign said orders on the Treasury when a facsimile of his or her signature appears thereon. The Finance Officer may keep and use a seal of office which may be used instead of the seal of the City in the execution of licenses and such other sealed instrument as the Finance Officer shall be specially directed to issue, and any use of such seal by the Finance Officer heretofore is hereby legalized; or the seal of the City may be used.*	
§ 18. ***Finance Officer—Received—Keep Accounts—Ex Officio Treasurer of Boards*** *The Finance Officer shall receive all moneys belonging to the city, including license money and fines, and keep an accurate and detailed account thereof in such manner as the City Council shall from time to time direct.*	
The Finance Officer shall also be ex officio Treasurer of the several boards of the City of Minneapolis but shall not be a member of any city board or commission.	[§ 5.2(c)] **Treasurer.** The city finance officer serves as each board's treasurer, but may not serve on the board.

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§ 19. ***Finance Officer—Give Bonds*** *The Finance Officer shall give separate bonds for the safekeeping of the funds of the city, in such sums as may be required by the City Council.*	
§ 20. ***Finance Officer—Furnish Annual Report*** *The Finance Officer shall as soon as may be, after the close of each fiscal year but not later than the following June 30th, exhibit to the City Council a full and detailed account of all receipts and expenditures for the last fiscal year, and also of the state of the treasury, which account shall be filed with the Clerk.*	
§ 21. ***City Officers—To Deliver City Property to Successors*** *If any person having been an officer in said City shall not, within ten days after notification and request, deliver to his or her successor in office all property, books, papers and effects of every description, in the possession of the officer belonging to said City, or pertaining to the office held, such person shall forfeit and pay to the use of the City one thousand dollars ($1,000.00) besides all damages caused by such neglect or refusal to deliver, and such successor may recover the possession of such books, papers and effects in the manner prescribed by the law of this state.*	

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§ 22. ***City Officers—Not To Be Interested in City Contracts*** *Except as otherwise permitted by law, a Council Member or other officer or employee who is authorized to take part in any manner in making any sale, lease, or contract in official capacity shall not voluntarily have a personal financial interest in that sale, lease, or contract or personally benefit therefrom.*	
§ 23. **City Council—May Prescribe Additional Duties for City Officers—Appoint Additional Officers** The City Council shall have power at any time to require other and further duties to be performed by any officer whose duties are herein prescribed, not inconsistent with this Chapter, and to appoint such other officers as may be necessary to carry into effect the provisions of this Chapter, and to prescribe their duties, unless herein otherwise provided for.	[§ 9.2(d)] **Duties.** Each officer must perform the duties that this charter or any other applicable general or special law, ordinance, or rule, or the electing or appointing body, prescribes. § 8.2. **Departments** (a) **The departments generally.** The City Council must establish, organize, and otherwise provide for— . . . . (9) any other department necessary or convenient for the efficient delivery of municipal services. (b) **Departmental organization.** The ordinance establishing each department must provide for an officer or a board as its head, for any other necessary officer, and for appropriate staff and other resources. . . .

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~~§ 24. **Council To Fix Compensation of Officers**~~ ~~[Repealed by Amendment of July 27, 1972.]~~	
§ 25. ***Officers to Take Yearly Inventory of City Property*** *All officers of the City having charge of any City property shall at the close of each fiscal year make and return to the Finance Department a full inventory of all public property in their hands or control respectively. Such inventories shall be preserved and filed by the Finance Department, and kept open to inspection of all parties interested, but need not be printed in the proceedings unless the Council shall so specially direct.*	
§ 26. **Appointments in Classified Service** The appointment, employment, suspension and discharge of any deputy, assistant, clerk or employee by any of the officers enumerated in this Chapter, if included in the classified service of the City as defined in the Chapter on civil service of this Charter, shall be under and pursuant to the provisions contained in such Chapter.	[§ 9.5] (a) **Policy.** Through the Civil Service Commission, the City will adopt and follow fair, impartial, and practical rules for the classified service. . . . (b) **Classified service defined.** (1) **Classified service.** The "classified service" includes— (A) each employee of the Commission; and (B) each officer and other employee not in the unclassified service.

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§ 27. **Board Defined** The term "Board" or "Boards" as used in this Chapter shall include all the boards existing in the City of Minneapolis at the time this Charter goes into effect and all boards which may be hereafter established in connection with the City Government under this Charter.	§ 5.1. **"Board" defined** For this charter's purposes, a "board"— (a) includes— (1) the City Council; (2) the Executive Committee; and (3) any other body that this charter or an ordinance calls a "board" or a "commission"; but (b) does not include a department (but does include a commission heading a department).
Chapter 4 **City Council—Powers—Duties, Etc.**	
§ 1. **City Council—Quorum—Officers** The Council Members shall constitute the City Council.	[§ 4.2(a)] **Composition.** The City Council comprises one Council member elected by and from each ward.

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A majority of the Council Members shall constitute a quorum.	[§ 5.3(b)] **Quorum.** Each board's quorum is a simple majority of its membership, disregarding any vacancy. A quorumless meeting may adjourn to a more convenient time, and may take measures to obtain a quorum.
The President or Vice President of the Council shall, when present, preside at all meetings. In their absence the Council may elect a President pro tem, who shall for such meetings have the same power as the President.	[§ 5.2(b)] **President.** Each board at its organizational meeting must elect from its membership a president.
§ 2. **City Council—Meetings—Regular and Special** The City Council shall hold stated meetings, and the Mayor may call special meetings, by notice to each of the members, to be delivered personally or left at their usual places of abode. At such special meeting no other business shall be transacted than such as is designated in the call.	[§ 4.3] (b) **Regular meetings.** The Council's rules must provide for regular and other necessary meetings. (c) **Special meetings.** The Council's rules may provide for special meetings. The Mayor may call a special meeting by notice to each Council member. A special meeting may transact only the business stated in the notice.

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In case of the attendance of less than a quorum at any stated meeting the members present may adjourn to any special time they may designate*, and all business transacted at such adjourned meeting shall have the same validity as if done at a stated meeting. All adjourned meetings of any stated or special meeting shall be a part of the meeting adjourned, but the first and subsequent meeting of any stated or special meetings so adjourned shall be designated as "sessions" of said meetings.*	[§ 5.3(b)] **Quorum.** . . . . A quorumless meeting may adjourn to a more convenient time
§ 3. **Council Judge of Election of Members** The City Council shall be the judge of the election of its own members, and in such cases shall have the power to send for persons and papers.	[§ 4.2(c)] **Council judges elections.** The Council judges its members' elections, for which purpose it may compel the testimony of any witness who may have relevant information, and may compel the production of any relevant book, document, or thing.
It shall determine the rules of its own proceedings,	[§ 4.4(a)(1)] **Rules.** The Council at its organizational meeting may by simple majority adopt or amend its rules of order for the conduct of its own business. The Council may thereafter amend its rules by simple majority unless the rules themselves require a supermajority. The Council may decide a question of order under its rules by simple majority.
	[§ 5.3(d)] **Rules.** Each board may adopt rules of order for the conduct of its own business.

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and have power to compel the attendance of absent members, and may provide for the punishment of such absent members.	[§ 4.3(d)] **Attendance.** The Council may compel the attendance of absent members, and may remove a member for persistent or recurring nonattendance.
	[§ 5.3(b)] **Quorum.** . . . . A quorumless meeting . . . may take measures to obtain a quorum.
§ 4. **City Council—Power to Remove Officers—Place and Manner of Trial**	
The City Council shall have power to remove from office any officer of said City whether appointed by the City Council or elected by the people, but no officer elected by the people shall be removed except for cause, nor unless first furnished with a copy of the charges, nor until such person shall have had reasonable opportunity to be heard in person or by counsel in his or her own defense.	[§ 9.2(e)(3)] **Removal.** The electing or appointing body (or, in the case of an elected office, the City Council) may remove any officer after notice and hearing. The notice must specify— (A) the cause for removal, and (B) the hearing's time and place.
Continued absence from the meetings of the Council in case of Council Members, and neglect of duty in case of other officers, unless for good reason, shall be deemed a good cause of removal.	[§ 4.3(d)] **Attendance.** The Council may compel the attendance of absent members, and may remove a member for persistent or recurring nonattendance.

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The City Council shall fix a time and place for the trial of such officer, of which not less than ten days' notice shall be given, and shall have power to compel the attendance of witnesses, and the production of papers, and to hear and determine the case, and if such officer shall refuse or neglect to appear and answer such charge the City Council may declare the office vacant.	[§ 9.2(e)(3)] The electing or appointing body may compel the testimony of any witness who may have relevant information, and may compel the production of any relevant book, document, or thing.
The executive committee shall have power to remove from office any officer of the city appointed by it subject to the provisions of Chapter 3, section 4 of this Charter, except that members of the civil service commission may only be removed during their term for cause.	[§ 9.4(b)(6)] **Removal.** The City Council may not remove an officer appointed under this section 9.4(b) unless the Executive Committee so recommends, and may not remove a Civil Service commissioner except for cause.

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§ 5. **City Council—Power to Make Ordinances** The City Council shall have full power and authority to make, ordain, publish, enforce, alter, amend or repeal all such ordinances for the government and good order of the City, for the suppression of vice and intemperance, and for the prevention of crime, as it shall deem expedient, and in and by the same to declare and impose penalties and punishments, and enforce the same against any person or persons who may violate the provisions of any ordinance, passed and ordained by it, and all such ordinances are hereby declared to be and to have the force of law. Provided, that they be not repugnant to the laws of the United States or of this State, and for these purposes the said City Council shall have authority by such ordinances:	[§ 1.5(a)] **Liability.** An ordinance may impose a duty, and may provide that a violation will result in— (1) a fine; (2) imprisonment, or labor in a workhouse or on a public improvement; (3) another penalty; (4) any combination of such penalties; (5) civil liability, including— (A) multiple damages, or (B) a lien against property; or (6) forfeiture of office, in the case of an officer who violates an ordinance relating to the office.

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	[§ 4.1(a)] **Governing body.** The governing body is the City Council, in which the City's general legislative and policymaking authority resides.
First.—To license and regulate exhibitions and shows of all kinds, including exhibitions of caravans, menageries, circuses, concerts, roller skating rinks, places of amusements and museums for which money is charged for entrance into the same, newspaper carriers and bootblacks, and theatrical performances, also to license and regulate all auctioneers, pawnbrokers, dealers in secondhand goods, junk dealers, keepers of employment offices and agencies, as well as all persons doing the business of seeking employment for others or procuring or furnishing employees for others, pool and billiard tables, bowling alleys, shooting galleries, taverns, restaurants, cafes and cafeterias, and all persons vending, dealing in or disposing of spirituous, vinous, fermented or malt liquors.	
Provided that no license shall be issued for any longer time than one year, and the City Council shall by ordinance determine the date of expiration of all licenses.	[§ 4.1(e)] **Licenses.** The Council may grant a license only if the license expires within one year.

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And provided further, that the power to regulate above given, shall be construed to include among other powers, the power to define who shall be considered as auctioneers, pawnbrokers, dealers in secondhand goods and junk dealers, and to compel each and every such person whether licensed or not to keep in such manner as it may direct open at all times for inspection, a record of all such property as it may designate, with the time when received, and the name, residence and description of the person from whom the same was received, and to make daily reports thereof to the police department of said city, as it shall direct. And also, among other powers, the power to require all persons doing the business of seeking employment for others, or procuring or furnishing employees for others, to keep open at all times for inspection, such records of their business as it [the council] may designate, and to furnish to every person with whom they may deal such written evidences of the transaction as it may designate, and to prescribe and punish all kinds of unfair dealings by such persons in the course of their said business, and to establish such rules of legal evidence as it may see fit for the proof of such unfair dealings.	
Provided further that (except as to regularly licensed druggists, to sell for medicinal, chemical or mechanical purposes, not to be used or drunk upon the premises), no license shall be granted to any person or persons to vend, deal in, or dispose of any intoxicating spirituous, vinous, fermented or malt liquors except at a location within an area or district zoned by ordinance to permit the sale of liquor therein, and further subject to the following:	
(a) If such liquor is not to be used or consumed on the premises, then only if said area or district, together with such other areas or districts contiguous thereto wherein such sale would be permitted by ordinance and by law, contains five (5) or more acres.	

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(b) If such liquor is to be consumed on the premises, then only if said area or district, together with such other areas or districts contiguous thereto wherein such consumption would be permitted by ordinance and by law, contains seven (7) or more acres, and then only if a substantial portion of the income to be derived from business conducted at such location is derived from the sale of food to be consumed on the premises and adequate facilities are provided therefor. The City Council shall, by ordinance, establish suitable and appropriate standards to determine whether a substantial amount of income is derived from the sale of food and to define adequate facilities for the consumption thereof on the premises.	
(c) A license as described in (a) or in (b) above may be issued notwithstanding the requirement of area or sale of food for a location within the territory where issuance of such a license was permitted by law or by the provisions of this Charter on November 1, 1974, or for a location which at the time of issuance is being used for, or the latest use of which was for the sale of liquor under a similar type license.	
Nothing herein shall authorize the City Council to issue liquor licenses in residence or office residence districts.	
Nothing herein shall limit the authority of the City Council to impose by ordinance further restrictions or limitations on the granting of any liquor license.	
No license as provided herein shall be issued except in such areas of the City as are zoned for commercial or industrial uses.	

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Except as herein provided, all such on-sale and off-sale liquor establishments shall continue to be subject to the pertinent statutes of the State of Minnesota and the City ordinances of the City of Minneapolis.	
Except nothing in this Charter shall prohibit the issuance of an on-sale wine license as defined by the pertinent statutes of the State of Minnesota and the City Ordinances of the City of Minneapolis to a restaurant which gross receipts are at least seventy (70) percent attributable to the sale of food and otherwise meets the requirements of state law and city ordinance for said license. Such license may also include the on-sale of intoxicating malt beverages. The City Council shall, by ordinance, establish suitable and appropriate standards to assure that a premises exempted from the seven (7) or more acre standard shall neither sell, serve or permit to be consumed any wine, or intoxicating malt beverage, unless the patron orders a meal, nor have a bar or bar area.	
Second.—To restrain and prohibit all descriptions of gambling and fraudulent devices and practices, and all playing of cards, dice or other games of chance, for the purpose of gambling in said City, and to restrain any person from vending or dealing in spirituous, fermented or vinous liquors, unless duly licensed by the City Council.	
Third.—To prevent any riots, noise, disturbance and disorderly assemblages in said City, and to provide for the arrest and punishment of any person or persons who shall be guilty of the same; to suppress disorderly houses and houses of prostitution and to provide for the arrest and punishment of the keepers thereof, and to authorize the destruction of all instruments used for the purpose of gambling.	

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Fourth.—To compel the owner or occupant of any tannery, stable, barn, toilet or restroom, sewer or other unwholesome or [sic] house or place, to cleanse, remove or abate the same from time to time, as often as may be necessary for the health, comfort and convenience of the inhabitants of said City.	
Fifth.—To direct the location and management of stock yards, slaughter houses and markets, breweries and distilleries, and to establish rates for and license vendors of gunpowder, and regulate the storage, keeping and conveying of gunpowder, dynamite, or other combustible materials, and to regulate the use thereof in blasting. Provided, that when the City Council shall have established by ordinance the territory within which no slaughter house shall be established, if there shall be at the time of the passage of said ordinance any slaughter house within such territory, from which the same are thereafter to be excluded, then said City Council may direct within what reasonable time, not to exceed six (6) months, said slaughter house shall be removed from such territory within which slaughter houses are to be excluded. Provided, That no slaughter house shall be hereafter located within the City limits without the consent, by an affirmative vote of three-fourths (3/4) of the whole Council.	[§ 4.4(a)(3)(G)] by three-fourths of its membership, authorize a slaughterhouse within the City. No person may operate a slaughterhouse within the City without such authorization;
Sixth.—To prevent the encumbering or damaging of streets, sidewalks, alleys, lanes, public grounds or wharves, with any vehicle, or any animals, materials or substances whatever.	

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Seventh.—To regulate the movement and speed of railroad locomotives and cars, to require maintenance of flaggers or the construction and maintenance of gates at the crossings of railway tracks over such streets or avenues as said City Council shall deem to require such precautions; to regulate or prohibit the whistling of locomotive engines; to regulate and prohibit the unnecessary discharging of steam therefrom, and the causing or permitting [of] steam to escape therefrom unnecessarily, and to require the use thereon of such safety valves or other practical appliances as it may designate, for the purpose of preventing or lessening the noise from the discharge or escape of steam; and may direct what kind of coal any yard or switch engine shall use while being run or operated for any yard or upon any railroad, within the limits of said City; and to prevent and punish immoderate driving or riding in the streets; and to regulate places of bathing and swimming in the waters within the City limits.	
Eighth.—To prevent the running at large of dogs, and other animals, and to require a license for keeping the same, and to authorize the distraining, sale or destruction of the same in a summary manner when at large contrary to the ordinance.	
Ninth.—To prevent any person from bringing, depositing or having within said City any putrid carcass or other unwholesome substance, and to require the removal of the same by persons who shall have upon their premises any such substance, or putrid or unsound beef, pork, fish, hides or skins of any kind, and on default to authorize the removal thereof by some competent officer, at the expense of such person or persons.	

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Tenth.—To make and establish public pounds, pumps, wells, cisterns, hydrants and reservoirs, and to erect lamps and to provide for lighting of the City, and contract for the erection of gasworks for light in the streets and public grounds and public buildings.	
Eleventh.—To provide hospitals and hospital grounds, the registration of births and deaths, and the returns of the bills of mortality, and regulate or prevent the burial of the dead within the City limits.	
Twelfth.—To regulate the size and weight of bread, and to provide for the seizure and forfeiture of bread baked contrary thereto.	
Thirteenth.—To prevent the shooting of firearms or crackers, and to prevent the exhibition of any firearms in any situation which may be considered by the Council dangerous to the City, or any property therein, or annoying any citizen thereof.	
Fourteenth.—To prevent open or notorious drunkenness in the streets or public places of said City, and to prevent and restrain obscenity, lewdness or indecency within said City, whether committed in a public or a private place therein, and to provide for the arrest and punishment of all persons who shall be guilty of the same. Provided, that no officer shall have the right to break into or enter a private house or office.	
Fifteenth.—To restrain and regulate taxicab drivers and all other persons engaged in the business of carrying passengers, baggage or freight for a fee, and also runners, agents and solicitors for boats, vessels, stages, cars, public houses or other establishments.	

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Sixteenth.—To establish public markets and other public buildings, and make rules and regulations for the government of the same, to appoint suitable officers for overseeing and regulating such markets, and to restrain all persons from interrupting or interfering with the due observance of such rules and regulations.	
Seventeenth.—To license and regulate butchers' stalls, shops, and stands, for the sale of game, poultry, butchers' meat, butter, fish, and other provisions, and also to license and regulate all peddlers doing business within said City.	
Eighteenth.—To regulate the place and manner of weighing hay and straw and selling the same, and the measuring and selling of firewood, coal and lime, and to appoint suitable persons to superintend and conduct the same.	
Nineteenth.—To compel the owner or occupant of buildings or grounds to remove snow, ice, dirt or rubbish from the sidewalk, street or alley opposite thereto, and compel such occupant or owner to remove from the lot owned or occupied by such person, all such substances as the city council or its designee shall direct; and in the person's default to authorize the removal or destruction thereof by some officer of the City, at the expense of such owner or occupant. Also to compel the owners of low grounds where water is liable to collect and become stagnant to fill or drain such low places, and in their default to authorize such filling or draining at the expense of such owner or owners.	

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Provided, That said Council may require snow and ice to be removed, as aforesaid, throughout such districts in said City as it shall direct, and may make the expense of any removal or destruction of any such substances which it or its designee may direct to be removed, and the expense of filling or draining any such low place, a lien upon the property from which said substances are removed or on which destroyed, or on which said low grounds are filled or drained, and may make a special assessment for the same to be collected as other special assessments are collected.	
Twentieth.—To control and regulate the construction of piers and wharves, or grading said wharves into the Mississippi River, within the corporate limits of said City, and to prescribe and control the prices to be charged for pierage or wharfage thereon, and to prevent and remove all obstructions in the water of said river, and to prescribe and regulate rates of wharfage and pierage to be charged to any boat or vessel landing or mooring at any landing, wharf or pier, within the limits of said City and paid to said City, and to regulate the landings, levees, wharves and piers within the limits of said City, and boats and vessels landing and mooring at the same.	
Twenty-first.—To regulate, control and prevent the landing of persons from boats, vessels or other conveyances whereon are contagious or infectious diseases or disorders and to make such dispositions of such persons as to preserve the health of said City.	
Twenty-second.—To regulate the time, manner and place of holding public auctions or vendues.	

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Twenty-third.—To regulate the inspection of wood, hay, grain, flour, pork, beef, mutton, veal, and all other kinds of meat, poultry and game, fish, salt, whiskey and other liquors and provisions and milk; and to provide for the taking and summarily destroying or disposing of to soap factories, to be used only as soap grease, any diseased, unsound or unhealthy pork, beef, mutton, veal or any other kind of meat, poultry, game or fish, in case the owner does not at once so destroy or so dispose of the same and to provide for the taking and summarily destroying [of] any spoiled, unsound or unhealthy flour or other provisions.	
Twenty-fourth.—To appoint City Sealers, Inspectors, Weighers, and Gaugers, to regulate their duties and prescribe their compensation.	
Twenty-fifth.—To remove and abate any nuisance injurious to the public health, and to provide for the punishment of all persons who shall cause or maintain such nuisance.	
Twenty-sixth.—To remove and abate any nuisance, obstruction or encroachment upon the streets, alleys, public grounds and highways of the City.	
Twenty-seventh.—To do any and all acts and make all regulations which may be necessary and expedient for the preservation of health and the suppression of disease, and to make regulations to prevent the introduction of contagious, infectious or other diseases into the City, and to make quarantine laws and enforce the same within the City.	
Twenty-eighth.—To restrain and punish begging and prostitution.	

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Twenty-ninth.—To license and regulate all persons engaged in the business of carrying passengers, baggage or freight for a fee and to regulate their charges therefor; to prescribe standing places or stations within the streets, where the vehicles used for such carriage may stand or remain while waiting for business or orders, and to designate such standing or waiting places in the licenses to such persons and to prohibit them from standing or waiting at any other place within such streets and to regulate and prescribe standing places for all vehicles going to or waiting at any railroad depot or station in said City, and to authorize the Mayor or Chief of Police of said City to regulate and direct the location of vehicles at such railroad depots or stations.	

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Thirtieth.—To regulate the construction of all buildings within said City, and by such regulations to prescribe the depths of cellars, the material and method of construction of foundations and foundation walls, the manner of construction and location of drains and sewer pipes, the thickness, material and construction of party walls, partitions and outside walls, the size and material of floor beams, girders, piers, columns, roofs, chimneys, flues and heating apparatus, to apportion and adjust such regulations to the height and size of the buildings to be erected; to regulate the construction and location of restroom facilities and vaults in such buildings, to prohibit the construction of buildings not conforming to such prescribed standard, either in the whole City or within such building limits as it may prescribe; to establish, alter or enlarge such building limits from time to time; to appoint an Inspector or Inspectors of buildings, or to devolve the duties of such inspector on any City officers; to give such Inspector or other officer authority to enter upon, examine and inspect all buildings in process of construction in said City or within such building limits, and to direct the suspension of any such building operation as does not conform to such regulations. Provided, however, That neither said City Council nor any Inspector or officer of said City shall have control or regulation of any building erected by the United States or the State of Minnesota.	
Thirty-first.—To regulate the opening of hatchways and compel proper guards about the same.	
Thirty-second.—To regulate the numbering of houses and lots and to compel the owners of houses and other buildings to have the numbers of such houses or buildings designated thereon.	

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Thirty-third.—To require the owner or lessee of any building or structure, now or hereafter built or constructed in said City, to place thereon such fire escapes, and such appliances for protection against, and for the extinguishment of fire, as it may direct. And also to require such owner or lessee to construct, provide and furnish each and every other thing, and to do each and every other act which it may think necessary or advisable to lessen the danger to human life in case of fire or accident.	
Thirty-fourth.—To regulate or prohibit the location and use of such steam boilers, in size and construction, as it may designate as being dangerous to life or property or to prohibit the location of any such steam boiler except where permission therefor is first given by the City Council, specifying the location and prescribing the regulation for its use.	
Thirty-fifth.—To regulate and control the quality and measurement of gas; to prescribe and enforce rules and regulations for the manufacture and sale of gas; to provide for the inspection of gas and gas meters, and to appoint an inspector and other officers if needed for that purpose, and prescribe their duties.	
Thirty-sixth.—To regulate and control or prohibit the placing of poles therefor, and the suspending of electric and other wires, along or across the streets of said City, and to require any or all already placed or suspended, either in limited districts or throughout the entire City, to be removed or to be placed in such manner as it may designate beneath the surface of the street or sidewalk.	

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Thirty-seventh.—To regulate and designate the width of tires of all wheels used on any and all vehicles used in said City, and the highest weight of any load to be drawn over any street in said City, and may direct upon what streets heavily-loaded vehicles may be drawn and from what streets, avenues and boulevards the same shall be excluded.	
Thirty-eighth.—To require and provide for the removal throughout the City, or in such districts or on such streets and avenues and in such manner as the council may direct of any or all swill, offal, garbage, ashes, barnyard litter, manure, rubbish, yard cleanings and the contents of any toilet or restroom, vault, cesspool or sink, dead animals or any other foul or unhealthy stuff or material, with the authority to assess the expense of such removal upon the property from which such above named matter or things shall be taken; and said council is hereby authorized and empowered to make and enter into a contract or contracts with any person or persons, corporation or corporations, for such removal of said material and substances or any of the same, on such terms and conditions as it may deem best, and for any time not to exceed five (5) years.	
Thirty-ninth.—To provide for requiring owners of buildings or other structures, which shall have been destroyed or partially destroyed by fire or otherwise, to take the same or any part thereof down to prevent accident; and in case of refusal or neglect of said owner to so take down the same, when ordered by the officer designated by said City Council, then to cause the same to be done at the expense of the owner, the cost thereof to be made by special assessment on the land on which the same stands.	

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Fortieth.—To regulate the piling of lumber, shingles or lath in said city, and to require any person maintaining any lumber, shingle and lath pile or mill wood yard in said City, to remove the same when the same is or may become dangerous to any buildings or other property near the same; also to regulate and designate where the following kinds of business or amusements may be hereafter located or carried on, to-wit foundries, tanneries, dye houses, boiler shops, rendering houses, store houses for oil and powder, glue factories, soap houses, store houses for hides, stables, roller-rinks and baseball grounds.	
Provided, however, that nothing herein contained shall interfere with the limits within which such lumber, shingles, lath and mill wood and piles may not be piled as now established by ordinance of said City, or with the fire limits of said City, as now existing or which may hereafter be established by ordinance in said City.	
Forty-first.—To license, prohibit, regulate and control the carrying of concealed weapons and provide for the confiscation of the same. And to regulate and determine the manner in which bodies which have been buried or placed in a vault, or tomb or other place for the purpose of burial, may be removed.	
Forty-second.—To regulate the construction of buildings, chimneys and stacks within the limits of said City, also the emission of dense smoke; it shall also have authority to prohibit and prevent the erection or maintenance of any insecure or unsafe buildings, stacks, walls or chimneys and the emission of dense smoke in said City, and to declare them to be nuisances, and to provide for their summary abatement.	

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It shall also have authority to enact ordinances imposing penalties upon persons or parties who may create, continue or suffer nuisances to exist, such penalties not to exceed, however, in any case, a fine of seven hundred dollars ($700.00) or ninety (90) days imprisonment.	
§ 6. **City Council May Impose Penalties for Breach of Ordinance** The City Council may prescribe punishment for the breach of any ordinance of the City to the extent of a fine *not exceeding seven hundred dollars ($700.00)*, and imprisonment *not exceeding ninety (90) days*, or both.	[§ 1.5(a)] **Liability.** An ordinance may impose a duty, and may provide that a violation will result in— (1) a fine; (2) imprisonment, or labor in a workhouse or on a public improvement; (3) another penalty; (4) any combination of such penalties

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§ 7. **City Council May Provide for Confinement in Workhouse** The City Council may also provide by ordinance that anyone convicted of an offense before the Municipal Court of Hennepin County subjecting such offender to imprisonment under the ordinances of said City, may be kept at hard labor either in any workhouse established for that purpose, or upon the public improvements of said City, or both; and may also provide by ordinance that anyone convicted of any offense before said Municipal Court, and committed upon nonpayment of fine imposed, may be kept at hard labor either in any workhouse of said City aforesaid; or upon the public improvements, or both, until such person shall work out the amount of such fine, at such rate of compensation as said Council may prescribe, for a time not exceeding said commitment; and the City Council shall have full power to establish by ordinance all needful regulations for the security of such persons thus employed, and to prevent escape and secure proper discipline, and shall have power to establish a proper workhouse in said City or outside thereof for the purpose aforesaid, and under such regulations as said City Council may prescribe. Provided, that the City Council aforesaid is hereby authorized to use the Hennepin County adult corrections facility and/or the Hennepin County adult detention center as the workhouse of the City of Minneapolis provided for in this Charter, the prisoners of the City to be as at present in the custody of the sheriff of Hennepin County, except while working on the improvements of said City, when they shall be under the control of the police force of said City.	[§ 1.5(a)] **Liability.** An ordinance may impose a duty, and may provide that a violation will result in . . . (2) imprisonment, or labor in a workhouse or on a public improvement

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§ 8. ***Style of Ordinances—Subject and Title*** *The style of all ordinances shall be "The City Council of the City of Minneapolis do ordain as follows." The subject of every ordinance shall be expressed in its title, and no ordinance shall embrace more than one subject.*	
§ 9. **Ordinances and Resolutions—How Passed** All ordinances and resolutions of the City Council shall be passed by an affirmative vote of a majority of all the members of the City Council,	[§ 4.4(a)(2)] **Acts.** An act by the Council takes a majority of its membership, except as this charter otherwise provides.
by ayes and nays which shall be entered in the records of the Council.	[§ 5.3(e)] **Proceedings.** The board's secretary must carefully and faithfully record its proceedings, including each act adopted and each member's vote on each such act

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No ordinance shall be passed at the same session or at any session occurring less than one (1) week after the session at which it shall have had its first (1st) reading, of the Council at which it shall have been presented except by the unanimous consent of all the members present which shall be noted in the record, but this shall not preclude the passage of ordinances reported by any committee of the Council to whom the subject of such ordinance shall have been referred at any previous session.	[§ 4.4(b)] **Timing.** The Council may adopt any necessary or prudent act only— (1) at least one week after its introduction at a meeting; (2) after a report from a committee to which the matter was referred at a Council meeting held at least one week earlier; (3) in the case of an appointment, after a recommendation from the Executive Committee; or (4) by unanimous consent.
When approved, they shall be recorded by the City Clerk in books provided for that purpose, and before they shall be in force they shall be published in the official paper of the city. The Council may direct that only the title of the ordinance or resolution and a summary conforming to Minnesota Statutes Section 331A.01, Subdivision 10 be published in the official paper of the city. Zoning ordinance map(s) affecting district boundaries shall not be published in the official paper of the City, but shall be summarized as required by this section and shall be available for public inspection in the office of the Zoning Administrator and the City Clerk. All ordinances and resolutions shall be available for purchase at a reasonable price.	[§ 5.3(e)] **Proceedings.** The board's secretary must carefully and faithfully record its proceedings, including each act adopted and each member's vote on each such act, which the secretary must promptly file with the city clerk or in the board's office. The clerk or board must keep the board's proceedings on file and available for inspection and copying by any voter during normal business hours at the clerk's or board's office.

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§ 10. **Copy of Record of Ordinance—Prima Facie Evidence—Compilation of Ordinances—Judicial Notice**	[§ 5.3(f)(2)] **Effect.** Any board that can adopt an act must provide for each such act's certification, publication, and codification. An act so certified, published, and codified— (A) is admissible as evidence, (B) establishes a presumption that the act is valid, and (C) is entitled to judicial notice.
A copy of the record of any ordinance or resolution heretofore passed and recorded or that may hereafter be passed, certified by the Clerk and verified by the seal of the city, any copy thereof published in the official paper of the city, or printed in the books containing the official proceedings of the City Council, or published in any compilation of ordinances made under direction of the City Council, shall be prima facie evidence of the contents of such ordinances and of the regularity and legality of all proceedings relating to the adoption and approval thereof, and shall be admitted as evidence in any Court in this State without further proof.	
In all actions, prosecutions and proceedings of every kind before the Municipal Court of Hennepin County, such Court shall take judicial notice of all ordinances of the said city, and it shall not be necessary to plead or prove such ordinances in said Municipal Court.	
§ 10. **Majority Vote for Appropriations** No appropriation shall be made without a vote of a majority of all the members of the City Council in its favor,	[§ 4.4(a)(2)] **Acts.** An act by the Council takes a majority of its membership, except as this charter otherwise provides.

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which shall be taken by ayes and nays and entered among the proceedings of the Council.	[§ 5.3(e)] **Proceedings.** The board's secretary must carefully and faithfully record its proceedings, including each act adopted and each member's vote on each such act, which the secretary must promptly file with the city clerk or in the board's office. The clerk or board must keep the board's proceedings on file and available for inspection and copying by any voter during normal business hours at the clerk's or board's office.
§ 12. Council May Abate Nuisances *The powers conferred upon the City Council to provide for the abatement or removal of nuisances shall not bar or hinder suits, prosecutions or proceedings according to law.*	

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§ 13. **City Council to Audit Accounts of Officers—Examination of Books** The City Council shall examine, audit and adjust the accounts of the Clerk, Finance Officer and all other officers and agents of the city at such times as they deem proper, and also at the end of each year, and before the term for which the officers of said city were elected or appointed shall have expired; and the City Council shall require all officers and agents to exhibit their books, accounts and vouchers for such examination and settlement, and if any such officer or agent shall refuse to comply with the orders of said Council in the discharge of such person's said duties in pursuance of this Section, or shall neglect or refuse to render the accounts or present his books or vouchers to said Council or a committee thereof, it shall be the duty of the City Council to declare the office of such person vacant, and the City Council shall order suits and proceedings at law against any officer and agent of said city who may be found delinquent or defaulting in the accounts or the discharge of the official duties of said office, and shall make a full record of all such settlements and adjustments.	[§ 5.4(d)(2)] **Examination.** The City Council may audit or examine any officer's accounts, and may declare vacant any office whose incumbent does not cooperate, in which case the Council may also provide for the officer's prosecution.
§ 14. ***City Council to Have Control of City Finances and Property*** *The City Council shall have the management and control of the finances and all property of the city, and may provide for the sale of any such property, in such manner as it shall consider for the interest of the city.* Provided, That no real estate belonging to said City shall be sold unless ordered sold by a vote of two-thirds (2/3) of all the members of the City Council.	[§ 4.4(a)(3)(C)] by two-thirds of its membership, sell realty;

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§ 15. **City Council Shall Have Power to Acquire Property for Public Buildings and Public Streets** The City Council shall have the power to acquire by purchase or condemnation such private property as may be necessary for sites for public buildings for the use of the city and all departments thereof, for all structures connected with any department of the city, and for all streets, alleys and public squares in the city, and to ascertain and determine the value of all such private property taken for such uses, and the amount of all damages occasioned to any private property by reason of any public works or structures, and for that purpose may appoint commissioners to appraise such value or damages, or acquire information thereof in any other manner it shall deem advisable.	[§ 1.4(a)(1)] **Eminent domain.** The City Council may, and any other authorized board may, establish the procedure by which the City exercises through that board its power of eminent domain, including the procedure for any appeal from an award in condemnation.
§ 16. ***Licenses May Be Revoked*** *Any license issued by authority of the City Council may be revoked by the City Council at any time upon proper notice and hearing for good cause; and upon conviction before any court of any person holding such a license for a violation of the provisions of any law, ordinance or regulation relating to the exercise of any right granted by such license, the city council may revoke such license in addition to the penalties provided by law or by ordinance for any such violation.*	

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§ 17. **Council May Exercise Power by Resolution—When** If in any case any of the powers granted to said City Council, to be exercised by ordinances named in section five (5) of this chapter, cannot well be exercised by the passage of ordinances, then said City Council may exercise any of said powers by means of the passage of resolutions.	§ 4.1. **Function.** (a) **Governing body.** The governing body is the City Council, in which the City's general legislative and policymaking authority resides. (b) **Scope.** The Council may act on the City's behalf in any matter, except where— (1) this charter reserves the action for a different board; or (2) the action is inconsistent with this charter or otherwise unlawful.
	[§ 5.3(f)(1)] **"Act" defined.** For this charter's purposes, the noun "act"— (A) means any ordinance, resolution, appropriation, any other lawful action of a legislative nature, and any action amending, repealing, or otherwise affecting any such act

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§ 18. **Current Expense Fund** The City Council is hereby authorized and empowered to expend for purposes not in this charter otherwise authorized during any fiscal year, moneys out of the current expense fund of said city, provided, that no part of such sum shall be expended except by a resolution adopted by the affirmative vote of at least three-fourths (3/4) of the members of said Council.	[§ 4.4(a)(3)(H)] by three-fourths of its membership, authorize an unbudgeted payment out of current funds (sec. 10.2(a)(3)).
§ 19. **City Council May Establish Purchasing Department** The City Council is hereby authorized and empowered and shall at all times hereafter have the power and authority to establish and maintain a purchasing department as a branch of the city government, which department shall have full charge of the purchase by the city and the several boards of the city of all supplies and materials required for the use of the city and the several departments and boards of the city, including the Board of Education, Board of Park Commissioners [Park and Recreation Board] and Library Board, of the city, and for making and maintaining public works and	[§ 8.2(a)(8)] a purchasing department
	[§ 8.2(f)] **Purchasing.** The City Council may require that each officer, board, or department buy goods through the purchasing department, except as this charter otherwise provides.

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improvements of the city, excepting from the provisions of this section the purchase of books, periodicals, pamphlets, works of art and other like supplies for the library board and art museum of the city, and the purchase of supplies for the use of the Board of Park Commissioners [Park and Recreation Board] of the city at its several refectories and places of amusement, and by ordinance or otherwise to make all rules and regulations necessary for the conduct and management of such purchasing department. *The City Coordinator shall appoint a purchasing agent who shall be the head of such purchasing department and who shall appoint all necessary assistant purchasing agents and other employees required for the proper management of such purchasing department, and shall prescribe the duties of such purchasing agent, assistant purchasing agents and other employees.*	[§ 7.2(*i*)] **Purchases.** The Board may buy supplies for the recreational and eating facilities under its charge without going through the City's purchasing department.

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§ 20. **Payment of All Current Bills Authorized** The Council may provide by ordinance for the payment of all current bills incurred by the city for goods, wares and merchandise, the purchase whereof has been duly authorized for the use of the city or any of its departments without awaiting the formal vote of said City Council directing payment thereof. The City Council may further provide by ordinance for the payment of tort claims against the City and its employees, conciliation court judgements, and all current bills incurred by the city arising out of workers' compensation employee claims without awaiting the formal vote of said City Council directing payment thereof. The Park and Recreation Board may likewise by ordinance provide for the payment of tort claims against the Park and Recreation Board and its employees, conciliation court judgments, and all current bills incurred by it or under its authority for goods, wares and merchandise, and for the payment of all current bills incurred by it arising out of workers' compensation employee claims, without awaiting the formal vote of such board directing payment thereof. The ordinance may provide for the immediate payment by the City Finance Officer, out of the appropriate fund, or out of a special fund set aside for the purpose of all bills approved by the city purchasing agent. And all officers of the city who are authorized by law to sign or countersign warrants or orders for the payment of merchandise accounts may accept the approval of the purchasing agent as a sufficient audit of such bills. Should any bill so paid prove to be erroneous or excessive upon examination made within ninety days after payment, the payee thereof shall repay to the city on demand of the City Attorney all such excess, or be subject to an action at law for double the amount thereof. Said ordinance or ordinances may contain such further provisions as the governing body shall deem necessary for protecting the city against fraud, irregularity and mistake in the matter of such purchase and may provide that any violation thereof shall be a misdemeanor and punishable as such.	[§ 10.2(b)] **Routine claims.** The City Council (or, in the case of a matter under its charge, the Park & Recreation Board) may by ordinance provide— (1) for the current payment of authorized bills, payroll, and other routine claims upon the City incurred in the ordinary course of business; (2) for recovery of any overpayment, including civil liability up to double the amount overpaid; and (3) for criminal liability for a fraud or other abuse.

