

CHAPTER 76 — S.F.No. 1044

An act relating to the city of Echo; authorizing the issuance of bonds for the acquisition and betterment of a community center.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. **ECHO; BONDS.**

The city of Echo in Yellow Medicine County, by resolution of its city council, may issue and sell general obligation bonds of the city in a principal amount not to exceed \$200,000 to finance the acquisition and betterment of a community center as authorized by the electors of the city at the election held on March 4, 1980. The bonds shall be issued and sold in accordance with the provisions of Minnesota Statutes, Chapter 475, except that the amount of bonds issued shall not be included in computing any debt limitation applicable to the city, and the levy of taxes required by Minnesota Statutes, Section 475.61 to pay the principal of and interest on the bonds shall not be subject to any levy limitation, or be included in computing or applying any levy limitation applicable to the city.

Sec. 2. **EFFECTIVE DATE.**

Pursuant to Minnesota Statutes, Section 645.023, Subdivision 1, this act is effective the day following final enactment.

Approved April 30, 1981

CHAPTER 77 — H.F.No. 339

An act relating to towns; providing for the opening of cartways under certain circumstances; providing a method for determining whether to open or maintain certain town roads; amending Minnesota Statutes 1980, Sections 164.08, Subdivision 2; and 365.10.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Minnesota Statutes 1980, Section 164.08, Subdivision 2, is amended to read:

Subd. 2. **SHALL BE ESTABLISHED IN CERTAIN INSTANCES.** Upon petition presented to the town board by the owner of a tract of land containing at least five acres, who has no access thereto except over the lands of others, or whose access thereto is less than two rods in width, the town board by resolution shall establish a cartway at least two rods wide connecting the

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petitioner's land with a public road. In an unorganized territory, the board of county commissioners of the county in which the tract is located shall act as the town board. The proceedings of the town board shall be in accordance with section 164.07. The amount of damages shall be paid by the petitioner to the town before such cartway is opened. For the purposes of this subdivision damages shall mean the compensation, if any, awarded to the owner of the land upon which the cartway is established together with the cost of professional and other services which the town may incur in connection with the proceedings for the establishment of the cartway.

Town road and bridge funds shall not be expended on the cartway unless the town board, or the county board acting as the town board in the case of a cartway established in an unorganized territory, by resolution determines that an expenditure is in the public interest. If no resolution is adopted to that effect, the grading or other construction work and the maintenance of the cartway is the responsibility of the petitioner, subject to the provisions of section 164.10. After the cartway has been constructed the town board, or the county board in the case of unorganized territory, may by resolution designate the cartway as a private driveway with the written consent of the affected landowner in which case from the effective date of the resolution no town road and bridge funds shall be expended for maintenance of the driveway; provided that the cartway shall not be vacated without following the vacation proceedings established under section 164.07.

Sec. 2. Minnesota Statutes 1980, Section 365.10, is amended to read:
365.10 TOWN MEETINGS, POWERS.

The electors of each town have power, at their annual town meeting:

(1) To determine the locations of pounds, and number of poundmasters, and to discontinue any such pounds;

(2) To select such town officers as are to be chosen;

(3) To make such lawful orders and bylaws as they deem proper for restraining horses, cattle, sheep, swine, and other domestic animals from going at large on the highways, and provide for impounding such animals so going at large;

(4) To fix penalties for violations of any order or bylaw made by such town, except such as relate to the keeping and maintaining of fences;

(5) To vote money for the repair and construction of roads and bridges, and determine the amount thereof to be assessed as labor tax, and to vote such sums as they deem expedient for other town expenses, including the construction and maintenance of docks and breakwaters;

(6) When they deem it for the interest of the town to direct that a specified amount of the poll and road tax be expended, under the direction of their town board, on the roads of an adjoining town;

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(7) To authorize the town board to sell and convey or lease any real or personal property belonging to the town, not conveyed to and required to be held by the town for a special purpose;

(8) To authorize the town board to purchase or build a town hall or other building for the use of the town, and to determine, by ballot, the amount of money to be raised for that purpose; but, if a site for a town hall is once obtained, it shall not be changed for another site, except by vote therefor designating a new site by two-thirds of the votes cast at such election of the legal voters of the town;

(9) To authorize the town board, by vote, to purchase grounds for a town cemetery, and limit the price to be paid, and to vote a tax for the payment thereof;

(10) To authorize the town, either by itself or in conjunction with one or more other towns, to purchase grounds for a public park and to limit the price to be paid therefor, to authorize the town, alone or in conjunction with such other town or towns, to care for, improve, and beautify such parks, and to determine, by ballot, the amount of money to be raised for that purpose, and to vote a tax for the payment thereof;

(11) To vote money to aid in the construction of community halls, to be erected by farm bureaus, farmers clubs, or other like organizations.

(12) To vote a tax to purchase and maintain a public dumping ground.

(13) To authorize the town board, by resolution, to determine whether to open or maintain town roads upon which no maintenance or construction has been conducted for 25 years or more. For purposes of this clause the provisions of section 163.16 shall not apply to town roads described in this clause, nor shall the provisions of this clause apply to cartways.

Sec. 3. EFFECTIVE DATE.

This act is effective the day following its final enactment.

Approved May 4, 1981

CHAPTER 78 — H.F.No. 480

An act relating to agriculture; changing the name of the joint legislative committee on agricultural land preservation; amending Laws 1979, Chapter 315, Sections 2 and 3.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Laws 1979, Chapter 315, Section 2, is amended to read:

Sec. 2. **JOINT LEGISLATIVE COMMITTEE.**

Changes or additions are indicated by underline, deletions by ~~strikeout~~.