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~~§ 21. Deletion of Housing Act from Charter~~	
~~(a) The paragraph of Chapter XX of the Charter of the City of Minneapolis which incorporates in said charter by reference, "Chapter 137, General Laws of 1917, page 185, as amended by Chapter 517, General Laws 1919—the so-called Housing Act," and also Amendment No. 3 to said charter adopted on May 9, 1927, are both hereby taken out of said charter and shall no longer be a part thereof.~~	
~~(b) This repeal of portions of said charter shall not repeal the provisions of any ordinance of the City which makes the said laws and Amendment No. 3, or any portions thereof, a part of such ordinance. All the provisions of said so-called Housing Act and said Amendment No. 3 shall continue a part of any ordinance which includes such provisions by reference, or otherwise, and shall have the same effect as if such provisions had been included verbatim as a part of said ordinance; except that the provisions of such ordinances, which incorporate therein said laws and said Amendment No. 3, or any portions thereof, and any amendments, changes or repeals of such provisions, shall not be amended, changed or repealed except by ordinance passed by an affirmative vote of two-thirds of all members of the City Council by ayes and nays, which shall be entered in the records of the Council.~~	

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§ 22. **[Untitled]** Whenever the Mayor exercises the power of appointment or designation of persons to be members or occupants of any board, commission, department or office, and the City Council approval of such appointment or designation is required, the appointment or designation will be deemed approved if the City Council has not disapproved such an appointment or designation within a period of sixty days from and after the submission of the appointment or designation by the Mayor to the City Council	[§ 9.4(b)(3)] If the Council does not accept or reject a recommendation by its first meeting held at least 60 days after the Mayor's nomination, then the nominee is appointed.
§ 23. ***Authorization for Industrial Development Commission—Plans and Recommendations of Such Commission***	
(a) The City Council may by ordinance establish an industrial development commission with responsibility to provide information to and cooperate with industries and civil agencies interested in new or expanded plant locations; to consult and cooperate with other affected City departments and present recommendations to the City Council for appropriate action; and actively promote the increased use of all of the City's industrial areas.	
Such ordinance shall provide that the members of such Commission be appointed by the Mayor with the approval of the City Council for terms of three (3) years each, commencing on February 1st of the year of their appointment. The terms of one-third of the members shall expire on January 31st of each year. Provided that members of any such Commission presently existing shall serve until January 31st of the year following the expiration of the term for which they were appointed. Vacancies occurring shall be filled by the Mayor for the unexpired term.	

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Such ordinance may establish rules, regulations and procedures for such Commission, which are consistent with law and the provisions of this Charter, and may authorize the employment by the Commission of such staff as the Council shall deem necessary.	
(b) Plans and recommendations of the Industrial Development Commission shall be transmitted to the Mayor for review and forwarded by the Mayor to the City Council with the Mayor's comments and recommendations within forty-five (45) days of the receipt thereof.	

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§ 24. **Council May Establish Size of Mayor's Staff** The City Council by resolution is hereby authorized to determine the maximum number of administrative aides that may be on the staff of the Mayor, all of whom shall be in the unclassified service. The minimum size of said staff shall be one administrative deputy, two administrative aides, one administrative assistant, and one executive secretary.	[§ 8.1(g)] **Resources.** The City Council must provide for the staff and other resources that the Mayor needs for the effective performance of his or her duties. (1) **Staff.** For the Mayor's support, the Council must provide for at least— (A) one administrative deputy, (B) two administrative aides, (C) one administrative assistant, (D) one executive secretary, and (E) any other appropriate staff. The Mayor may appoint any such staff without regard to section 9.4(b). The Mayor's staff serves in the unclassified service.
Chapter 5 **Taxation and Finance**	
§ 1. **City Assessor**	

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The City Council shall *at its first meeting in January of each even numbered year, or as soon thereafter as may be,* appoint one (1) assessor, who shall be an officer of said city styled "City Assessor," and who shall keep an office to be provided by said city, and whose term of office shall be two years *from and commencing on the first business day in January of even numbered years*, and until a successor is appointed and qualified. The City Assessor shall, with the approval of the city council and subject to the provisions of the Civil Service Chapter of this Charter, appoint such number of deputies and staff as may be required to perform the work of the city assessor.	[§ 8.2] **The departments generally.** The City Council must establish, organize, and otherwise provide for— . . . (3) a city assessor, and an appropriate office and staff;
	[§ 9.2(c)] **Tenure.** Each officer takes office, after taking the required oath— . . . (3) in the case of any other office, as any applicable ordinance provides, otherwise upon election or appointment, and serves until his or her successor takes office. An ordinance establishing an office may provide for the officer's term, otherwise the term is two years.
The City Assessor and the deputies shall qualify in the manner, and discharge the duties, prescribed by general law. Notices may be signed and given, and other acts in the line of duty by any Deputy Assessor may be done, in the name of the City Assessor.	

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§ 2. ***Laws to Govern Assessors*** *In all respects not herein expressly provided for, the City Assessor shall in making assessments be governed by the rules, both in respect to the property to be listed and assessed and the manner of listing and assessing the same, which are or may be prescribed by the general laws of the state for the government of Assessors in other parts of the state.*	
§ 3. ***Board of Equalization*** *The Standing Committee on Taxes of the City Council shall constitute a Board of Equalization, who shall be sworn according to law as such Board, and meet at the City Council room in said city each year as prescribed in Minnesota Statutes, Section 274.01, and revise, amend and equalize the assessment on the roll of the City Assessor. It shall be the duty of the City Assessor to be present at all meetings of the said Board of Equalization, or to cause a deputy assessor to be present; and to present before the Board all facts relating to the assessment. Such Board of Equalization is vested with all the powers which are or may be vested in County Boards of Equalization under the general laws of the state so far applicable, but shall not be restricted by any limitation in respect to reducing aggregate sum of real or personal property as returned by the Assessors.*	[§ 4.1(c)(2)] **Board of equalization.** The Council may provide under this section 4.1(c) for a board of equalization, in which case it may also provide that any such board— (A) is not subject to any limit on the amount that the board can reduce the aggregate assessments made by the county assessor . . . .
§ 4. ***Meetings of Board***	

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Such Board of Equalization may sit from day to day or adjourn from time to time as it shall deem proper, until it shall have been completed the equalization of such assessment. It shall complete such equalization on or before June 30th of every year, and shall have power to employ such clerk or clerks as shall be necessary to complete the revision of such assessment rolls within said time. Every person aggrieved by any assessment shall have the right to appear before such Board and present the grievance for consideration.	
It shall be the duty of the City Attorney to be available to answer any questions of law that may arise during meetings of the board and to provide such other legal assistance as may be necessary.	[§ 8.2(c)] **Function.** Except as this charter otherwise provides, the city attorney and the legal department under his or her direction— (A) have full charge of all legal matters in connection with the City's government; and (B) must counsel each board, department, and officer, and deliver an opinion on any legal question from any such board, department, or officer, who must consult only the city attorney for any necessary legal advice.
Whenever it appears upon the hearing of any such grievance that any property is listed or assessed at less than its true value, such undervaluation shall be called to the attention of the Board and application made in behalf of the City for the correction of such undervaluation.	
§ 5. ***Duty of City Clerk***	

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When the assessment rolls shall have been revised by the Board of Equalization, they shall be returned to the City Council, who may confirm the same or return the same to said Board for further revision, to be again reported to the City Council.	[§ 4.1(c)(2)] **Board of equalization.** The Council may provide under this section 4.1(c) for a board of equalization, in which case it may also provide that any such board . . . (B) must return to the City Council the assessment rolls that the board has revised, in which case the Council may confirm the board's revisions or return the rolls to the board for further revision.
When the City Council shall have confirmed the assessment the City Clerk shall enclose therein a memorandum of such confirmation, and such rolls shall then be returned to the County Auditor as other assessment rolls. In case said City Council shall neglect to take final action on such rolls on or before the second (2nd) Thursday after the first (1st) Tuesday of August of every year it shall be the duty of the City Clerk to return them to the County Auditor, with a certificate of the fact, and in such case the assessment rolls, as revised or equalized by such Board, shall have the same validity as if confirmed by said City Council.	
§ 6. ***Salary of Assessors*** *The City Assessor shall be paid a stated annual salary to be fixed by resolution of the City Council. All Deputy Assessors, Clerks of Assessors and of the Board, and the members of such Board of Equalization, shall be paid such reasonable compensation upon accounts of time, audited by the Finance Officer, as shall be determined by the City Council.*	

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§ 7. **Fiscal Year** The fiscal year of said City shall commence on the first (1st) day of January of each and every year.	§ 10.1. **Fiscal year** The fiscal year coincides with the calendar year.
§ 8. **Budget Participation of Mayor—Office of Budget**	
No later than the 15th day of August of each year, the Mayor shall prepare and submit to the City Council and the Board of Estimate & Taxation the Mayor's recommended budgets for the following fiscal year for the City Council and each board or department of the City having any power to levy taxes. Included in such budgets shall be a statement of all proposed expenditures, the revenue from all sources and a recommended five-year capital improvement program. Accompanying the budgets when submitted shall be a budget message from the Mayor outlining important features of the budget with appropriate explanatory comments. In such budget message the Mayor shall make recommendations for legislation and for other actions by other governmental bodies which actions would assist the financial programs of the City and shall further review and comment on taxes imposed on property in the City by all other taxing authorities and the effect of such total tax obligations.	[§ 10.3(a)(3)] **Recommended budget.** By August 15, the Mayor must recommend to the City Council and to the Board of Estimate & Taxation a budget, which must— (A) include a message outlining the budget's significant features; (B) estimate the revenue, expenses, and budgetary needs for each board, department, and officer; (C) recommend any capital improvements for the next five fiscal years; (D) summarize all taxes applicable to property in the City and their effect; and (E) recommend any necessary or prudent legislation or other action affecting the City's finances.

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All budget estimates, recommended budgets and the budget message of the Mayor shall be public records.	
There shall be established an Office of the Budget under the supervision of the City Coordinator, which shall assist the Mayor and the City Coordinator in the performance of their duties relating to the budget and financial affairs of the City. The Office of the Budget shall be headed by a budget director appointed by the City Coordinator and such position shall be in the unclassified service and not subject to the provisions of Chapter 19 of this Charter. The Budget Director shall serve at the pleasure of the City Coordinator. The Budget Director shall appoint pursuant to civil service provisions such assistants as shall be necessary to perform the duties of said office.	
In the performance of their duties under this section, the Mayor and the Budget Director shall have access to all records and information pertaining thereto possessed by the City Council, or any City board, commission or other agency and shall be assisted as necessary by the officers and employees thereof.	[§ 10.3(b)] **Cooperation, information.** For this article X's purposes, each officer, board, or department must cooperate with the Mayor, with the Board of Estimate & Taxation, and with the budget director, and must furnish any information that the Mayor, the Board, or the director requests.
§ 9. ***Revenue from Licenses, Fines, Etc.*** *The revenues of said City derived from licenses, rents, fines and all costs and judgments collected in favor of the City, shall become part of the General Fund of the City. All receipts from sales of property shall be applied to the permanent improvement fund.*	

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§ 10. **City Council to Levy Tax and Make Appropriations** After the submission of the reports of the Mayor, provided for in Section 8 hereof, the City Council shall levy such tax on all the taxable property in said City as it shall deem necessary, in addition to the other revenue of the City applicable thereto, to defray the current expenses of the City for the next fiscal year, but no such taxes for such current expenses shall in any year exceed any limitations imposed by law. The City Council shall appropriate funds for the expenses of each department of the City government by resolution passed by a majority of all members thereof.	[§ 10.3(a)(5)] **Budget.** After a public hearing on the budget for and taxes payable in the following year, the City Council and each board must adopt a budget, which must— (A) appropriate money for each board's, department's, and officer's operations; (B) provide for payment of the City's general-obligation debt service; (C) levy any tax, up to the maximum set by the Board of Estimate & Taxation, necessary for those purposes; and (D) tax the property in the City in an amount, without regard to the maximum set by the Board of Estimate & Taxation, that will satisfy any judgment against the City.
	[§ 4.4(a)] (2) **Acts.** An act by the Council takes a majority of its membership, except as this charter otherwise provides.

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No more money than thus appropriated shall be expended for any fiscal year for any such department of the City government.	[§ 10.2(a)] **Payments.** Except as this section otherwise provides, no money may be paid out of the City's treasury except— (1) pursuant to an appropriation, and approval of a contract or order for payment, by the City Council or other authorized board; or (2) in payment of principal or interest on a bond issued or other debt incurred under this charter.
The City Council may, by ordinance, establish guidelines and procedures which would allow certain revisions of appropriations to be accomplished by administrative transfer without Council action.	[§ 10.3(a)(6)(A)] **Administrative transfers.** The budget or an ordinance may provide for transferring money appropriated for one purpose to another by administrative transfer without further action by the City Council.
All other proposed revisions of appropriations shall be submitted *to the Budget Director and* to the Mayor before being considered by the City Council.	[§ 10.3(a)(6)(C)] **Other transfers.** Any other transfer within the budget, or any additional expense in excess of the amount budgeted, requires action by the Council.

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No appropriation resolution or ordinance referred to herein shall take effect until submitted to the Mayor for approval or objection in the manner and time as provided in Chapter 3, Section 1 of this Charter, relating to ordinances and resolutions enacted by the City Council.	[§ 5.3(f)(1)] "**Act" defined.** For this charter's purposes, the noun "act"— (A) means any ordinance, resolution, appropriation, any other lawful action of a legislative nature, and any action amending, repealing, or otherwise affecting any such act;
	[§ 4.4(c)] **Mayor's signature or veto.** The Council must present each act to the Mayor in the manner that this charter prescribes for giving notice. The act takes effect— (1) when the Mayor signs it; (2) five days after its presentation to the Mayor, if he or she neither signs nor vetoes it; or (3) if the Mayor vetoes it by returning it with an objection within five days (excluding Sundays) after its presentation, only if the Council at its next meeting by two-thirds of its membership again passes the act over the Mayor's veto.

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§ 10. ***Taxes for Streets*** *The City Council shall include as part of the General Fund Tax Levy for the purposes of defraying the costs and expenses of the City for the next fiscal year connected with and required for the cleaning, sweeping, oiling, sprinkling, flushing and keeping in repair of the public streets, lanes, alleys, highways and thoroughfares throughout the entire City, and acquiring equipment therefor, and constructing and maintaining street crosswalks therein, and providing for and maintaining street signs and traffic signs and signals therein, and for removing snow and ice therefrom, and making payment of any damages for injuries to any person caused by defective sidewalks in the City. The proceeds of such taxes may be used and disbursed by and under the direction of the City Council for the purposes above specified, notwithstanding any provision or provisions of this Charter to the contrary.*	[§ 1.4(a)(2)] **Infrastructure.** The City may establish, plan, build, maintain, regulate, and otherwise provide for public ways and works and any other infrastructure necessary or convenient for its residential and economic development; for the comfort, convenience, health, safety, or welfare of its citizens; or for the efficient delivery of municipal services.
	[§ 10.3(a)(5)] **Budget.** After a public hearing on the budget for and taxes payable in the following year, the City Council and each board must adopt a budget, which must— (A) appropriate money for each board's, department's, and officer's operations; (B) provide for payment of the City's general-obligation debt service; (C) levy any tax, up to the maximum set by the Board of Estimate & Taxation, necessary for those purposes

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§ 12. **Interest on Bonded Indebtedness** The City Council shall also at the same time levy, upon all the taxable property in said city, such taxes as shall be sufficient to pay the interest to become due during such next fiscal year upon all the bonds or debt of said city, and an additional tax of three mills on a dollar of the assessed valuation of all such taxable property to provide for the principal of said bonds or debt when the same shall have become due, and the amounts collected pursuant to this section shall not be applied to any other purpose than herein named, but this restriction shall not prohibit the investment of the sinking fund hereinafter provided for.	[§ 10.3(a)(5)] **Budget.** After a public hearing on the budget for and taxes payable in the following year, the City Council and each board must adopt a budget, which must— . . . (B) provide for payment of the City's general-obligation debt service; (C) levy any tax, up to the maximum set by the Board of Estimate & Taxation, necessary for those purposes;
§ 13. **Transfer of Unused Funds** In addition to the aforesaid levy of three mills the City Council shall have the power and authority, in its discretion, to transfer and cause to be transferred, by resolution duly passed, to the credit of such sinking fund, any or all unused balances of moneys and funds which are the proceeds of bonds heretofore or hereafter issued and sold by the city for any municipal purpose whatever, including bonds issued for public schools,	[§ 10.4(b)(1)] **Fund.** The City Council must maintain a sinking fund sufficient at least for paying off the City's debt as it comes due. Any tax collected for interest or principal on any such debt goes into the sinking fund, and may not be diverted to any other purpose. Any other revenue not otherwise appropriated, and any proceeds from bonds whose purpose has been discharged or abandoned, go into the sinking fund.

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public libraries and public parks and parkways, whenever the improvement or purpose for which the bonds were or shall be issued has been completed or abandoned, and any and all unused balances of moneys and funds now or hereafter existing in the permanent improvement fund and permanent improvement revolving fund of the city, and any or all unused moneys and funds now or hereafter raised by general taxation in the city for any purpose whatsoever, and to invest and cause to be invested all said moneys and funds in the same manner as the sinking fund of the city is now or may be invested, or in such manner as the City Council may in its discretion deem best, and to use and cause to be used said moneys and funds for the payment and redemption of the bonds and other indebtedness and obligations of the city as they mature and become payable.	[§ 10.6(a)(3)] **Transfer of unused money.** The Council may transfer to the sinking fund any unused money from the permanent improvement fund.
§ 14. **Sinking Fund** In order to provide for the certain payment of the bonds and debts of the city, the City Council is authorized to maintain the sinking fund already established, and to provide by ordinance for the care, investment and security thereof, and from time to time to amend such ordinances in such manner as may be necessary or expedient but shall have no authority to abolish such sinking fund until all the debts of the city are fully paid, nor shall it divert said funds or any revenue or increase thereof to any other purpose. All amounts, if any there be, collected of the tax to pay the interest on the bonds of the city in excess of the amount of such interest, the whole amount of the three mill levy for the payment of the bonds of the city provided for in the preceding section, and all revenues of the city not otherwise appropriated, shall be applied to the increase of such sinking fund.	[§ 10.4(b)(1)] **Fund.** The City Council must maintain a sinking fund sufficient at least for paying off the City's debt as it comes due. Any tax collected for interest or principal on any such debt goes into the sinking fund, and may not be diverted to any other purpose. Any other revenue not otherwise appropriated, and any proceeds from bonds whose purpose has been discharged or abandoned, go into the sinking fund.

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The Finance Officer shall have charge of said sinking fund, and, by and with the consent of the City Council invest the same in the bonds of the said city, or such other bonds as are permitted for the investment of the permanent school fund of the State of Minnesota, or in the bonds of any city in the State of Minnesota having a population of five thousand or more, or in such county or school bonds in the State of Minnesota as may be approved. In case of investment in the bonds of said city the same shall not be canceled but shall be held by such Finance Officer and the interest thereon paid over and applied to the increase of such sinking fund. Whenever the principal of any of the bonds of the city shall become due such Finance Officer shall, by and with the consent of the City Council, dispose of such of the bonds belonging to such fund as with the money on hand belonging to the same shall be necessary to pay such bonds.	
Whenever the amount of such sinking fund shall with the interest or revenues thereof computed to the time of maturity of the bonds or debt of the city, be sufficient to pay all of said bonds or debt at the maturity thereof, the levy of the three mill tax aforesaid, or so much thereof as the City Council shall determine, may be omitted, but in case by reason of decrease of interest or depreciation of investments or other cause said fund shall not be sufficient, the levy of such taxes shall be resumed.	[§ 10.4(b)(1)] **Fund.** The City Council must maintain a sinking fund sufficient at least for paying off the City's debt as it comes due. Any tax collected for interest or principal on any such debt goes into the sinking fund, and may not be diverted to any other purpose. Any other revenue not otherwise appropriated, and any proceeds from bonds whose purpose has been discharged or abandoned, go into the sinking fund.
In case the City Council, Finance Officer, or other city officers shall violate or neglect to conform to any of the provisions of this section, any taxpayer of the city, or any owner of any of the bonds of said city, shall have the right to maintain, in any court of competent jurisdiction, any appropriate action to enforce compliance therewith.	[§ 10.4(g)] **Standing.** Any taxpayer may enforce this section 10.4, and any creditor may enforce section 10.4(a)–(c), by an action in the district court.

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The substantial maintenance of the provisions of this and the preceding section for the payment of the principal and interest of the bonds or debt of said city, is hereby declared to be part of the contract with the holder of any bonds of the city that have been or may hereafter be issued, and shall be kept inviolate.	[§ 10.4(a)(2)] **Contract.** Whenever the City acting under this charter issues bonds, borrows money, or otherwise pledges its credit, then its contract with the bondholder or other creditor incorporates this section 10.4's provisions and creates an obligation that no subsequent amendment or other action by the City can impair. Any debt contracted or engagement entered into before this charter's latest revision is as valid against the City under this charter as under any prior version of this charter.
§ 15. **Bonds for Interest** Whenever the sinking fund, provided for in section fifteen (15) [fourteen (14)] hereof, shall be insufficient to pay all the bonds of the city that may at anytime become due, or when it shall by the City Council be deemed advisable and for the interests of the city to take up any bonds of the city not due, which may be offered for sale by the holders thereof, the City Council may issue the bonds of the city, to run not to exceed thirty years, on such terms as to place of payment and rate of interest as may be deemed advisable to such an amount as may be necessary to meet such deficiency or to take up and refund such bonds not due, provided the refunding bonds shall in no case draw a higher rate of interest than the bonds so taken up; but neither said City Council, nor any officer nor officers of said city, shall otherwise, except as in this Charter or by state law authorized, have authority to issue any bonds, or create any debt, or any liabilities against said city in excess of the amount of revenue actually levied and applicable to the payment of such liabilities.	[§ 10.4(b)(2)] **Fund insufficient.** If— (A) the sinking fund will not pay the City's debt that has come due, or (B) the City Council finds that buying any bonds not due whose holders are offering them for sale will serve the City's interests, then the Council may issue refunding bonds covering the shortfall. No such bond's term may exceed 30 years, and no such bond may bear interest at a higher rate than any bond that it refunds.

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§ 16. **Permanent Improvement Fund** There shall be a fund of the city to be known and designated as the Permanent Improvement Fund, which shall be kept distinct from all other funds of the city. In the Permanent Improvement Fund shall be kept and placed the proceeds of all bonds heretofore or hereafter issued by the city for permanent improvements, and the proceeds of all taxes levied by the city for permanent improvements. The City Council may provide for the payment out of said fund of the expenses of any such improvement as may be assessed in whole or in part upon any special property to be benefited by such improvement, and in advance of the collection of such assessments.	[§ 10.6(a)] **Permanent improvement fund.** (1) **Fund.** The City Council must maintain a permanent improvement fund into which go the proceeds from— (A) each bond issued, and each tax levied, for permanent improvements, whose proceeds may not be diverted to any other purpose; and (B) each special assessment levied against the property fronting or benefited by any improvement of a local character.
From said fund shall also be paid all such portions of the expenses of such assessable improvement as shall devolve on said city, and also the expense of all bridges, buildings, water works, and other permanent improvements not otherwise specially provided for by law. No part of such fund shall ever be applied to the payment of the current expenses of said city, nor to any other purposes than such as are herein designated. All sums collected upon special assessments, whose costs shall have been advanced out of such fund, shall be returned to said fund.	
The City Council shall annually, at the time of making the other tax levies of said city, levy a tax sufficient to replace all expenditures made from said fund, not provided for by such special assessments, and may by tax-levy provide for the increase of such fund to such amount as may be deemed necessary, provided, that the whole amount of tax levied in any year shall not exceed two and one-half (2 1/2) mills on a dollar of the assessed valuation of the taxable property of said city.	[§ 10.6(b)] **Tax.** The City Council annually— (1) must tax up to 0.0025 percent of the total value of the property in the City for the cost of any permanent improvement not defrayed by special assessment,

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In addition to the foregoing authority to levy an annual tax of not to exceed 2 1/2 mills for permanent improvements, the City Council shall have and is hereby vested with power and authority to levy an additional annual tax of not to exceed 2 1/2 mills on each dollar of the assessed valuation of the taxable property of the City, and to use the proceeds thereof, for the purposes of the construction within or without the City of connecting and intercepting sewers, sewage disposal plants, and other necessary works that may be required for the treatment, reduction or disposal of sewage and industrial wastes, and for the acquisition of lands, easements and sites necessary therefor.	[§ 2.6] (b) except as prohibited by law, the City may acquire realty and extend infrastructure beyond the City's boundaries without designating a special district. [§ 10.6(b)(2)] may tax up to 0.0025 percent of the total value of the property in the City for sewers and related infrastructure, the disposal and treatment of sewage and other waste, and related purposes, for which the City may acquire realty and extend infrastructure beyond the City's boundaries.

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§ 17. **City Council of Minneapolis Authorized to Issue Certain Bonds** The City of Minneapolis and the City Council of the city, in addition to all other powers to them hereby granted, shall have, possess, be vested with and may from time to time exercise and execute any and all powers and authorities to issue and sell bonds of the City of Minneapolis and incur indebtedness for and on behalf of the city, which have been granted to, vested in or conferred upon the City of Minneapolis or the City Council of the city, or both or either thereof, under or by virtue of any and all special and general laws and acts of the State Legislature made applicable to the City of Minneapolis as a city of the first class not governed under a home-rule charter or otherwise made applicable to the City, and conferring such powers and authorities to issue and sell bonds and incur indebtedness for and on behalf of the City, and passed by the Legislature prior to the adoption of this Charter, which powers and authorities shall not have been fully exercised or executed and are still held and possessed by the City or City Council at the time of the adoption of this Charter by the electors of the City. And all such powers and authorities to issue and sell bonds of the City and incur indebtedness for or on account of the City, shall continue under this Charter and the City and City Council shall have and possess full power and authority to, and may from time to time, as they may deem necessary and expedient, incur indebtedness for and on behalf of the City of Minneapolis and issue and sell municipal bonds of the City in such amounts and for the several purposes and on the terms and conditions specified in the aforesaid several laws and acts of the Legislature conferring such powers and authorities, to the extent such powers and authorities shall not have been exercised at the time of the adoption of this Charter, and to the same extent as if this Charter were not adopted and as fully and to the same extent as if the provisions of said laws and acts of the Legislature were incorporated in and made a part of this Charter.	[§ 10.4(a)(1)] The City may issue bonds, borrow money, or otherwise pledge its credit only for a lawful purpose, consistent with this charter;

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In addition to the foregoing, the City Council shall at times hereafter, have the power and authority at its option and through its proper officers to issue and sell at private sales, through such agencies and in such manner and at such time and place and with or without published or other notice of such sale, as the City Council shall determine, all or any part of the municipal bonds of said City, the issue and sale of which have been, now are, or shall hereafter, be authorized by law. *The bonds so sold at private sale shall be in denominations of $100 or any multiple thereof, not exceeding $1,000, and none of such bonds shall be sold at private sale for less than the amount for which they are by law authorized to be sold and accrued interest thereon. All bonds so sold at private sale shall be reported to the City Council for confirmation.*	
§ 18. **Portion of Cost To Be Defrayed by Special Assessment**	
The City Council shall have authority to determine in and by any resolution duly passed directing that any arterial street in the City of Minneapolis, or any part thereof which may be paved, what portion of the cost of such paving shall be defrayed by a special assessment upon the real property fronting thereon. *Such proportions, however, shall in no case be less than one-half of the cost to the City of Minneapolis of paving that part of the arterial street lying between the center line thereof and such abutting property.*	[§ 10.6(c)] **Improvements.** The City Council may levy a special assessment that partly or wholly defrays the cost of any improvement of a local character against the property fronting or benefited by the improvement.
Whenever the proportions to be so assessed are determined in the manner aforesaid, the assessment shall be levied accordingly and the remaining cost of such paving shall be paid by the City out of any funds in its treasury not derived from such special assessment available for paving purposes.	

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In all such cases the City Council may levy with the other City taxes, a tax sufficient to pay the amount not so assessed upon abutting land on property within the City subject to general taxation, and may direct into what fund the proceeds of such tax shall be paid.	[§ 10.6(b)] **Tax.** The City Council annually— (1) must tax up to 0.0025 percent of the total value of the property in the City for the cost of any permanent improvement not defrayed by special assessment,
	[§ 5.6(a)] Each such board may dedicate any proceeds from a particular source to a particular purpose, and may establish any necessary account or fund for that purpose or any other lawful purpose.

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§ 19. ***Finance Officer to Notify Council When Funds Deficient*** *Whenever the amount contracted or appropriated to be expended out of such permanent improvement fund shall be equal to the amount of such fund actually on hand and nine-tenths of the amount of uncollected taxes levied for the current fiscal year as aforesaid, and applicable to such fund, or when the amount called for by any proposed contract shall, together with the amounts previously appropriated or contracted for, exceed the amount of such fund on hand, and such nine-tenths of the uncollected taxes, the City Finance Officer shall forthwith notify the City Council of such fact and he shall not countersign any contract payable out of such fund until the amount of such fund on hand, with nine-tenths of the amount of uncollected taxes aforesaid, shall be sufficient to meet the liabilities created by such contract in addition to all liabilities previously contracted for, and the Finance Officer shall never countersign any contract payable out of the revenues of any other fiscal year than the one in which such contracts shall be performed. Provided, That where special assessments have been made for any improvement, or where the City has been authorized to sell bonds to raise money for any improvement, then, in such cases, said Finance Officer may countersign any contract for such improvement, where said contract provides that no payments shall be made until such money is in the treasury, and in any case, where the money is to be raised by such sale of bonds, such contracts may provide for the construction of such improvements to extend over a period of several years, to be paid for as finished, or on periodical estimates, out of the revenues or moneys provided for the year, when to be so paid. The Finance Officer shall countersign no order upon the treasury until there shall be money in the treasury belonging to the proper fund wherewith to pay the same, and all orders on the treasury shall be countersigned in the order in which the claims are allowed, upon each fund respectively.*	

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§ 20. ***Taxes to Be Levied by Resolution*** *All taxes shall be levied by resolution of the City Council, and no tax shall be invalid by reason of any informality in the manner of levying the same, nor because the amount levied shall exceed the amount required to be raised for the special purpose for which the sum is levied, but in such case the surplus shall go into the fund to which such tax belongs and may be applied to the further uses of such fund.*	
§ 21. ***Statement of Tax Levy*** *The City Council shall cause to be transmitted to the County Auditor of Hennepin County, on or before the tenth day of October of every year, a statement of all taxes by it levied, and such taxes shall be collected and payment thereof be enforced with and in like manner as state and county taxes are paid and the payment thereof enforced.*	
§ 22. ***County Treasurer to Pay Over Taxes***	
The County Treasurer of said Hennepin County shall pay over such taxes, together with all interest and penalties which shall be collected on account of the same, when collected, to the Finance Officer of said City, and in the several settlements of the funds to be so paid over as provided for by general law, and Chapter 23, Special Laws of Minnesota for 1891 (page 756), hereby adopted and made a part hereof, said County Treasurer shall account for and pay over to the City Finance Officer such portions of the interest paid by bankers with whom funds of said county are deposited, as have accrued upon funds arising from City taxes and assessments so deposited, with such county funds or as parts thereof.	

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Whenever, previous to any of the settlements provided for by law, there shall be a lack of funds in the City Treasury for any purpose, and there shall be funds in the County Treasury which shall have been collected on account of City taxes or assessments, the County Treasurer shall, on the application of said City Finance Officer, advance and pay over such sums as shall be estimated to be the amount collected on account of such City taxes or assessments, and such advances shall be accounted for and adjusted at the next regular settlements with said City. The City Finance Officer shall also forthwith, after such settlements, adjust and apportion the funds so advanced among the several City funds in the hands of the Finance Officer.	
§ 23. ***County Auditor's Tax Statement*** *It shall be the duty of the County Auditor of the County of Hennepin to make out and transmit to the City Comptroller-Treasurer [Finance Officer] of said City, on or before the first (1st) day of February of each year, a statement showing the exact amount of taxes levied on account of the several funds of said City, and of the several boards of said City, according to the tax lists made out by said Auditor, and at the same time make out and transmit to said Comptroller-Treasurer [Finance Officer] a statement of all abatements, corrections or additions to said tax lists, and of all amounts of all taxes canceled as uncollectible, within the year next preceding, and the several amounts of such changes affecting each of said several funds; and also a further statement of the amount of taxes delinquent and outstanding applicable to said several funds. The County Auditor shall, also, at the time of making settlements with the County Treasurer required by law, furnish said Comptroller-Treasurer [Finance Officer] with a certified statement of the several amounts collected by said County Treasurer on account of each of said several funds as shown by such settlements.*	

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§ 24. **City Orders—When Issued** No money shall be paid out of the City Treasury, except for principal or interest of bonds, unless such payment shall be authorized by a vote of the City Council, *and shall then be drawn out only upon orders signed by the Mayor and Clerk and countersigned by the Finance Officer, which orders shall specify the purpose for which they were drawn, and the funds out of which they are payable, and the name of the person in whose favor they may be drawn, and may be made payable to the order of such person or to the bearer, as the City Council may determine*.	[§ 10.2(a)] **Payments.** Except as this section otherwise provides, no money may be paid out of the City's treasury except— (1) pursuant to an appropriation, and approval of a contract or order for payment, by the City Council or other authorized board; or (2) in payment of principal or interest on a bond issued or other debt incurred under this charter.
Provided that the City Council may provide by ordinance for the payment of all employees of said City, which are paid by order of the City Council, on payrolls, to be prepared as directed by said ordinance, by heads of departments or otherwise, audited by the City Finance Officer, ordered paid by said City Council, after so being audited, and paid by the City Finance Officer which payrolls shall be retained by said Finance Officer along with cancelled checks for the sums totals of such payrolls. And also, further provided, that when any of the several boards of said City shall by resolution request the City Finance Officer to pay the respective regular employees on payrolls of the board making such request, in a similar manner as above named for paying employees who are paid by order of the City Council, then said City Finance Officer shall pay the respective regular employees of such Board so requesting the same on such payrolls.	[§ 10.2(b)] **Routine claims.** The City Council (or, in the case of a matter under its charge, the Park & Recreation Board) may by ordinance provide— (1) for the current payment of authorized bills, payroll, and other routine claims upon the City incurred in the ordinary course of business;

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§ 25. ***Orders to Be Canceled*** *When any such order shall have been paid to or received by the Finance Officer, it shall not again be issued, but the Finance Officer shall immediately cancel the same and file the same away, keeping the orders drawn upon each fund separately.*	
§ 26. ***Destruction of Canceled Bonds*** *The City Council may provide for the examination from time to time of such canceled orders, and also of canceled bonds or other obligations in the hands of the Finance Officer and for their destruction, preserving such record of voucher thereof as the City Council or any committee thereof may deem proper.*	
§ 27. ***Depositories of City Funds***	

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The City Council shall at the beginning of each calendar year, and from time to time as may be necessary, designate or redesignate, so far as consistent with the best interest of the city, sufficient depositories in the city or elsewhere in the United States, in which the Finance Officer of the city shall deposit and keep all the moneys of the city, which may be or are likely to be at any one time in the hands of the Finance Officer, designating in each instance the maximum amount which may at any time be kept in any one of such depositories. In designating such depositories, the City Council shall require from each of such depositories good and sufficient bonds with sureties thereon to be approved by the Finance Officer, conditioned for the safe keeping and payment of funds so deposited and interest thereon. Such bonds of any depository with personal sureties thereon shall be in the aggregate for double the amount of money likely to be received by such depository and such bonds of any depository with one or more, corporate surety companies thereon as surety shall be in the aggregate in a penal sum equal to the amount designated by the City Council as the limit of the deposits in such depository, or in lieu of such bonds, the depository shall furnish and deposit with the Finance Officer, general obligations of the United States Government, obligations issued, insured or guaranteed by the United States Government, obligations issued or guaranteed by an agency established by the United States Government, state general obligation bonds of this state or any other state of the United States, or general obligation bonds of any county, school district, city, town, or village of this state, provided that United States Government bonds, having a market value of at least par, offered as collateral, shall have a market value at least equal to the deposits thereby secured, and other bonds and obligations so furnished shall have a market value of at least one hundred ten (110) percent of the deposits thereby secured. All furnished securities shall be approved by the Finance Officer, and shall be accompanied by a proper assignment to the end that such depository so depositing and assigning such securities shall and will safely keep and pay over to the Finance Officer or the order of the Finance Officer on demand, free of exchange, all moneys, deposited therein at any time while such bonds or securities shall be so deposited, with interest thereon at the rate agreed upon; and provided, that in the case of default on the part of such depository, the Finance Officer shall have full power and authority to sell such securities or so much thereof as may be necessary to realize the full amount deposited in such depository, together with interest thereon, and to pay the balance or surplus, if any, to the depository entitled thereto.	

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Authority is given to the Finance Officer to return said securities to the depository so depositing them when the trust so created is terminated, and to exchange upon application any other securities for the securities so deposited, of equal value and of any of the classes herein permitted to be deposited. The interest on such bonds or securities so deposited and furnished shall, when paid, be turned over to the depository so depositing the same so long as it is not in default.	
§ 28. ***Designated Banks—Deposits In*** *After such designation shall have been made, all the funds then in the hands of, or thereafter received by, the City Finance Officer shall be deposited in the depositories designated, on open account or demand certificates of deposit as may be to the best interest of said city, in the name of the City of Minneapolis and subject to the order of the City Finance Officer, and the funds so deposited shall be distributed as near as may be in proportion to the paid-up capital stock of the depository receiving such deposits.*	
§ 29. ***Statement of Deposits*** *The City Finance Officer shall make statements at least monthly of the amount of money deposited as hereinbefore provided, giving the amount deposited in open account, and in interest bearing certificates, in each depository separately, and file such statement with the City Clerk, who shall present the same to the City Council at its next regular meeting thereafter; and the City Clerk shall furnish a copy thereof to any local newspaper applying therefor for publication, free of charge.*	

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§ 30. ***City Finance Officer Exempt from Liability*** *When the funds in the hands of the City Finance Officer shall be deposited as hereinbefore provided, such Finance Officer and his or her bonding agent shall be exempt from all liability therefor by reason of the loss of any such deposited funds from the failure, bankruptcy or any other acts of any such depository to extent and amount of such funds in the hands of such depository at the time of such failure or bankruptcy. The failure of the City Council to designate depositories as herein provided shall not exempt or relieve the City Finance Officer or the sureties on the official bond of the Finance Officer from any liability.*	
§ 31. ***City Finance Officer to Secure Interest*** *It is hereby made the duty of the City Finance Officer to make every endeavor to secure interest on the public funds, consistent with their safekeeping, as herein provided; and to manage such funds in the interest of the city. But the Finance Officer shall in no case postpone or defer any payments after the same shall become due, in order to secure additional interest on such funds. At the close of each fiscal year, the City Finance Officer shall make a statement of the total amount of interest on public funds received by the Finance Officer during the year, and such interest shall be credited to the Sinking fund, General fund or such other funds of the city as the City Council may from time to time direct.*	

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§ 32. ***Council May Require New Bonds*** *Whenever, from the change in the financial ability of sureties, or from other causes, the City Council shall deem the bonds or securities of any depository insufficient security for the funds therein deposited or liable to be deposited by the City Finance Officer, the City Council shall require a new bond or securities to be approved by the City Council, to be given by such depository, and if such depository shall fail to promptly execute and present such new bonds or securities, the City Finance Officer shall at once withdraw all deposits from such depository and such depository shall cease to be a depository of city funds until it shall be reinstated as such by vote of the City Council upon the execution of such bonds, or deposit of securities, which shall be approved by the City Council.*	

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§ 33. ***Bonds to Continue in Force*** *All bonds or securities given or deposited by depositories as provided in this Chapter shall continue and remain in force so long as funds of the city or of which the City Finance Officer is the custodian in any way, deposited in such depository shall be unpaid by the depository giving such bonds, or depositing such securities. And the City Council shall examine all the bonds and securities in the hands of the City Finance Officer, and if any are deemed insufficient they shall require new bonds to be executed, or additional securities to be furnished, and the Council may make such examination and orders at any time. All of such bonds or securities given or deposited by depositories under the provisions of this Chapter shall be recorded by the Finance Officer and retained by the Finance Officer for safekeeping; and the record of such bonds or securities so kept by the City Finance Officer, or copies thereof certified by that officer, shall be competent and prima facie evidence of the contents and tenor of such bonds and securities.*	
§ 34. ***Orders Paid from Current General Fund*** *All appropriations and expenses of the City not otherwise specially provided for shall be paid out of the General fund from any account thereof available for the current expenses of the city.*	

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§ 35. **Judgments Against City** No limitations or restrictions herein shall be construed to prohibit the levying of taxes to pay any judgment that may at any time be recovered against said city, but in case of such judgment the city council shall at the time of making the next annual tax levy after the rendition of such judgment levy and assess a special tax upon all the property in the city or such ward thereof as may be responsible for the payment of such judgment, sufficient to pay such judgment. In case of failure to collect taxes or other cause, such levy shall prove insufficient, new taxes shall be levied until the whole of such judgment is paid. *Any excess of the amount so levied and collected over the payment of such judgment shall be credited to the General fund of the city.*	[§ 10.3(a)(5)] **Budget.** After a public hearing on the budget for and taxes payable in the following year, the City Council and each board must adopt a budget, which must— . . . (D) tax the property in the City in an amount, without regard to the maximum set by the Board of Estimate & Taxation, that will satisfy any judgment against the City.
Chapter 6 **Police Department**	
§ 1. **Powers of Mayor over Police—Chief** The mayor shall be vested with all the powers of said city connected with and incident to the establishment, maintenance, appointment, removal, discipline, control and supervision of its police force, subject to the limitations herein contained and the provisions of the civil service chapter of this Charter, and may make all needful rules and regulations for the efficiency and discipline, and promulgate and enforce general and special orders for the government of the same, and have the care and custody of all public property connected with the police department of the city.	[§ 8.3(a)] The Mayor regulates and commands the police department.

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The executive committee shall, by and with the consent of a majority of all of the members of the city council, appoint for a term of three (3) years commencing January 2, 1980, some suitable person as chief of police, subject to removal upon the recommendation of the executive committee by a vote of a majority of all of the members of the city council. Such position shall be in the unclassified service. The term of office of each chief of police shall be three (3) years from and after the second day of January of the year of appointment. In case of a vacancy occurring otherwise, the appointment shall be for the unexpired term. *Ten (10) days prior to the appointment of a chief of police, the executive committee shall file with the city clerk the name of all persons the executive committee is then considering for the appointment. The chief of police may be reappointed by a majority of all members of the city council. In the event that the council does not reappoint within thirty (30) days of the termination of the term, the executive committee shall within sixty (60) days thereafter make a new appointment.* Persons holding the position of chief of police shall be entitled to the same employee benefits as persons in the classified service except as to appointment and removal. If the person appointed chief of police is a member of the classified service, such person shall be deemed to be on leave of absence during the tenure as chief of police, and upon the termination of service as chief of police shall be returned to his or her permanent civil service classification. If no vacancy is available in that permanent civil service classified position, seniority shall prevail and the person most recently certified to such position shall be returned to the permanent civil service classification held prior to such certification.	[§ 8.3(a)(1)] **Police chief.** (A) **Appointment.** The Mayor nominates and the City Council appoints a police chief under section 9.4(b). (B) **Term.** The chief's term is three years. (C) **Civil service.** The chief serves in the unclassified service, but with the same employee benefits (except as to hiring and removal) as an officer in the classified service. If a chief is appointed from the classified service, then he or she is treated as taking a leave of absence while serving as chief, after which he or she is entitled to return to his or her permanent grade in the classified service. If no vacancy is available in that grade, then the least senior employee so classified returns to his or her grade before being so classified.

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The Mayor shall also appoint, subject to the provisions of the civil service chapter of this Charter, all members of the police force and other employees of the department prescribing the title, rank and duties of each, and report a list thereof to the city council, and the civil service commission.	[§ 8.3(a)] Except where the law vests an appointment in the department itself, the Mayor appoints and may discipline or discharge any employee in the department (subject to the Civil Service Commission's rules, in the case of an employee in the classified service).
The personnel of the police department shall be established and maintained at a ratio, or as closely thereto as is possible within the limits of section 2 hereof, of not less than one and seven-tenths (1.7) employees per one thousand (1,000) of population of the city according to the latest United States official census.	[§ 8.3(d)] **Funding.** The City Council must fund a police force of at least 0.0017 employees per citizen . . . .
Each and every person so appointed shall be subject to removal by the mayor when the mayor shall deem the same necessary after proper investigation in accordance with the civil service chapter of this Charter.	[§ 8.3(a)] Except where the law vests an appointment in the department itself, the Mayor appoints and may discipline or discharge any employee in the department (subject to the Civil Service Commission's rules, in the case of an employee in the classified service).
The mayor may also, in case of riot, large public gatherings or other unusual occasions demanding the same, appoint such number of temporary police as may be needed but not for a period of more than one (1) week, without the consent of the city council.	[§ 8.3(b)] **Temporary police.** The Mayor may, in case of riot or other emergency, appoint any necessary temporary police officer for up to one week. Each such officer must be a licensed peace officer.

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All police officers so appointed shall be licensed as required by law and shall possess all the common law and statutory powers of peace officers, and any warrant for search or arrest issued by any magistrate or court of record in Hennepin County may be executed in any part of said county by any member of said police force.	[§ 8.3(a)(3)] **Police officers.** Each peace officer appointed in the police department must be licensed as required by law. Each such licensed officer may exercise any lawful power that a peace officer enjoys at common law or by general or special law, and may execute a warrant anywhere in the county.

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§ 2. ***Buildings, Etc., Salaries and Bonds of Police Officers*** *The city council shall provide all buildings, facilities and equipments, and all other public property as may be necessary or deemed essential to the efficiency of said police force and department, and shall, by resolution, fix the salary and compensation of each member of the force and provide for the payment thereof. The City Council shall also fix the amount of the bonds to be required from each officer and the conditions thereof, and pass upon the same, and when so requested by the Mayor, shall determine the maximum number of members to constitute said Police Force.* For the sole purpose of maintaining the personnel of the Police Department as provided in Section 1 hereof, the City Council, notwithstanding other statutory or Charter tax limitations, shall levy a tax annually, in addition to the City general fund levy, in such amount as is necessary to maintain the Police Department personnel ratio, *but only to the extent such amount is in excess of the sum used to maintain the number of employees constituting the Police Department on January 1, 1961*. In no event shall such additional tax exceed three (3) mills on each dollar of assessed valuation on all taxable real and personal property of the City, such mill rate limitation to be converted and adjusted in the manner provided in Minnesota Statutes, Sections 273.1102 and 275.011. The additional tax and levy herein provided shall not be reduced by the Board of Estimate & Taxation, and the proceeds therefrom shall be appropriated only to the use of the Police Department personnel, and related other than personnel items, and the City Council shall not reduce any other appropriation made for police purposes by reason of the additional tax and levy herein provided.	[§ 8.3(d)] **Funding.** The City Council must fund a police force of at least 0.0017 employees per citizen, and provide for those employees' compensation, for which purpose it may annually tax up to 0.03591 percent of the total value of the property in the City. This tax is in addition to any other tax, and not subject to the maximum set under section 10.3(a)(4).

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§ 3. **Special Police—Powers** The Mayor may at any time, at the request of any person, firm, society or organization, or several thereof, appoint special police officers or guards who shall serve without expense to the City and have police powers to preserve the peace and protect the property at such places and within such limits as may be designated in such appointment for the term therein mentioned, but such special police officers or guards shall not exercise any authority or wear any badge of office outside the limits so designated.	[§ 8.3(c)] **Special police.** The Mayor may appoint special police for a limited place and time at the request and expense of any organization, business, individual, or other person. The special police may not wear a badge or exercise any authority outside those limits.
§ 4. ***Oath and Bond of Police Officers*** Before entering upon or exercising any official duty, each and every appointee under this chapter shall take, subscribe, and file in the office of the City Clerk an oath to support the constitution of the United States and of the State of Minnesota, and faithfully perform the duties of the office*, under direction of the Mayor and Chief of Police, and, if the City Council shall so require, shall also file a bond, in manner, form and amount, as prescribed by the City Council, with said City Clerk.*	[§ 9.2(a)] **Oath.** Before taking office, each officer must sign and file with the city clerk an oath in substantially the following form: "I swear [*or* 'affirm'] that I will faithfully discharge the office of [title], and will support the constitutions of the United States and of Minnesota."

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§ 5. **Community Services Bureau (Crime Prevention)—Appointment of Director** There shall be established in the Police Department a Community Services Bureau (Crime Prevention) with duties as the Chief of Police may assign to it. The City Council shall by Ordinance determine how and by whom the Director of this Bureau is to be appointed. The Director of Community Services Bureau (Crime Prevention) shall serve in the unclassified service and is not required to be a peace officer.	[§ 8.3(a)(2)] **Crime-prevention bureau.** The City Council must provide for a crime-prevention bureau, headed by a director in the unclassified service, who need not be a peace officer. The Council must provide by ordinance for the director's appointment, which need not comply with section 9.4(b). The bureau performs the duties that the police chief assigns.
Chapter 7 **Fire Department**	
§ 1. ***Fire Limits—Wooden Buildings—When and How Prohibited*** *The City Council for the purpose of guarding against the calamities of fire, shall have power to prescribe the limits within which wooden buildings, or buildings of all other materials that shall not be considered fire-proof, shall not be erected, placed or repaired, and to direct that all and any buildings within the limits prescribed, shall be made and constructed of fire-proof materials, or of such materials and with such precaution against fire as the City Council shall by ordinance prescribe, and to prohibit the repairing or rebuilding of wooden buildings within the fire limits when the same shall be damaged to the extent of fifty (50) percent or more of the value thereof, and to prescribe the manner of obtaining the consent to make repairs in such fire limits and of ascertaining the extent of damages.*	
§ 2. ***City Council—Powers to Guard Against Fires***	

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The City Council shall have the power, for the purposes of fire safety and prevention, to prescribe building construction and maintenance requirements; to require fire safety devices in connection with the construction and maintenance of buildings and appliances; to regulate and prohibit industries and practices it deems dangerous in causing and promoting fires; to regulate and prohibit the storing of flammable and explosive materials and the use of firearms; to regulate and prevent the use, sale or keeping for sale or use of fireworks or other explosive devices and to provide for their seizure and destruction; and to make any other provisions to guard against fire or to prevent the spreading of fires, which the City Council may deem proper.	
§ 3. ***Fire Apparatus—Houses—Fire Alarm Systems*** *The City Council shall have power to keep and maintain fire engines and other fire apparatus, and for those purposes, to build and maintain such buildings as may be necessary or convenient, and also to erect and maintain fire-alarm systems and every other means of giving notice of fires.*	

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§ 4. ***Fire Department Rules—Water Pressure During Fire—Punishment of Offenders*** *The City Council shall have power and authority to make by ordinance all needful rules for the government of the fire department and for the protection and use of all engine houses, telegraph lines, and other property and apparatus pertaining thereto, and of the water works, mains, pipes, cisterns and hydrants in said city, as used in connection with said department, and to determine the highest limit of pressure to be placed on the force used to force water through the said mains during a fire; and by such ordinance provide for the punishment of persons injuring or interfering with such property or any portion thereof, and may also by such ordinance make provision to keep away from the vicinity of any fire all idlers and suspected persons, and to compel all bystanders to aid in the preservation of property exposed to danger by such fire.*	

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§ 5. **Chief Engineer—How Appointed—Officers and Personnel** Pursuant to Chapter 3, section 4 of this Charter the executive committee shall appoint, subject to the approval of a majority of all the members of the City Council, a chief engineer of the fire department, subject to removal by the executive committee upon approval of a majority of all of the members of the City Council. The City Council shall provide by ordinance for such other officers and personnel as may be deemed necessary for such department, and define the respective ranks and duties of such chief engineer and other officers and personnel and their compensation. Such position shall be in the unclassified service. The person holding the position of chief engineer shall be entitled to the same employee benefits as persons in the classified service except as to appointment and removal. If the person appointed chief engineer is a member of this classified service, such person shall be deemed to be on leave of absence during tenure as chief engineer, and upon the termination of service as chief engineer, shall be returned to the person's permanent civil service classification. If no vacancy is available in the permanent civil service classified position held by the chief engineer at the time of appointment as chief, seniority shall prevail and the person most recently certified to such position shall be returned to the permanent civil service classification which the person held prior to such certification.	[§ 8.4(a)(1)] **Fire chief.** (A) **Appointment.** The Mayor nominates and the City Council appoints a fire chief under section 9.4(b). (B) **Civil service.** The chief serves in the unclassified service, but with the same employee benefits (except as to hiring and discharge) as an officer in the classified service. If a chief is appointed from the classified service, then he or she is treated as taking a leave of absence while serving as chief, after which he or she is entitled to return to his or her permanent grade in the classified service. If no vacancy is available in that grade, then the least senior employee so classified returns to his or her grade before being so classified.
§ 6. **Chief Engineer to Nominate Officers and Staff—Removals, Discharges, Etc.**	

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The Chief Engineer shall with the approval of the City Council, appoint, subject to the provisions of the Civil Service Chapter of this Charter, all other officers and staff connected with such department, and may at any time, as provided by the Civil Service Chapter of this Charter, remove or discharge such officers or staff as the Chief Engineer may deem it for the interest of the city to discharge, and whenever the City Council shall deem it necessary to reduce the number of staff employed, said Chief Engineer, shall, upon the direction of the City Council, recommend the layoff of such officers or staff as can be released without impairing the working efficiency of such department.	[§ 8.4(a)(3)] **Officers and staff.** (A) **Appointment.** The fire chief, with the City Council's assent, appoints (subject to the Civil Service Commission's rules) the department's other officers and other employees. (B) **Layoffs.** The fire chief may (subject to the Civil Service Commission's rules) discharge an employee in the City's interest. If the City Council directs that the department reduce its force, then the chief must recommend only such layoffs as will not impair the department's operations.

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The Chief Engineer shall appoint competent officers, holding the rank of at least captain, to serve as the assistant chief, deputy chiefs, fire marshal, three (3) assistant chiefs of training and the engineering officer. The assistant chief, deputy chiefs, fire marshal, assistant chiefs of training and the engineering officer shall be appointed by the Chief Engineer, without examination, and such appointees may be removed by the Chief Engineer at will.	[§ 8.4(a)(2)] **Senior management.** (A) **Appointment.** The fire chief, with the City Council's assent, appoints as the department's senior managers— (i) an assistant chief, (ii) a deputy chief, (iii) a fire marshal, (iv) three assistant chiefs of training, and (v) an engineering officer. (B) **Civil service.** The fire chief appoints, without examination, a senior manager from the department's firefighters with the rank of captain or higher; and may discharge him or her at will, without regard to the Civil Service Commission's rules. An officer who accepts such an appointment is treated as taking a leave of absence, retains his or her grade and seniority in the classified service, and earns seniority in that grade while serving as a senior manager, after which he or she is entitled to return to his or her permanent grade in the classified service. If no vacancy is available in that grade, then the least senior employee so classified returns to his or her grade before being so

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An officer of the Fire Department accepting appointment to one of the positions enumerated in this section shall retain the officer's civil service status and seniority, and time served in such appointed position shall be credited in computing the officer's seniority in the permanent civil service classification held by the officer immediately prior to accepting the appointment. An officer of the Fire Department accepting appointment to one of the positions enumerated in this section shall be deemed to be on leave of absence from the officer's permanent civil service classification. Upon termination of such appointed service, the officer shall be returned to the permanent civil service classification for which such leave was taken and if no vacancy is available in such civil service classified position, seniority shall prevail and the person most recently certified to such position shall be returned to the civil service classification held by that person prior to such certification.	classified.
§ 7. **Fire Marshal—Duties, Etc.** The City Council may, subject to the provisions of the Civil Service Chapter of this Charter, designate such officer of the Fire Department as it may select to act as Fire Marshal of the city to see that the ordinances of the city relating to precautions against danger from fire are not violated, and who shall have power and be fully authorized to enter and inspect any dwelling house or other building at all reasonable times to see that such ordinances are enforced and, if entry be refused, the fire marshal shall have recourse to every remedy provided by law to secure such entry. It shall further be the duty of such Fire Marshal to examine particularly into the cause of every fire which shall happen within the city, and to make and keep a brief record of the same.	[§ 8.4(b)] **Fire marshal.** The fire marshal must take care that all laws and ordinances against danger from fire are faithfully observed and enforced, for which purpose the marshal may enter and inspect any building (including a dwelling) at any reasonable time. The marshal must examine and record the cause of any fire.

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§ 8. **Fire Police—Duty of Regular Police** Whenever the City Council shall deem it necessary it may provide for a Fire Police of such numbers and with such powers as it may determine, and for that purpose it may either give police powers to such of the officers or staff of the Fire Department as may be necessary, or authorize the appointment of the necessary Police Officers in the same manner as other Police Officers are appointed. In all cases, all Police Officers present at any fire shall be subject to the direction of the officers of the Fire Department present at such fires.	[§ 8.4(c)] **Fire police.** The City Council may provide for fire police within either the fire department or the police department. The fire department may command the police officers at any fire.
§ 9. ***Authority of Chief Engineer—Punishment for Refusing to Obey*** *Any person who, at any fire, shall refuse to obey the orders of the Chief Engineer of the Fire Department, or other officer vested with authority at such fires, shall be guilty of a misdemeanor.*	

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§ 10. **Expenses—From What Funds Paid** All operating expenses of the Fire Department shall be paid out of the general fund. The construction of engine houses or other buildings and purchase of fire apparatus or property for the use of such department may be paid for out of the permanent improvement or other bond fund of the city.	[§ 8.4(e)] **Funding.** The City Council must fund a fire department that can maintain the double-platoon system. (1) **Operating expenses.** The department's operating expenses are paid out of the general fund. (2) **Capital expenses.** The department's capital expenses are paid out of the permanent improvement fund, or the proceeds from bonds issued for the purpose, or out of the general fund.
~~§ 10. **[Reserved]**~~	

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§ 12. **Council to Adopt Measures for Enforcement of Same and Chief of Fire Department Given Extraordinary Powers in Case of Emergency** The City Council shall take such steps as are necessary to provide means and money to meet the expenditures which shall be necessary to establish and maintain the double platoon system. Provided, however, that the Chief of the Fire Department may establish such rules as may be necessary to insure the attendance of members of the Department in case of a great conflagration or unusual fire or fires, and in such cases, the Chief of the Fire Department may require each and every member of the Department to assist in the protection of life and property, notwithstanding said member or firefighter is off duty. Provided, further, that nothing herein contained shall be construed to apply to any vacation now, or hereafter granted to any firefighters by the city. In case of riot or other like emergency, the Chief of the Fire Department may appoint additional firefighters and officers for temporary service, who need not be in the classified list of the Department. Such additional firefighters or officers shall be employed only for the time during which the emergency exists.	[§ 8.4(d)] **Fire emergencies.** If necessary for the protection of life or property from an unusual fire, a riot, or a like emergency, the fire chief may— (1) compel the attendance of any employee in the fire department (including an off-duty firefighter), for which purpose the chief may make any necessary or prudent rule; and (2) appoint additional officers or other firefighters for temporary service during the emergency, without regard to the Civil Service Commission's rules.
Chapter 8 **Highways and Bridges**	

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§ 1. ***City Council to Control Streets*** *The City Council shall have the care, supervision and control of all highways, streets, alleys, public squares and grounds within the limits of the city, and may lay out and open new streets and alleys, and extend, widen and straighten any that now exist, or which may hereafter exist; also for the purpose of drainage, construction of bridges, or making other necessary public improvements, or for the improvement of the health or sanitary condition of the people of said city, to enter upon, lower, raise, change the course of or divert any stream of water (except the Mississippi River) or any ditch or drain within the limits of said city, and may build, maintain and repair bridges across streams or railway tracks, [and] may provide for the pavement of gutters or of the roadbeds of any street or alley.*	[§ 1.4(a)(2)] **Infrastructure.** The City may establish, plan, build, maintain, regulate, and otherwise provide for public ways and works and any other infrastructure necessary or convenient for its residential and economic development; for the comfort, convenience, health, safety, or welfare of its citizens; or for the efficient delivery of municipal services.
§ 2. ***Street Grades***	
The City Council shall have power to establish the grade of any street when such grade has not been established, and may by vote of two-thirds of the members of the Council [to] change the grade of any street after such grade has been established. *It shall cause accurate profiles of the grades of all streets to be made and kept in the office of the City Engineer.*	[§ 4.4(a)(3)(B)] by two-thirds of its membership, regrade a graded street;

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Whenever the grade of any street shall be established or changed by the City Council, the owner of abutting property may file with the City Clerk, within twenty days after said City Council shall so vote to establish or change the grade of any such street in front of any such abutting property, notice that the owner will claim damages by reason of such establishment or change of grade in front of the said abutting property, giving the description of the land and the buildings thereon, together with the amount of the value of such land and buildings, in the owner's judgment, and the amount of the alleged damages which such establishment or change of grade will, in the owner's judgment, cause to the said land and buildings, which notice shall be sworn to and shall be accompanied by the certificate of the City Assessor of said city of the value in the City Assessor's judgment of such land and buildings, and of the damages which in the City Assessor's judgment such establishment or change of grade will cause to said land and buildings and said City Assessor shall examine said buildings and land, and said change of grade, as so voted, and make said certificate on the request of the owner of such property. After the expiration of said twenty (20) days and within thirty (30) days after the expiration of said twenty (20) days, if said City Council shall, from the amount of damages claimed by such notices, deem it unwise to establish such grade or to make such change of grade of such street, it may reconsider the vote by which such establishment or change of grade was made, which reconsideration of such vote shall be by a majority of all the members of said City Council. But if no such reconsideration of such vote shall be had within fifty (50) days after the vote of said City Council so establishing or changing the grade of said street, where damages are so claimed, or if on such reconsideration two-thirds (2/3) of the members of the Council shall again vote for such establishment or change of grade, then after the expiration of six months after the work of grading such street shall have been fully completed, said City Council shall appoint five free-holders of said city, no two of whom shall reside in the same ward, as Commissioners, to view the premises and to ascertain and award the amount of damages and compensation to be paid to the owners of such abutting property and permanent buildings who have so filed such sworn notices and certificates of such City Assessor, and to assess the amount of such damages and compensation upon the lands and property to be benefited by such improvement, and in proportion to the benefits to be received by each parcel and without regard to a cash valuation. It shall take at least four of said Commissioners to make any award of damages, and they shall be notified of their appointment, and vacancies in their number shall be filled in the same manner, and they shall take the same oath as is provided in the case of Commissioners appointed under Section three (3) of Chapter ten (10) of this Charter.	

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They shall give notice by two publications in the official paper of said city that they will, on a day designated in such notice, which shall be at least ten days after the first publication of such notice, meet at a place designated in said notice on or near the lands and buildings which it is claimed shall have been damaged by such establishment or change in the grade of such street, and view the same, and ascertain and award therefor compensation and damages, and view the premises to be benefited by such improvement, and assess thereon, in proportion to benefits, the amount necessary to pay such compensation and damage, and that they will then and there hear such allegations and proofs as interested persons may offer, and such Commissioners shall meet and view the premises pursuant to such notice, and may adjourn from time to time after having viewed the premises, and may for the hearing of evidence and the preparation of their award and assessment, adjourn or go to any other convenient place in said city, and may have the aid and advice of the City Engineer and of any other officer of the city. After viewing the premises, and hearing the evidence offered, such Commissioners shall prepare and make a true and impartial appraisement and award of the compensation and damages to be paid to each person whose land or buildings shall have been damaged by such establishment or change of grade of such street. But if the remainder of such land or of the property on which said buildings stand, or the remainder of the lot or parcel connected therewith, shall be benefited by such establishment or change of grade of such street, then the Commissioners, in considering and awarding compensation and damages, shall also consider, estimate and offset the benefits which will accrue to the same owner in respect to the remainder of the same property, and award the owner only the excess of the compensation or damages over and above such benefits. The said Commissioners shall then assess the amount of such compensation and damages so awarded upon the land and real property benefit[ed] by such change of grade, and in proportion to such benefits, but in no case shall the amount of said assessment exceed the actual benefit to the lot or parcel of land, or other real property so assessed, deducting therefrom any damages or injuries to the same parcels which are less than such benefits, and assessing only the excess, and prepare and report to the City Council their appraisement and award, and if, in the judgment of said Commissioners, the whole amount of such compensation and damages, together with the cost of making such improvement, shall exceed the actual benefit to the specific property subject to assessment, they shall so indicate in their report, and shall state the amount of such excess. Said Commissioners shall also report to the City Council an assessment list containing their assessment of such compensation and damages, or so much thereof as shall not exceed the actual benefits to the property	

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§ 3. **Vacation of Streets** The City Council may also by a vote of two-thirds of the members thereof vacate any highway, street, lane or alley, or portion of either and such power of vacating highways, streets, lanes and alleys within the City of Minneapolis is vested exclusively in said City Council, and no court or other body, or authority shall have any power to vacate any such highway, street, lane or alley, nor any plat or portion of any plat of lands within said City.	[§ 4.4(a)(3)(D)] by two-thirds of its membership, vacate wholly or partly any public way or plat, which power the Council enjoys exclusively;
§ 4. Street Cleaning *The City Council shall have power to designate districts or portions of the streets and alleys of the City, for the purpose of cleaning the same, and may provide for the cleaning of such districts by contract on such terms as shall be deemed advisable.*	
§ 5. ***Contract Work*** *All work done or constructions made of any kind by the said City of Minneapolis, may be done by contract awarded in such manner as the City Council of said City may deem advisable, or said City Council may, in its discretion, direct any such work or construction or any part thereof which it shall deem necessary to be made to be done by day's work under the direction of the said City Council or any officers of said City whom the said City Council may designate.*	

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Whenever said City Council shall determine to do any of said work or constructions by contract, if the amount of expenditure involved in said contract shall exceed the sum of Fifteen Thousand dollars ($15,000), public notice shall be given and proposals invited for the same, in such manner as the said City Council shall direct.	

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§ 6. ***City Engineer to Superintend All Grading and Construction of Public Ways*** *The City Engineer, in addition to other duties, personally and by and through the assistants and employees under the City Engineer in the Engineering Department of the City and under the direction of said City Engineer shall superintend and have general charge and control of all work of grading, and the laying and construction of sidewalks and crosswalks, and of all work ordered by the City Council to be done, in or upon the public streets, avenues, alleys and public grounds in the City of Minneapolis, including the installing and maintaining of street signs and traffic signs and signals therein, and removing ice and snow therefrom, and of all work of sprinkling the public streets, highways, avenues, alleys and public grounds of the City with water, oil or other materials, and of all street sweeping, cleaning and flushing in the City, and of all equipment and machinery of the City or any subdivision thereof now or hereafter in use or usable for making or doing the street work and improvements above mentioned; and shall see that all sidewalks and streets in the City which have been graded and opened for traffic are kept clear of obstructions and in such repair as to be safe and passable; and the City Finance Officer shall cause to be kept correct books of account showing in detail the actual cost and expense of all street work done and street improvements made by the City Engineer or under the directions of the City Engineer under the provisions of this section; and the City Engineer shall, upon request, furnish the City Finance Officer all data and information necessary to enable the City Finance Officer to properly keep such books of account and distribute all disbursements for said purposes to the proper City Funds.*	

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§ 7. ***Engineers to Have No Interest in Contracts*** *Neither the City Engineer nor any assistants or employees in the Engineering Department of the City shall be interested in any contract for any work to be done under their charge or for any materials furnished therefor; or shall be allowed or shall receive any compensation for the use of any vehicle or item of equipment owned by them or in which they shall have any interest, or for any material or labor furnished by them, except the salary and compensation allowed and paid them as officers or employees of the City and for defraying the cost and expenses incurred in the performance of their duties as officers or employees of the City; or shall receive directly or indirectly any commission, gratuity, money or valuable thing from any person doing work or furnishing material for any work or construction under the charge of the City Engineer or assistants or employees under the City Engineer.*	
§ 8. ***Acceptance of Bribes*** *If any City Engineer or any other officer of the city shall have any interest in any contract work or construction done pursuant to this Chapter, all such contracts shall be void and all such work done, and material furnished or supplied for the use of the city shall be forfeited, and every such City Engineer or other officer who shall accept any gift or gratuity or any commission from any person having contracts with said city, or furnishing material or performing labor under the provisions of this Chapter, which contract, material or labor shall be under the charge or supervision of such Engineer or other officer, or subject to acceptance by them, or either of them, shall be punished in the same manner as provided by law for the acceptance of bribes by public officers.*	

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§ 9. ***Bridges—City Charge*** *All bridges in said city crossing the Mississippi river or any natural stream or water course in said city tributary to said river, whatever the form or material used in the construction thereof, together with the guards and embankments connected therewith, and the immediate approaches thereto which form a necessary part of the same, and also all such bridges crossing railway tracks, canals and the approaches thereto or any portions thereof as shall not be chargeable to any railway company, shall be built, maintained and kept in repair by the city as a general city charge.*	

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§ 10. ***Opening of Streets—Drainage*** Whenever the City Council shall determine to lay out or open new streets or alleys in said city, or to widen, straighten or extend any that now exist or may hereafter exist, or for the purpose of drainage, construction of bridges or making other necessary public improvements, or for the improvement of the health or sanitary condition of the people of said city, shall determine to enter upon any tract of land and lower, raise, change the course of or divert any stream of water (except the Mississippi river) or any ditch or drain within the limits of said city, it may, for such purposes, purchase or condemn any real estate or interest therein which is private property and provide for the payment of the value of such property as may be taken for such improvement, and all damages done to any private property by reason of such improvement, and the expense of making such improvement, where it consists in lowering, raising, diverting or changing the course of any stream of water, ditch or drain, by assessing, levying and collecting the whole expense of such improvement, or such parts thereof as may be considered equitable, upon the property to be benefited by such improvement, without regard to cash evaluation; but no assessment for such improvement shall exceed the actual benefit to the property upon which the same shall be assessed, and in case the whole expense of such improvement shall exceed the benefits accruing therefrom to any specific property the excess of such expense shall be made a general city charge and be paid from the Permanent Improvement fund of the city. *Nothing in this section shall be construed as permitting the condemnation of any ground of any cemetery or burial place and occupied for such purposes, without the consent of the owners of such ground.*	[§ 10.6(c)(1)] **Improvements.** The City Council may levy a special assessment that partly or wholly defrays the cost of any improvement of a local character against the property fronting or benefited by the improvement.
~~§ 10. **[Reserved]**~~	

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§ 12. ***Owners to Build and Repair Sidewalks*** *It is hereby made the duty of all owners of land adjoining any street, lane or alley in said city, to construct, reconstruct and maintain in good repair such sidewalks along the side of the street, lane or alley next to the lands of such owner respectively as may have been heretofore constructed, or as shall hereafter be constructed, or directed by the City Council to be built, and of such material and width, and upon such place and grade as the City Council may by ordinance or otherwise prescribe. Whenever the City Council shall deem it necessary that any sidewalk in the City of Minneapolis shall be constructed or reconstructed, it shall by resolution direct such construction or reconstruction, specifying the width thereof and the material of which the same is to be constructed. The publication of such resolution once in the official paper of the city shall be sufficient notice to the owners of the land along which such sidewalk is to be built to construct the same, and unless such owners shall each along the owner's respective land construct and fully complete such sidewalk within two weeks after the publication of such resolution as aforesaid, the City Council shall forthwith proceed to ascertain the expense of constructing the same and assess and levy such expense upon and against each lot and parcel of land upon which such sidewalk shall front. Such assessment shall be collected in the same way and in all things, as is provided for the collection of special assessments under the provisions of Chapter ten of this Charter. And the City Council may either before or after making such assessment cause such portion of such sidewalks as have not been built by the owners of such lands fronting on the same, and all street crossings, to be built by the city.*	

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§ 13. ***Sidewalk Repairs*** *If the owner of any lot or parcel of land shall suffer any sidewalk along the same to become broken, rotten, or out of repair, it shall be the duty of the City Engineer to repair the same within a reasonable time in a good, substantial and thorough manner, and to report to the City Council the cost of such repairs in each case, and a description of the lot or parcel of land abutting which such repairs are made, and such report shall be carefully filed and preserved by the City Clerk; and the City Council shall once in each year, at or as near as conveniently may be, the time of levying the yearly city taxes, assess and levy upon each of the lots and parcels of land fronting or abutting upon sidewalks which have been so repaired the cost of making such repairs. In each case such assessments for all such repairs within the year may be combined in one assessment roll and be collected as provided for in Chapter ten of this Charter. In case any such sidewalk shall become so out of repair as to become dangerous, and cannot be made safe without being rebuilt, and there are no funds to defray the expense of such rebuilding, it shall be the duty of the City Engineer to remove the same entirely, and the expense of such removal shall be added to the cost of rebuilding when the same shall be reconstructed and collected with the assessment for such reconstruction.*	[§ 10.6(c)(1)] **Improvements.** The City Council may levy a special assessment that partly or wholly defrays the cost of any improvement of a local character against the property fronting or benefited by the improvement.
§ 14. **Funds for Sidewalks** Monies to build or repair sidewalks, when the same shall be done by the City Engineer or a city contractor under this Chapter may be advanced from the Permanent Improvement fund, to be reimbursed by the special assessment when collected.	[§ 10.6(a)(2)(A)] **Payments.** The Council may pay out of the fund for any improvement of a local character— (A) in anticipation of revenue from a special assessment levied against the property fronting or benefited by the improvement;

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§ 15. ***Ground to Be Graded*** *It shall be the duty of the City Council before ordering the construction of any new sidewalk, to cause the ground on which it is built to be properly graded.*	
§ 16. ***Street Sprinkling***	
The City Council shall have power to sprinkle the streets, avenues and public grounds of said city, or any part thereof, and may make contracts for so sprinkling such streets, avenues, public grounds or district of said city as it may deem best, for any time not to exceed three (3) years, on such terms and conditions and for such portions of each year as it may deem best.	
Water for such sprinkling shall be furnished from the city water works free of charge. The supply of such water shall be deemed the proportion of the expense for such sprinkling for the street crossings and all parts of such streets fronting on land exempt from assessment. The whole cost of sprinkling such portion of the street shall be levied and assessed upon the lots and lands fronting upon that part of the street so sprinkled and which are subject to assessment, by an equal rate per front foot of said lots and lands. Such levy shall be made annually.	

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§ 17. ***Obstruction of Streets*** *All persons who shall, by means of any excavations in or obstructions upon any street of said city, not authorized by law or the ordinances of said city, render such street unsafe for travel, or who shall by negligence in the management of any such excavation or obstructions as shall be authorized, or by failure to maintain proper guards or lights thereat, render such street insufficient or unsafe for travel, shall be liable for all damages not caused by the negligence of the party injured, to whomsoever resulting, by reason of such obstruction or negligence, and no action shall be maintained against said city for such damages unless such person or persons shall be joined as party defendants; and in case of judgment against the defendants in such action execution shall at first issue only against the defendant causing such insufficiency, and the city shall not be required to take steps to pay such judgment until such execution shall be returned unsatisfied, and if the city shall pay such judgment it shall become the owner of the same and may enforce payment of the same from the other defendant and shall be entitled to execution therein against the other defendant, and to take such other proceedings as judgment creditors are entitled to take.*	
~~§ 18.~~ ~~**[Reserved]**~~	

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§ 19. **Action for Injuries** No action shall be maintained against the City of Minneapolis on account of any injuries received or loss sustained by means of any defect in the condition of any street, until the same shall have been graded; nor for the insufficiency of the ground where sidewalks are usually constructed, when no sidewalk is built.	[§ 1.4(d)] **Immunity.** The City enjoys immunity from suit and liability for any injury resulting from— (1) the defective condition of an ungraded street; (2) the ground's insufficiency where a sidewalk can go but no sidewalk has been built; and (3) any other act, omission, or condition for which a municipal corporation enjoys immunity at common law or by general or special law.
§ 20. ***Railways Not to Pile Up Snow*** *No railway company or street railway company shall have any right, in clearing their tracks through any part of said city, or otherwise to pile up snow or other material and leave the same piled upon any traveled portion of any street in said city. And any such company shall be liable to any person who shall be injured by means of any such obstruction caused by such company, or its servants, for all damages sustained. And in case any damages shall be recovered against the city for injuries caused by such obstruction, the city shall have the right to recover the same again from the company by whom the obstruction was caused.*	
§ 21. **City Districts—How Designated**	

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The City Council shall have power to designate by ordinance or resolution such portions of the territory lying adjacent to or outside of the boundary lines of the city as it may deem proper as a city district, and may from time to time extend the limits of such district to include any territory not lying at a greater distance than three (3) miles at any point in direct line from the boundary line of said city, and within said district the City Council shall have control of the laying out of streets and alleys and the acceptance of plats of additions and the dedication of property for streets and public grounds therein, and may require that all streets and alleys laid out or donated within such district shall conform to and be continuous with the system of streets and alleys within said city, and to that end may indicate by survey and plat such streets, alleys, and arrangement and dimensions thereof as in its discretion will be best calculated to meet the wants and conveniences of said city and its surroundings or any future extension thereof.	§ 2.6. **Special districts** For the more efficient delivery of municipal services in the City and its surroundings, and with a view toward their orderly growth, the City Council may designate any area within three miles of the City's boundaries as a special district, in which it may— (a) lay out the streets and other infrastructure so that they consistently continue the City's system; (b) accept or dedicate property for streets or any other public purpose; and (c) plat the district accordingly.
The city districts heretofore established shall be continued until modified or extended by said City Council.	

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§ 22. ***Council to Accept or Reject Plats*** *Whenever any person shall subdivide any lot or piece of ground within said city district that person shall cause the same to be surveyed and platted in accordance with the provisions of the general statutes of the State of Minnesota, and when the survey and plat are so completed and acknowledged, it shall be presented to the City Council. All plats presented to said City Council for acceptance and approval must be drawn in triplicate on such material and of such size as the City Council may direct by ordinance. Said City Council may accept or reject said plats, or direct them to be changed or modified in such manner as it shall deem expedient. Whenever any plat is accepted and approved by said Council the City Clerk shall so certify upon one (1) of said plats, which shall be the original plat to be recorded, and certify the other two (2) to be copies of the one accepted and approved by the said City Council. The original plat and one (1) of said copies shall be presented to the Register of Deeds of Hennepin County for record and the other copy shall be filed in the office of the City Engineer. Whenever said plats shall be presented to the Register of Deeds for record, as provided by the general statutes, the original plat so certified by the City Clerk as accepted and approved by the City Council shall be filed of record as the original plat; the other shall be certified by said Register of Deeds as a true and correct copy of the original plat. The plat filed as the original shall only be open to inspection in the presence of the Register of Deeds or one (1) of the Register of Deeds' deputies. The certified copy shall always be open to the inspection of the public during business hours. All the provisions of the general statutes, in respect to the manner of filing town plats, shall be applicable to said city or city districts, but said Register of Deeds shall exhibit to any person, free of cost, such original plat on request of any person.*	

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§ 23. ***Liability of City in City District*** *The acceptance of such plat or addition of any ground either within or outside the limits of said city shall not make the city liable to grade the streets therein designated, nor responsible for any insufficiency of any such street, until the City Council shall direct and cause the same to be graded and opened for travel.*	
§ 24. ***Contracts Not to Be Awarded to Persons in Default*** *Neither the City Council nor any officer or board of said city shall entertain any bid from or let any contract to any person, firm or corporation who is in default to the City of Minneapolis or any department thereof, on any contract or bond; or in any other way, whether said bid or contract be for doing anything or furnishing any material under this Chapter or any other provision of this Charter.*	
Chapter 9 **Water Works**	

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§ 1. ***Council to Maintain Water Works and Sewers*** *The City Council shall have power to maintain the water works and sewers now established in said city and to enlarge, extend and relay and improve the same; and shall require, before any street is paved, that the gas, water and sewer pipes be laid therein and connection made with the front line of each lot, and in all cases where any mains have been or are hereafter to be laid, whether the street on which the same are laid is to be paved or not, the Council shall require connection with such mains to be made to the front line of each lot abutting thereon. In the business portions of the city the word "lot" shall be construed to mean a subdivision of twenty-two (22) feet front.*	
§ 2. ***Extension of Water Works and Sewers***	
Whenever in the enlargement or extension of water works or sewers, it shall in the judgment of the City Council be necessary to take any private property, consisting either of land, buildings, water power, or other private property, the City Council shall have power to acquire the same by purchase, or by condemnation, in the manner provided in Chapter ten (10) of this Charter, and in such cases of condemnation, as well as purchase, a full title in fee simple for the property acquired shall vest in said city.	

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Provided, however, That in case of the purchase or condemnation of private property for laying sewers or water mains, where said City Council may deem it best only to obtain the right to lay and maintain said sewers or water mains over, across or through private property, said City Council may either purchase or condemn the right simply to lay, construct and maintain said mains and sewers and the necessary appendages thereto, over, across or through any private property, giving to the owner thereof the right to the use of the surface of said land, except at such times and such places as said City Council, or the proper board, officer or department of the city government of the City of Minneapolis may find necessary to enter upon, dig into or disturb said surface, for the purpose of laying, relaying, constructing, or reconstructing or repairing any such water mains or sewer pipe; and the deed of purchase in such case, or the judgment of the court in the case of condemnation shall define the rights of said city, and its proper boards, officers, agents or said City Council as well as the land owners therein.	

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§ 3. ***Assessment for Water Mains*** *Whenever water mains shall be laid, relaid or extended through any street or alley of said city, or any portion thereof, the City Council shall have the power, and it shall be its duty, to levy and collect by special assessment, such portion of the cost of expense thereof as shall not exceed the estimated cost of laying a six-inch main (including pipe hydrants, valves and all necessary specials) by a special assessment upon the property on both sides of such street or alley fronting upon such improvement of an equal sum per front foot without regard to cash valuation. The cost not provided for by such assessment, including the increased cost of larger mains, and the cost of laying mains upon street crossings, as well as the proportion which would otherwise be assessed against any property which is by law exempt from such assessment, shall be paid out of the water works fund hereinafter provided for.*	

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§ 4. ***Assessment for Sewers*** *The City Council may in like manner, whenever it shall deem it necessary, lay, relay or extend any sewer, through any street in said City, and levy and assess, and collect the cost thereof, not exceeding the estimated cost of a sewer two feet in diameter, including all necessary catch basins, manholes, lampholes and flushing valves, by a special assessment upon the property on both sides of such street and abutting upon such improvement, of an equal sum per front foot without regard to a cash valuation. The cost not provided for by such assessment, including the increased cost of larger sewers and constructing the same across streets and against property which is by law exempt from such assessment, shall be paid out of the permanent improvement fund of said city. A sewer two feet in diameter is hereby declared to be an ordinary street sewer within the meaning of this act, for the drainage of abutting property.*	[§ 10.6(c)(1)] **Improvements.** The City Council may levy a special assessment that partly or wholly defrays the cost of any improvement of a local character against the property fronting or benefited by the improvement.
§ 5. ***Branch Pipes and Sewers***	
The City Council may at all times regulate and control the time and manner of laying and constructing, by private parties, branch pipes and sewers leading from main lines of water mains and sewers, and of making connections with main lines and with branch lines both public and private.	

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The City Council may, too, whenever it shall deem it necessary to lay or construct branch pipes or sewers in order to prevent future tearing up of streets or for any other reason, determine in the case of each main line, or of any specified portion of a main line, the location, number and manner of construction of such branch lines, providing in its discretion one (1) or more for each distinct lot or parcel of land, or one (1) for two (2) or more adjacent lots or parcels of land may require the proper officer to make surveys, plats and profiles showing the same, which when approved and adopted, shall thereafter be preserved in the office of the City Engineer, and may thereupon whether such main line has already been constructed, or is in process of construction, forthwith lay and construct all such branch pipes and sewers not already constructed by the private parties interested, from a connection with the main line to the line of the street. Whenever the City Council constructs one or more such branch pipes or sewers it shall assess the whole cost of each upon the lot or parcel of land to which it runs without regard to the valuation or frontage of such lot or parcel of land, but in case one (1) branch is to serve two (2) or more lots or parcels of land, it shall assess the whole cost of the same upon all the lots or parcels of land to be served by it, an equal sum per front foot without regard to valuation. The cost of such branches may be assessed and collected in advance of their construction as in case of other improvements, in which case the cost shall be estimated and fixed in manner substantially like the way pointed out by Section eight (8), Chapter ten (10) of this Charter, for the improvements therein specified, with such variances in the matters to be reported, and in the other details as shall be suggested by the different character of the improvement; or such branches may be determined upon and forthwith constructed without prior estimate or other proceedings, in which case the actual cost of construction, certified to by the City Engineer, and approved by the City Council shall be assessed, after the completion of the same, against the private property as above specified. In either case the assessment shall be made and collected substantially as provided in case of other improvements. The City Council may, however, in case it constructs any branch at the time it constructs the main line, assess in the manner above named the whole cost thereof, and add the same to and include it with the assessment for the main line.	

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The City Council may, subject to such terms, and under such regulations as it may fix, require all persons using an area or any space within the lines of any street, to permit to be laid within such area or space all necessary branch pipes, both water and gas, and branch sewers to a connection with other branches, and also to be laid therein inclosed in tubes or otherwise sufficiently protected, any and all electric and other wires it may at any time require laid beneath the surface of the street. And in the future no permits for the excavation or use of any area or space within the lines of a street shall be given except upon condition that it may be used by others in the manner and for the purposes above named; and to place therein any hydrant or other part of the water works of said city.	
§ 6. ***Drainage of Marshes, Etc.***	

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Whenever any sewer of said city shall be extended to or in the vicinity of any tract of wet or marshy land either within or without the limits of said city, and the City Council shall consider that the public health of the city demands the drainage of such wet or marshy land and the extension of such sewer to or into such land and beyond the lines of the streets of the city, the City Council may by resolution therefor direct the commencement of proceedings against the owner or owners of such wet or marshy land, and thereupon said city shall have the right to maintain in the District Court of the County of Hennepin, or in any other court of competent jurisdiction, an action against such owner or owners to compel a contribution from them, to defray the expense of extending such sewer to or into such lands, and the additional expense, if any such may be caused by the necessity of enlarging the sewers through the streets of the city from such tract of land to the outlet of such sewer. In such action the court shall have power to direct the joining of other parties to such action as defendants in such manner as it shall adjudge equitable, and shall make awards of such sum or sums of contribution to the expense of such sewer as it shall deem just and in proportion to the benefit to each specific parcel of such wet or marshy land as shall be affected by such sewer, but in no case to exceed the amount of benefit it shall adjudge to accrue to each of such specific parcels by reasons of such extension of such sewer.	

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Such award shall stand as the determination of such court, and said city shall upon the completion of such work have judgment and execution for the several sums so awarded, which judgment shall be a specific lien upon each of the parcels of the land upon which such award shall be made, which lien shall have priority over every other lien or charge upon such parcel, and such judgment may be enforced only against such specific property. If upon the making of such award by said court the City Council shall consider the whole expense of such improvement above the amount of such award, to be an excessive burden on the city, it may abandon the proceedings by paying the taxable costs in such action, or it may determine to proceed with part of such work and abandon the remainder thereof, in its discretion, or it may, in its discretion, delay the performance of the work, not exceeding three years.	

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And whenever the City Council shall determine that any wet or marshy district in said city needs to be drained, for the public health of the city or for other public benefit, then the said City Council may cause to be devised and carried into construction and effect a system of drainage for such wet and marshy district by sewers, or covered drains made of wood, stone, brick, or other material, or partly of one (1) material and partly of other materials, as said City Council shall determine; or by open ditches or canals, where the same will best effect said drainage; or partly of sewers or covered drains, and partly of open ditches or canals. And said City Council may cause the cost of such system of sewers, covered drains, ditches or canals to be paid by special assessment, to be made upon all the real property within such wet or marshy district, including any high land within or adjoining the same which shall be benefited by said system of drainage, on the assessed value of each parcel of real property so benefited. Said system of drainage for any such wet or marshy district may be constructed at one (1) time or during one (1) year, or at different times in different years, and in different parts or sections. And in case different parts of any such system of drainage shall be constructed during different years, said City Council shall first (1) as near as practicable, cause to be constructed the principal or main sewers, covered drains, ditches, or canals, and afterwards branch or lateral sewers, covered drains, ditches or canals; and in levying the special assessment for the cost of such system, or any portion thereof, it shall levy the special assessment for the principal or main sewer, covered drains, ditches or canals, and also the cost of the branch or lateral sewers, covered drains, ditches or canals belonging to the same system of said drainage upon all the real property so to be benefited by such system, whether the same shall be constructed in one (1) year, or whether parts of said system shall be constructed in different years.	

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§ 7. ***City Council to Have Charge of Construction, Maintenance, Repairing and Management of Water Works*** *The City Council shall have charge of the construction, maintenance, repair and management of everything pertaining to the water works of said city, and of all new constructions, additions and alterations, whether of pump houses, mains, hydrants or other constructions, appliances or machinery connected with said water works, and shall have the supervision and direction of the working and operation of the same; and shall make and execute all contracts for the construction, alteration and repair of pump houses and of all machinery and appliances connected therewith, and for the laying, relaying and construction of water mains and putting in of hydrants and other appliances connected therewith; and for the purchase of all material necessary to be used about said water works, and all extensions thereof, and have the charge, care and supervision of the execution of all such contracts. The City Council shall also appoint, subject to the provisions of the City [Civil] Service chapter of this Charter all officers and employees that may be necessary for the successful operation and management of said water works, and to designate and fix the compensation of the persons so appointed or employed, and may remove such persons in accordance with the provisions of the Civil Service chapter of this Charter.*	

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§ 8. ***Water Works Fund*** *The City Finance Officer shall collect and receive all moneys payable for water rents; and all other money payable to or received into the city treasury to the credit of the water works. All such moneys, together with all moneys which may accrue from any bonds issued by said city for water works purposes and moneys which may be appropriated by the City Council for like purposes shall by the City Finance Officer be kept in a special fund called the "Water Works Fund," and shall only be paid out upon order of the City Council, or in payment of bonds of said city or coupons in cases where such bonds have been or may be issued on account of or for the construction, alteration or extension of such water works, all of which bonds and coupons may be paid from said water works fund.*	
§ 9. ***Duties of City Finance Officer*** *The City Finance Officer shall keep regular records of account of the water works and shall enter in the records all indebtedness of the city incurred for said water works, and which shall at all times show the precise financial condition of the city in respect to said water works, the amount of outstanding bonds, orders or other evidence of indebtedness issued or incurred by the city for said water works, and the redemption of the same when redeemed; and the Finance Officer shall countersign all bonds, orders or other evidence of indebtedness issued or incurred by the city for said water works, and keep an exact account thereof, showing to whom and for what purpose issued and the amount of each and all moneys received or paid out by the City Finance Officer on account of said water works. All claims allowed by the City Council pertaining to the water works shall before they are paid, be audited by the City Finance Officer.*	

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§ 10. ***City Council to Provide Office Space, Etc.*** *The City Council shall provide and furnish, suitable desks, furniture and fixtures and suitable room and office space convenient to or in the City Hall building of said city for the use of said water works.*	
§ 10. ***City Council to Order Water Mains*** *The City Council shall have the right to determine and direct as to the size and quality of all water mains which shall be laid in said city, and all other things pertaining thereto. All special assessments levied upon abutting property for the laying of water mains, shall when and as fast as collected be credited to said water works fund, and said City Council shall proceed to lay mains in advance of the collection of special assessments thereof, whenever there shall be sufficient moneys in said fund in excess of other necessary or estimated demands thereon to enable advances to be made from such fund. No contract negotiated by the City Council shall be binding upon said city until the same shall be countersigned by the Finance Officer; subject to the same rules respecting the possession of funds to meet such contracts as in case of other contracts entered into in behalf of said city; but the City Council shall have the right to make such contract for anything pertaining to said water works of said city in anticipation of the sale of any bonds which said city shall have been authorized to sell, the proceeds of which are required to be set apart to the credit of the water works fund of said city.*	

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§ 12. ***Pump House Repairs*** *If it shall be necessary to make repairs, additions or alterations in any pump house or machinery or water mains, when there shall not be sufficient money in said water works fund to defray the costs thereof, the City Council may appropriate from the general fund of said city to said water works fund, sufficient money to insure repairs.*	
§ 13. ***Expense of Pump House, Etc.*** *All expenses of keeping up and operating said water works, and of constructing, enlarging, altering and keeping in repair pump houses, machinery, hydrants, and laying of water mains, and everything connected with said water works, shall, except so far as the cost of laying water mains, be raised by special assessments upon abutting property, be paid from said water works fund, and any excess of such special assessments shall belong to said water works fund.*	

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§ 14. ***Water Rates*** *The City Council shall fix from time to time the rates to be paid by the owner, lessee or occupant for each house, building or place, or any part of the same, in or at which water from said water works may be used, upon such basis as they may deem equitable and the time when the same shall be made payable. The City Council shall have the power to make and enforce such rules and regulations as may be necessary to carry into effect the object and intent of this chapter, and to protect the property, interest and rights of said city; and may make all necessary rules and regulations concerning the tapping of any mains or branches, or making connections therewith, by any private parties or licensed plumbers, and the City Council may revoke the license of any plumber licensed by said city who has disregarded said rules and regulations regarding the tapping of any said mains or branches, or making connections therewith. The City Council may also make rules for the shutting off of water from any premises where rates are payable and remain unpaid; and shall have the right to furnish water free to any public building, association or institution.*	
§ 15. ***Owners of Property Responsible for Rents*** *The owner of private property which property has upon it pipes connected with the city water works to convey water upon such property, shall, as well as the lessee or occupant of the premises, be liable to the City of Minneapolis for the rents or rates of all water from said water works used upon such premises; which may be recovered in an action against such owner, lessee or occupant, or against any or all of them. The City Council may provide by ordinance for the punishment of all injuries to or unauthorized interference with said water works or anything connected therewith.*	

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§ 16. ***Damage to Water Works or Property*** *Any person who shall, without authority from the City Council, wilfully break, remove or in any way injure or damage any main, branch water pipes, intake pipes, aqueduct, dam, bulkhead, gate, gate house, conduit, air vent, air box, air box cover, main pipe or cover, hydrant, or any part of the machinery or property of the water works of said City; or who shall fill up or partially fill up any excavation, or raise or open any gate, break down or force open any doors of said works, or who shall perforate or bore, or cause to be perforated or bored, any main, distributing pipe, branch pipe, aqueduct or pipes, or cause to be made any connections or communications with any such main, distributing pipe, branch pipe, aqueduct or pipes, or who shall put into or cause to be put into or permit or cause to run into Bassett's creek or the Mississippi River anywhere in the City limits of said City above the falls of St. Anthony, or the Mississippi River within three (3) miles above the north line of said City, or into any reservoir, pipe, main, aqueduct, intake pipe, vat or other place for collecting water for said water works, any garbage, foul or unhealthy stuff, manure, privy vault deposit, or carcass of any dead animal, or to do any act to pollute the water in said Bassett's creek or said river, at the above named places, on conviction thereof shall be punished by imprisonment of not more than ninety (90) days, or by a fine of not more than seven hundred ($700) dollars or both.*	
Chapter 10 **Local Improvements—Assessments**	[§ 10.6(c)] **Ordinances.** The City Council must, and the Park & Recreation Board must, by ordinance establish the procedure for levying a special assessment, including the procedure for any appeal.

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§ 1. ***Grounds for Public Improvements*** *Whenever the City Council shall consider it necessary to procure grounds for any public grounds, engine houses, markets, or public buildings, or for water works, or any water-power for water works, or the right to take from any dam or pond, reservoir or other part or portion of the waters of the Mississippi River, whether the same be private or public property or rights, any and all water necessary or convenient for the purpose of being forced through the conduits, aqueducts, mains, pipes or branch pipes in the City of Minneapolis, or through any part thereof, for the benefit and use of the inhabitants and people residing at or being in the City of Minneapolis, and for the use of said City; or the right to lay intake pipes from any pump station in the City of Minneapolis belonging to said water works, through any mill dam, mill pond, whether above, through or below water, or through the bed or bottom of any such mill dam or mill pond, or through any private real estate, whether same be water or land, or interests in any water power or water reservoir, and to lay and maintain said intake pipe or pipes, and to construct the necessary cribs and other protections of every kind necessary to lay or to protect any such intake pipe or pipes, anywhere in the Mississippi River, or the islands therein or land adjoining thereto; and the right to construct dams and reservoirs, and wing dams, anywhere in said river, whether within or above other dams, ponds or reservoirs, the City Council shall appoint a committee of not less than three of its members, who, together with the City Engineer, shall make examination and propose to the City Council a location and description of land suitable for such public grounds, engine houses, market, or other public building, or for water works as the case may be, and if for water works, the amount of water power deemed necessary to be taken and appropriated, and the most convenient manner of taking and using the same, and present to the City Council a plat of the land proposed to be taken, and in their report shall show, so far as the committee shall deem necessary, what canals, tunnels, buildings or structures can be used in the appropriation, and any other matter which the committee shall deem proper for the information of the Council, and such committee may present for the consideration of the Council more than one location and plat.*	

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§ 2. ***City Clerk to Give Notice of Action on Report*** *Such committee shall file their report with the City Clerk of said City, who shall give notice by publication twice in the official paper in said City, that such report is on file in the Clerk's office for the inspection of all persons interested, and that the same will be presented to the City Council for action thereon at a meeting of said Council to be named in such notice, which shall be the regular meeting of said Council which shall occur after one week from the second publication of such notice. At the meeting named on said notice, the City Clerk shall next after the reading of minutes of [the] previous meeting, present such report, and the matter may be acted upon by the Council at the same or any subsequent meeting. The Council, under such rules as it may prescribe, may hear any person interested in the matter, or refer the matter to a committee to hear such persons and report.*	
§ 3. ***Plat and Survey***	
Whenever the City Council shall determine upon the land, water power and other property to be taken and appropriated, it shall designate the same as nearly as may be convenient, and shall cause such plat or survey as may be necessary to show or explain the same, to be made and filed therewith with the City Clerk, and the City Council shall then or afterwards appoint five Commissioners, who shall be freeholders of said City, and no two of whom shall reside in the same ward, to view the lands, water power or other premises to be taken and appropriated and ascertain and award the amount of damages or compensation to be paid to the owners of the property so to be taken and appropriated.	

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Three or more of such Commissioners shall constitute a quorum and be competent to do any act required of such Commissioners. They shall be notified by the City Clerk, by notice to be served on them severally, either personally or through the mail, to attend at the Clerk's office on or before a day fixed by the Clerk, not less than two days after the service or mailing of such notice, to qualify and enter upon their duties; and in case a quorum of such Commissioners shall not so attend at the time and place designated in said notice, the Mayor or Acting Mayor of said city may, in writing, appoint one or more Commissioners in the stead of any such absentees. The Commissioners shall be sworn by the Clerk or any officer authorized to administer oaths, to discharge their duties as such Commissioners in the matter, with fidelity and impartiality, and make due return of their action to the City Council.	

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They shall give notice by two publications in the official paper of said city that they will, on a day designated in such notice, which shall be at least ten (10) days after the first publication of such notice, meet at a place designated in such notice on or near the premises proposed to be taken and appropriated, and view the property proposed to be taken and appropriated, and ascertain and award therefor compensation and damages, and that they will there and then hear such allegation and proofs as interested persons may offer. Such Commissioners shall meet and view the premises pursuant to such notice, and may adjourn from time to time, and after having viewed the premises may, for the hearing of evidence and preparation of their award, adjourn or go to any other convenient place in said city, and such Commissioners shall make a true and impartial appraisement and award of the compensation and damage to be paid to each person whose property is to be taken or appropriated, and report the same to the City Council and such award shall lie over until the next regular meeting of the Council, which shall occur at least one week after the reception of such award, at which or at any subsequent time the City Council may act on such award and hear any objection made thereto, or may refer the matter to a committee to hear such objection and report thereon.	

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The Council may confirm such award or annul the same or send the same back to the same or a new Board of Commissioners for further consideration, and such Commissioners may in such case, again on giving notice, published once in the official paper of said city, meet at a time and place to be designated in said notice, which shall be at least two days after the publication of such notice, and hear any further evidence that may be adduced by interested persons, and may adjourn from time to time and correct any mistakes in such award, and revise and alter the same as they may deem just, and again report such award to the City Council, who may confirm or annul the same. When any such award shall be confirmed by the City Council, the same shall be final and conclusive upon all parties interested, except as hereinafter provided.	
§ 4. ***Bonds, Abstract of Title, Compensation***	
Whenever an award of compensation and damages shall be confirmed by the City Council, and not appealed from, and whenever the same when appealed from shall not be set aside by the Court, the same shall constitute a lawful and sufficient condemnation and appropriation to public use of the land and property and rights in property for which compensation or damages are so awarded, and the City Council shall thereupon cause to be paid from the permanent improvement fund of said city to the owners of such property the amount awarded to each severally. In case such payment is not made within one year after the confirmation of the award, or the determination of the appeal thereupon, the proceedings shall be deemed to be abandoned.	

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Before payment of such award the owner of such property or the claimant of the award shall furnish an abstract of title showing that such person is entitled to all of the compensation and damages claimed. In case of neglect to furnish such abstract, or there shall be any doubt as to who is entitled to such compensation or damage or any part of the same, the amount so awarded shall be by the City Council appropriated and set apart in the City Treasury for whoever shall show clear right to receive the same. The City Council may in its discretion require of such claimant a bond with good and sufficient sureties conditioned to indemnify and save the city harmless against all other claims for such compensation or damages, or for the property for which the same was awarded and all loss, costs or expenses on account of such claim.	
Provided, That whenever the City Attorney shall certify in writing to the City Council that it is unclear who should receive the award, said City Council may order a warrant to be drawn for the same payable to the Clerk of the District Court of Hennepin County, and the City Clerk shall deliver the same to said Clerk of the Court, and take a receipt for the same; which deposit with said Clerk of the Court shall have the same effect as if set aside in the City Treasury, as hereinbefore provided, and in which case the parties entitled to the same shall establish their right to the same by a petition to the said District Court, setting up the facts entitling them thereto, and by proving the same to the satisfaction of the Court, and when so established the Court shall make an order directing to whom the same shall be paid.	

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Upon the payment of said award or appropriation, or the setting apart of the money in the City Treasury to pay the same as aforesaid, the city shall become vested with the title to the property taken and condemned absolutely for all purposes for which the city may ever have occasion to use the same, and may forthwith enter upon the [to] use the same.	
This section shall apply as well to all cases of appropriation of private property for public use provided for in this Chapter.	
§ 5. ***Street Improvements***	

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Whenever the City Council shall vote to lay out or open any new street or alley, or to straighten, widen or extend any that now or hereafter exist, or to lower, raise, change the course of, or divert any stream of water, or any ditch or drain, which shall make it necessary to take, injure or interfere with private property, it shall determine and designate in a general way, as nearly as may be convenient, the character and extent of the proposed improvement, and thereupon it shall be the duty of the City Engineer to make and present to the Council a plat and survey of such proposed improvement, showing the character, course and extent of the same and the property necessary to be taken or interfered with thereby, with the name of the owner of each parcel of such property so far as the Engineer can readily ascertain the same, and such statement as may in the opinion of the Engineer be proper to explain such plat and survey and the character and extent of the proposed improvement, and the Engineer's estimate of the cost of such improvement, if it consists in lowering, raising, changing the course of or diverting any stream of water, ditch or drain, and the City Council may cause such plat and survey to be modified, amended or changed as it may deem proper, and shall estimate and fix upon the cost of making such improvement, if it consists in lowering, raising, changing the course of or diverting any stream of water, ditch or drain.	
When such plat and survey shall be finally adopted by the City Council, it shall be filed with the City Clerk, and it shall be held to show correctly the character and extent of the improvement actually agreed upon and ordered by the City Council.	
Said plat shall also show the amount of land taken from each owner, so far as the owners may be known, and the lands contiguous to such improvement.	

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The City Council shall then or afterwards appoint five freeholders of said city, no two of whom shall reside in the same ward, as Commissioners, to view the premises and to ascertain and award the amount of damages and compensation to be paid to the owners of property which is to be taken or injured by such improvement, and to assess the amount of such damages and compensation and the expense of the improvement, where it consists in lowering, raising, changing the course of or diverting any stream of water, ditch or drain, upon the lands and property to be benefited by such improvement, and in proportion to the benefits to be received by each parcel and without regard to a cash valuation.	

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Three or more of such Commissioners shall constitute a quorum and be competent to perform any duty required of such Commissioners; and they shall be notified of their appointment, and vacancies in their number be filled in the same manner, and they shall take the same oath and be subject to the same penalty for refusal or neglect to attend, to be collected in the same way as is provided in the case of Commissioners appointed under section three of this Chapter. They shall give notice by two publications in the official paper of said city that such survey and plat is on file in the office of the City Clerk, for the examination of all persons interested, and that they will on a day designated in such notice, which shall be at least ten days after the first publication of such notice, meet at a place designated in said notice on or near the proposed improvement, and view the property proposed to be taken or interfered with for the purposes of such improvements, and ascertain and award therefor compensation and damages and view the premises to be benefited by such improvement, and assess thereon in proportion to benefits, the amount necessary to pay such compensation and damage and the cost of making the improvement, where it consists in lowering, raising, changing the course of or diverting any stream of water, ditch or drain, and that they will then and there hear such allegations and proof as interested persons may offer. And such Commissioners shall meet and view the premises pursuant to such notice, and may adjourn from time to time, and, after having viewed the premises, may, for the hearing of evidence and preparation of their award and assessment, adjourn or go to any other convenient place in said city, and may have the aid and advice of the City Engineer and of any other officer of the city. After viewing the premises, and hearing the evidence offered, such Commissioners shall prepare and make a true and impartial appraisement and award of the compensation and damages to be paid to each person whose property is to be taken or injured by the making of such improvement; but if the remainder of the same property, a part of which only is to be taken or damaged by such improvement, shall be benefited by such improvement, then the Commissioners, in considering and awarding compensation and damages, shall also consider, estimate and offset the benefits which will accrue to the same owner, in respect to the remainder of the same property, and award the owner only the excess of the compensation or damages over and above such benefits.	

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The said Commissioners shall then assess the amount of such compensation and damages so awarded, upon the land and property benefited by such proposed improvements, together with the expense and cost of making the improvements as fixed upon by the City Council, if such improvements consist in so lowering, raising, changing the course of or diverting any stream of water, ditch, or drain in said city, and in proportion to such benefits, but in no case shall the amount of said assessment exceed the actual benefit to the lot or parcel of land so assessed, deducting therefrom any damages or injuries to the same parcels which are less than such benefits, and assessing only the excess, and prepare and report to the City Council their appraisement and award, and if in the judgment of said Commissioners the whole amount of such compensation and damages, together with the cost of making such improvements, shall exceed the actual benefit to the specific property subject to assessment, they shall so indicate in their report, and shall state the amount of such excess. Said Commissioners shall also report to the City Council an assessment list containing their assessment of such compensation, damages and costs, or so much thereof as shall not exceed the actual benefits to the property so assessed, which list shall contain a brief description of each tract or parcel of property assessed, the name or names of the owners thereof, if known, and the amount assessed against each parcel of property and the amount of the excess of such compensation, damages and costs as aforesaid, which they shall return unassessed.	

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Said Commissioners shall, upon the completion of their said report, file the same with the City Clerk for presentation to the City Council, and thereupon it shall be the duty of said City Clerk to give notice to all interested parties by one (1) publication in the official paper of said city that the City Clerk will at the next meeting of the City Council, or as soon thereafter as practicable, present such report to said Council for their consideration and action, which said notice shall be published at least five (5) days before the presentation of such report to said City Council; such published notice shall contain descriptions of the several lots and parcels of land taken for such proposed improvements, and the amount awarded for the taking of each such lot or parcel, together with the names of the owner or owners of the same, so nearly as they can be readily ascertained. It shall also contain descriptions of the several lots or parcels of land upon which benefits have been assessed and the amount assessed against each such lot or parcel, together with the names of the owner or owners of the same, as nearly as the same can be readily ascertained.	

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Such report after its presentation to the Council shall lie over until the next regular meeting of the Council, which shall occur at least one week after the reception thereof, at which time, or at any meeting the City Council may act upon such report and hear any complaint touching such award or assessment, or it may refer the matter to a committee of the Council to hear such complaints and report thereon. The Council may confirm such award and assessment, or either, or annul the same, or send the same back to the same Commission for further consideration; and the Commissioners may in such case again, upon giving notice published once in the official paper of said city, meet at a time and place to be designated in said notice, which time shall be at least two weeks after the publication of said notice, and hear any further evidence that may be adduced by interested persons, and may adjourn from time to time, and may correct any mistakes in such award and assessment and alter and revise the same as they shall deem just, and again report the same to the City Council, who may thereupon confirm or annul the same. Whenever the City Council shall confirm any such award and assessment such confirmation shall make such award and assessment final and conclusive upon all parties interested, except as is hereinafter provided, and the City Council shall proceed, at the same or any subsequent meeting, to levy such assessment upon the several parcels of land described in the assessment list reported by the Commissioners, in accordance with the assessment so confirmed, and cause to be made and adopted an assessment roll of the same, which may be in the following form, or in any other form the Council may adopt:	

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The City Council of the City of Minneapolis doth hereby assess and levy upon and against the several lots and parcels of land below described the respective sums of money set against each lot or parcel. This assessment is made to defray the compensation and damages awarded for the taking of and injury to private property, and estimated cost of improvement, and in and about the _____ as shown on the plat and survey of the same on file in the office of the City Clerk of said city. This levy is made conformably to the report and assessment of Commissioners duly appointed to make such assessment, and in proportion to benefits from such improvements to accrue to the parcels and not exceeding the benefits to the parcels so assessed.

Name of Owner Of Known	*Description of Land*	*Lot*	*Block*	*Amount*	
				Dollars	*Cents*

Done at a meeting of the City Council this _____ day of _____ A.D. 19_____.

Attest:

_____ City Clerk.

§ 6. ***Appeal of Assessments***

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Any person whose property is proposed to be taken, interfered with or assessed for benefits under any of the provisions of this Chapter, and who deems that there is any irregularity in the proceedings of the Council or action of the Commissioners, by reason of which the award of the Commissioners ought not to be confirmed, or who is dissatisfied with the amount of damages awarded for the taking of or interference with said individual's property or with the amount of the assessment for benefits to any property affected by such proceedings, may at any time before such award or assessment shall be confirmed by the City Council, file with the City Clerk, in writing, an objection to such confirmation, setting forth therein specifically the particular irregularities complained of, and containing a description of the property affected by such proceedings, and if, notwithstanding such objections, the City Council shall confirm the award or assessment, such person so objecting shall have the right to appeal from such order of confirmation of the City Council, to the District Court of the County of Hennepin, at any time within thirty days after such order. Such appeal shall be made by serving a written notice of such appeal upon the Mayor or City Clerk of said city, which shall specify the property of the appellant affected by such award, and refer to the objection filed as aforesaid, and by filing the notice of appeal upon the clerk of district court within ten days after its service. Thereupon the City Clerk shall make out and transmit to the Clerk of said District Court a copy of the award of said Commissioners, as confirmed by the Council, and of the order of the Council confirming the same, and of the objection filed by the appellant as aforesaid, all certified by said City Clerk to be true copies, within ten days after the taking of such appeal. But if more than one appeal be taken from any award, it shall not be necessary that the Clerk in appeals subsequent to the first shall send up anything except a certified copy of the appellant's objection. There shall be no pleading on such appeal, but the Court shall determine in the first instance whether there was in the proceedings any such irregularity or omission of duty prejudicial to the appellant and specified in the appellant's written objections, that as to the appellant the award of assessment of the Commissioners ought not to stand, and whether said Commissioners had jurisdiction to take action in the premises.	

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The case may be brought on for hearing on eight days' notice, at any general or special term of the Court, and shall have precedence of other civil cases, and the judgment of the Court shall be either to confirm or annul the proceedings only as the same affects the property of the appellant proposed to be taken, damaged or assessed for benefits, and described in said written objection.	

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In case the amount of damages awarded or assessment made for benefits is complained of by such appellant, the Court shall, if the proceedings shall be confirmed in other respects, upon such confirmation, appoint three disinterested freeholders, residents of said city, Commissioners, to reappraise such damage or benefits. The parties to such appeal shall be heard by said Court upon the appointment of such Commissioners, and the Court shall fix the time and place of the meeting of such Commissioners. They shall be sworn to the faithful discharge of their duties as such Commissioners, and shall proceed to view the premises and to hear the parties interested, with their allegations and proofs pertinent to the question of the amount of such damages or assessments. Such Commissioners shall be governed by the same provisions in respect to the method of arriving at the amount of damages and the offset thereto of benefits to other property of the same owners, and in all other material respects, as are in this Chapter made for the government of Commissioners appointed by said City Council. They shall, after such hearing and view of the premises, make report to said Court of their appraisal of damages or assessments of benefits in respect to such appellant. The award or assessment of such Commissioners shall be final unless set aside by the Court for good cause shown. In case such report is set aside, the Court may, in its discretion, recommit the same to the same Commissioners or appoint a new board, as it shall deem best; but no appeal or writ of error shall be allowed from any order of the Court in the premises. Said Court shall allow a reasonable compensation to such Commissioners for their services, and make such award of costs on such appeal, including compensation of such Commissioners as it shall deem just in the premises.	
In case the Court shall be of the opinion that such appeal was frivolous or vexatious, it may adjudge double costs against such appellant.	

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§ 7. ***Council May Abandon Proceedings—Limitations*** *The City Council shall have the right at any time during the pendency of any proceedings for the improvements authorized in this Chapter, or at any time within ninety (90) days after the final order of the Court, on any appeal from such proceedings, to abandon all such proceedings whenever it shall deem it for the interest of the city to do so.*	
§ 8. ***Pavements, Water Mains, Sewers, Etc.***	

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Whenever the City Council shall determine to cause to be paved or repaved any street, lane or alley in said City, or any gutter or gutters along any such street, lane or alley or to lay, re-lay or extend any water mains or sewer pipes in or through such streets, lanes or alleys or any portion thereof, or to construct improvements in the public right-of-way in commercially zoned areas or to install street lighting, it shall determine and designate in a general way as nearly as may be convenient, the character and extent of the improvements, and the materials to be used therein, and thereupon it shall be the duty of the City Engineer to make and present to the City Council an estimate of the cost of such improvements, a list of the several lots and parcels of land which will be benefited by such proposed improvements, and the names of the owners of the several parcels as nearly as the City Engineer can readily ascertain the same; a brief minute of the reception of such report shall be made and published in a record of the proceedings of the City Council, which, except as otherwise provided in this section, shall be held to be sufficient notice to all persons concerned; and such report shall lie over without any assessment being made until the next regular meeting of the City Council which shall occur at least one week after the reception of such report; but the City Council in its discretion may direct the City Engineer to advertise for and receive in the meantime bids for doing the work and furnishing the material required to construct and complete such improvement; and report the same to the Council at the meeting of the City Council to which such report is laid over, or at any subsequent meeting; the City Council may consider such estimate and list, and any further communications from the City Engineer respecting the matter, and shall hold a public hearing, after giving notice by mail to the owners of the properties to be assessed and prior to contracting for or commencing with construction. The City Council may adhere to its resolution for making such improvements or may modify the character of the same, or abandon it. If the City Council shall determine to go on with such improvements, whether modified or not, it shall determine what portion of the cost of such improvements is to be paid from city funds and what portion of the cost is to be levied as assessments against properties benefited by such improvements, and it may, either before or after having contracted for or commenced with the construction of such improvements, estimate and fix upon the cost of such improvements, may assess and levy the portion of such cost which is to be paid through assessments upon the same lots and parcels of land in the City as the Council shall deem benefited, in proportion to such benefits, irrespective of whether or not the property abuts on the improvement; the City Council by ordinance shall adopt a procedure providing for a public hearing to be held prior to the adoption of the assessments for any improvements. A notice of such hearing, including a statement of	

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The City Council may increase assessments to correct omissions, mistakes or erroneous estimates relating to the total cost of the improvement or any other particular, using the same procedure as required for holding a public hearing and notification of affected property owners as for the original assessment.	
§ 9. ***Discretion as to Corner Lots*** *The City Council may, in its discretion, in case where any lot fronting on two streets has been previously assessed and the assessment paid for laying any water main or sewer pipe upon a different street from the one through which such proposed improvement is to be extended, remit from the assessment of such corner lot such portion of such second assessment, not exceeding the amount of assessment for a frontage of sixty-six feet on such lot, as it may deem just under all the circumstances of the case, but the discretion of the City Council in such matter shall be final, and the refusal or failure of said Council to make such remission shall not be ground for setting aside such assessment in any court or proceeding.*	
§ 10. ***Neglect to Build Sidewalks***	

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Whenever the City Council shall have ordered the construction of any sidewalk, and the owners of the land along which such sidewalk is to be built shall refuse, or for the space of two weeks neglect to construct the same according to the order of the City Council, the City Engineer shall report to the City Council a description of each lot or parcel of land along which such sidewalk has not been built, and estimate the cost of building such sidewalk along each of such lots and parcels. Such estimates shall not be binding upon the City Council, but advisory merely, and the Council may obtain any other information as to such cost, and the Council shall fix upon and designate the cost of building such sidewalk in front of each lot and parcel of land and thereupon the City Council shall assess and levy upon and against such lot and parcel of land so reported (after correcting mistakes, if any) along which such sidewalk has not been built, such sum as will cover the cost of building such sidewalk along and fronting upon the same lots and parcels of land respectively, and cause to be made an assessment roll of the same, which shall be in the following form, or any other form which the City Council may adopt:	

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The City Council of the City of Minneapolis doth hereby assess and levy upon and against the several lots and parcels of land below described the respective sums of money set against each lot or parcel. This assessment is made to defray the cost of _____ a sidewalk along the _____ side of _____ from _____ to _____ in accordance with the resolution of the City Council, passed the _____ day of _____ A.D. 19_____, and duly published in the official paper of said city on the _____ day of _____ A.D. 19_____. The amount assessed against and levied against each lot or parcel being the amount necessary to build such sidewalk along and fronting upon the same parcel of land.

Name of Owner Of Known	*Description of Land*	*Lot*	*Block*	*Amount*	
				Dollars	*Cents*

Done at a meeting of the City Council this _____ day of _____ A.D. 19_____.

Attest:

_____ City Clerk.

§ 10. ***Repairs of Sidewalks***

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<table>
<tr><td>Assessments for repairs of sidewalks may be in the following form, or any form which the City Council may adopt:</td><td></td></tr>
<tr><td>The City Council of the City of Minneapolis doth hereby assess and levy upon and against the several lots and parcels of land below described the respective sums of money set against each lot or parcel. The assessment is made to defray the cost of repairs of sidewalks fronting upon each lot or parcel which the respective owners have neglected to make, and which have been made by the City since the _____ day of _____ A.D. 19_____. The amount assessed against and levied upon each of said lots and parcels of land is the actual cost of repairs of sidewalks abutting upon such lot or parcel and so repaired by the City.
<table>
<tr><td>Name of Owner Of Known</td><td>Description of Land</td><td>Lot</td><td>Block</td><td colspan="2">Amount</td></tr>
<tr><td></td><td></td><td></td><td></td><td>Dollars</td><td>Cents</td></tr>
<tr><td></td><td></td><td></td><td></td><td></td><td></td></tr>
</table>
Done at a meeting of the City Council this _____ day of _____ A.D. 19_____.

Attest:

_____ City Clerk.</td><td></td></tr>
</table>

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§ 12. ***Sprinkling Streets***	
Assessments for sprinkling streets may be in the following form or any other form which the City Council may adopt:	
The City Council of the City of Minneapolis doth hereby assess and levy upon and against several lots and parcels of land below described, the respective sums of money set opposite each lot or parcel. This assessment is levied to defray the expenses of sprinkling the streets fronting the said lots and parcels of land, from _____ A.D. 19_____ to _____ A.D. 19_____ and said lots and parcels of land are assessed by an equal rate per front foot of said lots and lands fronting on the portion of the streets so sprinkled.	
Name of Owner Of Known | *Description of Land* | *Lot* | *Block* | *Amount* — *Dollars* | *Cents* *Done at a meeting of the City Council this _____ day of _____ A.D. 19_____.*	
Attest:	

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_____ *City Clerk.*	
§ 13. ***Proceedings When Award Annulled*** *Whenever any portion of any award made by Commissioners and confirmed by the Council, under the provisions of Sections 3 and 5 of this Chapter, shall be annulled by the Court upon appeal, as hereinbefore provided for, the City Council may again appoint Commissioners to view the property which was affected by such appeal, and appraise and amend the compensation and damages to be paid for the taking or appropriation of the same, and the like proceedings shall be had so far as applicable, as is prescribed in said Section three (3) and five (5), except that such Commissioners shall make no new assessments of costs and expenses. They shall, however, in arriving at the compensation and damages to be awarded, take into consideration and offset any benefits which in their judgment the contemplated improvement will be to the remainder of the property, part of which may be taken or appropriated, and report their award to the City Council, whereupon the same proceedings may be had as far as applicable as upon an original award, and if such award shall again, upon appeal, be annulled by the Court, still another Commission may be appointed and award made in the same manner, and so on, until a valid award shall be made, but no new assessment for benefits shall be made merely by reason of any change in the amount of the sum awarded for compensation and damages, and any sum which may be lacking to pay the awards shall be paid from the permanent improvement fund.*	
§ 14. ***Proceedings When Assessments Annulled***	

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If any special assessment heretofore or hereafter made by the City Council, or under its direction, to defray the expenses of any local improvement, has been or shall be, either in whole or in part, annulled, vacated or set aside by the judgment of any Court, or if the City Council shall be satisfied that any such assessment is so irregular or defective that the same cannot be enforced and collected, or if the City Council shall have omitted to make such assessment at or before the making of such improvement when it might have done so, the City Council shall anew, or hereafter complete and determine upon the cost of making such improvement in a gross amount, upon such data as to it shall seem sufficient, not exceeding, in the case of water mains, the cost of laying a six-inch pipe when a larger pipe was used; and the City Council may then proceed to cause a new assessment of the cost of such local improvement to be made, either on the property fronting upon such improvement, or on the property benefited by such improvements according to the character of such improvements, following as near as may be the provisions of the City Charter in force at the time of making such improvement in determining the property to be assessed and the former manner of proceedings subsequent to determination of the cost of the improvement and in case such second assessment shall be annulled the City Council may proceed to make other assessment until a valid assessment shall be made, but nothing in this section shall authorize any new assessment in cases where such Court shall determine that the lots of land are not subject to assessment.	
After such new assessment roll shall have been completed the City Clerk shall note thereon against any piece of land upon which a former assessment for the same improvement has been paid, the words "paid on former assessment," which shall cancel such assessment on that parcel.	

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§ 15. ***Assessment Rolls***	
The City Clerk shall record all assessment rolls of special assessments in books to be kept by the City Clerk for that purpose, and shall, on or before the tenth day of October of every year, deliver to the County Auditor of said County of Hennepin all such assessments rolls not theretofore delivered, and the said County Auditor shall extend the assessments in proper column against the property assessed, and such assessment shall be collected and the payment thereof enforced with and in like manner as state, county and other taxes are collected and the payments thereof enforced, and such assessments when collected shall be paid over by the County Treasurer to the City Finance Officer of said city, together with all costs, penalties and interest collected thereon, at the time of making payment of city taxes to the City Finance Officer.	

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The City Council may, by resolution, direct the County Auditor of Hennepin County, to cancel, on any record, where the same appears, any special assessments theretofore assessed and levied by said City Council, whether because the same be irregular or erroneous, or because the improvement, for the cost of which said special assessment shall have been assessed and levied, shall have been constructed by the owner of the property against which said special assessment shall have been assessed and levied, and in any such case of the cancellation of any such special assessment the Auditor shall make the necessary credits of the amounts of such special assessment so canceled on the proper books and to the proper officers. The City Council may provide by ordinance or resolution that the certificate of the City Engineer or other proper officer, that any improvement, for which any such special assessment shall have been made, has so been constructed by the owner of the property against which any such special assessment shall have been made, presented to the said County Auditor, shall be sufficient authority for said Auditor to cancel the special assessment so assessed and levied for the cost of such improvement against the property named in said certificate, and for authority in that case for the said Auditor to make said proper credits. The City Council may also direct, by resolution or motion, the said County Auditor to divide any special assessment and place parts thereof on any part of the real estate against which the same is assessed and levied, and to make the necessary corrections and records thereof.	

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When the total cost of any improvement, for which special assessments have been assessed and levied, shall be less than the total special assessments assessed, levied and collected for the same, said City Council may except as in this Charter otherwise provided, refund out of the permanent improvement fund to the owners of the real estate against which said special assessments have been made, who have paid the same, their proportionate share of the excess of such special assessments so collected over the total cost of such improvements. After any improvement has been ordered and the special assessments for the cost thereof have been assessed and levied, if any person or persons desirous of having such improvement constructed before the collection of such special assessment shall advance the cost of such improvement and pay the same to the City Finance Officer for the credit of the permanent improvement fund, such money so advanced to construct such improvement shall not be used or appropriated for any other purpose; that said City Council may then cause the immediate construction of such improvement and shall, when said special assessments assessed and levied to pay for the same are collected, cause the same to be paid to such person or persons advancing the money for the cost of such improvement.	

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§ 16. ***Irregularities Not to Affect Validity of Assessments*** *No omission, informality or irregularity in proceedings in or preliminary to the making of any special assessment shall affect the validity of the same, where the assessment roll has been adopted by the City Council. And the assessment roll, and the record thereof kept by the City Clerk, shall be competent and sufficient evidence that the assessment was duly levied and the assessment roll duly made and adopted, and that all other proceedings antecedent to the adoption of such assessment roll were duly had, taken and performed, as required by this Charter. And no failure of the City Clerk to record the assessment roll, or to deliver the same to the County Auditor on or before the time prescribed for such delivery, or to do any other act or thing of him required, shall in any way invalidate any assessment; and no variance from the directions herein contained, as to the form or manner of any of the proceedings, shall be held material, unless it be clearly shown that the party objecting was materially injured thereby.*	

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§ 17. ***Invalid Assessment*** *In case any special assessment shall in any suit where its validity shall be questioned, be adjudged invalid, the City Council may in its discretion, notify the County Auditor to cease the collection of the same, if it shall have been transmitted to the County Auditor for collection, and may proceed anew by proceedings either as in case of an original special assessment for the same purpose, or by taking up the previous proceedings at any point, and may make and levy a new assessment in the place and stead of the assessment, which shall have been adjudged invalid; and the City Clerk, before delivering such new assessment to the County Auditor for collection, shall ascertain and note thereon payments which have been made on such invalid assessment for the same purpose, which notation shall cancel the assessments as to the parcels and lots on which such payments were made to the extent of the payment. Such new assessments shall be collected in the same manner as original special assessments.*	

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§ 18. ***Deficiency Paid From Permanent Improvement Funds*** *No special assessment shall be questioned or held to be invalid, because the amount of such special assessment shall happen to be either more or less than the amount of money actually required for the improvement for which such assessment shall be made. If the amount raised by such special assessment shall happen to be less than the amount required for such improvement, the balance shall be paid from the permanent improvement fund; and upon any assessment rolls or other papers made or used in any of the proceedings, it shall not be necessary that words shall be written out in full, but abbreviations, letters, figures and recognized characters may be used whenever their use shall be convenient, and no error or mistake as to the name of the owner of any property shall be regarded as material in any proceedings under this chapter.*	

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§ 19. **Two-thirds of Council to Order Improvement** It shall require a two-thirds vote of the members elect of the City Council to determine in the first instance to make any improvement for which a special assessment may be levied, except in respect to sidewalks, when a majority vote shall suffice. But this restriction shall not apply to any subsequent act of the Council touching such improvement, or the special assessment to provide means therefor.	[§ 4.4(a)] (3) **Action taking supermajority.** The Council may take the following action only with the prescribed supermajority: (A) by two-thirds of its membership, authorize an improvement (other than a sidewalk) subject to a special assessment (sec. 4.4(a)(4)); . . . . (4) **Improvements.** The Council may by a majority of its membership authorize a sidewalk, with or without a special assessment. The Council may, by two-thirds of its membership, authorize any other improvement subject to a special assessment. The Council may by a majority of its membership act with respect to an improvement already authorized or to a special assessment in connection with such an improvement.

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§ 20. ***Improvements Made by Contract or City*** *Any improvements, the means to make or construct which may be raised by special assessment, may be performed by contract let in the ordinary way, or directly by the city by the employment of labor and purchase of material, or in any other manner in which the City Council may deem proper in each particular case. And the City Council may in its discretion, in any case, instead of causing the special assessment to be made entirely upon estimates as hereinbefore provided for, wait until the letting of the contract for such improvement, or until such improvement shall be made before determining and fixing upon the cost and expense of such improvement and appointing Commissioners to make the assessment.*	
§ 21. ***Council May Await Collection*** *The City Council may, at the time of ordering any improvement for which any assessment may be made determine whether to proceed at once with such improvement or await the collection of such assessment.*	
§ 22. ***Special Assessment Funds to Be Kept Separate*** *In case any assessment for improvement is collected before the making of such improvement, the money so collected shall be kept separate from the funds of the city and not devoted to any other purpose than for such improvement.*	
§ 23. ***Assessments May Be Paid to City Finance Officer***	

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After any special assessment roll shall have been adopted by the City Council and before the same shall be delivered to the County Auditor for collection, any assessment thereon may be paid direct to the City Finance Officer of said city; and upon the production of the City Finance Officer's receipt therefor to the City Clerk, he or she shall enter upon such assessment roll, opposite the assessment so paid, the words, "Paid to City Finance Officer," which entry shall cancel the assessment so paid.	
In case interest shall have been included in such assessment, so much of such interest as shall not have accrued on such assessment at the time of such payment, shall be deducted therefrom.	
§ 24. ***Prior Assessments Not Affected*** *Nothing herein shall interrupt or interfere with any assessments which have been heretofore made, but the collection thereof shall go on according to the provisions of the Charter of said city in force at the time of making such assessments.*	
§ 25. ***Assessment Lien to Have Priority*** *No sale under execution or other proceedings upon a judgment, decree, foreclosure or lien, and no transfer or mortgage shall divest or affect the lien of any assessment, for any tax or for any improvements chargeable to or assessed against the property under this Charter, although the confirmation of such assessment may be subsequent to the lien of such judgment, decree or other lien or to such transfer or mortgage.*	[§ 10.6(c)(4)] The City Council may, and the Park & Recreation Board may, by ordinance provide for a lien from an assessment and for the lien's priority.
§ 26. ***Assessments for Improvements***	

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Whenever the City Council shall determine to cause to be made any improvement authorized by Section 8 of this chapter for which assessments may be made against properties benefited by such improvement, the Council shall fix the number of successive equal annual installments, not in excess of twenty, in which assessments for such improvement may be paid, and shall fix the interest rate to be paid annually on all unpaid installments at a rate not to exceed the prevailing maximum rate of interest provided for in Minnesota Statutes, Section 429.061, subdivision 2. The first installment shall be payable in the year following completion in the same manner as real estate taxes. Thereafter all subsequent installments shall also be payable in the same manner as real estate taxes.	
The Council shall transmit to the County Auditor of Hennepin County any assessment rolls adopted by the Council whereby it shall assess and levy any special assessments against lots and parcels of property for the purpose of paying the assessed share of the cost of any such improvement. Any such assessment roll shall show the number of installments in which the assessment may be paid, and the annual rate of interest to be paid on all unpaid installments. Said Auditor shall include in the taxes for each year one of the installments, together with one year's interest on that installment and all subsequent installments, provided that the owner of any property so assessed may within thirty days of the adoption of the assessment roll, pay the entire amount of the assessment on such property without any charge for interest, and may thereafter pay at any time the entire amount of the assessment remaining unpaid with accrued interest. Said Auditor shall so keep books that the Treasurer of said County can and shall at the time of the proper settlements with said City of Minneapolis, or with its proper City Finance Officer or other officers, report the amount of the interest on said deferred installments separately from the amounts of the installments paid in any year.	

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If the actual final cost of an improvement is less than the estimated cost upon which the assessment was based, the City Council shall, except as otherwise provided in this section, cancel the assessments in an aggregate amount equal to such fractional part of the excess of the estimated cost over the actual cost as is equal to the fraction obtained by dividing the total amount of the assessments by the total amount of the estimated cost. In cases where the assessments have not been paid in full, the City Council shall direct the City Finance Officer to certify to the County Auditor an assessment roll reflecting the reduction of the assessments.	
The City Council shall establish a procedure for refunding excess assessments to those persons who have paid the assessment in full in cases in which such refundable amounts exceed twenty dollars ($20.00). The City Council may retain in the Permanent Improvement Revolving Fund or pay into the Bond Redemption Fund unclaimed refunds and refundable amounts of twenty dollars ($20.00) or less.	
§ 27. ***Permanent Improvement Revolving Fund***	

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The special fund called "The Permanent Improvement Revolving Fund," heretofore created and existing in and for the City of Minneapolis at the time of the adoption of this Charter, is hereby continued and recreated as a special fund of said city. To said fund shall be credited the proceeds of all municipal bonds heretofore or hereafter issued by the City of Minneapolis for the purpose of paying the assessed portion of the cost of making and constructing local improvements except water mains in advance of the collection of the special assessments assessed and levied to defray such assessed portion of the cost of such local improvements except water mains, and also the proceeds of each of the installments of all special assessments heretofore or hereafter assessed and levied by the City Council, which are to be paid in equal annual installments as provided in the next preceding section of this chapter. The portion of the cost of any improvement except water mains which is not to be assessed against benefited property shall be paid from the Permanent Improvement [Revolving] Fund of the City from the proceeds of bonds issued for that purpose or from such other moneys as may be available for such purpose.	[§ 5.6(a)] Each such board may dedicate any proceeds from a particular source to a particular purpose, and may establish any necessary account or fund for that purpose or any other lawful purpose.
The payment out of said Permanent Improvement Revolving Fund shall be only that portion of the cost of improvements the payment of which has been provided for by such special assessments against benefited property and said fund shall be diverted to no other purposes except temporary loans, and any refunding of excess assessments as authorized in Section 26 and for repayment of any debt incurred to finance the improvements.	

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§ 28. ***Procedure When City's Right to Enter Land, Etc.*** *Is Questioned. Whenever the City of Minneapolis shall have made or caused to be made, erected, constructed or laid on, across, through, in or upon any land or real estate to which said City Council has not the title or the right to enter upon the same for the purpose of so making, erecting, constructing or laying any water main, sewer, building, structure, intake pipe, dam, improvement, pavement, sidewalk, curb stone, gutter or other public work, improvement structure or street grade, the City Council shall have the right at any time in any suit in which the title to said real estate or land, or the right of said city to so be thereon for such purpose is called in question, said city may by answer admit and allege the taking of the claimant's land or other real estate for public purposes, and that no compensation has been made for such taking and that said City of Minneapolis is ready and willing to pay such compensation on having the same assessed and ascertained in the manner in this Chapter provided, provided that the claimant on the trial shall establish his or her right to recover the land or other real estate in question, and in such case the Court shall first determine whether the claimant is entitled to recover the land or other real estate in controversy, Provided, That when it shall appear that the land or other real estate was so taken or appropriated by and with the consent or acquiescence of the owner, such owner shall not be entitled to recover any rents or profits which accrued prior to demand for compensation for such land or other real estate, and the owner shall be limited to a recovery in such case, to compensation for the land taken and damages; and the court shall have power to make all necessary orders and render all necessary judgments to carry out the provisions of this section.*	

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§ 29. **City Engineer To Request Descriptions** When the City Council shall order any improvements or work which is to be paid for by special assessments on the abutting property, the City Engineer of the City of Minneapolis shall make a written request of the County Auditor of Hennepin County for a list of the descriptions of lots or other parcels and blocks or other divisions of real estate or land lying upon or along the streets, lanes, alleys, avenues or other public grounds on which said improvements are to be made, together with the names of the respective owners of each of said lots or parcels of land or real estate so far as they can be ascertained by said Auditor from the records of the Auditor's office, and said City Engineer may accompany such request with such plats or other information as may be necessary to enable such Auditor readily and accurately to make such list. Upon the receipt of such request said County Auditor shall promptly make and return to said Engineer such list of descriptions and owner's names called for. For making such list and for keeping all of the books which may be required of said Auditor under the various special assessment plans which have now or may thereafter be adopted by the City Council of the City of Minneapolis, which shall include every kind of entry whether ordered or requested by said City Council or any Court, said city shall pay said County Auditor the sum of five (5) cents for each entry of a special assessment entered by the Auditor upon the tax list of the county, the same to be payable upon the completion of the tax list for each year.	[§ 10.6(c)(5)] **County auditor.** The City Council or the Park & Recreation Board may— (A) require that the county auditor furnish information about benefited property and its ownership in connection with a special assessment; and (B) set the rate, at least five cents per entry, at which the City compensates the county for this service.
Chapter 11 **Miscellaneous Provisions**	

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§ 1. **Continuation of the City as a Corporation** The City of Minneapolis shall continue and be a municipal corporation under this Charter and shall continue to be vested with all property, franchises, rights and immunities formerly vested in the City of Minneapolis under its former Charter, and it shall be subject to all obligations and duties resting upon said city at the time this Charter goes into effect. The government of the City of Minneapolis and its several boards and departments existing at the time this Charter goes into effect shall continue as the government of said city and its several boards and departments under this Charter and all ordinances and regulations then existing and in force shall continue to exist and be in force unless otherwise provided in this Charter.	[§ 1.3(b)] **Restatement and supersession.** This charter fully restates and supersedes every prior version of, and any ordinance or other municipal act inconsistent with, this charter. But except as this charter or an amendment explicitly provides otherwise, the charter does not affect— (1) any ordinance or other municipal act adopted before its adoption or its latest revision or amendment; (2) the existence, status, function, composition, powers, or duties of any board, department, or other public body; or (3) the office, tenure, powers, or duties of any officer.
§ 2. **City Council to Set Aside Funds for Use of Mayor** The City Council of the City of Minneapolis is hereby authorized and directed annually to appropriate and set aside from the general fund of said city a sum of not less than five thousand dollars ($5,000), as a contingent fund, for the use of the Mayor of said city. The Mayor shall have sole control over such fund, and may use and expend the same as the Mayor may deem best and for the interests of said City of Minneapolis; provided, however, that no money from said fund be used as a campaign contribution to any person seeking elected office. The Mayor shall tender to the City Council detailed statements of all expenditures made under authority of this provision.	[§ 8.1(g)(2)] **Contingent fund.** The Council must annually appropriate a fund of not less than $5000 for use at the Mayor's discretion. The Mayor may not contribute from this fund to any individual's political campaign. The Mayor must report each expense from this fund to the Council.

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§ 3. **Evidence** All ordinances and resolutions heretofore made and established by the City Council of the City of Minneapolis, and not inconsistent with the provisions of this Charter shall remain in force except as altered, modified or repealed by the City Council of the City of Minneapolis; and all books and pamphlets published or which may be published, purporting upon their title page to be published by the authority, order or direction of the City Council, and purporting to contain the ordinances of said city, standing rules and orders of said City Council, or either, are hereby declared to be competent and prima facie evidence of the contents of such ordinances, standing rules and orders and of any resolutions or other matters purporting to be the act of said City Council, which may be found printed therein, and of the due and legal adoption, approval and publication thereof, and the certificate of the City Clerk that any printed slip of paper to which such certificate may be attached, contains or is a true copy of any ordinance, resolution, proceeding of the City Council or other paper, the original of which is presumably in the possession of said City Clerk, shall constitute such printed slip or paper competent and prima facie evidence of the contents and purport of the ordinance, resolution, proceeding of the City Council or other paper, and of the legal passage, adoption, approval and publication thereof.	[§ 5.3(f)(2)] **Effect.** Any board that can adopt an act must provide for each such act's certification, publication, and codification. An act so certified, published, and codified— (A) is admissible as evidence, (B) establishes a presumption that the act is valid, and (C) is entitled to judicial notice.
§ 4. ***Compilation of Ordinances*** *The City Council may from time to time provide for the compilation and publication of the ordinances of the city, and such resolutions as may be designated, and for the distribution or sale of copies of such compilation in its discretion, and may also provide for exchange of such printed compilation for similar publications of other cities.*	

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§ 5. **Inhabitants Not Incompetent as Judges** No person shall be an incompetent judge, justice, witness or juror, by reason of that person being an inhabitant of said city, in any proceeding or action in which the city shall be a party in interest.	[§ 1.4(e)] **Citizens not disqualified.** A citizen is not disqualified by virtue of citizenship from service as a judge, juror, or witness in any action or other proceeding in which the City is a party in interest.
§ 6. **Action Against City, Service, Etc.** When any suit or action shall be commenced against said city, the service thereof may be made by leaving a copy of the process by the proper officer with the Mayor, and it shall be the duty of the Mayor forthwith to inform the City Council thereof, or to take such other proceedings as by the ordinances or resolutions of said Council may have been in such case provided.	[§ 8.1(c)] The Mayor must— . . . (5) notify the City Council and any other interested board or department of any litigation against the City.
§ 7. ***Actions in Name of City*** *All actions brought to recover any penalty forfeiture under this act, or the ordinances, by-laws, police or health regulations, made in pursuance thereof, shall be brought in the corporate name of the city.*	

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§ 8. ***Violation of Charter, Ordinances, Etc.—Warrant*** *In all prosecutions for any violation of this Charter or of any ordinance of the City of Minneapolis, the first process shall be by warrant; Provided, That no warrant shall be necessary in any case of the arrest of any person or persons while in the act of violating any law of the State of Minnesota, or ordinance of the City of Minneapolis, but the person or persons so arrested may be proceeded against, tried, convicted, punished or discharged, in the same manner as if arrested by warrant. All processes issued by the District Court of Hennepin County for violation of any ordinance or regulation of said city, shall run in the name of the State of Minnesota, and shall be directed to the Chief of Police or any police officer of said city.*	

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§ 9. **Jurisdiction, Powers, Etc., of District Court** The District Court of Hennepin County shall have exclusive cognizance and jurisdiction of all suits, prosecutions and proceedings for the recovery of all forfeitures, fines and penalties or inflictions of punishments, for the breach of any city charter provision, regulation or ordinance of said city, and of all offenses against the same. And in all cases of convictions for assaults, batteries and affrays, disorderly conduct, breach of the peace, keeping or frequenting disorderly houses or houses of ill-fame, the District Court of Hennepin County may, in addition to any fine or punishment authorized or imposed, or without such fine or other punishment, compel the accused to give security to keep the peace and be of good behavior, for a period not exceeding six months, and in a sum not exceeding five hundred dollars ($500). All fines and penalties imposed by said Court (for the violation of any ordinance or regulation of the city) shall belong to and be a part of the revenue of said city. Said court shall also have power in all criminal actions within its jurisdiction, when the punishment is by imprisonment, or by imprisonment in default of payment of fine, to sentence offenders to hard labor in any workhouse established by the city for that purpose, or to sentence them to labor on any public work or improvement, in like manner and under the same qualification as hereinafter provided in cases of offenses against city ordinances.	[§ 1.5(b)] **Jurisdiction.** The district court has jurisdiction— (1) over any case arising under this charter or an ordinance, including the prosecution for any violation

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§ 10. **Penalty or Fine in District Court** In all cases of imposition of penalty or fine, or the rendering of a judgment by the District Court of Hennepin County, pursuant to any statute of the State of Minnesota, or pursuant to any ordinance or regulation of the said City of Minneapolis, as a punishment for any offense or for the violation of any regulation or ordinance as aforesaid, the offender shall be forthwith committed to the city prison of said city, or if there be no city prison, to the common jail of Hennepin County, and there be imprisoned for a term not exceeding three months, in the discretion of said Court, unless the said fine or penalty be sooner paid, and from the time of the arrest of any person or persons for any offense whatever, until the time of trial, the person or persons so arrested may be imprisoned in the city prison, or in case there be no such prison, in the common jail of Hennepin County.	[§ 1.5(a)] **Liability.** An ordinance may impose a duty, and may provide that a violation will result in— (1) a fine; (2) imprisonment, or labor in a workhouse or on a public improvement; (3) another penalty; (4) any combination of such penalties; (5) civil liability, including— (A) multiple damages, or (B) a lien against property; or (6) forfeiture of office, in the case of an officer who violates an ordinance relating to the office.
§ 10. ***City Not Liable for Board***	

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The City of Minneapolis shall not be liable in any case for the board or jail fees of any person who may be committed by any officer or magistrate of the city to the jail of Hennepin County under the state laws.	
Nor shall it be liable to any jailer or other officer for any fee for the committing [of] any person to the county jail or for the receiving [of] any person so committed in any case where the warrant of commitment or other process is served or executed by a police officer of the city.	
§ 12. **Penalty, Etc.—How Remitted** No penalty or judgment recovered in favor of said city shall be remitted or discharged, except by a vote of two-thirds of the members of the City Council; but nothing in this section shall be so construed as to prohibit the Judges of the District Court from granting new trials or reversing any judgment rendered by them according to the usual procedure of courts, nor to prohibit said Court from suspending execution of sentence, in its discretion.	[§ 4.4(a)(3)(E)] by two-thirds of its membership, remit or discharge any judgment in the City's favor;
§ 13. ***City Property Not to Be Converted*** *City officers and city employees shall not sell, dispose of or convert to their own use, any city property in their charge without special authority from the City Council.*	

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§ 14. ***Official Advertising*** *The City Clerk shall at least once every five (5) years, and prior to January 1st of the first year of the cycle advertise in the official paper of the city, for bids for publishing in some daily newspaper, which shall have been printed, published and of general circulation in said city at least six months prior to the advertising for such proposals, the ordinances, official proceedings of the Council and other matter required in the Charter or the ordinances and resolutions of the city to be published in a public newspaper. The contract for such publishing shall be awarded to such daily newspaper bidding the lowest therefor, which paper shall be declared the official paper of the city; provided, that in determining which is the lowest bidder of the newspapers conforming thereto, regard may be had to the character and value thereof as a medium for advertising and for placing before the taxpayers of said city the matters herein provided to be advertised. Provided, further, that if the City Clerk determines the bids to be excessive, the Council may reject all such proposals, and adopt such other method of publishing such matter as it may, in its discretion, determine. The daily newspaper so designated shall be and remain the official paper of said city for the term designated, and until the City Council shall designate another paper as the official paper of the city.*	

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§ 15. ***Affidavit of Publication*** *The publisher or publishers of said official paper shall immediately after the publication of any notice, ordinance or resolution, which by this act is required to be published, file with the Clerk of the city a copy of such publication, with their affidavit, or the affidavit of their shop supervisor of the length of time the same has been published and such affidavit shall be conclusive evidence of the publication of such notice, ordinance or resolution.*	
~~§ 16.~~ ~~**[Reserved]**~~	
§ 17. **Masculine, Feminine or Neuter** The use of either the masculine, feminine or neuter gender in this Charter shall be deemed to include the other genders, unless the context clearly requires otherwise.	[§ 1.3(d)(2)] the canons of construction and other principles of interpretation in the Minnesota statutes apply to this charter;
	[Minn. Stat. § 645.08(2)] the singular includes the plural; and the plural, the singular; words of one gender include the other genders;

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§ 18. **Civil Rights** Notwithstanding any other Charter provision or ordinance to the contrary all city departments, boards, commissions, agencies, and branches of the City of Minneapolis shall be subject to the jurisdiction of the Minneapolis Civil Rights Commission. No exemption of the jurisdiction conferred by this section shall be allowed to exempt any city departments, boards, commissions, agencies, or branches of the City of Minneapolis.	[§ 8.2(d)] **Civil rights department.** For the purpose of enforcing civil-rights legislation, the civil rights department enjoys jurisdiction over each board, department, officer, and other agency or agent, notwithstanding anything in this charter to the contrary. No board, department, officer, or other agency or agent may limit the department's jurisdiction.
Chapter 12 **Power of City Council to Grant Franchises**	
§ 1. **Council May Grant Franchises** The City Council of the City of Minneapolis is hereby authorized to grant franchises by the passage of ordinances.	[§ 4.1(d)] **Franchises.** The Council may grant and regulate any lawful franchise.
Chapter 13 **City Planning Department**	
§ 1. **City Planning Department—*Commission and Membership***	

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There shall be in the City of Minneapolis an executive department of the City to be known as the "City Planning Department," which shall serve as the staff of a City planning commission consisting of nine (9) persons. One shall be the Mayor; one shall be a person selected by the County Board of the County of Hennepin as its representative; the City Council, the School Board, and the Park Board shall each select one of its own members, as a member of the Commission, *in January of each even-numbered year*; and four (4) legal voters of the municipality not members of any of the above bodies or boards shall be appointed by the Mayor with the approval of the City Council. ~~The first Library Board Representative shall be appointed for a one-year term commencing January, 1995, thereafter the Library Board Representative shall be appointed as are the other Representative Commission members.~~ *Each year the Mayor shall appoint two (2) members to serve for terms of two (2) years each, commencing on the first day of February of the year of their appointment.* ~~The terms of appointed members serving for terms to expire in July, 1978, and July 1979, shall each terminate on January 31, 1978, and the terms of members appointed for terms to expire in July 1980, and July 1981, shall each terminate on January 31, 1979.~~ *Vacancies for any unexpired term shall be filled by appointments or selection as in the first instance.*	[§ 8.2(e)] **Planning commission.** (1) **Commission.** The commission consists of— (A) the Mayor; (B) a representative from the board of county commissioners; (C) a commissioner elected by and from the City Council; (D) a commissioner elected by and from the Park & Recreation Board; (E) a director elected by and from the Minneapolis Public Schools board of education; and (F) four citizens who are not members of any board otherwise represented on the commission, appointed under section 9.4(b).

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The members or the representative of a member of the Commission except those who are paid by the City or any other public body or agency for attending or serving on the Commission shall be paid for each official meeting attended such amount as the City Council shall establish from time to time by ordinance, with a limitation of one (1) meeting per day and four (4) meetings per month; the Commission may with the approval of the Mayor, employ engineers or other persons and incur such other expenses as are deemed necessary.	
The Commission shall make and alter rules and regulations for its own organization and procedure.	[§ 5.3(d)] **Rules.** Each board may adopt rules of order for the conduct of its own business.
It shall, not later than January 31st of each year, submit an annual report of its activities, plans, and proposals for future action. Said report shall be forwarded to the Mayor and, within fifteen (15) days of receipt thereof, transmitted by the Mayor to the City Council with the Mayor's comments and recommendations.	[§ 8.2(e)(3)] **Annual report.** The commission must annually report in January to the Mayor about its activities, plans, and recommendations. The Mayor must within 15 days transmit the report, together with his or her comments and recommendations, to the City Council.

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§ 1A. ***Planning Director*** *The City Planning Department shall be administered by a planning director who shall perform such duties and functions as directed by the City Council and Mayor. The Planning Director shall be appointed and removed by the City Council and Mayor as provided for in Chapter 3, Section 4, of this Charter and may appoint a deputy planning director to assist the Planning Director and act as planning director in his or her absence or inability to act. The Planning Director and the Deputy Planning Director shall each serve at the pleasure of their respective appointing authority, and neither position shall be in the classified service nor subject to the provisions of Chapter 19 of this Charter.*	

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§ 2. **Powers of Commission** The city planning commission shall have power, except as otherwise provided by law: 1. To acquire or prepare a comprehensive city plan for the future physical development and improvement of the city, based primarily upon public utility, convenience and general welfare, which plan shall be known and designated as the official city plan. 2. To prepare and recommend to the proper officers of the municipality, specific plans for public improvements consistent with the comprehensive plan for the city. 3. To recommend to the City Council, ordinances regulating the height, location and ground areas of buildings and structures, and ordinances providing for the division of the city into districts or zones based upon the height, ground areas and use of all buildings and structures.	[§ 8.2(e)(2)] (2) **Function.** The commission must— (A) prepare a comprehensive plan for the City's physical development and improvement, with particular regard to public utility and convenience and the general welfare; (B) recommend to any appropriate board, department, or officer specific plans for public improvements, consistent with the comprehensive plan; (C) recommend to the City Council ordinances regulating the zoning of buildings and other structures with respect to their size, location, and use; and

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§ 3. **City Council May Grant Certain Powers** The City Council may pass ordinances authorizing the city planning department to administer and enforce ordinances relative to city planning.	[§ 8.2(e)(2)(D)] perform any other duties for which an ordinance provides.
§ 4. **Commission to Approve Public Improvements and Indebtedness for Same** No public improvements shall be approved or authorized to be constructed in the City, nor indebtedness incurred therefor, until the location and design of the same have been approved by the City Planning Commission, provided in case of disapproval the Commission shall communicate its reason to the City Council, and the majority vote of such body shall be sufficient to overrule such disapproval. If the reasons for disapproval are not given to the City Council within thirty (30) days after the plans for the public improvements are submitted to the City Planning Commission, said plan shall be deemed to be approved by the City Planning Commission, provided, that the term "public improvements" shall include all paintings, mural decorations, stained glass, statues, bas-reliefs, or other sculptures, monuments, fountain arches, gates, gateways or other structures of permanent character intended for ornament or commemoration.	[§ 8.2(e)(5)] **Public improvements.** The City may not authorize or incur debt for any public improvement, including (but not limited to) any structure of permanent character intended for ornament or commemoration, unless— (A) the planning commission approves the location and design; (B) the commission, within 30 days after receiving a plan for a proposed improvement's location and design, notifies the City Council of particular objections, and the Council approves over the commission's objections; or (C) the commission does not notify the Council of particular objections within 30 days.
§ 5. **Plans, Plats, Etc., to Be Submitted to Commission for Approval or Rejection**	

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All plans, plats or replats of land hereafter laid out in building lots and streets, alleys or other portions of the same intended to be dedicated to public use, or for the use of purchasers or owners of lots fronting thereon, or adjacent thereto, and located within the city limits, shall be submitted to the City Planning Commission for its approval; and it shall be unlawful to receive or record such plans in any public office unless the same shall bear thereon by endorsement or otherwise, the approval of the City Planning Commission. The disapproval of such plan, plats or replats by the City Planning Commission shall be deemed a refusal by the City of the proposed dedication shown thereon. The approval of the Commission shall be deemed an acceptance by the City of the proposed dedication; but shall not impose any duty upon the City concerning the maintenance or improvements of any such dedicated parts, until the proper authorities of the City shall have made actual appropriations of the same by entry, use or improvements.	[§ 8.2(e)(4)] **Plans and plats.** No public office may receive or record any plan, plat, or replat of any street or other realty in the City, intended for dedication to public use or for the benefit of the fronting or adjacent property, unless the planning commission has endorsed its approval on the plan, plat, or replat. The commission's disapproval rejects, and its approval accepts, the proposed dedication on the City's behalf. But accepting such a dedication does not subject the City to any duty to maintain the dedicated property until the City has entered, used, or improved upon it.
The duty of the City Planning Commission in accepting or rejecting a plat shall be deemed legislative and discretionary and not administrative. The City Council by ordinance may direct that the City Planning Commission approve or reject all plans, plats, replats, applications for subdivision and variances from subdivision regulations, subject to the right of appeal to the City Council.	[§ 8.2(e)(2)(D)] perform any other duties for which an ordinance provides.
§ 6. ***Proposals for Development Districts or Redevelopment Projects To Be Submitted to Planning Commission and Mayor***	

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Any proposal that the City adopt or create any development district or similar redevelopment project shall first be submitted to the Planning Commission and to the Mayor for review. Within forty-five (45) days after the receipt of any such proposal, the Mayor and the Planning Commission shall each transmit the same to the City Council with their respective recommendations and comments. No development district or project shall be established, nor development program adopted, except by resolution of the City Council.	
The Planning Department shall plan and administer all existing and future development districts or similar redevelopment projects, and no transfer of such functions may be made except by resolution of the City Council.	
Chapter 14 **Board of Health**	
§ 1. ***Generally*** *The Minneapolis City Council shall exercise all powers of the Board of Health as provided by Minnesota Statute Chapter 145A, and those powers enumerated in this chapter.*	[§ 4.1(c)] **Council as statutory board.** (1) **Generally.** Where the law provides for municipal action through a board, and this charter does not reserve that authority to a board other than the Council, the Council must either— (A) itself serve as the board for which the law provides, even if the board is a statutory rather than a municipal agency; or

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§ 2. ***General Powers Granted to City Council***	
The City Council hereby created shall have and exercise general supervision and administrative control of all activities and agencies carried on and maintained by the city for:	
(1) The promotion and preservation of health, and the prevention and suppression of disease in the city;	
(2) The care, conduct, management and operation of all hospitals, dispensaries, and clinics maintained by the city and the furnishing by the city of medical and dental service to the low income;	
(3) Provided nothing herein contained shall be construed as limiting the present power of the Board of Education of the city to provide for the promotion of health of the public school children.	
§ 3. ***Special Powers and Duties of City Council***	
In addition to the general powers herein granted the Board of Health shall have the following powers and duties:	
(a) To enforce all sanitary and public health laws of the State of Minnesota applicable to the City of Minneapolis, the provisions of this Charter and all city ordinances relating to the sanitary regulations of the city.	

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(b) To make rules and ordinances as may seem necessary and proper for the purpose of compelling all physicians practicing within the limits of the City of Minneapolis to make reports of all cases of contagious diseases upon which they may be in attendance, and all keepers of boarding or lodging houses, and all innkeepers and hotel keepers to make reports of all cases of contagious diseases occurring within their respective houses and generally to make such rules and regulations as the City Council may deem necessary to carry into effect the provisions of this section.	
(c) To take such measures as the City Council may in good faith declare the public safety and health to demand in case of pestilential or epidemic diseases or all danger from anticipated or impending pestilences or diseases or in case the sanitary conditions of the city shall be of such a character as to warrant it.	
(d) To direct the Commissioner of Health or Director of Operations and Regulatory Services to inspect any part of the city which from its location or from any collateral circumstances may be deemed the cause of diseases and in all cases where the Commissioner or Director may discover any agent the existence of which will prove dangerous to the health of the city and there is no ordinance competent to the correction of the evil, the Commissioner or Director shall immediately report the same to the City Council accompanied with the Commissioner's or Director's opinion of the necessity of extraordinary or particular action.	

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(e) To cause all nuisances in the city to be abated with reasonable promptness, and for such purposes the City Council and its officers and employees shall be permitted and are hereby authorized, at all reasonable times, to enter upon or into any premises, house or other building or structure in the city and make all necessary examinations to determine the sanitary conditions thereof, and to cause any and all nuisances existing there to be forthwith removed and abated, after giving notice to the owner, agent or occupant of such premises, house or other building or structure as herein provided. The notice to abate any such nuisance shall be served personally upon the owner, agent or occupant of the premises, house or other building or structure in or upon which said nuisance exists in all cases where such owner, agent or occupant can be readily ascertained and found in the city. Such notice may be served by mail in all cases where such owner, agent or occupant is not in the city or cannot be found therein and the post office address of the person is unknown. It may likewise be served by posting and keeping posted for 24 hours, a copy of such notice upon the premises, house, building or other structure in or upon which any such nuisance exists whenever the owner or agent thereof is not known or cannot be found, and the post office address of the person is unknown. If such nuisance is not abated within a reasonable time after the service or posting of said notice, such reasonable time to be stated in such notice, such nuisance may be abated by or under the direction of said City Council and the cost of such abatement may in the first instance be paid from any funds under the control of the City Council. The cost of the abatement of any such nuisance paid by the City Council and not reimbursed by the owner, occupant or agent, shall be reported to the City Council, and the City Council shall assess and levy, and cause to be collected, the amount of such cost as a special assessment upon and against the premises and property upon which such nuisance existed, in like manner as other special assessments, payable in one sum, and assessed, levied and collected in the city. Such assessments, when collected shall be paid over by the County Treasurer to the City Finance Officer of the city.	

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(f) To authorize at all reasonable times the Director of Operations and Regulatory Services or any inspector to enter into any house, store, or other building, and to cause the opening of the floor, if the Director or inspector should deem it necessary, in order to have a thorough examination of cellars, vaults, sinks or drains, and to cause all privies to be cleaned and kept in good condition, and to cause all dead animals, or nauseous or unwholesome things or substances to be buried, or removed, or disposed of as the City Council may direct.	
(g) To select, purchase, lease and establish such sites, places and boundaries for quarantine stations and purposes and erect from time to time such buildings and hospitals upon such sites and places and to keep the same in repair as in the judgment of the City Council may be deemed necessary.	
(h) To order or cause any excavation, erection, vehicle, vessel, watercraft, room, building, place, sewer, pipe, passage, premises, ground, matter or thing in the City of Minneapolis, regarded by said City Council as in a condition dangerous or detrimental to life or health, to be purified, cleansed, disinfected, altered or improved, and may also order any substance, matter or thing being or left in any street, alley, water, excavation, building, erection, place or grounds (whether such place where the same may be is private or public) and which said City Council may regard dangerous or detrimental to life or health, to be speedily removed, and may designate or provide a place to which the same shall be removed, when no such adequate or proper place, in the judgment of said City Council is already provided.	

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(i) To aid in the enforcement of, and, as far as practicable, to enforce all laws to this state applicable within the limits of the City of Minneapolis, to the preservation of human life or to the care, promotion or protection of health; and said City Council may exercise the authority given by the laws aforesaid, to enable them to discharge the duties herein imposed; and this section is intended to include all laws relative to cleanliness, and to the use or sale of poisonous, unwholesome, deleterious or adulterated drugs, medicines or foods. And said City Council is authorized to require reports and information at such times and of such facts, and generally of such nature and extent relating to the safety of life and the promotion of health, as its rules may provide, from all dispensaries, hospitals, asylums, infirmaries, prisons and schools from the managers, principals and officers thereof; and from all other institutions, their officers and managers, and from the proprietors, managers, lessees and occupants of all theaters and other places of public resort or amusement in said city; and it is hereby made the duty of the officers, institutions and persons so called on or referred to promptly to give such reports, verbally or in writing, as may be required by said City Council.	
§ 4. ***Orders, Rules and Regulations to Be Issued*** *The City Council shall have authority to issue orders, adopt rules and regulations and pass ordinances for the promotion and preservation of public health and the relief of the low income, aged and indigent in the city, and for the management of the institutions under its care and control.*	

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§ 5. ***Expenses to Be Paid for Quarantine*** *When practicable, each person taken into quarantine or stations and receiving the aid and care afforded thereby shall pay a sum of money sufficient to meet all expenses, labor and care incurred in that person's behalf, which money shall be faithfully kept, reported and accounted for by physicians, health officers or other persons in charge of said quarantine or station.*	
§ 6. **Duty of Police Department** It shall be the duty of the Chief of Police to cause to be executed all orders of the City Council so far as they may relate to the preservation of the health of the city whenever requested to do so to the City Council, and the Police Officers of the City of Minneapolis shall promptly report to the City Council any violation of the rules that may become known to them while on duty.	[§ 8.3(a)(1)(D)] **Public health.** The chief must execute the City Council's orders relating to the preservation of health.

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§ 7. ***Penalty for Violation of Ordinances and Rules*** *Any person who shall fail or neglect to comply with any clause, provision, requirement, duty or orders, or who shall interfere with or in any manner resist any officer or agent of the City of Minneapolis, in the discharge of such officer's or agent's duty, as herein contemplated, or who shall commit any such breach of peace or be guilty of any act or thing calculated to defeat or interfere with the carrying into effect of any part of this act, or any regulation or order of said City Council or ordinance of said city in relation to the public health shall, upon arrest and conviction by the District Court of the County of Hennepin, be subject to a fine of not to exceed the maximum fine as provided by Minnesota Statutes, Section 609.033, as amended, for each offense, together with costs of prosecution.*	
§ 8. ***Officers to Be Appointed***	
The Commissioner of Health shall be appointed as provided in Chapter 3 Section 4 of this Charter. The Commissioner of Health may appoint (1) seven bureau directors, (2) health physicians and (3) the assistant director of dentistry to perform the duties and services directed by the Commissioner. The Commissioner of Health and the above listed positions appointed by the Commissioner shall not be included in the classified service of the city, under the Civil Service Chapter of this Charter, and shall not subject to the provisions of such Chapter. All other employees of the Department of Health and Family Support shall be under the Civil Service Chapter.	

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The Commissioner of Health shall be a qualified person who is trained and experienced in public health administration, preferably a physician. The Commissioner of Health shall have the management and control of all matters pertaining to the public health, as authorized by ordinance or as delegated by and under the supervision of the City Council.	
~~§ 9. **[Omitted]**~~	
~~§ 10. **[Reserved]**~~	
~~§ 10. **[Reserved]**~~	
~~§ 12. **[Reserved]**~~	
Chapter 15 **Board of Estimate & Taxation**	

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§ 1. **Composition of Board of Estimate & Taxation** There shall be in the City of Minneapolis a Board of Estimate & Taxation, consisting of the Mayor, the President of the City Council, the Chair of the Committee on Ways and Means/Budget of the City Council, an elected member of the Library Board as designated by the board at its annual meeting each year by a majority vote of all of its members, the President of the Board of Park Commissioners or such other member thereof as the Board may designate at its annual meeting each year, and two qualified electors to be elected at large for terms of four years each commencing on the first business day of January following their election. The two elected members shall be elected in 1989 and every four years thereafter at the General Municipal Election. Vacancies occurring in the office of any of the elective members shall be filled for the unexpired term by appointment by the Mayor, subject to the confirmation of the City Council. Before entering upon the discharge of the duties of the office each member of the Board shall make and file with the City Clerk an oath promising to faithfully discharge the duties of the office.	§ 6.3. **Organization** (a) **Composition.** The Board comprises seven members: (1) the Mayor; (2) the Council president; (3) the Council member who chairs the Council committee whose charge includes the budget; (4) a trustee, having been elected by the voters to the Library Board, and elected annually by the Library Board at its organizational meeting to the Board of Estimate & Taxation;

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	(5) a commissioner elected by and from the Park & Recreation Board (or, if the Board has not elected a commissioner, the Board's president); (6) two members elected by the voters in a regular election held in each year following a year whose number is evenly divisible by four. . . . . (c) **Vacancies.** The Mayor and the City Council must, by an appointment under section 9.4(b), fill any vacancy in the office of any member elected to the Board by the voters.
The Board shall elect a President	[§ 5.2(b)] **President.** Each board at its organizational meeting must elect from its membership a president.
and a Vice President from its own members	[§ 6.3(b)] **Officers.** The Board elects, in addition to its president (sec. 5.2(b)), a member as its vice-president.
and shall adopt, and from time to time amend and change, rules governing the calling and holding of meetings and its own procedure.	[§ 5.3(d)] **Rules.** Each board may adopt rules of order for the conduct of its own business.

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The City Finance Officer shall be the accounting official for Board.	[§ 5.2(c)] **Treasurer.** The city finance officer serves as each board's treasurer, but may not serve on the board.
The Board, subject to the provisions of the Civil Service Chapter of this Charter, shall have power to appoint a Secretary	[§ 5.2(d)] **Secretary, other officers.** Each board must elect a secretary and may elect or appoint, or provide for the election or appointment of, any other necessary officer. A board's rules may require that its secretary or any other officer must (or must not) come from or serve on the board, otherwise the officer may but need not come from or serve on the board.
and such other employees as it may deem necessary and shall fix their salaries and determine their duties.	[§ 5.4(b)] **Employment.** Each board may employ— (1) an appropriate staff, for which purpose it may hire, regulate and direct, and discipline or discharge any employee (subject to the Civil Service Commission's rules, in the case of an employee in the classified service); and (2) any necessary contractor or other agent.

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Meetings shall be held at least once a month and from time to time throughout the year as the business may require.	§ 6.4. **Meetings** The Board meets at least monthly.
All members except those receiving other compensation from the city in excess of ten thousand dollars ($10,000.00) per year shall receive thirty-five dollars ($35.00) per diem but not to exceed one thousand seven hundred fifty dollars ($1,750.00) per year, as full compensation for their services on the Board.	
§ 2. **Budgets to Be Submitted to Board** Every office, department, board, commission and other agency of the City financed in any way by appropriations of the City Council, or having any power to levy taxes, shall, on or before the 1st day of July of each year, submit to the Board of Estimate & Taxation and to the Mayor, budget information for the following fiscal year. Such budget information shall include a statement of proposed expenditure, the revenue from all sources and a recommended program for capital improvements for the ensuing five-year period.	[§ 10.3(a)(2)] **Departmental estimates and recommendations.** By July 1, each board with taxing power and each board, department, or office that the City funds must notify the Mayor and the Board of Estimate & Taxation of— (A) its estimated revenue and expenses and its budgetary needs for the next fiscal year; and (B) any recommended capital improvements for the next five fiscal years.

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The Board of Estimate & Taxation shall, on or before the 5th day of October of each year fix and determine the maximum amount of money and maximum rate which may be raised in the aggregate by general taxation by the City Council, board or department for each such fund, and no general taxes shall be levied in such year in excess of the amounts so fixed. *The City Council shall as soon as practicable prescribe a form or forms and the classification of titles for the budget estimates of the City Council and of every board and department of the City required by this section to submit budget information. The form or forms and the classification of titles so prescribed shall thereafter be followed and complied with by each department in preparing budget estimates.*	[§ 10.3(a)(4)] **Maximum taxation.** By September 15, after a public hearing, the Board of Estimate & Taxation must set the maximum amounts and rates that the City Council and other boards may levy, including the maximum amount and rate of each fund. . . .
§ 3. **Certificates of Indebtedness Authorized to Cover Preliminary Expenses** The Board of Estimate & Taxation shall have the power to levy for its own expenses upon all the taxable property of the city, real and personal, a tax not exceeding one-fifteenth of a mill upon the taxable property of the city, and cause such levy to be certified to the County Auditor and the County Auditor shall include the same with and as part of the general taxes for state, city and county purposes, to be collected and enforced therewith together with like penalties, interest and costs, and the County Treasurer upon collection shall transmit the proceeds of such levy to the City Finance Officer, to be placed in the Board of Estimate & Taxation fund. All expenditures to be paid from such funds shall be approved by the board.	[§ 5.6(a)] **Financial control.** Each board with borrowing or taxing power may apply the proceeds for its own purposes and controls its own finances. § 6.6. **Taxing power** Subject to article X, the Board may annually tax up to 0.0012 percent of the total value of the property in the City.

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§ 4. ***Exceeding of Appropriation a Misdemeanor*** *The City Finance Officer shall at the beginning of every fiscal year and from time to time thereafter, charge against each fund or appropriation the salaries and other ascertained obligations of the year payable therefrom, which charges shall be known as encumbrances upon the fund or appropriation and only that part of the fund or appropriation not so encumbered shall be deemed available for additional expenditures. In no case shall the total encumbrance exceed the total sum appropriated by the City Council or any board of the city to any of its departments, bureaus or divisions; the Finance Officer shall neither issue nor pay warrants or checks drawn upon the funds or appropriations of any board, department, bureau or division of the city, the funds or appropriations of which are already fully encumbered. Any officer of the city who shall knowingly vote for any contract or appropriation or order any work or purchase or sign, countersign or issue any warrant or check, the effect of which shall be to exceed the appropriation or fund provided, shall be guilty of a misdemeanor and shall be personally liable for the excess. This provision shall not exempt any person from the penalty of any other statute. The City Purchasing Agent is hereby ordered and directed not to issue purchase orders or sign contracts payable out of a fund or an appropriation so as to exceed or over-encumber such fund or appropriation and all orders or contracts made by the Purchasing Agent shall first be submitted to the City Finance Officer for entry on the Finance Officer's books before being issued.*	

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§ 5. **Transfer of Funds Authorized** The Board of Estimate & Taxation may by a vote of at least five (5) of its members upon the written request of the City Council or of the governing body of any department having control of expenditures, permit the transfer of moneys from one appropriation to another appropriation within the same department during the fiscal year, but this section shall not apply to the proceeds of bonds or obligations sold by the city.	[§ 10.3(a)(6)(B)] **Transfers within same board's or department's budget.** A board that controls its own finances may transfer money appropriated for one purpose to another within its budget only if the Board of Estimate & Taxation, with at least five affirmative votes, approves a request to that effect. No such transfer may affect the proceeds from bonds issued or other debt incurred for a particular purpose.

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§ 6. **Certain Proceedings May Be Set Aside** Within ten days after the City Council, or the Board of Park Commissioners, shall adopt a report, or pass a resolution confirming the awards and assessments in any proceedings under Chapter 185, General Laws of 1911, as amended, the entire cost of which is not to be paid out of assessments against the benefited property, the City Clerk, or in the case of the Board of Park Commissioners, its Secretary, shall serve upon the Secretary or any member of the Board of Estimate & Taxation a certified copy of such report or resolution and the action taken thereon. Such service and the proof thereof shall be made in the manner required for serving a summons in the District Court. Within thirty days after such service, such proceedings may, by a vote of at least five of its members, be set aside by the Board of Estimate & Taxation, which action shall have the effect to cancel all awards and assessments and terminate and abandon the entire proceedings. No action setting aside such proceedings shall be taken by said Board of Estimate & Taxation, except after public hearing, of which not less than two weeks' published notice shall be given by two publications, once each week for two successive weeks, in the official newspaper of the City. Until the expiration of such thirty day period no further expense shall be incurred upon any such proceedings unless the Board of Estimate & Taxation shall in the meantime by vote of five of its members, approve the said proceedings.	[§ 10.6(d)] **Review of unassessed improvements.** If the City Council or the Park & Recreation Board votes to acquire realty for the City's system of streets or of parks and parkways, and the cost is not wholly assessed against the benefited property, then the City may not begin incurring any related expense until 30 days after the board voting for the acquisition determines the resulting awards and assessments and so notifies the Board of Estimate & Taxation. The Board of Estimate & Taxation, with at least five affirmative votes, at a public hearing of which at least 14 days' notice was given, may set aside the awards and assessments and thereby cancel the acquisition. But the acquisition may proceed without waiting for 30 days, and the City may begin incurring related expenses, if the Board of Estimate & Taxation, with at least five affirmative votes, approves the acquisition.

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§ 7. **Levying and Collection of Taxes** All taxes may be levied and collected within the maximum fixed by statute and within the maximum fixed by the Board of Estimate & Taxation for the various purposes of said taxation and without regard to the maximum rate of taxation fixed from time to time by any board other than the boards and departments governed by this chapter.	[§ 10.3(a)(4)] **Maximum taxation.** By September 15, after a public hearing, the Board of Estimate & Taxation must set the maximum amounts and rates that the City Council and other boards may levy, including the maximum amount and rate of each fund. . . .
§ 8. **Board to Employ Assistance** For the purposes of this Chapter the Board of Estimate & Taxation shall employ such assistance as it may deem necessary from time to time and shall have access to all the boards and departments of the city and to all accounts, contracts, records and files thereof, and shall have the right to call upon every board or department and every member and employee for any information it may deem necessary, and it shall be the duty of every board or department and every member and employee thereof to furnish the information so called for.	[§ 6.2(b)(1)] **Compensation.** The Board may provide for any necessary employees and for their compensation.
	[§ 10.3(b)] **Cooperation, information.** For this article X's purposes, each officer, board, or department must cooperate with the Mayor, with the Board of Estimate & Taxation, and with the budget director, and must furnish any information that the Mayor, the Board, or the director requests.

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§ 9. **To Incur Indebtedness for Municipal Purposes on Request of Council** Upon the request of the City Council expressed by ordinance or resolution adopted by the votes of two-thirds of all members thereof, the Board of Estimate & Taxation in its discretion shall have power by a vote of at least five (5) of its members to incur indebtedness for municipal purposes other than the purchase of public utilities and to pledge the credit of the city for the payment of principal and interest and for that purpose shall have power to issue and sell negotiable bonds of the city or any other form of obligation it may deem best, but any such bonds or obligations shall be sold only in the manner provided by Section 1856, General Statutes 1913, to the purchaser who will pay the highest price therefor at the rate of interest fixed by the Board of Estimate & Taxation and the obligations or bonds shall be drawn accordingly;	[§ 10.4(a)(1)] **Conditions.** The City may issue bonds, borrow money, or otherwise pledge its credit only for a lawful purpose, consistent with this charter; and with the concurrence of— (A) the City Council, by two-thirds of its membership; (B) the Board of Estimate & Taxation, with at least five affirmative votes; and
provided, that where, with respect to any and all types and forms of obligation or indebtedness authorized by this Charter and by the laws of the State of Minnesota, the aggregate amount of any such obligations or indebtedness to be issued or incurred for any improvement, including but not limited to acquisition, development, construction or betterment, of any public building, stadium, or other capital improvement project, shall in all phases from inception to completion exceed Fifteen Million Dollars ($15,000,000.00), the Board of Estimate & Taxation shall not issue or sell any bonds or other obligations nor incur any indebtedness for such purpose without the approval of a majority of the electors voting on the question of issuing such obligations or incurring such indebtedness at a general or special election. ~~The foregoing proviso shall become effective immediately upon its adoption pursuant to Minnesota Statutes Chapter 410.~~	[§ 10.4(d)] **Capital improvements.** The City may not issue bonds, borrow money, or otherwise incur debt in connection with any capital improvement where the debt exceeds $15 million for the entire project unless the voters so authorize.

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Any premium received from the sale of such bonds shall revert to the sinking fund provided for the redemption of such bonds. *Any such bonds or obligations shall be signed by the Mayor and the City Clerk under the city corporate seal and shall be countersigned by the President of the Board of Estimate & Taxation and by the City Finance Officer.*	[§ 10.4(b)(1)] **Fund.** The City Council must maintain a sinking fund sufficient at least for paying off the City's debt as it comes due. Any tax collected for interest or principal on any such debt goes into the sinking fund, and may not be diverted to any other purpose. Any other revenue not otherwise appropriated, and any proceeds from bonds whose purpose has been discharged or abandoned, go into the sinking fund.
If the proceeds of the bonds or obligations be intended for the use of any board or department the expenditures of which are not controlled by the City Council, there shall be in addition to the request by the City Council, a like request expressed by ordinance or resolution adopted by the governing board of such department by the vote of at least two-thirds of the members thereof. *The proceeds of such bonds or obligations shall be put into the City Treasury and credited to the proper fund.*	[§ 10.4(a)(1)(c)] any other board in which this charter vests the borrowing power, by two-thirds of its membership.
§ 10. **Issuance and Sale of Bonds** The bonds authorized by Section 9 of this chapter or any portion thereof, may be issued and sold by the city, notwithstanding any limitation contained in the Charter of this city or any law of this state, prescribing or fixing any limit upon the bonded indebtedness of the city, provided the issuance of said bonds will not increase the net bonded indebtedness of the city as defined in Section 1848, General Statutes, 1913, and acts amendatory thereof, to an amount in excess of ten (10) per cent of its assessed valuation, but the full faith and credit of the city shall at all times be pledged for the payment of any bonds issued under this chapter and for the current interest thereon,	[§ 5.6(b)] **Borrowing power.** A board's borrowing power includes the power of issuing bonds, taking out loans, and otherwise incurring debt, to which the City pledges its full faith and credit. Any such power is subject to section 10.4.

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and the City Council shall each year include in the tax levy for the city a sufficient amount to provide for the payment of such interest and for the accumulation of a sinking fund for the redemption of such bonds at their maturity.	[§ 10.3(a)(3)] **Budget.** After a public hearing on the budget for and taxes payable in the following year, the City Council and each board must adopt a budget, which must— . . . (B) provide for payment of the City's general-obligation debt service;
	[§ 10.4(b)(1)] **Fund.** The City Council must maintain a sinking fund sufficient at least for paying off the City's debt as it comes due. Any tax collected for interest or principal on any such debt goes into the sinking fund, and may not be diverted to any other purpose. Any other revenue not otherwise appropriated, and any proceeds from bonds whose purpose has been discharged or abandoned, go into the sinking fund.

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§ 10. **Meetings To Be Open to Public** The meetings of the Board of Estimate & Taxation shall at all times be open to the public and the rules and regulations of the board shall provide for public hearings in connection with the determination of maximum amounts or maximum rates to be allowed to the different bodies, boards or commissions having power to levy taxes. *The minutes and proceedings of the board relating to setting the maximum taxes, the board's appropriation, authorization and issuance of indebtedness, authorization of transfer of bond proceeds and other actions so designated by the board shall be kept on file by the board and at the Municipal Library and all City of Minneapolis Libraries.*	[§ 5.3(a)] **Meetings generally.** Each board meets as this charter or the board's rules provide. Each such meeting must comply with the Minnesota open meeting law.
§ 12. **Promissory Notes; Certificates of Indebtedness; Tax Anticipation Bonds** In lieu of all other methods heretofore provided by this Charter for borrowing money and issuing obligations in anticipation of the collection of general taxes for the year in which issued for the use of the City or any department or board of the City, the City of	§ 6.5. **Borrowing power** The Board may, by five-sevenths of its membership, borrow against anticipated tax revenues up to half the amount due and not delinquent, which debt is redeemable or otherwise payable not later than the revenue is anticipated.

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Minneapolis may borrow money upon negotiable promissory notes or certificates of indebtedness, in the manner and subject to the limitations set forth in this section, for the purpose of anticipating general taxes theretofore levied for City purposes, but the aggregate of such borrowings remaining unpaid at any time shall never exceed fifty (50) per cent of such taxes which are due and payable and as to which no penalty for nonpayment or delinquency has attached. Upon the written recommendation of the City Finance Officer specifying the funds, departments or boards of the City for whom and the purposes for which such moneys are desired, and the amount for each, and by vote of at least five-sevenths (5/7) of its members, the Board of Estimate & Taxation may authorize and effect such borrowing and may issue notes or certificates of indebtedness of the City therefor. *Said board shall fix the amount, date, maturity, form, denomination, and other details of such notes or certificates, not inconsistent herewith, and shall fix the date and place for receipt of bids for the purpose thereof and direct its Secretary to give notice thereof.* The full faith and credit of the City shall be pledged to the payment of such notes or certificates. They shall mature not later than the anticipated date of receipt by the City of the taxes so anticipated. *Interest to maturity may be paid by discounting such notes or certificates on their issuance, or they may be sold at not less than par, with interest payable at maturity, or bids may be called for on both bases. If such notes or certificates be not paid when due, they shall bear interest after maturity until paid at the rate they bore before maturity or at which they were discounted. The Secretary of said Board shall give notice of the proposed sale, calling for bids thereon at the time and place so specified, by at least one publication in a daily newspaper published in the City, at least three (3) days before such date of sale. At the time and place so fixed such notes or certificates may be sold by the President and Secretary of said Board and by the City Finance Officer to the bidder who will agree to take them on the terms most favorable to the City. Such notes or certificates shall be signed in behalf of the City by the President and Secretary of said Board and countersigned and delivered by the City Finance Officer upon receipt of the purchase price thereof. The moneys so received shall be disbursed solely for the purposes for which such taxes were levied and shall be credited to the funds, departments and boards specified in such recommendation, and the interest paid at maturity or the discount allowed on such notes or certificates shall be deemed disbursed and expended by and for such purposes, funds, departments, or boards, and shall be charged thereto proportion to the amounts allotted to each in such recommendation, but the purchaser of such notes or certificates shall not be obliged to see to such application of the proceeds. Any interest accruing on such notes or certificates for nonpayment at maturity shall be paid from the bond interest fund of the City.*	[§ 5.6(b)] **Borrowing power.** A board's borrowing power includes the power of issuing bonds, taking out loans, and otherwise incurring debt, to which the City pledges its full faith and credit. Any such power is subject to section 10.4.

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§ 13. **Putting Professional Sports Facility Financing Before the Voters** The City of Minneapolis, Minneapolis Community Development Agency, or any city department, agency, commission, or board, shall use no city resources over $10 million dollars for the financing of professional sports facilities without the approval of a simple majority of the votes cast on the question, in a ballot question put to the public at the next regularly scheduled election. City resources are defined for these purposes as: Tax increment financing, bonds, loans, land purchase or procurement, land or site preparation, including necessary infrastructure such as roads, parking development, sewer and water, or other infrastructure development, general fund expenditures, sales tax or other taxes, deferred payments, interest free or below market interest rate loans, the donation or below market value sale of any city resources or holdings or any other free or below cost city services. The ballot question shall not be put before the public in a special election, in order to prevent the costs associated with special elections.	[§ 10.4(e)] **Professional sports facility.** Neither the City, nor any governmental body whose territorial jurisdiction is coextensive with or falls wholly within the City, may finance any professional sports facility in an amount greater than $10 million unless the voters in an otherwise scheduled election (and not an election held only for that purpose) so authorize. For this section 10.4(e)'s purposes, "finance" includes applying existing realty, infrastructure, overhead, or other resources, and forgoing taxes or any other revenue, as well as spending money directly, issuing bonds, or otherwise incurring debt.
Chapter 16 **Parks and Parkways**	
§ 1. **Park and Recreation Board—Election—Terms of Office**	

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The Park and Recreation Board of the City of Minneapolis and its successors, shall be a department of the government of said City and shall be the successor to and a continuation of the Board of Park Commissioners of the City of Minneapolis, and shall consist of nine commissioners. All funds, property, or other assets, all obligations and liabilities of any nature, and all ordinances, regulations and actions of all kinds and all powers, duties and privileges heretofore provided by statute or by this Charter for the Board of Park Commissioners of the City of Minneapolis shall in all respects be those of the Park and Recreation Board of the City of Minneapolis.	
~~At the general City election in 1975, the electors of the entire City shall elect three (3) Commissioners-at-large, one (1) for a term of two (2) years and two (2) for a term of four (4) years each. The term of the Commissioner elected by the least number of votes at said election shall be two (2) years and the terms of the other two (2) commissioners elected shall be four (4) years. At the general City election in 1977 and~~ every four (4) years ~~thereafter~~, the electors of the entire City shall elect one Commissioner-at-large for a term of four (4) years and the electors residing in each even-numbered Park and Recreation District shall elect from their respective districts one (1) Commissioner for a term of four (4) years. ~~At the general City election in 1979 and~~ every four (4) years ~~thereafter~~, the electors of the entire City shall elect two (2) Commissioners-at-large for a term of four (4) years each and the electors residing in each odd-numbered Park and Recreation District shall elect from their respective districts one (1) Commissioner for a term of four (4) years. ~~Commissioners serving at the time this amendment [adopted November 4, 1975] takes effect shall continue in office for the balance of their respective terms.~~	[§ 7.3(a)] **Composition.** The Board comprises nine commissioners, elected in each general election in which a Mayor is elected: (1) three commissioners at large, and (2) six commissioners elected by district.

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There are hereby created six Park and Recreation Districts within the city*, each of which shall be composed of the area presently contained within the election precincts listed opposite the respective Park and Recreation District as follows:*	[§ 2.3(a)] **Number.** The City comprises six park districts, designated by number.
DISTRICT I *Precincts 1 through 11 of Ward 1*	
DISTRICT II *Precincts 1 through 13 of Ward 4*	
DISTRICT III *Precincts 1 through 20 of Ward 6*	
DISTRICT IV *Precincts 1 through 16 of Ward 7*	
DISTRICT V *Precincts 1 and 3 through 16 of Ward 12*	
DISTRICT VI *Precincts 1 through 18 of Ward 13*	

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Whenever Ward boundaries within the City are officially changed, but not later than twenty-one (21) days prior to the opening of filings for city office, the Reapportionment Commission shall propose a plan for changing the boundaries of the six (6) Park and Recreation Districts and notify the Park and Recreation Board of the proposed plan. The Park and Recreation Board shall then review the proposed plan and make recommendations to the Reapportionment Commission. The Reapportionment Commission shall consider any recommendations made by the Park and Recreation Board and shall adopt the Park and Recreation District boundaries no later than fourteen (14) days prior to the opening of filings for city offices. Without dividing any election precinct, the boundary lines prescribed by this section shall be retained as nearly as practicable in readjusting the boundaries of any park and recreation district.	[§ 2.3] (b) **Commission.** The Redistricting Commission must redistrict the park districts in the same manner as it redistricts the wards, for which purpose the Commission includes two commissioners elected by but not from the Park & Recreation Board's commissioners, in the same manner as and in place of the commissioners elected by the Council members under section 2.2(c)(2)(A)(i)–(ii), but without regard to political affiliation. If the park districts are redistricted when the wards are not being redistricted, then the Charter Commission must convene a new Commission, with the Park & Recreation Board serving in the City Council's place. For this section 2.3's purposes, the "Commission" means the Redistricting Commission for which this section 2.3(b) provides. (c) **Park & Recreation Board.** Before holding a public hearing on any tentative plan, the Commission must— (1) notify the Park & Recreation Board of its tentative plan; and (2) consider any recommendation by the Board. (d) **Schedule.** Before filing opens for the first general election after the process begins, the Commission may extend its schedule for redistricting park districts if— (1) at least 14 days before, it notifies the Park & Recreation Board of its tentative plan, and (2) at least seven days before, it files a final plan with the city clerk.

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Said Park and Recreation Board shall have a common seal, and shall be capable of entering into, making, performing and enforcing contracts in the name of, and in behalf of the City of Minneapolis, to carry out the purposes expressed in this Chapter. *And all contracts so made and entered into shall be signed and executed by the President and Secretary under the direction of the Board.*	[§ 7.2(b)] **Body corporate and politic.** The Board is a body corporate and politic and, in the exercise of its general functions and powers, may— (1) adopt a seal; (2) make contracts;
All persons elected to the office of Park and Recreation Commissioner shall before entering upon the discharge of their duties severally file a written acceptance and oath of office in the office of the City Clerk of the City of Minneapolis.	[§ 9.2(a)] **Oath.** Before taking office, each officer must sign and file with the city clerk an oath in substantially the following form: "I swear [*or* 'affirm'] that I will faithfully discharge the office of [title], and will support the constitutions of the United States and of Minnesota."
The said Park and Recreation Board shall elect annually from their own number a President *and a Vice President*,	[§ 5.2(b)] **President.** Each board at its organizational meeting must elect from its membership a president.

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and shall appoint annually a Secretary who shall not be a member of said Board.	[§ 5.2(d)] **Secretary, other officers.** Each board must elect a secretary and may elect or appoint, or provide for the election or appointment of, any other necessary officer. A board's rules may require that its secretary or any other officer must (or must not) come from or serve on the board, otherwise the officer may but need not come from or serve on the board.
And said officers shall hold their respective offices until their successors are elected and qualified.	[§ 5.2(e)] **Tenure.** Each officer serves until his or her successor takes office.
The said election shall be held on the first business day in January of each year, and whenever vacancies shall occur in said offices, they shall be at once filled in like manner for the unexpired term.	[§ 7.4(a)] **Organizational meeting.** The Board must annually hold an organizational meeting on the first weekday in January that is not a holiday.
Whenever a vacancy may occur in the office of an elected Commissioner, it shall be filled by the Board.	[§ 7.3(c)] **Vacancies.** The Board, with at least six affirmative votes, may fill any vacancy in its membership.

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The person elected as Secretary, before entering upon the duties of office, shall file with the Comptroller-Treasurer [Finance Officer] of said City a corporate surety bond in such form and in the amount of at least $35,000 or in such higher amount as may be fixed by the Park and Recreation Board as security for the faithful performance of the official duties of office and the safekeeping of public funds. The premium of such bonds shall be paid from the Park and Recreation Fund. Said Secretary shall have power and is hereby authorized to administer oaths in all proceedings under this chapter and incident thereto.	[§ 7.3(d)] **Secretary.** The Board elects a secretary who does not serve on the Board. The secretary may administer an oath or affirmation in any proceeding under this article VII.
It shall be the duty of the said Secretary to submit to the said Board at the first meeting in January, a report showing the transactions of the Secretary's office, and other information necessary for the conduct of business.	
The said Park and Recreation Board shall make rules to govern its proceedings, and may meet from to time, as it may by rule or vote determine, and adjourn its said meetings.	§ 5.3. **Meetings** (a) **Meetings generally.** Each board meets as this charter or the board's rules provide. Each such meeting must comply with the Minnesota open meeting law. . . . . (d) **Rules.** Each board may adopt rules of order for the conduct of its own business.

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It shall make and publish from time to time, rules, ordinances and regulations for the government of its officers, agents, servants, and employees, and for the government and regulation of the parks and parkways, which may be required under and pursuant to the provisions of this Chapter.	
A majority of the members of said Board shall constitute a quorum;	[§ 5.3(b)] **Quorum.** Each board's quorum is a simple majority of its membership, disregarding any vacancy. A quorumless meeting may adjourn to a more convenient time, and may take measures to obtain a quorum.
but no action of said Board, designating or purchasing or leasing lands, creating a bonded debt, or filling vacancies in the Park and Recreation Board, shall be valid unless voted for by six (6) members of said Board;	[§ 7.2(f)(1)] **Supermajority required for certain actions.** The Board may dedicate, buy, lease, or name or rename realty with at least six affirmative votes.
	[§ 7.5] The Board, with at least six affirmative votes, may borrow
	[§ 7.3(c)] **Vacancies.** The Board, with at least six affirmative votes, may fill any vacancy in its membership.

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and a record of its proceedings shall be kept,	[§ 5.3(e)] **Proceedings.** The board's secretary must carefully and faithfully record its proceedings, including each act adopted and each member's vote on each such act, which the secretary must promptly file with the city clerk or in the board's office. The clerk or board must keep the board's proceedings on file and available for inspection and copying by any voter during normal business hours at the clerk's or board's office.
and the said Board shall make and publish an annual report setting forth their general proceedings, and containing a statement of the receipts and expenditures of said Board; which statement of receipts and expenditures shall be submitted to the City Comptroller-Treasurer [Finance Officer] to be audited in the same manner as accounts of city officers. The said Commissioners shall receive no compensation for their services, but may receive such sums for actual and necessary expenses incurred in performing their official duties as may be audited and allowed by the said Board.	[§ 7.2(g)] **Compensation.** The Board may provide for the commissioners' compensation.
The Park and Recreation Board shall be authorized to employ and dismiss, subject to the provisions of the Civil Service Chapter of this Charter, such attorneys, surveyors, agents and employees as may be necessary, and to fix the compensation of all its appointees and employees, which shall be payable from the fund hereinafter established for the purpose of this Chapter, upon the order of said Board, *countersigned by the City Comptroller-Treasurer [Finance Officer]*.	[§ 7.2(h)(1)] **Employment and compensation.** The Board may provide for any necessary employees and for their compensation.

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No Commissioner shall be interested in any contract made under the authority of said Board, or in any lands to be acquired by said Board, except that any Commissioner who shall be owner of, or interested in, any lands which may be designated or appropriated for the uses of this Chapter shall be entitled to receive compensation therefor as provided herein, but shall not act officially in respect to any matter in which such person may be pecuniarily interested.	
Any Commissioner may be removed from office by the District Court of Hennepin County, after trial and conviction, upon the petition with sworn charges presented by not less than ten (10) reputable freeholders of said city, if it shall appear at the trial that such Commissioner has been guilty of misdemeanor, or malfeasance in office.	[§ 7.3(b)(1)] **Petition.** On a petition sworn by at least 10 citizens, the district court, after notice and hearing, may remove any commissioner for malfeasance or misdemeanor in office.
Upon the presentation of such petition to one of the Judges of said Court the Judge shall issue an order returnable before such Judge, or the Court, requiring such Commissioner to appear and show cause why the removal from office should not take place and upon the return of such order the Court or Judge shall direct the method of hearing and procedure.	
The office of any Commissioner under this Chapter who shall not attend meetings of the Board for three (3) successive months after having been duly notified of said meetings, without reasons satisfactory to the Board, or without leave of absence, from said Board, may by said Board be declared and thereupon shall become vacant.	[§ 7.3(b)(2)] **Nonattendance.** The Board may remove any commissioner absent from its meetings for 90 days.
§ 2. **Parks and Parkways**	

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The Park and Recreation Board of the City of Minneapolis and its successors shall have the power and it shall be its duty to devise, adopt and maintain parks and parkways in and adjacent to the City of Minneapolis, and from time to time to add thereto; to designate lands and grounds to be used and appropriated for such purpose; to cause the same to be platted, surveyed, and plats thereof filed in the office of the Secretary of said Board, and in the office of the City Engineer of the City of Minneapolis; and the right to take possession upon obtaining title to the same or any part thereof, to hold, improve, govern and administer the same for such purposes.	[§ 7.1] Through the Park & Recreation Board, the City provides for parks, parkways, and recreational opportunities for its current and future citizens' use.
The said Park and Recreation Board, and their successors, shall have power, and it is hereby authorized, to obtain title for and in the name of the City of Minneapolis, to any lands so designated by it for the purpose of this Chapter, by gift, devise, purchase or lease.	[§ 7.2(b)] The Board is a body corporate and politic and, in the exercise of its general functions and powers, may— . . . (3) buy and sell property; (4) accept and administer, invest, or otherwise dispose of gifts;

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And said Board may enter into any contract in the name of said city, for the purchase of any lands to be paid for in such time, or times, and in such manner as the Board may agree to; and said Board may accept title to lands and give back a mortgage or mortgages in the name of said city, with or without bonds to secure the unpaid purchase price. Provided, that no personal or general liability on the part of said city shall be created by any such contract, or mortgage, or bond beyond the means at the time available therefor, except the liability to pay such amount as may be realized from benefits assessed on benefited property on account of the lands included in such contract or mortgage.	[§ 7.2(f)(3)] **Mortgages.** The Board may issue or give back a mortgage, with or without bonds securing the unpaid purchase price, that evidences its indebtedness for any such realty.
And it is hereby made the duty of said Board to pay on each such contract or mortgage an amount equal to the sum or sums so realized from such assessments; and said Board shall have power to accept and receive donations of money, property or lands, for the use of the said city for the purposes contemplated in this Chapter.	[§ 7.2(b)(4)] accept and administer, invest, or otherwise dispose of gifts;
§ 3. **Authority to Condemn Land—Appraisers**	
The Park and Recreation Board shall have power, and it is hereby authorized to condemn for the use of said city, any tract or tracts, parcel or parcels of land, or any interest therein, which it may have designated as hereinbefore provided in the second (2) section of this Chapter; and when such condemnation shall have been completed and the land paid for as herein provided, the title to such land shall pass, and be vested in fee simple in the said city. *For the purpose of making and perfecting such condemnation, the said Park and Recreation Board shall proceed in the manner following:*	[§ 7.2(a)(2)] When exercising its powers under this article, the Board may act on the City's behalf and enjoys all the City's lawful powers, including (but not limited to)— (A) eminent domain;

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1st. The Park and Recreation Board shall appoint five (5) appraisers who shall be disinterested freeholders and qualified voters of said city, and none of whom shall be residents of the ward or wards in which the property so designated is situated, to view the premises and appraise the damages which may be occasioned by the taking of private property or otherwise in making said improvements; said appraisers shall be notified as soon as practicable by the Secretary of said Board at a time to be fixed by the Secretary for the purpose of qualifying and entering upon their duties; and in case any such appraiser, upon being so notified, shall neglect or refuse to attend as aforesaid, said appraiser shall forfeit and pay a fine to said city, not exceeding fifty dollars ($50.00) and shall be liable to be prosecuted therefor before the Municipal Court of Hennepin County, as in case of a violation of an ordinance of said city. Whenever a vacancy may occur among said appraisers by neglect or refusal of any of them to act or otherwise, such vacancy shall be filled by the Park and Recreation Board.	
2nd. The appraisers shall be sworn to discharge their duty as appraisers in the matter with impartiality and fidelity; and to make due return of their acts to the Park and Recreation Board.	

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3rd. The said appraisers shall with all reasonable speed give notice by publication in the official newspaper of said city once a week for two (2) consecutive weeks; which last publication shall be at least ten (10) days before the day of such meeting; which notice shall contain a general description of the lands designated by the Park and Recreation Board, and give notice that a plat of the same has been filed, and the said appraisers will meet at a place and time designated in said notices and thence proceed to view the premises and appraise the damages for property to be taken, or which may be damaged by such improvement.	
4th. At the time and place according to said notice, the said appraisers shall view the premises and may hear any evidence or proof offered by the parties interested, and adjourn from time to time for the purpose aforesaid. When their view and hearing shall be concluded, they shall determine and appraise the amount of damages to be paid to the owner or owners of each parcel of property proposed to be taken, or which may be damaged by such improvement.	
5th. If there should be any building standing, in whole or in part, upon any parcel of the land to be taken, the said appraisers shall in each case determine the amount of damages which should be paid to the owner or owners thereof in case such building, or so much thereof as may be necessary, should be taken, and shall also appraise and determine the amount of damages to be paid such owner or owners, in case said owner or owners should elect to remove such building.	

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6th. If the lands and buildings belong to different persons, or if the land be subject to lease, mortgage or judgment, or if there be any estate in it less than an estate in fee, the injury or damage done to such persons or interests respectively may be awarded to them by the appraisers. Provided, that neither such award of the appraisers nor the conformation [confirmation] thereof by the Park and Recreation Board shall be deemed to require payment of such damages to the person or persons named in said award, in case it shall transpire that such person or persons are not entitled to receive the same.	
7th. The said appraisers having ascertained and appraised the damage aforesaid, shall make and file with the Secretary of said Park and Recreation Board a written report of said Park and Recreation Board of their action in the premises, embracing a schedule and appraisement of the damages in each case with a description of the lands and names of the owners, if known to them, and also a statement of the costs of the proceedings.	
8th. Upon such report being filed, the Secretary of the Park and Recreation Board shall give notice that such appraisement has been returned, and that the same will be considered by the Park and Recreation Board at a meeting thereof to be named in the notice; which notice shall be published in the official newspaper of said city once a week for two (2) successive weeks; and the last publication shall be at least ten (10) days before such meeting.	

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Any person interested in any building, standing in whole or in part upon any land required to be taken by such improvement who elects to remove such building, shall on or before the time specified for said meeting, in such notice, notify the said Park and Recreation Board in writing of said person's election to remove such buildings.	
The Park and Recreation Board, upon the day fixed for the consideration of such report, or at such subsequent meeting to which the same may stand over to be referred, shall have power in their discretion to confirm, revise or annul the appraisement, in whole or in part; giving due consideration to any objections interposed by parties interested in manner hereinafter specified, provided, that said Board shall not have the power to reduce the amount of any award.	
In case the appraisement is annulled, in whole or in part, the Board may thereupon appoint new appraisers, who shall proceed in like manner, as in case of the first appraisement, as to any lands as to which the former appraisement was annulled; and upon the coming in of their report the Board shall proceed in like manner and with the same powers as in case of the first appraisement, and may order reappraisement so often as it shall deem proper.	
9th. The damages shall be paid out of the parks and recreation fund, and shall be so paid, or be deposited and set apart in the treasury of said city to and for the use of the parties entitled thereto, within six (6) months after the confirmation of such appraisement and report; but in case any appeal or appeals shall be taken from the order confirming said appraisement, then the amount of such damage shall not in any case be required to be paid or deposited and set apart as aforesaid, until sixty (60) days after the determination of all appeals which shall have been so taken.	

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And in case of any re-appraisement or re-appraisements, the amount of such damage shall not in any case be required to be paid or deposited or set apart, as aforesaid, until sixty (60) days after final action and determination, including determination, upon appeals of such re-appraisements, it being the intention that said Board shall be enabled to ascertain the entire cost of any improvement before paying for any part of such improvement.	
The land and property required to be taken for the purposes aforesaid shall not be appropriated until the damages awarded therefor to the owner thereof shall have been paid to such owner or the owner's agent, or deposited and set apart for the owner's use as aforesaid. And in case the said Park and Recreation Board shall be unable to determine to whom damages so awarded should in any particular case be paid, or in case of disputed claims in relation thereto, or in case of the legal disability of any person interested, the amount of damage in any such case may be deposited by order of the Park and Recreation Board in the District Court of Hennepin County, in the same manner as moneys are paid into court as provided by law, and in every case such deposit of the money in court shall satisfy all requirements of this act; and said court upon the proper application of any person claiming the award or any part thereof, shall determine to whom the same shall be paid.	

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10th. In case any owner or owners of buildings as aforesaid shall have elected in manner aforesaid to remove said buildings, they shall so remove them within thirty (30) days from the confirmation of said report, or within such further time as the Park and Recreation Board may allow for the purpose, and shall thenceforth be entitled to payment from said parks and recreation fund of the amount of damages awarded in such case in case of removal. When such person or persons shall not have elected to remove such buildings, or shall have neglected (after having elected) to remove the same within the time prescribed, such buildings or so much thereof as may be necessary, upon payment or depositing the damages awarded for such taking, in manner aforesaid, may be taken and appropriated, sold or disposed of as the said Park and Recreation Board shall direct, and the same or the proceeds thereof shall belong to the said parks and recreation fund.	

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11th. Any person whose property is proposed to be taken or interfered with, under any provisions of this Chapter, and who deems that there is any irregularity in the proceedings of the said Park and Recreation Board, or action of the appraisers, by reason of which the award of the appraisers ought not to be confirmed, or who is dissatisfied with the amount of damages awarded for taking of or interference with such person's property, may at any time before the time specified for the consideration of the award by the Park and Recreation Board, file with the Secretary of said Board, in writing, the objections to such confirmation setting forth therein specifically the particular irregularities complained of, and containing a description of the property affected by such proceedings, and said person's interest therein, and if, notwithstanding such objections, the said Board shall confirm the award, such person so objecting shall have the right to appeal from such order of confirmation of the Board to the District Court of the County of Hennepin, within ten (10) days after such order; such appeal shall be made by serving a written notice of such appeal upon the Secretary of said Board, which shall specify the property of the appellant affected by such award and refer to the objection filed as aforesaid, and by also delivering to said Secretary a bond to the City of Minneapolis, executed by the appellant, or by some person on behalf of the appellant, with two (2) sureties who shall justify in the penal sum of fifty dollars ($50), conditioned to pay all costs that may be awarded against the appellant. Thereupon the said Secretary shall make out and transmit to the Clerk of the said District Court a copy of the award of said Commissioners as confirmed by the Board and of the order of the Board confirming the same, and of the objection filed by the appellant as aforesaid, all certified by said Secretary to be true copies, within ten (10) days after the taking of such appeal. But if more than one appeal be taken from any award, it shall not be necessary that the Secretary, in appeal subsequent to the first, shall send up anything except a certified copy of the appellant's objection. There shall be no pleading on such appeal, but the court shall determine in the first instance whether there was in the proceeding any such irregularity or omission of duty prejudicial to the appellant and specified in said written objection that as to the appellant the award or appraisement or (of) the appraisers ought not to stand, and whether said appraisers had jurisdiction to take action in the premises. The case may be brought on for hearing on eight (8) days' notice, at any general or special term of the court, and shall have precedence of other civil cases, and the judgment of the court shall be either to confirm or annul the proceedings, only so far as the said proceedings affect the property of the appellant proposed to be taken or damaged, and described in said written objection. In case the amount of damages awarded is complained of by	

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12th. As soon as said proceedings for acquiring the title to such lands shall have been completed, it shall be the duty of said Commissioners to make, or cause to be made, an accurate description of all such lands as shall have been so acquired, with a statement of the amount of damages awarded and paid to each former owner for the land so acquired, which shall be certified by the President and Secretary of said Board, under the official seal of said Board, and be filed in the office of the Secretary of the Park and Recreation Board, and for record in the office of the Register of Deeds of said County of Hennepin; and it is hereby made the duty of said Register of Deeds to record the same among the records of transfers of real estate in said county, which records shall be prima facie evidence of title to such land, and of the transfer of all the interests of such former owner in the same to said City of Minneapolis.	
It shall also be the duty of said Park and Recreation Board to have correct plats of all such lands as they may acquire for the purposes of this Chapter, prepared and filed in the office of the Secretary of said Park and Recreation Board, in the office of the City Engineer of the City of Minneapolis, and in the office of the Register of Deeds of Hennepin County; which said plat shall be kept on file and of record in the office of said Register of Deeds in like manner as plats of additions to the City of Minneapolis.	
§ 4. ***Assessment of Benefits—Appointment of Park Assessors***	

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As soon as the amount required for the purchase and condemnation of the land selected for any park or parkway, or park purposes, shall have been ascertained by said Park and Recreation Board with reasonable certainty, it shall determine what percentage, if any, of the amount so ascertained shall be assessed upon the lands benefited by said park or parkway, and it shall apply to the District Court of Hennepin County for the appointment of three (3) freeholders of the City of Minneapolis, as park assessors, none of whom shall be residents of the ward or wards in which the property so designated is situated.	

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Notice of such application shall be given by publication thereof in the official newspaper of said city at least six (6) days successively, the last of which publication shall be at least three (3) days prior to the date fixed therefor, and all persons interested may appear and be heard by the court touching such appointment. After such hearing the court shall appoint three (3) disinterested assessors who shall proceed to assess upon such lots, blocks, tracts and parcels of land in the City of Minneapolis as they shall deem to be specially benefited by such park or parkway, whether such land shall adjoin and abut upon such park or parkway or not, and whether exempted from assessment or not, such sum as they shall deem a just proportion respectively of the total sum to be assessed for benefits; and the determination of said assessors as to what lots, blocks and parcels of land especially are specially benefited shall be deemed to include all the lands so benefited. In case of the purchase of lands for any such park or parkways, or of any part thereof, it shall be competent for said Park and Recreation Board to agree with the vendor or vendors of the land so purchased upon a price therefor, which may in addition to the purchase price thereof include exemption from an assessment for benefits upon any remaining contiguous or adjacent lands owned by such vendor or vendors, the amount of which exemption shall be specifically agreed upon in the contract or conveyance; provided in all such cases an accurate description shall be furnished to said Board by the party to be exempted, specifying the lands so to be exempted, which description shall be filed in the office of the Secretary of said Board and a certified copy thereof shall be recorded in the office of the Register of Deeds of Hennepin County; and it shall be the duty of said Register of Deeds to file and record the same. Before proceeding to act under such appointment the said assessors shall make oath faithfully and impartially to discharge the duties of their said office, and shall then give notice of the time and place of their meeting, for the purpose of making said assessment, by publication thereof for six (6) successive days in the official newspaper of said city the last of which publication shall be at least three (3) days before the time of meeting; all parties interested may appear before said assessors and be heard touching any matter connected with the assessment.	

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The assessors shall have power to administer oaths to witnesses and shall hear and consider any pertinent testimony offered and they may adjourn their meetings from time to time until the assessment is completed. When completed the assessment shall be signed by the assessors or by a majority who shall concur therein; and shall be returned to and filed in the office of the clerk of said District Court.	
The Park and Recreation Board shall cause to be published in the official newspaper of the City of Minneapolis at least six (6) days successively, a notice of the filing of said assessment roll; which notice shall set forth the boundaries of the district in which said assessments have been levied; and they will on a day named therein apply to said court for the confirmation of said assessment, the last of which publications shall be at least five (5) days prior to said application.	

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Said District Court shall have power to revise, correct, amend and confirm said assessment in whole or in part, and may make or order a new assessment in whole or in part, and the same revise, correct, amend and confirm upon like notice. All parties interested may appear before said court at the time of such application, and object to said assessment either in whole or in part, but all objections shall be in writing specifying the tracts or parcels of land in respect to which objection is made, and shall be filed with the clerk of said district court at least two (2) days before the time fixed for the application. Objections which relate merely to the amount assessed upon the premises specified shall not be available, unless the court shall be satisfied that the assessors in fixing such amount were governed by improper motives, or proceeded upon erroneous principles, or under an obvious mistake of facts. After the confirmation of such report, the Park and Recreation Board shall cause a copy thereof, as amended and confirmed, to be filed in the office of the Auditor of Hennepin County, and the copies of such assessment rolls as have heretofore been filed in the office of the clerk of said court, shall be transferred to and filed in the office of said County Auditor. Such assessment shall be a lien upon the several tracts or parcels of land so assessed for benefits, as aforesaid, and ten (10) per cent of the amount thereof shall be due and payable annually.	

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The Auditor of said Hennepin County shall include in the general tax list for the collection of state, county and city taxes, ten (10) per cent of said assessment for each year, until the whole sum is paid, setting opposite the several tracts or parcels of land assessed the amount of such assessment in an appropriate column to be headed "park assessments" and like proceedings in all respects, shall be had for enforcing the collection of the same as is now provided by law for the collection of state, county and city taxes. In case any of the tracts or parcels of land which have been or which may hereafter be assessed for benefits, as aforesaid, have been or shall hereafter be re-platted or otherwise subdivided, said County Auditor shall have power to apportion the amount originally assessed therein among the several lots, blocks or parcels into which the same has or shall be so subdivided, in such manner that the several subdivisions thereof shall bear their just proportion of the benefit tax as so assessed or confirmed. Said County Auditor shall provide, and keep, as one of the records of the County Auditor's office, a suitable book or books, in which the County Auditor shall enter the several tracts and parcels of land so assessed, with a statement of the amounts assessed thereon respectively, and all payments made on account of such assessments, with such other facts in relation thereto as said Auditor may deem advisable; and the Park and Recreation Board may compensate said Auditor for such services in any sum which said Board shall deem just and reasonable.	
If the owner of any tract or parcel of land assessed as aforesaid, shall at any time make payment of such sum as being put at simple interest at seven per cent per annum would amount to the sum of the several installments of such entire assessment, at the time they would respectively become due under the provisions of this section, the said lands shall henceforth be free from the lien of the assessments so paid and discharged.	

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§ 5. **Issuance of Bonds** For the cost of acquiring a title to lands for said parks and parkways, the said Park and Recreation Board shall have power to borrow, from time to time, for such times as it shall think expedient, not exceeding fifty (50) years, a sum of money the annual interest upon which for all the moneys so borrowed including the sums heretofore borrowed shall not exceed thirty-five thousand dollars ($35,000.00), and for that purpose shall have authority to issue bonds of the City of Minneapolis, to be denominated "park bonds," secured upon said parks and the improvements thereon*; which bonds shall issue under the seal of said Park and Recreation Board, and shall be signed by the President and Secretary of said Board, and countersigned by the Comptroller-Treasurer [Finance Officer] of the City of Minneapolis, and shall bear interest not exceeding four and a half (4 1/2) per cent per annum. And in no case shall bonds be issued by said Commissioners so that the bonded debt of the city shall exceed the limit fixed by law. It shall be the duty of the Secretary of said Park and Recreation Board and of the City Comptroller-Treasurer [Finance Officer] to keep an accurate register of all bonds issued, showing the amount, number and date of each bond.* And for the payment of the principal and interest of said bonds, and said parks and improvements thereon shall be irrevocably pledged with a first lien thereon, and the city of Minneapolis shall be irrevocably bound; provided, that all lands shall be first subject to the unpaid purchase price thereof; and said bonds may be sold by said Park and Recreation Board, upon such terms and for such prices as in its judgment are the best that can be obtained for the same.	[§ 7.5] The Board, with at least six affirmative votes, may borrow an amount on which the annual interest does not exceed $50,000, for up to 50 years, with the debt secured by the parks and parkways.
§ 6. **Tax Levy—Park and Recreation Fund**	

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The said Park and Recreation Board shall annually, on or before the tenth (10th) day of October in each year, transmit to the Auditor of Hennepin County an estimate in writing of the amount of money necessary for the payment of interest on bonds issued by said Board, and that will be required for the acquiring, equipping, improving, maintaining, operating and governing parks, parkways, playgrounds and other recreational facilities and conducting recreational programs for the public use during the succeeding year; which amount shall not exceed what will be raised by a tax of six (6) mills upon each dollar of valuation of the taxable property in said City, nor shall such tax in any year exceed the maximum fixed therefor by the Board of Estimate & Taxation; *and the said Auditor shall proceed to determine what per cent said sum is on the taxable property of said City according to the assessor's returns, and shall, in the next general tax list for the collection of City, State and County taxes, in said City, set down the amount chargeable to the several persons, corporations, lots or parcels of ground in a separate or appropriate column, and the proper officers shall proceed to collect the same in a manner now provided by law for the collection of City, State and County taxes, and all the provisions of law in respect to the collection of City, State and County taxes, and proceedings to enforce the same as far as applicable, shall apply to said assessments and taxes; the said sum of money, together with all other moneys provided for the purposes aforesaid, shall be placed by the City Comptroller-Treasurer [Finance Officer] of the City of Minneapolis to the credit of said Park and Recreation Board, and shall be drawn by said Board from the City Treasury by warrant signed by the President and Secretary of the Board, countersigned by the City Comptroller-Treasurer [Finance Officer] and in no other way;* and shall constitute a special fund to be known and denominated the "Park and Recreation Fund."	[§ 7.6(a)] **Park & recreation fund.** The Board may annually tax up to 0.10415 percent of the total value of the property in the City.

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The said Park and Recreation Board in addition to all other power and authority, is hereby authorized and empowered, and it shall be its duty to levy annually upon all the property, real and personal, a tax not exceeding 1/20 of a mill upon each dollar of the assessed valuation of this City, for the purpose of protecting, caring for, replacing and maintaining the shade and ornamental trees and shrubbery in the streets and avenues of the City. Provided, however, that grants and real estate mentioned shall be subject only to the levy and collection of taxes now or hereafter provided by law, and provided, further, that the rate of such levy shall not exceed the maximum fixed by the Board of Estimate & Taxation in any year. *All taxes so levied shall be certified to the County Auditor of this county on or before the 10th day of October of each year and shall be collected with, and the payment therefor enforced in the same manner as such general tax and with like penalties and interest. The tax collected for the protection and preservation of trees and shrubbery shall be paid to the City Comptroller-Treasurer [Finance Officer] and placed in a fund to be known as "Street Forestry Fund," and all moneys collected and paid to the credit of such fund shall be paid by warrant of the Park and Recreation Board and signed by the President and Secretary of such Board and countersigned by the City Comptroller-Treasurer [Finance Officer].*	[§ 7.6(b)] **Tree fund.** The Board may annually tax up to 0.02753 percent of the total value of the property in the City for taking care of shade and ornamental trees and shrubbery.
§ 7. ***Board Authorized to Accept Gifts, Etc.***	

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The Park and Recreation Board is authorized to receive and accept in the name of the city, any gift or devise of land or buildings to be used for a public park, museum, gallery, or school of arts or crafts, or for the construction, equipment, improvement, maintenance or use thereof, or for any one or more of such purposes, with the right reserved by the donor or devisor to the free and exclusive occupancy, management, control and use of any such building by any incorporated society of this state organized for the general purposes of fostering and promoting educational, artistic and scientific interests, or some one or more of them, and not for any purposes of pecuniary gain or profit to any of its members, and upon such other conditions, but subject to such regulations and restrictions, as shall be approved by such Park and Recreation Board	[§ 7.2(d)] **Park museum.** The Board has accepted a gift of property for the benefit of a park, museum, gallery, or school of arts and crafts, which a donor-designated nonprofit organization administers according to the terms under which the gift was accepted.
The Board may likewise accept gifts and bequests of money and other personal property to be used for any of the purposes aforesaid.	

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Such Board, out of any money received for the Park Museum Fund, as hereinafter provided, or from any gift or bequest applicable thereto, shall care for and maintain as a public park, any land or grounds acquired and used as aforesaid, and shall maintain and keep in repair, alter, enlarge, improve and equip, heat, light and care for, any and all such buildings, shall maintain proper insurance thereon, and shall make suitable provision for the custody of, and for keeping, preserving and exhibiting any and all collections, objects and specimens contained therein. In case of the destruction or damage of any such building from any cause, the proceeds from any insurance thereon, together with any funds available therefor received under the provisions of this act, shall be used for the restoration of such building, such board shall have power to make any contracts or arrangements, in the name of the city, necessary or convenient to promote the general purposes of this Chapter, and shall have power to make rules and regulations for the use and government of such land and buildings, and, for that purpose, may adopt rules and ordinances, and provide penalties for their violation.	

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After the acquirement of any such museum, gallery, or school of arts or crafts as aforesaid, there shall be annually levied and it shall be the duty of such Park and Recreation Board to cause to be included in the annual tax levy, upon all the taxable property of the city, a tax of one-eighth (1/8) of one mill upon each dollar of the assessed valuation of property in this city subject to taxation, and such board shall certify such levy to the Auditor of the County of Hennepin, and the same shall be added to, and collected with and as part of the general real and personal property taxes with like penalties and interests, in case of nonpayment and default, and all provisions of law in respect to the levy, collection and enforcement of other taxes shall, so far as applicable, be followed in respect to such taxes. All of said taxes, penalties and interest, when collected, shall be paid to the City Comptroller-Treasurer [Finance Officer], and shall be credited to a fund to be known and denominated as the "Park Museum Fund," and shall be used for the purposes specified in this Section 7, and for no other purpose. Any part of the proceeds of such levy not expended for the purposes specified in this paragraph may be used for the erection of new buildings for the same purposes. The Park and Recreation Board may, by ordinance, provide for the payment of all current bills incurred by it, or under its authority, for goods, wares and merchandise, without awaiting the formal vote of such Board directing payment thereof.	[§ 7.2(d)] The Board must annually levy a tax, up to 0.0125 percent of the total value of the property in the City, whose proceeds go to a fund that pays for the park, museum, gallery, or school, and may not be diverted for any other purpose.

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§ 8. **Vacation and Closing of Streets** It shall be lawful for said Park and Recreation Board to vacate and close up any and all public roads and highways excepting railroads which may pass through, divide or separate any lands selected or appropriated by it for the purpose of parks, and no such road, highway nor any railroad shall be laid out through said parks or any of them, except such as the said Park and Recreation Board shall itself lay out and construct or shall consent to.	[§ 7.2(a)(2)] **Municipal powers.** When exercising its powers under this article, the Board may act on the City's behalf and enjoys all the City's lawful powers, including (but not limited to)— . . . (B) power over public ways that pass through, over, or adjacent to property that it owns or governs, including the power to open, improve, or vacate a public way; (C) power over the shores and waterways adjacent to any waterway or other body of water that it owns or governs, including exclusive power over any waterway or other body of water whose shore it owns.
§ 9. **Construction of Bridges and Viaducts** The said Board shall have power to construct all necessary bridges and viaducts over water courses and railroads within or on the line of said parks and parkways.	
§ 10. ***Expenditures of Money Received for Benefits*** *The fund which may be received for and upon the special assessments of benefits herein provided for shall be paid into the City Treasury as a part of the parks and recreation fund.*	

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§ 10. **Shore Rights** Whenever the title shall have been acquired for the purpose of this Chapter, to the land constituting the shore or shores of any stream of water, lake or pond, said Board may regulate and control the use of such shore or shores and the water contiguous thereto, and in case such ownership shall embrace the entire shore or any such lake or pond, said Board is hereby empowered to take any and have exclusive charge and control of the waters of said lake, and may in all things regulate and govern the use of such waters and may prescribe penalties for the violation of such rules and ordinances as it may adopt for that purpose; provided, that said Board shall not prohibit the use of sail or row boats on such waters.	[§ 7.2(a)(2)(C)] power over the shores and waterways adjacent to any waterway or other body of water that it owns or governs, including exclusive power over any waterway or other body of water whose shore it owns. [§ 7.2(c)] **Ordinances.** The Board may enact any necessary or prudent ordinance within this article VII's purposes. An ordinance may provide for a fine, imprisonment, other penalty, or any combination of such penalties for its violation. The city attorney prosecutes any such violation. Any resulting fine or other monetary penalty goes to the park & recreation fund.
§ 12. **Lands Acquired Subject to Lien for Bonds Issued** The lands which may be designated and obtained under the provision of this Chapter shall remain forever for parks and parkways for the use of all the inhabitants of the said City,	[§ 7.1] Through the Park & Recreation Board, the City provides for parks, parkways, and recreational opportunities for its current and future citizens' use.

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subject to such rules and regulations as the Park and Recreation Board shall prescribe,	[§ 7.2(c)] **Ordinances.** The Board may enact any necessary or prudent ordinance within this article VII's purposes. An ordinance may provide for a fine, imprisonment, other penalty, or any combination of such penalties for its violation. The city attorney prosecutes any such violation. Any resulting fine or other monetary penalty goes to the park & recreation fund.
said parks being subject to the lien of the bonds which may be issued for their purchase, *provided that land purchased shall be first subject to the unpaid purchase price; which lien, in case of nonpayment of said bonds at the maturity thereof, may be enforced by sales pursuant to any decree of a court of competent jurisdiction.*	[§ 7.5] with the debt secured by the parks and parkways

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§ 13. **Sale of Lands Available for Park Purposes** Whenever the title to any piece or parcel of real estate that has been or may hereafter be, acquired under the provisions of this Chapter, either by purchase or condemnation and the proceedings for the establishment of a particular park or parkways, of which said piece of land, or parcel of land, was designated to form a part has been, or may hereafter be, abandoned by said Board, as by this Chapter authorized, in consequence of which abandonment said piece of parcel of land has or may become unavailable as a part of said park system, such lands may be sold and conveyed by deed executed in the name of said City by the President and Secretary of said Board, at such price and upon such term as said Board may direct or approve. No such sale shall be valid, however, unless authorized by the District Court of Hennepin County by its order describing the premises to be sold and entered upon the petition of such Board, after hearing of all interested parties upon such notice by publication or otherwise, as such court may prescribe. And such District Court is hereby empowered to make and enforce all such orders, judgments and decrees as it may deem proper in the premises and such conveyances so authorized and executed shall vest in the guarantee all right, title and interest of the City of Minneapolis in such lands acquired by such condemnation or purchase.	[§ 7.2(f)(4)] **Selling realty.** The Board may sell realty only if it has abandoned the realty, and the district court approves the sale.
§ 14. **Rules and Penalties**	

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Said Board shall have power to regulate the use of parks and parkways acquired in the name of the City, whether within or without the corporate boundaries, and may adopt ordinances to acquire and secure the quiet, orderly and suitable use and enjoyment of such parks and parkways by the people, and fix and ordain penalties for the violation thereof, *which ordinances shall take effect from and after the publication thereof in the official newspaper of the City*. The penalty for such violation may include fines not exceeding $300 or confinement not exceeding 90 days, or both, and the same shall be enforced by prosecution, as in the case of other ordinances of said City.	[§ 7.2(c)] **Ordinances.** The Board may enact any necessary or prudent ordinance within this article VII's purposes. An ordinance may provide for a fine, imprisonment, other penalty, or any combination of such penalties for its violation. The city attorney prosecutes any such violation. Any resulting fine or other monetary penalty goes to the park & recreation fund.
The City Attorney shall have charge of all prosecutions, and shall prosecute all violations of park ordinances. All fines and penalties imposed for the violation of park ordinances shall, when received by the City Comptroller-Treasurer [Finance Officer], become a part of the Park and Recreation Fund of the City.	
The Mayor of the City of Minneapolis shall, upon request of the Park and Recreation Board, and subject to the provisions of the Civil Service Chapter of this Charter, appoint as police officers such persons as such Board may request; and which police officers shall be under the control and direction of said Board, and may be discharged by said Board subject to the provisions of said Civil Service Chapter, and said Board shall provide for the payment of such police officers out of the park funds.	[§ 7.2(e)] **Park police.** The Mayor must appoint as many police officers for the parks and parkways as the Board requests. The Board must pay for such police out of the park & recreation fund, may regulate and direct them, and may discipline or discharge them (subject to the Civil Service Commission's rules).
All police officers so appointed shall possess all the common law and statutory power of constables; and any warrant for search or arrest issued by any magistrate or court of record in Hennepin County may be executed in any part of said county by any member of said police force.	

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§ 15. **Opening, Improving and Vacation of Streets**	
The said Park and Recreation Board shall have and exercise all such powers and jurisdiction over and in relation to parkways as now is, or hereafter may be, conferred upon the City Council in respect to the laying out, opening, widening and improving, vacating and discontinuance of streets; the grading, paving and curbing thereof; the construction of sidewalks; and the cost of all lands acquired, and of all improvements made by said Board pursuant to this section shall be levied upon and collected from the property specially benefited thereby. *And the proceedings for the condemnation of land and for assessing benefits for improvements shall be conducted in the manner hereinbefore in this Chapter provided for condemning lands and assessing benefits.*	[§ 7.2(a)(2)(B)] power over public ways that pass through, over, or adjacent to property that it owns or governs, including the power to open, improve, or vacate a public way;
The City Council of said City of Minneapolis shall have the same power and jurisdiction in respect to laying water mains and sewers along parkways in the said City as it now has in respect to laying the same along the public streets; and the same proceedings for levying and collecting special assessments for water mains and sewers along such streets shall apply to levying and collecting the same for water main laid along the parkways.	

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The Park and Recreation Board is hereby authorized in its discretion to cause curb and gutter or either to be built along any side of any parkway or any portion thereof, and to cause to be constructed and built any sidewalk along any parkway or any portion thereof, such curb, gutter and sidewalk to be built in such manner and of such materials as it may direct, and to collect the expense and the cost of the same by special assessment upon the property fronting upon such improvements on the same side of the street; but the expense of so improving any part of such parkways as shall be in front of property exempt from such assessment, or property belonging to the City shall be paid from the general fund of said Board.	[§ 7.2(f)(2)] **Acquiring realty.** The Board may acquire realty— . . . (B) by assessing the benefited property, in which case the Board must identify the property benefited and determine the appropriate assessment.

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It is hereby made the duty of all owners of land adjoining or abutting upon any parkway of the City to construct, reconstruct and maintain in good repair sidewalks along the side of the parkway contiguous to the lands of such owner, whether such sidewalks were heretofore or shall here after be constructed, the same to be built of such material and width and upon such place or grade as the said Board may prescribe by ordinance or otherwise. Whenever said Board shall deem it necessary that any sidewalk shall be constructed or reconstructed along a parkway in said City, it shall by resolution direct such construction or reconstruction specifying the width thereof and the material of which the same is to be constructed. The publication of such resolution once in the official paper of the City shall be sufficient notice to the owners of the land along which such sidewalk is to be built, to construct the same, and unless such owner shall each on his respective land, construct and fully complete such sidewalk within two weeks after the publication of such resolution as aforesaid, the said Board shall forthwith proceed to ascertain the expense of constructing the same and assess and levy such expense upon and against each lot and parcel of land upon which said sidewalks shall front. Such assessment shall be made and collected in the same way so far as may be, except as herein otherwise provided for the collection of special assessments made by the City Council for the construction of sidewalks upon streets and alleys under its control, and the duties to be performed by the City, the City Engineer and the City Clerk respectively, shall appertain to and be performed by the said Board, its Engineer and Superintendent, and its Secretary, respectively. And the said Board may either before or after making such assessment, cause the portion of sidewalks on such parkways as have not been built by the owners of such lands fronting on the same, to be built upon contract or by its own labor or by any other person as the said Board may determine.	

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If the owner of any lot or parcel of land fronting on any such parkway shall suffer any sidewalk along the same to become broken or out of repair, the said Board may repair the same in a good and substantial manner, and assess and levy upon each of the lots and parcels of land fronting or abutting upon sidewalks which have been so repaired, the cost and expense of making such repairs. In each case the assessment of all such repairs within the year may be combined in one assessment roll and be collected in the same manner and time as the City Council collects similar assessments for repairs upon streets and alleys under its control, except as herein otherwise provided. In case any such sidewalk shall become so out of repair as to become dangerous and cannot be made safe without being rebuilt, the said Board may cause the same to be entirely removed and replaced by a new sidewalk, and the expense of removal and cost of rebuilding shall be assessed upon the abutting property and collected in the manner hereinbefore provided for constructing sidewalks.	
The said Board before ordering the construction of any new sidewalk or curb or gutter shall cause the ground or parkway along which they are to be built to be properly graded.	
It shall require a majority vote of the members elected to said Board to determine in the first instance to make any improvement of curb or gutter or sidewalk along any such parkways for which a special assessment may be levied.	

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Any curb, gutter or sidewalk which said Board determines to make on any such parkway, the means to make or construct which are to be raised by special assessment, may be performed by contract let in the ordinary way or may be constructed directly by said Board by the employment of labor or purchase of material, or in any other manner in which said Board may deem proper in any particular case. The said Board may in its discretion in any case, instead of causing the special assessment to be made entirely upon estimates, wait until the letting of the contract for such improvement, or until such improvement shall be made, before determining and fixing the cost and expense of such improvement. And the said Board may at the time of ordering any such improvement for which any assessment is to be made, determine whether to proceed at once with such improvement or wait the collection of the assessments made therefor, or said Board may if the owner or owners of the property abutting on such improvements do not within the space of two weeks construct the sidewalks as ordered in front of their respective properties, and in all cases where the improvement is a curb or gutter or both, may proceed to build or cause to be built said sidewalks or said curb or gutter, and thereafter when the cost and expense of such improvements are ascertained, proceed to assess the same upon the respective property fronting upon such improvements.	
All special assessments for curb and gutter or sidewalks made by said Board under this Chapter, shall be assessed and made payable in five (5) equal annual installments plus interest and collected with the taxes for the year in which the installment is due; anything herein, or in the method or manner of collection of similar assessments by the City Council to the contrary notwithstanding.	

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All parkways which have been or which may be acquired in or adjacent to the City of Minneapolis shall be subject to the control and government of the Park and Recreation Board of said city, in respect to the construction, maintenance, regulation and government thereof; and to the use, travel and traffic over and upon the same; *provided, that no street, alley or public place, or any part thereof shall be taken for a parkway without the consent of the City Council of said city.*	[§ 7.2(a)(1)] **Charter powers.** The Board establishes, governs, administers, and maintains, and may design, develop, and improve— (A) the parks, parkways, and recreational opportunities in and adjacent to the City;
The said Park and Recreation Board may acquire by gift, lands without the corporate limits of said city for the purpose of continuing or completing any system of parkways within said limits, and shall possess the same powers and jurisdiction over said parkways as if they were wholly within the city limits.	[§ 7.2(a)(4)] **Powers beyond City's boundaries.** The Board may exercise all the same powers and functions with respect to any park, parkway, or other property that it owns or governs outside the City as with respect to the parks and parkways inside the City.
§ 16. **Planting of Trees**	
The Board of Park Commissioners [Park and Recreation Board] of the City of Minneapolis shall hereafter have the authority to direct and regulate the planting and preservation of shade and ornamental trees and shrubbery in the streets, alleys and public grounds of said City.	[§ 7.2(a)(1)(C)] the ornamental and shade trees in the City's streets, alleys, and public grounds and ways;
No shade or ornamental trees or shrubbery growing in the streets, alleys and public grounds of said City, shall be destroyed or removed except by leave in writing first obtained from the President of said Board of Park Commissioners [Park and Recreation Board]; the same to be duly countersigned and recorded by the Secretary of said Board.	

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The said Board of Park Commissioners [Park and Recreation Board] may, by proper ordinance, provide for the enforcement of this section, fix penalties for the violation thereof; and the Municipal Court of Hennepin County shall have jurisdiction of all offenses against such ordinances.	[§ 1.5(b)] **Jurisdiction.** The district court has jurisdiction— (1) over any case arising under this charter or an ordinance, including the prosecution for any violation
§ 17. **Shade Trees**	
Said Park and Recreation Board may in its discretion cause suitable shade trees to be planted along, and upon any street or alley, or any portion thereof, and upon any public grounds in said city; *and may cause to be assessed upon the piece or parcel of land abutting and upon such street, alley or public ground, and benefited by such improvement, the cost of purchasing and planting such trees, together with such sum as may be deemed necessary for the proper care of said trees for the period of three (3) years after such planting.*	[§ 7.2(a)(1)(C)] the ornamental and shade trees in the City's streets, alleys, and public grounds and ways;
The sum so assessed shall not be greater than fifty (50) cents per front foot upon any piece or parcel; and any trees that may die within three years after having been planted by said Park and Recreation Board shall be replaced by said Board without additional assessment.	

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The Board shall, by resolution, direct the amount to be assessed against each piece or parcel of land; and its assessment shall be deemed to include all pieces or parcels benefited and the Secretary of said Board shall, on or before the tenth (10th) day of October of each year, transmit to the County Auditor of Hennepin County a certified copy of all such resolutions not previously certified to said County Auditor. And the said County Auditor shall extend the assessments in proper columns against the pieces or parcels assessed, and such assessments shall be collected, and the payment thereof enforced with, and in like manner as state, county and other taxes are collected, and the payment thereof enforced. And such assessments when collected shall be paid over by the County Treasurer to the City Comptroller-Treasurer [Finance Officer] of the City of Minneapolis and be placed in the park fund.	
The Park and Recreation Board shall have power to sprinkle or oil the parkways of said city, or any part thereof, and to levy and assess the cost of said sprinkling or oiling upon the lots and lands fronting upon that part of the parkway so sprinkled or oiled by an equal rate per front foot of said lots and lands. No assessments shall be levied against property outside the city limits of said city. The Park and Recreation Board shall cause each such assessment to be certified on or before the tenth (10th) day of October of each year to the County Auditor of Hennepin County, and the said Auditor shall include the same with and as part of the annual taxes for the current year upon the same lands, and such assessment shall be collected and the payment thereof enforced with and as a part of such annual taxes and with like interest, penalties and costs, etc. Such taxes when collected shall be paid to the City Comptroller-Treasurer [Finance Officer] and placed in the City Parks and Recreation fund.	

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~~**Chapter 17**~~ ~~**Library Board**~~	
~~§ 1. **Library Board—General and Special Powers**~~ ~~There shall be a Library Board in the City of Minneapolis, which shall be styled "The Library Board of the City of Minneapolis." Said Board shall have full power to establish and maintain in the City of Minneapolis public libraries and reading rooms, galleries of art and museums for the use and benefit of the inhabitants of said city, and for the purpose of so doing it shall have the following powers, that is to say: It may adopt a common seal and be capable of suing and being sued, and of taking by gift, grant, purchase, device, bequest, or otherwise, any real or personal property and of using, selling, controlling, conveying and enjoying the same, and of entering into, making, performing and enforcing contracts. It may make and publish from time to time by-laws for its own guidance, rules and regulations for the government of its agents, servants and employees, and for the government and regulation of the libraries and other collections under its control. It may hire, or erect and maintain as it shall deem best, buildings suitable for the purposes contemplated by this act; but it shall never erect any building upon land to which it has not the title in fee simple.~~	
~~It may appoint and remove subject to the provisions of the Civil Service Chapter of this Charter all necessary agents and employees, and fix their compensation.~~	
~~It shall have control of the expenditures of all moneys collected by taxation or otherwise and placed to the credit of the library fund;~~	

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~~and shall, in addition to the herein enumerated powers, have full power and authority to undertake and perform every act necessary or proper to carry out the spirit and intent of this act.~~	
~~§ 2. **Composition of Board—Elections**~~ ~~Said Library Board shall consist of the Mayor of the City of Minneapolis, the President of the Board of Education of the City of Minneapolis, the President of the University of the State of Minnesota, who shall respectively be ex officio members thereof, and six (6) other members, who shall be elected from time to time as herein provided, by the legal voters of the City of Minneapolis, and who shall be resident and qualified electors of said city. At the city election to be held on the second Monday in June, 1921, there shall be elected two Library Directors [Trustees] for the term of six (6) years and thereafter there shall be elected every second year, two (2) Library Directors [Trustees] for the term of six (6) years; the term of said directors [trustees] to begin on the first Monday in July of the year of their election.~~	
~~§ 3. **Vacancies**~~ ~~In case any Library Director [Trustee] shall die, resign, or move from the district, or otherwise vacate the office, more than one year before the expiration of the term of office, a Library Director [Trustee] may be chosen at the next city election after such vacancy shall occur, to fill the place of the unexpired term of the director so vacating.~~	

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~~§ 4. **Elections**~~ ~~All elections for Library Directors [Trustees] shall be at the general city election, and as a part of such city election, and in all matters pertaining to said election, the rules provided for the election of said city officers shall apply.~~	
~~§ 5. **Oath of Office—Officers of the Board—Secretary and Treasurer to Furnish Bonds**~~	
~~Every Library Director [Trustee], before entering upon the duties of office, shall take, subscribe and file in the office of the City Clerk of said city, an oath or affirmation to support the constitution and laws of the State of Minnesota, and to faithfully discharge the duties of office.~~	
~~The officers of the Library Board of the City of Minneapolis shall consist of a President and Secretary, who shall be Library Directors [Trustees].~~	
~~The City Comptroller-Treasurer [Finance Officer] shall be treasurer of the Board, and shall perform such duties in connection therewith as hereinafter prescribed.~~	

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~~The Secretary of the Board and the City Comptroller-Treasurer [Finance Officer] of the City of Minneapolis shall each, before entering upon the duties of office, execute and deliver to the Library Board of the City of Minneapolis a good and sufficient bond, payable to the Library Board of the City of Minneapolis, in such sum as shall be fixed by the Board, and with sureties who shall be freeholders of said city, and who shall justify in the aggregate to double the amount of the bond, or by a responsible surety company, conditioned that the principal in the bond shall well and faithfully perform and discharge all the duties of the office, and pay and turn over to said principal's successor, or to whomsoever the Board may direct, all moneys, and every valuable thing which shall come into said person's hands by virtue of the office, belonging to said Board. Such bonds shall be approved by said Board and shall be filed for safekeeping with the City Comptroller-Treasurer [Finance Officer] of the City of Minneapolis.~~	
~~*§ 6.* ***Duties of Officers—Orders—How Drawn—Depositories of Funds***~~	

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~~*The President, or, in the President's absence, a President pro tempore, shall preside at all meetings of the Board, and sign all orders on the Treasurer, for all moneys voted to be paid, and shall perform all duties necessary for the transaction of the business of the Board, and which are usually performed by the President of a corporation. The Secretary, or, in the Secretary's absence, the Secretary pro tempore, shall keep a full and fair record of all the proceedings of the Board at its meetings, and shall draw and attest all orders drawn upon the Treasurer, and keep a record thereof showing the date, number, amount, purpose for which drawn, and name of payee of each order separately. All such orders shall be made payable to the order of the payee therein named, and shall not be paid without the payee's endorsement, either personally or by the payee's authorized agent or attorney. The Secretary shall perform such other duties as are usually performed by such officer, or as may be directed by the Board, and shall draw no orders on the Treasurer except such as have been allowed by the Board, by a majority vote of all its members, taken by ayes and nays, and entered on the record of the proceedings of the Board. The City Comptroller-Treasurer [Finance Officer] shall keep the regular books of account of the Board, in which the Comptroller-Treasurer [Finance Officer] shall enter all indebtedness of such Board, and which shall at all times show the precise financial condition of said Board, the amount of bonds, orders or other evidences of indebtedness outstanding, and the redemption of the same when redeemed, and the Comptroller-Treasurer [Finance Officer] shall countersign all bonds, orders, or other evidence of indebtedness of said Board and keep an exact account thereof, showing to whom and for what purpose issued and the amount of each, and all moneys received or paid out by the City Comptroller-Treasurer [Finance Officer] on account of said Board. All claims allowed by the Board shall, before they are paid, be audited by the City Comptroller-Treasurer [Finance Officer]. The City Comptroller-Treasurer [Finance Officer] shall receive and safely keep all moneys of the Board and pay the same only upon orders signed by the President and attested by the Secretary of the Board and countersigned by the City Comptroller-Treasurer [Finance Officer] and properly endorsed by the payee, and shall keep full books, records and vouchers of all the Comptroller-Treasurer's [Finance Officer's] transactions.*~~	

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~~*The Comptroller-Treasurer [Finance Officer] shall deposit the moneys of said Board as the moneys of the City of Minneapolis, in any banks which shall be designated by the City Council of said city as depositories of funds of said city, and the funds while so on deposit in such banks shall for all purposes connected with such deposit be regarded as the money of the City of Minneapolis, and may be recovered as such by said city from said banks, and the sureties of such banks, upon the bonds which said bank shall execute to the said city, but when drawn or recovered from such banks shall be accounted for to its proper fund. And the Treasurer shall have the same exemption respecting such funds deposited in such banks as in respect to other funds of said city. The Secretary of the Board is hereby forbidden from signing or issuing any orders upon the Treasurer of said Board, except when there is money in the hands of the Treasurer to pay the same. The said Board shall never issue any bond or promissory note, certificate of indebtedness, or other obligation for the payment of money, except the same shall be made to become due at a date not later than the first day of January the next ensuing, and then for no greater sum than can be paid, when due, out of the regular revenues of the Board for the fiscal year in which such bond, note, certificate or other obligation of indebtedness is issued.*~~	

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~~§ 7. **Tax Levy and Proceeds—County Auditor's Duties**~~ ~~Said Library Board is hereby authorized and empowered to levy upon the taxable property of said city, in each and every year, such taxes as will raise sufficient sums of money, as will be required during the succeeding year for the establishment, maintenance and government of the libraries and collections contemplated by this act, and for the payment of all other expenses properly incidental to the same. Provided, that the aggregate annual levy of such taxes shall never exceed in any one year six (6) mills on the dollar upon the assessed valuation of said City. *The Board shall make a return of its annual levy of taxes on or before the first (1st) day of November of every year to the County Auditor of the County of Hennepin, and such taxes shall be collected and the payment thereof enforced with and in like manner as state and county taxes are collected and the payment thereof enforced; and when collected shall, together with all costs, interest and penalties collected thereon, be paid over by the County Treasurer to the City Comptroller-Treasurer [Finance Officer] of the City of Minneapolis as often as said County Treasurer is required to make settlement with said City Comptroller-Treasurer [Finance Officer] in respect to city taxes. Provided, however, that if, for any reason, said Board shall in any year fail to make return of its annual levy of taxes to the County Auditor by the time herein specified, that in such case the rate of taxation determined and fixed by the Board of Estimate & Taxation of the City of Minneapolis as the maximum rate which said Library Board shall levy for such year, shall be taken to be the rate of taxation determined upon by said Library Board for such year, and the County Auditor shall act accordingly, and any taxes which shall hereafter be extended upon the tax list of Hennepin County by the County Auditor of said county, based upon the action of said Board of Estimate & Taxation, said Library Board having for any reason failed to make a return as herein provided, shall be and remain legal and valid.*~~	

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~~§ 8. **Real Estate—How Purchased and Sold—Donations, Bequests, Etc.—How Accepted**~~ ~~Said Library Board may purchase real estate for the purposes contemplated by this Chapter, whenever six (6) Library Directors [Trustees] shall vote to make such purchase, and the Board may also sell and convey any of its real estate, but only when five (5) of the Library Directors [Trustees] shall vote to make such sale. *In the case of sale of real estate by the Board the deed of conveyance thereof may be executed by the President and Secretary officially, having the seal of the Board affixed thereto.* All votes under this section shall be by yeas and nays, and recorded in the record of the proceedings of the Board. *Any person desiring to make donations of money, personal property, real estate, for any of the purposes herein contemplated, shall have the right to vest the title to the money, property or real estate so donated in said Board of Library Directors [Trustees] created under this act, to be held and controlled by such Board when accepted, according to the terms of the deed, gift, devise or bequest of such property, and as to such property the Board shall be held and considered to be special trustees.*~~	
~~§ 9. **Annual Meeting—Regular and Special Meetings**~~ ~~The annual meeting of the Board for the election of its officers for the year shall always be on the first business day in January, at such hour and place as the Board may by its rules appoint for its regular meetings. But vacancies may be filled whenever they shall happen during the year,~~	

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~~and officers shall hold until their successors are elected and qualified, unless they cease to be eligible.~~	
~~The regular meetings of the Board shall be fixed by its rules and laws. Special meetings may be called by the President or any two Library Directors [Trustees], by written notice, stating the time, place and object of the meetings, to be served personally or by mail, at least twenty-four (24) hours before such meeting.~~ ~~*But whenever a majority of all the Directors [Trustees] are present at any meeting the same shall be a legal meeting at which any business which could come before a regular meeting may be transacted, irrespective of whether any legal notice was given for such meeting or not.*~~	
~~*§ 10.* **Board May Associate With Independent Societies Owning Libraries, Etc.***~~ ~~*Said Library Board may enter into association with any independent society or other organization owning libraries, or museums, or existing for purposes kindred to those contemplated in this act, upon such terms and conditions as shall best promote the object for which said Board is created.*~~	
~~§ 10. **Libraries and Museums to Be Forever Free—Rules and Regulations***~~ ~~All libraries and museums established under this Charter, and, so far as consistent with the preceding section, all collections in any manner under the charge of the Library Board shall be forever free to the inhabitants of the City of Minneapolis; always subject, however, to such reasonable rules and regulations as shall be necessary for their effective administration.~~	

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~~*§ 12.* ***Library Board May Enter Into Arrangements With Certain Counties, Cities, Towns and Villages***~~ ~~*The Library Board may admit to the benefits of its libraries and museums, persons not residing within the municipality, under such regulations and upon such conditions as to payment and security as it shall by rule prescribe. Said Library Board may also contract with the authorities of Hennepin County or of any adjacent county, or with the village trustees, or other governing body of any neighboring town, city or village, to loan books of said Library, either singly or in traveling libraries, to the residents of said counties, towns, cities, or villages, upon such terms as shall be agreed upon in said contract, and the authorities of any such county, town, city or village shall defray the expenses that any such arrangement may involve.*~~	
~~§ 13. **Library Board Authorized to Accept Certain Gifts**~~ ~~The Library Board of the City of Minneapolis is hereby empowered to accept gifts of land, books, money, works of art, potteries, glass, stones, jewels, antiquities, objects of natural history, objects showing the progress of art, science or invention, and any other similar objects useful for exhibition or instruction, upon such terms and agreements and conditions as to said Board may seem best.~~	

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~~§ 14. **Previous Gifts of Land, Etc., Ratified and Confirmed**~~ ~~Every deed and instrument of conveyance or gift of land or other property hereinbefore described heretofore made is hereby ratified and confirmed, and said Library Board is hereby authorized and empowered to keep and perform the terms and conditions thereof, and to enter into every promise and agreement needful therefor, and said Board may provide by a standing rule for a commission which shall have the care and custody of such property hereinbefore described, other than land, under general rules and regulations to be prescribed by said Board, the members of such commission to be appointed in the first instance by said Board, and vacancies to be filled by nomination of the commission itself, subject to confirmation by said Board.~~	
~~§ 15. **Library Board Permitted to Erect Buildings on Land Acquired**~~ ~~Said Library Board may erect buildings on any land acquired as aforesaid—any prior provisions of law to the contrary notwithstanding.~~	
~~§ 16. **$500,000 Bond Issue Authorized**~~	

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~~In order to raise funds to adequately house its libraries and collections, the City of Minneapolis is authorized, through its City Council, upon request of the Library Board, to issue and sell from time to time negotiable bonds of the city in such sums as may be deemed necessary, but not exceeding five hundred thousand dollars ($500,000.00) par value in amount in the aggregate, including in such aggregate all bonds if any which may be hereafter issued or sold for like purposes under Chapter Five (5) General Laws of 1912, and to pledge the credit of the city for the payment thereof, principal and interest.~~	
~~*The proceeds of such bonds shall be placed to the credit of the Library Board of such city, and shall be used by said Board to acquire or improve a site or sites and for the construction, furnishing and equipping of a building or buildings thereon; for housing its libraries and collections, and for such purposes only.*~~	
~~Such bonds shall bear interest at a rate not exceeding five (5) per cent per annum, payable annually or semi-annually and shall have such maturities as said City Council may determine, *and shall be issued and sold in the manner specified in Section 1856, General Statutes of 1913, and acts amendatory thereof.*~~	

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~~The said City Council shall each year include in the tax levy for such city a sufficient amount to provide for the payment of such interest and for the accumulation of a suitable sinking fund for the redemption of such bonds at their maturity. *All such bonds shall be signed by the Mayor, attested by the City Clerk and countersigned by the Comptroller-Treasurer [Finance Officer] and shall be sealed with the seal of such city; provided, that the signatures to the coupons attached to such bonds, if any, may be lithographed thereon, and none of said bonds shall be sold at less than their par value and accrued interest, and then only to the highest responsible bidder therefor.*~~	
~~Two hundred and fifty thousand dollars ($250,000.00) par value of said bonds and no more may be issued and sold before May 31, 1921, and the unissued and unsold portion of said bonds may be issued and sold on and subsequent to June 1st, 1921.~~	
~~Chapter 18~~ **~~[Reserved]~~**	
Chapter 19 **Civil Service**	

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§ 1. **Civil Service Commissioners of Minneapolis to Be Appointed by Mayor with Approval of a Majority of City Council and To Receive Salary To Be Set by City Council—Mayor To File Names of Prospective Appointees** There shall be in the City of Minneapolis a civil service commission (hereinafter called the commission) of three commissioners, who shall be citizens of the State and residents of the City, and for this service each commissioner shall receive a salary, payable in equal monthly installments in an amount to be set from time to time by the City Council, but not less than the rate of fifteen hundred dollars ($1,500.00) per annum. No commissioner shall at the time of appointment, or while serving, hold any other office or employment under the City, the United States, the State of Minnesota, or any public corporation or political division thereof other than the office of notary public. The Mayor shall, with the consent and approval of the City Council, expressed by a majority vote thereof, appoint as commissioners, persons known to favor the principle of merit, efficiency and affirmative action in the public service. ~~The term of office of that commissioner which was heretofore set by this section to expire on the 1st day of August, 1980, shall instead expire on the 1st day of March, 1980. The term of office for that commissioner which was heretofore set by this section to expire on the 1st day of August, 1981, shall instead expire on the 1st day of March, 1981. The term of office of that commissioner which was heretofore set by this section to commence on the 1st day of August, 1979, and expire on the 1st day of August, 1982, shall commence on the 1st day of August, 1979, but shall expire on the 1st day of March, 1982. Commencing in 1980, and thereafter,~~ the term of office of each commissioner shall be three years from and after the 1st day of March of the year of such person's appointment. In case of a vacancy occurring otherwise the appointment shall be for the unexpired term. The commissioners shall continue in office until their successors are appointed and have duly qualified. Each commissioner, before entering upon the duties of office, shall subscribe and file with the City Clerk an oath for the faithful discharge of such duties. *Thirty days prior to the appointment of a commissioner, the Mayor shall file with the City Clerk the name of the person whom the Mayor proposed to so appoint.*	[§ 9.5(c)(2)] **Composition.** The Commission comprises three citizens, appointed under section 9.4(b), who— (A) favor merit, efficiency, and affirmative action in the public service; and (B) hold no other office or employment under the federal, state, municipal, or any other government, or any department, agency, court, or political subdivision of any such government. Each commissioner serves a three-year term, with one commissioner's term expiring each year on March 1.

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§ 2. **Civil Service Fund Authorized** The City Council shall set apart on the first Monday in January of each year, in the City treasury, a sum not less than twenty-five dollars ($25.00) for each thousand of the population of the City, according to the next preceding state or national census, to be known as the civil service fund and to be used only for the purposes of this Chapter. Unexpended balances at the end of the year shall revert to the current expense fund of the City. To provide such fund, the City Council shall levy a sufficient annual tax upon all the taxable property of the City, real and personal, in addition to all other taxes authorized by law. *Warrants on the fund shall be drawn by order of the commission and signed by its president or vice-president and secretary and countersigned by the City Finance Officer*. The commission shall audit its own bills and payrolls.	[§ 9.5(f)] **Fund.** The City Council must annually establish a civil-service fund for this section 9.5's purposes by levying, in addition to any other tax, a tax upon all taxable property in the City that yields at least 2.5 cents per citizen. The Commission may use the proceeds from this fund and controls its own finances.
§ 3. **Commission To Meet on Second Monday of August for Organization and All Employees to Be in Classified Service** The commission shall meet on the second Monday of August of each year, and at each said meeting elect a president and vice-president to serve until their successors are elected.	[§ 5.2(b)] **President.** Each board at its organizational meeting must elect from its membership a president.

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The commission shall select a secretary *who shall keep the records and files of the commission and be ex-officio the chief examiner*.	[§ 5.2(d)] **Secretary, other officers.** Each board must elect a secretary and may elect or appoint, or provide for the election or appointment of, any other necessary officer. A board's rules may require that its secretary or any other officer must (or must not) come from or serve on the board, otherwise the officer may but need not come from or serve on the board.
The commission shall from time to time fix the times of its meetings, and adopt, amend and alter rules for its procedure.	[§ 5.3(d)] **Rules.** Each board may adopt rules of order for the conduct of its own business.
The commission may appoint other necessary employees.	[§ 5.4(b)] **Employment.** Each board may employ— (1) an appropriate staff, for which purpose it may hire, regulate and direct, and discipline or discharge any employee (subject to the Civil Service Commission's rules, in the case of an employee in the classified service);
All employees of the commission shall be in the classified service.	[§ 9.5(b)(1)] **Classified service.** The "classified service" includes— (A) each employee of the Commission

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§ 4. **Powers of Commission To Extend Only To Classified Service** The powers of the commission shall extend only to the classified service which shall embrace the entire service of the City except	[§ 9.5(c)(1)] **Function and powers.** The Civil Service Commission administers the classified service,

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the following officers, and employees, which shall be known as the "unclassified service", namely: Officers who are elected by the people; members of boards and commissions; the city clerk; secretaries of the several boards and commissions serving without pay; the city engineer, the chief health officer; the Chief of police; the City assessor; superintendents, principals, supervisors of teachers and teachers in the public schools; the city attorney; the attorney of the park board; ~~the director and librarians of the public library;~~ the superintendent of parks; a landscape architect; a chief of park police; and the Mayor's private secretary.	[§ 9.5(b)(2)] **Unclassified service.** The "unclassified service" includes the elected officers and— (A) for each board— (i) its members, and (ii) its secretary, if he or she serves without pay; (B) the city clerk; (C) the city assessor; (D) the city attorney; (E) the chief engineer; (F) the chief health officer; and (G) any officer or other employee for whose unclassified status this charter or a general or special law provides.

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	[§ 8.3(a)(1)(C)] The [police] chief serves in the unclassified service,
	[§ 7.2(h)(2)] **Unclassified service.** The [Park & Recreation] Board may employ in the unclassified service— (A) the superintendent, (B) its attorney, (C) the park police chief, (D) a landscape architect, and (E) any officer or other employee for whose unclassified status this charter or a general or special law provides.
	[§ 8.1(g)(1)] The Mayor's staff serves in the unclassified service.

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None of the unclassified service shall be subject to examination or affected as to their selection, appointment, discharge or removal by the provisions of this Chapter.	
§ 5. **"Employee" Designated** The term "employee" as used in this Chapter, shall include every officer, agent, employee and other person in the classified service of the City.	[§ 9.1(b)] an "employee" includes— (1) each officer, and (2) everyone in the classified or unclassified service who is not an officer.

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§ 6. **Listing, Grading and Classifying Employees** All employees of the City of every nature excepting those in the unclassified service, shall be listed, graded and classified, and a service register prepared for the purpose, in which shall be entered, in their classes, the names, dates of birth, compensation, period of past employment, and such other facts and data as to each employee as the commission may deem useful.	[§ 9.5(c)(1)] **Function and powers.** The Civil Service Commission administers the classified service, with respect to which it— (A) must classify each job into a grade based on the job's description and duties, so that each grade includes jobs with similar descriptions and duties; (B) must establish standards and qualifications for each job, and design a competitive examination that measures those standards and qualifications; (C) must administer or provide for the administration of a competitive examination after giving public notice for each job in the classified service, and must— (i) maintain an application register of each applicant for examination, listing the job sought; (ii) based on the results, maintain an eligibility register listing eligible applicants in order of their standing on the examination, on which eligibility expires within two years unless the Commission extends it; and (iii) certify to the board, department, or officer that will fill any vacancy a list of eligible applicants standing highest on the appropriate list from the eligibility register (see sec. 9.5(d)(2)); (D) must maintain and monitor a service register of each employee in the classified service, listing his or her title, compensation, employment record, and any other useful information;

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To enable the commission to make such service register, the Mayor, City Council, each board and commission and each appointing or employing officer shall prepare and furnish to the commission required information about all employees in the classified service, including the names and data aforesaid and such other information as the commission may call for.	[§ 9.5(e)(2)] **Cooperation.** Each officer, board, and department must— (A) furnish any information that the Commission requests for the service register;
§ 7. **Commission to Make, Alter and Change Rules**	
The commission shall, from time to time, make, amend, alter and change rules, to promote efficiency in the City service and to carry out the purposes of this Chapter. The rules shall provide, among other things, for:	[§ 9.5(c)(4)(A)] **Notice for rulemaking.** The Commission may, after giving public notice, adopt any necessary or prudent rule in furtherance of this section 9.5's purposes.
a. The classification of all officers, positions and employments in the classified service.	[§ 9.5(c)(1)(A)] must classify each job into a grade based on the job's description and duties, so that each grade includes jobs with similar descriptions and duties;
b. Public competitive examinations to evaluate the relative fitness of applicants.	[§ 9.5(c)(1)] (B) must establish standards and qualifications for each job, and design a competitive examination that measures those standards and qualifications; (C) must administer or provide for the administration of a competitive examination after giving public notice for each job in the classified service,

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c. Public advertisement of all entrance examinations using methods determined by the commission to insure notice to the general public. Such advertisement may include publication in a newspaper of general circulation, and posting such advertisement in a conspicuous place and other methods of insuring adequate public notice.	[§ 9.5(c)(1)(C)] must administer or provide for the administration of a competitive examination after giving public notice for each job in the classified service,
d. The creation of lists of eligible candidates after successful examination, in the order of their standing in the examination, and without reference to time of examination. Such lists of eligibles shall be embraced in a register. The commission may by rule provide for striking any names from the register including any names that have been two years thereon.	[§ 9.5(c)(1)(C)(ii)] based on the results, maintain an eligibility register listing eligible applicants in order of their standing on the examination, on which eligibility expires within two years unless the Commission extends it;
e. The rejection of candidates or eligibles who, after the entry of their names, shall fail to comply with the reasonable rules and requirements of the commission in respect to age, residence, physical condition or otherwise, or who have been guilty of criminal, infamous or disgraceful conduct, or of any wilful misrepresentation, deception or fraud in connection with the examination or in connection with their applications.	
f. The certification of the name standing highest on the appropriate list to fill any vacancy.	[§ 9.5(c)(1)(C)(iii)] certify to the board, department, or officer that will fill any vacancy a list of eligible applicants standing highest on the appropriate list from the eligibility register (see sec. 9.5(d)(2));

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g. Temporary employment without examination, but with the consent in each case of the commission, in cases of emergency and pending appointment from the eligible list; but no such temporary employment shall continue longer than sixty days, nor shall successive temporary employments be permitted for the same position.	[§ 9.5(c)(4)(B)(vi)] with the Commission's consent, temporary employment without examination in an emergency or pending a hire from the eligibility register, for up to 60 days per vacancy.
h. Transfer from one position to a similar position in the same class or grade and for reinstatement of persons who, without fault or delinquency, are separated from the service or reduced.	[§ 9.5(c)(1)(B)(iii)] transfer among jobs in the same grade or class;
i. Promotion based on competitive examination and upon records of efficiency, character, conduct and seniority. Promotion shall be deemed, among other things, to include increase in salary, and the rules shall be framed to encourage the filling of vacancies by promotion rather than otherwise.	[§ 9.5(c)(4)(B)] **Contents.** These rules must encourage the filling of each vacancy by promotion,
	[§ 9.5(c)(4)(B)(ii)] promotion (including raised compensation) based on competitive examination, efficiency, character, conduct, and seniority;
j. Suspension, with or without pay, for not longer than ninety days, and for leave of absence, with or without pay.	[§ 9.5(c)(4)(B)(i)] discipline (including by suspension for up to 90 days, with or without pay),

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	[§ 9.5(c)(4)(B)(iv)] leaves of absence;
k. Appointment of unskilled laborers in a fair and equitable manner, without competitive examination, except such tests of physical fitness or other qualifying tests as the Commission may prescribe.	[§ 9.5(c)(4)(E)] may waive an examination for unskilled labor, and instead provide for hiring by fair and equitable means or arrange for tests of physical fitness or other qualifying tests;
l. Removing names from the service register upon termination of service.	
The commission shall adopt such other rules not inconsistent with the provisions of this Chapter, as may from time to time be found necessary to secure the purposes of this Chapter.	[§ 9.5(c)(4)(A)] **Notice for rulemaking.** The Commission may, after giving public notice, adopt any necessary or prudent rule in furtherance of this section 9.5's purposes.
§ 8. **Commission to Give Notice of Change of Rules** Before the adoption, amendment or repeal of any rule, the commission shall give notice of consideration thereof by publishing and posting of brief notice, as required in Section 7, stating the subject of the rule or rules to be acted on.	

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§ 9. **Application Register to Be Kept** The commission shall keep an application register, in which shall be entered the names of applicants for examination, and the offices or employments they seek. *All applications shall be upon forms prescribed by the commission.*	[§ 9.5(c)(1)(C)(i)] maintain an application register of each applicant for examination, listing the job sought;
§ 10. **Mayor to Be Notified of Rules and Amendments** The commission shall notify the Mayor, the City Council, the several boards and commissions, and each appointing officer of the city, of the rules adopted by them and all amendments thereof.	[§ 9.5(c)(4)(C)] **Notice of rules.** The Commission must send its rules, including each amendment, to— (1) the Mayor, (2) the City Council, (3) each other board, and (4) each officer who can hire an employee in the classified service.
No office, position or employment shall be filled in the classified service except from names certified by the commission and in accordance with the provisions of this Chapter.	[§ 9.1(a)] Except as this charter otherwise provides, the City must fill each vacancy in the classified service in a fair and impartial manner with the most qualified applicant according to an examination that measures qualifications and fitness for the job.

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§ 10. **Officers or Employees Not to Be Removed After Six Months Except for Cause—Investigation of Charges** With the exception of firefighters initially employed after the effective date of this amendment, the police officers and assistant city attorneys, no officer or employee, after six months' continuous employment shall be removed or discharged except for cause, upon written charges and after an opportunity to be heard. No police officer after twelve months' continuous employment following the satisfactory completion of the basic peace officers' training course of the Minneapolis Police Department and no assistant city attorney or firefighter, after twelve months of continuous employment, shall be removed or discharged except for cause, upon written charges and after an opportunity to be heard. Such charges shall be investigated by or before said Civil Service Commission or by or before some officer or board appointed by said commission to conduct said investigation. The finding and decision of such commission or investigating officer or board when approved by said commission shall be certified to the appointing officer and shall be forthwith enforced by such officer.	[§ 9.5(d)(4)] **Tenure.** After a probationary period that begins upon hiring, an employee in the classified service may be disciplined or discharged only as this charter, the Commission's rules, or any other applicable law or agreement provides. (A) **Probation.** The probationary period is— (1) for police officers, 12 months following satisfactory completion of basic training; (2) for an assistant city attorney or a firefighter, 12 months; and (3) for each other job, six months. (B) **Discharge.** No employee in the classified service, having completed the probationary period, may be discharged except for just cause after— (1) written notice of the cause for dismissal; (2) a hearing before the Commission, or an officer or board that the Commission designates; and (3) a finding by the hearing authority that the evidence supports the cause charged and warrants dismissal.

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Nothing in this chapter shall limit the power of any officer to suspend a subordinate for a reasonable period, not exceeding thirty days, for purposes of discipline.	[§ 9.5(d)(4)(C)] (C) **Suspension.** A supervisor may, without regard to this article X's other provisions, discipline a subordinate employee by means of a suspension for up to 30 days.
In the course of an investigation of charges, each member of the commission and of any board so appointed by it or any officer so appointed shall have the power to administer oaths and shall have power to secure by its subpoena both the attendance and testimony of witnesses and the production of books and papers relevant to such investigation.	[§ 9.5(e)(1)] Any commissioner in the exercise of the Commission's functions and powers, and any hearing authority that the Commission designates, may compel the testimony of any witness who may have relevant information, or the production of any relevant book, document, or thing.
§ 12. **Duties of Each Office to Be Ascertained and Class and Grade Established** The commission shall ascertain the duties of each office, position and employment in the classified service, and designate by rule as well as may be practicable, the grade and title of each office, employment or position. Each class shall comprise those offices, employments and positions having substantially similar duties. The commission shall prescribe standards of efficiency for each office, position and employment and for each class, and adapt its examinations thereto.	[§ 9.5(c)(1)(A)] must classify each job into a grade based on the job's description and duties, so that each grade includes jobs with similar descriptions and duties;

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§ 13. **Conduct of Examinations** All examinations shall be impartial, fair and practical and designed only to test the relative qualifications and fitness of applicants to discharge the duties of the particular employment which they seek to fill.	[§ 9.5(a)] **Policy.** Through the Civil Service Commission, the City will adopt and follow fair, impartial, and practical rules for the classified service. Except as this charter otherwise provides, the City must fill each vacancy in the classified service with the most qualified applicant according to an examination that measures qualifications and fitness for the job.

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No question in any examination shall relate to the race or national origin, political or religious convictions or affiliations of the applicant.	[§ 9.5(a)(2)] **Nondiscrimination.** The examination may not inquire into any applicant's— (1) ancestry, color, or race; (2) cultural or ethnic background; (3) political, ideological, or philosophical belief or affiliation; (4) marital or parental status; (5) national or regional origin; (6) religion, or religious or denominational affiliation; or (7) sexual or affectional orientation or preference, or into any other status on the basis of which discrimination is unlawful.

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	[Minn. Stat. § 363A.02, subd. 1(a)] It is the public policy of this state to secure for persons in this state, freedom from discrimination: (1) in employment because of race, color, creed, religion, national origin, sex, marital status, disability, status with regard to public assistance, sexual orientation, and age; (2) in housing and real property because of race, color, creed, religion, national origin, sex, marital status, disability, status with regard to public assistance, sexual orientation, and familial status; (3) in public accommodations because of race, color, creed, religion, national origin, sex, sexual orientation, and disability; (4) in public services because of race, color, creed, religion, national origin, sex, marital status, disability, sexual orientation, and status with regard to public assistance; and (5) in education because of race, color, creed, religion, national origin, sex, marital status, disability, status with regard to public assistance, sexual orientation, and age.

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All applicants for positions of trust shall be specially examined as to moral character, sobriety and integrity, and all applicants for positions requiring special experience, skill or faithfulness shall be specially examined in respect to those qualities.	[§ 9.5(a)(1)] **Examination.** The examination may inquire into the applicant's experience, skill, and character to the extent that the job requires them.
Where written answers are required from applicants for positions calling for expert knowledge, the rules may provide for examination of the answers and the comparative ranking of the various applicants, without a disclosure of the names of the applicants to the examiners.	[§ 9.5(a)(3)] **Written answers.** Where a job requires expert knowledge, the examination may seek narrative answers, in which case the examiners must examine the answers and rank the applicants without seeing their names.
The commission may furnish to the chief examiner such assistance as may be necessary.	
It shall be the duty of every employee of the city to act as an examiner or assistant examiner, at the request of the commission, without special compensation therefor. *The members of the commission, collectively or individually, may act as examiners or assistant examiners.*	[§ 9.5(e)(2)] Each officer, board, and department must— . . . (B) administer an examination as the Commission requests, without additional compensation

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§ 14. ***Notice of Examination*** *Reasonable notice of the time, place and scope of each examination shall be given to each qualified applicant upon the appropriate list of the application register*. The names of those found eligible shall be entered on the appropriate register.	[§ 9.5(d)(1)] **Application register.** Each applicant on the application register is entitled to notice of each examination for a job for which he or she has applied and qualified.
§ 15. **Filling of Vacancies** When a vacancy is to be filled in the classified service, the Mayor, City Council, board, commission or employing officer shall notify the commission, and the commission shall certify the highest name from the appropriate list of the eligible register, except in the case of unskilled labor, and then shall certify the name first in time on the list. All vacancies shall be filled from the names so certified and the commission shall be immediately notified of the employment, and of the compensation to be paid. The names selected shall be stricken from the eligible register and transferred to the service register. All changes in grade, title or compensation shall be likewise reported.	[§ 9.5(c)(1)(C)(iii)] certify to the board, department, or officer that will fill any vacancy a list of eligible applicants standing highest on the appropriate list from the eligibility register (see sec. 9.5(d)(2)); [§ 9.5(d)(2)(A)] each vacancy in the classified service is filled from the eligibility register; [§ 9.5(c)(1)(D)] must maintain and monitor a service register of each employee in the classified service, listing his or her title, compensation, employment record, and any other useful information;

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§ 16. **Filling of Certain Positions Without Examination** In case of a vacancy in a position requiring peculiar and exceptional qualifications of a scientific, professional or expert character, the commission, upon satisfactory evidence that competition is impracticable, and that the position can best be filled by the selection of some person of recognized attainments, without examination, and after hearing in an open, regular meeting of the commission and by the affirmative vote of all three members, may suspend competition; but no such suspension shall be general in its application to such position, and all such cases of suspension shall be reported, together with the reasons therefor, in the annual reports of the commission.	[§ 9.5(c)(1)(F)] may waive an examination in a particular case if— (i) the job requires unusual professional or scientific credentials or expertise; and (ii) the Commission unanimously concludes after a public hearing that a competitive examination is impracticable, in which case its next report must so note.
§ 17. **Restrictions on City Finance Officer in Payment of Salaries** After the receipt by the City Finance Officer of the payroll, the Finance Officer shall not approve the payment of any salary, wages or compensation for any office or employment in the classified service, nor countersign any warrant therefor, unless the name of the person claiming the same appears upon the service register for the time for which such salary, wages or compensation is claimed, nor at any higher rate than shown on such register; *and if the City Finance Officer shall willfully or negligently approve any payment or countersign any warrant in violation of this section, the Finance Officer and the sureties on the Finance Officer's bond shall be liable to the city for the amount thereof and action may be brought therefor by any taxpayer for the use of the city without making previous request to the city to sue.*	[§ 9.5(d)(3)] **Service register.** The City must pay an employee in the classified service only for the time and at the rate that the service register shows his or her employment.

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§ 18. **Commission to Make a Report on or Before January 30 of Each Year** The commission shall in each year, on or before the 30th day of January, make to the Mayor and City Council a report, showing as fully as may be the acts and disbursements of the commission for the preceding calendar year; the rules in force at the beginning of such year and changes made during the year; the practical effect and working of the rules and of this Chapter; the results of the efforts to standardize services and compensation and the departure therefrom; together with such recommendations as the commission may see fit to make, to promote the efficiency and integrity of the public service. The commission shall furnish a suitable number of copies of such report to the Mayor, the City Council and each board and commission and each employing officer of the city.	[§ 9.5(c)(4)(D)] **Report.** The Commission must annually report in January to the Mayor and the City Council, and publish its report to each other board and each officer who can hire an employee in the classified service. The report must cover the preceding calendar year, and include— (1) the Commission's rules, including any amendment during the preceding year; (2) each action under this section 9.5(c); (3) an accounting for the civil service fund; (4) the state of the civil service and any results of the Commission's work; and (5) any recommendation for the civil service's greater efficiency and integrity.
§ 19. **Investigation by Commission or Individual Commissioner and Trial of Accused**	

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The commission shall from time to time investigate the enforcement of this act and of the rules made under it; the action of all examiners; the duties of all departments and of all employees of the city; the efficiency of the service, and such other matters as come within the scope of this Chapter. In the course of such investigations each commissioner shall have power to issue subpoenas and to administer oaths and to compel the attendance and testimony of witnesses and the production of books and papers relevant to the investigation. *Any person who shall willfully testify falsely shall be guilty of perjury and any person who shall refuse to obey the lawful subpoenas or directions of the commission or any commissioners in any such investigation shall be guilty of a misdemeanor. Any member of the commission shall have power to file written charges against any employee in the classified service, and thereupon the commission shall try the charges, after not less than ten days' written notice to the person accused, in the manner and with the powers prescribed in this section; but in such case the complaining commissioner shall not sit. If found guilty of breach of duty, such employee may be removed by the commission and such person's name be stricken from the service register.*	[§ 9.5(e)(1)] **Enforcement.** The Commission must take care that this section 9.5 and its rules are faithfully observed and enforced, for which purpose any commissioner may inquire of any responsible officer, board, or department. Any commissioner in the exercise of the Commission's functions and powers, and any hearing authority that the Commission designates, may compel the testimony of any witness who may have relevant information, or the production of any relevant book, document, or thing.
The commission may make complaint to the District Court of disobedience of its subpoenas or orders under this section, and the court shall prescribe notice to the person accused and require that the person obey the commission's subpoenas and order, if found within the lawful powers of the commission, and punish disobedience as a contempt of the court. *Witnesses shall be entitled to the same fees and mileage as for attendance upon the District Court, except that any officer, agent or employee of the city who receives compensation for services, shall not be entitled to fees or mileage.*	[§ 1.5(b)] **Jurisdiction.** The district court has jurisdiction . . . (2) for enforcing any subpoena issued by an officer or board under this charter who can lawfully compel the attendance or testimony of any witness or the production of any book, document, or thing.

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§ 20. **False Answers or Statements Cause for Forfeiture of Right to Be Entered Upon Register** Any applicant for an office or employment in the classified service, who shall knowingly make any false answer or statement upon any examination in regard to any material matter upon which such person is examined, shall thereby forfeit the right to be entered upon the register, and, in case such person has been appointed to any office or employment, shall forfeit the same and shall not within three years thereafter be eligible to any office or employment in the unclassified service of the city, nor shall such person be entitled to any of the examinations of the commission during such time.	[§ 9.5(e)(3)] **False statement.** Any applicant who knowingly furnishes false information on an application for employment in the classified service forfeits— (A) his or her entry on the application register, (B) any employment held in the classified service, and (C) eligibility for such employment for three years.
§ 21. **Giving or Taking of Money or Service for Position a Misdemeanor** Any applicant for examination or for appointment to the classified service, who shall, either directly or indirectly, give, render or pay or promise to give, render or pay any money, service or other thing to any person for or on account of or in connection with such person's examination, appointment or proposed appointment, or who shall ask for or receive any recommendation or assistance from any person in the classified or unclassified service of the city, except a statement of such person's previous service and the character thereof, if any, to the city, as a subordinate under such officer or employee, shall be guilty of a misdemeanor.	[§ 9.5(e)(4)] **Bribery.** Any person who, in connection with or for the purpose of influencing any examination or other action under this section 9.5— (A) offers, accepts, or solicits any money, service, or other thing of value; or (B) seeks or accepts any recommendation from any officer or employee of the City, is guilty of a misdemeanor.
~~§ 22. **[Reserved]**~~	

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~~§ 23. **[Reserved]**~~	
§ 24. ***Action of Superior Officers or Employees Declared a Misdemeanor in Certain Cases*** *Any officer or employee in the classified or unclassified service of the city, who shall discharge, promote or reduce in rank or in any manner change the official rank or compensation of any other officer or employee or promise or threaten so to do, for giving or withholding or neglecting to make any service or contribution of money or other valuable thing for any party or political purposes, shall be guilty of a misdemeanor.*	
Chapter 20 **Laws Made Part of the Charter by Reference, Etc.**	
~~§ 1. Laws to Continue in Force~~	

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~~The following mentioned and described laws and acts of the Legislature of the State of Minnesota heretofore enacted and made applicable to the City of Minneapolis and all the provisions thereof, except the words and phrases of said acts limiting the application thereof to cities of the first class not governed under a home-rule charter, are hereby continued in force and effect in the City of Minneapolis and are hereby made a part of this Charter as fully and to the same extent as if incorporated herein at large; and all the rights, powers, authorities, duties and privileges granted to or conferred or imposed upon or vested in the City of Minneapolis or any of its officers, several boards or departments, under and by virtue of said several acts of the Legislature, and vested in and held, possessed, exercised and enjoyed by said city, its officers and several boards and departments at the time of the adoption of this Charter, shall continue to be vested in, held, possessed, exercised and enjoyed by the City of Minneapolis, its officers, several boards and departments, under this Charter; said several laws and acts of the Legislature being known and described as follows, to-wit:~~	
~~Chapter 345, Special Laws of 1889, page 988, approved April 22 authorizing the City of Minneapolis to establish, maintain, vacate, remove, regulate and control cemeteries.~~	
~~Chapter 441, Special Laws of 1889, page 1111, approved March 1, regulating the payment of witness fees to officers and employees of the City of Minneapolis.~~	
~~Chapter 136, Special Laws of 1891, page 769, approved April 15, authorizing the City Council to appoint inspectors of bread and defining their powers.~~	
~~Chapter 143, Special Laws of 1891, page 774, approved April 17, providing a fund for the Minneapolis Police Department Relief Association.~~	

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~~Chapter 204, General Laws of 1893, page 333, approved April 12, as amended by Chapter 128, General Laws of 1895, and Chapter 270, General Laws of 1897, authorizing the issuance and sale of certain bonds.~~	
~~Chapter 68, General Laws of 1897, page 75, approved March 22, relating to contracts for the purchase of electric power with which to operate water works.~~	
~~Chapter 159, General Laws of 1903, page 231, approved April 10, as amended by Chapters 109 and 184, General Laws of 1905; Chapters 67 and 188, General Laws of 1911; Chapter 290, General Laws of 1913, and Chapters 157 and 460, General Laws of 1919, relating to police pensions.~~	
~~Chapter 194, General Laws of 1903, page 290, approved April 14, as amended by Chapter 504, Session Laws of 1919, relating to building line easements.~~	
~~Chapter 247, General Laws of 1903, page 368, approved April 18, as amended by Chapter 556, General Laws of 1913, creating "The Municipal Building Commission."~~	
~~Chapter 18, General Laws of 1905, page 27, approved February 28, relating to diversion of surface streams and control of the flow thereof.~~	
~~Chapter 103, General Laws of 1905, page 126, approved April 5, relating to payment for public parks.~~	

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~~Chapter 24, General Laws of 1907, page 30, approved February 28, as amended by Chapter 318, General Laws 1913, and Chapter 523, General Laws of 1919, relating to a fund for pensions and relief by Firemen's Relief Association. See also Chapter 331, General Laws 1917, and Chapter 514, General Laws of 1917, and Chapter 68, General Laws of 1919.~~	
~~Chapter 57, General Laws of 1907, page 66, approved March 21, relating to Auditorium building, etc.~~	
~~Chapter 291, General Laws of 1907, page 395, approved April 22, relating to and authorizing condemnation of lands for public school buildings and all other municipal or public buildings, etc.~~	
~~Chapter 376, General Laws of 1907, page 532, authorizing issuance of $2,000,000 bonds for gas works and plants.~~	
~~Chapter 372, General Laws of 1909, page 425, approved April 22, as amended by Chapter 158, General Laws of 1913, relating to acquisition of plants for furnishing gas, electricity and water for municipal purposes, etc.~~	
~~Chapter 374, General Laws of 1909, page 429, relating to the auditing and adjusting by City Comptroller of expenditures of public funds, etc. No contract to be valid unless countersigned by Comptroller.~~	

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~~Chapter 26, General Laws of 1911, page 39, approved March 16, relating to exchange of certain lands for parks or playgrounds.~~	
~~Chapter 185, General Laws of 1911, page 229, approved April 18, as amended by Chapter 345, General Laws of 1913, Chapter 86, General Laws of 1915; Chapters 11 and 103, General Laws of 1917, and Chapter 219, General Laws of 1919, relating to the acquisition of lands for streets, parks and parkways and improvements thereof (Elwell Act).~~	
~~Chapter 98, General Laws of 1913, page 102, approved March 24, relating to designation of residence districts, etc.~~	
~~Chapter 420, General Laws of 1913, page 618, approved April 21, relating to designation of residence and industrial districts, etc.~~	
~~Chapter 127, General Laws of 1913, page 146, approved March 27, authorizing the disposal of surplus electricity to private consumers.~~	
~~Chapter 283, General Laws of 1913, page 411, approved April 15, confirming investment of city's funds in city bonds and authorizing the resale of bonds purchased.~~	
~~Chapter 288, General Laws of 1913, page 414, approved April 15, providing for the removal of rubbish from lots and lands in the city.~~	

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~~Chapter 295, General Laws of 1913, page 422, approved April 15, relating to local assessments for acquisition of lands for streets, parks and boulevards and improvements thereof, etc.~~	
~~Chapter 397, General Laws of 1913, page 562, approved April 19, relating to acquisition and operation of union railway stations, etc.~~	
~~Chapter 419, General Laws of 1913, page 617, approved April 21, authorizing pensions to retired volunteer firemen.~~	
~~Chapter 128, General Laws of 1915, page 180, approved April 16, as amended by Chapter 297, General Laws of 1919, relating to establishment of restricted residence district.~~	
~~Chapter 204, General Laws of 1915, page 279, approved April 20, relating to sale of municipal bonds at private sale.~~	
~~Chapter 255, General Laws of 1915, page 354, approved April 22, authorizing contracts between city and street railway company for transportation of garbage, etc.~~	
~~Chapter 275, General Laws of 1915, page 390, approved April 23, relating to drainage of low marsh or swamp lots or lands.~~	
~~Chapter 278, General Laws of 1915, page 397, approved April 23, relating to paving of arterial streets and assessments therefor.~~	

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~~Chapter 291, General Laws of 1915, page 411, approved April 23, relating to leasing of certain public streets by City Council.~~	
~~Chapter 78, General Laws of 1917, page 101, approved March 20, authorizing transfer of certain moneys and funds to sinking fund.~~	
~~Chapter 105, General Laws of 1917, page 133, approved March 23, authorizing transfer of city department funds in payment for goods and services furnished by one department for another.~~	
~~Chapter 189, General Laws of 1917, page 273, authorizing refunding of excess of special assessments for public improvements.~~	
~~Chapter 196, General Laws of 1917, page 281, approved April 11, relating to pensions for disabled fire insurance patrolmen.~~	
~~Chapter 218, General Laws of 1917, page 327, approved April 12, relating to levy of taxes for paving arterial streets.~~	
~~Chapter 3, General Laws of 1919, page 4, approved January 22, legalizing and authorizing expenditures and obligations in excess of annual appropriations and authorizing the issuance of $1,000,000 bonds therefor.~~	
~~Chapter 7, General Laws of 1919, page 7, approved February 3, prohibited the harvesting of ice from certain waters within the city.~~	

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~~Chapter 215, General Laws of 1919, page 211, approved April 11, relating to issuance of $2,750,000 school bonds.~~	
~~Chapter 227, General Laws of 1919, page 218, authorizing the city to sell surplus water and furnish fire protection to other municipalities.~~	
~~Chapter 396, General Laws of 1919, page 424, approved April 23, relating to lost, stolen and unclaimed property in the city.~~	
~~Chapter 402, General Laws of 1919, page 469, approved April 23, authorizing issuance of $1,000,000 public market bonds.~~	
~~Chapter 522, General Laws of 1919, page 712, approved April 25, authorizing and providing for establishment of a retirement board and payment of retirement allowances for city employees, and providing funds therefor.~~	
~~Chapter 524, General Laws of 1919, page 731, approved April 25, authorizing city to establish, construct, equip, maintain and operate toilet stations.~~	
~~Chapter 433, General Laws of 1910, page 508, approved April 24, authorizing Park Board to issue $5,000 bonds for investigating feasibility of making a park and playground of Nicollet Island, and directing board to report their findings at next session of the Legislature.~~	

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§ 2. **Existing Powers, Etc., to Continue** The City of Minneapolis and the several Boards and Departments of said city, in addition to all the rights, powers, duties, functions, privileges and immunities expressly conferred upon and vested in them or any of them under and by virtue of the provisions of this charter, shall under this Charter also have, possess, perform, exercise and enjoy all other rights, powers, duties, functions, privileges and immunities held, possessed, performed, exercised or enjoyed by said city and its several departments and boards respectively at the time of the adoption of this Charter.	[§ 1.3(b)] **Restatement and supersession.** This charter fully restates and supersedes every prior version of, and any ordinance or other municipal act inconsistent with, this charter. But except as this charter or an amendment explicitly provides otherwise, the charter does not affect— (1) any ordinance or other municipal act adopted before its adoption or its latest revision or amendment; (2) the existence, status, function, composition, powers, or duties of any board, department, or other public body; or (3) the office, tenure, powers, or duties of any officer.

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§ 3. **Certain Laws Excluded** No law heretofore passed by the Legislature of the State of Minnesota and expressly made applicable only to cities of the first class having a home-rule charter or governed under a charter adopted pursuant to Section 36, Article 4, or the State Constitution, and in force at the time of the adoption of this Charter, shall apply to the City of Minneapolis or any of its departments, boards or officers, and no such law shall confer or impose upon or vest in the City of Minneapolis or any of its departments, boards or officers any rights, powers, duties, functions, privileges or immunities whatever.	[§ 1.3(c)] **Laws.** (1) **Inconsistent laws superseded.** This charter supersedes any special law in effect at the time of the charter's latest revision on _____, 200_, to the extent of any inconsistency between them. (2) **Certain laws preserved.** The charter does not affect any special or other law to the extent that the law— (A) confers upon the City, or upon any board, department, or officer for which this charter or an ordinance provides, a power, right, duty, or role in addition to those for which the charter or ordinance provides; or (B) covers a matter that this charter does not cover.
	[§ 1.4(c)] **Laws excepting home-rule cities.** Whenever a law grants a power or an option to cities generally or to cities of a certain class, but excepts cities having adopted a home-rule charter, the City may nevertheless exercise the power or option if that exercise is not inconsistent with this charter, notwithstanding its having adopted this charter.