

## CHAPTER 3.

AN ACT TO AMEND THE CHARTER OF THE CITY OF MINNEAPOLIS.

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

SECTION 1. That the act entitled "an act to amend and consolidate the charter of the city of Minneapolis," approved March eighth, (8th) one thousand eight hundred and eighty-one (1881), the same being chapter seventy-six (76) of the special laws of one thousand eight hundred and eighty-one (1881), be further amended by striking out, adding to and altering the same in the manner following to wit:

SEC. 2. By so altering section two of chapter one (1) thereof that the same shall read as follows:

Section 2. The district of country constituting the city of Minneapolis shall include the east half ( $\frac{1}{2}$ ) of section eight (8), sections nine (9), ten (10) and eleven (11), the west half ( $\frac{1}{2}$ ) of section twelve (12), sections thirteen (13), fourteen (14), fifteen (15) and sixteen (16), the east half ( $\frac{1}{2}$ ) of sections seventeen (17) and twenty (20), sections twenty-one (21) twenty-two (22), twenty-three (23), twenty-four (24), twenty-five (25), twenty-six (26), twenty-seven (27), twenty-eight (28), twenty-nine (29), thirty-two (32), thirty-three (33), thirty-four (34), thirty-five (35), and thirty-six (36), all in township twenty-nine (29), range twenty-four (24); sections one (1), two (2), three (3), four (4), and five (5), the east half ( $\frac{1}{2}$ ) of section eight (8), section nine (9), the northeast quarter ( $\frac{1}{4}$ ) of section seventeen (17), the northwest quarter ( $\frac{1}{4}$ ) and the west half ( $\frac{1}{2}$ ) of the northeast quarter ( $\frac{1}{4}$ ) of section sixteen (16), all in township twenty-eight (28), range twenty-four, (24); lots seven (7), eight (8), nine (9) and ten (10) of section five (5) and all of section six (6) in township twenty-eight (28), range twenty-three (23), the south half ( $\frac{1}{2}$ ) of section thirty (30), and the northwest quarter ( $\frac{1}{4}$ ), and the southwest quarter ( $\frac{1}{4}$ ) of the north east quarter ( $\frac{1}{4}$ ) of section thirty (30), all of section thirty-one (31), and lot three (3) of section thirty-two (32), all in township twenty-nine (29), range twenty-three (23); all of said district of country being in the county of Hennepin and state of Minnesota. *Provided, however,* that for school purposes, school districts numbered one hundred and thirteen (113) and one hundred and seventeen (117), shall neither of them be affected by this act. *And provided, further,* That all taxes for the current year levied or assessed upon property within the territory which is hereby added to the city of Minneapolis, shall belong to the city of Minneapolis, and be paid into its treasury to be applied to the various purposes for which they were levied or assessed. And that all taxes for the current year levied or assessed for school purposes in school districts numbered one hundred and twenty-one (121), one hundred and nineteen (119), ninety-three (93), nine (9) and one hundred and eight (108), and that part of school districts numbered one hundred and six (106), one (1), two (2), three (3), six (6) and five (5), which is by this act included within the territorial limits of said city, shall belong to the city of Minneapolis for school purposes; *Provided further,* That all debts owing by the school districts, the school houses of which are included within the new

city limits as above established, except such of those districts as are not affected by this act as above provided, shall be assumed and paid by the city of Minneapolis, and all moneys and property belonging to such school district shall belong to the said city, and this act shall not be construed as impairing the obligations of any contract, if any such there be, heretofore made or entered into by any school district, or by the town of Minneapolis, neither shall it be construed as either recognizing or confirming any such contract.

The town house heretofore used by the said town of Minneapolis, shall be and become the property of the city of Minneapolis, upon repayment to the town of Minneapolis, as it shall suit after the passage of this act, the sum of one hundred and fifty (\$150) dollars.

SEC. 3 By so altering section three (3) of chapter one (1) thereof that the same shall read as follows:

Section 3. The said city is hereby divided into eight (8) wards bounded and described as follows:

*First Ward.* All that part of said city which is east of the middle line of the main channel of the Mississippi river, and north of a line commencing at a point where the middle line of the main channel of said river is intersected by the middle line of the suspension bridge, and running thence easterly along the middle line of said bridge, along the middle line of the street crossing the island therefrom, of the stone arch bridge and of Central avenue to its junction with Second avenue northeast; thence along the middle line of Second avenue northeast to Ninth street; thence along the middle line of Ninth street to Division street; thence along the middle line of Division street and along a direct continuation thereof due east to the eastern boundary of said city, shall constitute the First Ward of said city.

*Second Ward.* All that part of said city which is east of the middle line of the main channel of the Mississippi river, and which is not included in the First Ward as above described, shall constitute the Second Ward of said city.

*Third Ward.* All that part of said city lying west of the middle of the main channel of the Mississippi river, and north of a line commencing at a point where the middle of said main channel would be intersected by the middle line of Third avenue north, if directly extended thereto, and running thence south-westerly along said extended line and along the middle line of Third avenue north, to Sixth street north, thence north-westerly along the middle line of Sixth street north to its intersection with the north line of the south-west quarter ( $\frac{1}{4}$ ) of section twenty-two (22) of township twenty-nine (29), range twenty-four (24), thence west on the line of half ( $\frac{1}{2}$ ) sections to the west line of said city, shall constitute the Third Ward of said city.

*Fourth Ward.* All that part of said city bounded as follows, to-wit: on the northerly side by the Third Ward, being the whole of the boundary line last above described, on the west by the west boundary line of said city, on the south by the south boundary line of sections twenty-seven (27), twenty-eight (28) and twenty-nine (29), township twenty-nine (29), range twenty-four (24), and on the easterly side by the following described line: commencing at the point above described where the extended middle line of Third avenue north would intersect the middle line of the main channel of the Mississippi river, and running

thence down said river on the middle line of its main channel, to the point where the middle line of First avenue south, if directly extended thereto would intersect the same, thence south-westerly along said extended line and along the middle line of First avenue south to Grant street, thence along the middle line of Grant street to Nicollet avenue, and thence south on the middle line of Nicollet avenue to the south boundary line of the ward as above described, shall constitute the Fourth Ward of said city.

*Fifth Ward.* All that part of said city bounded on the northerly side by the middle line of the main channel of the Mississippi river, on the south by the middle line of Twenty-fourth (24th) street south, on the westerly side by the last above described line bounding the Fourth Ward, the same being extended on the middle line of Nicollet avenue to Twenty-fourth (24th) street south, and on the easterly side by the following described line, to-wit: commencing at the point where the middle line of the main channel of said river is intersected by the middle line of the iron bridge which spans the river from Tenth (10th) avenue south, and running southerly along the middle line of said bridge and of Tenth (10th) avenue south to the middle line of Twenty-fourth (24th) street south, shall constitute the Fifth Ward of said city.

*Sixth Ward.* All that part of said city which lies south and west of the middle line of the main channel of the Mississippi river, and north of the middle line of Twenty-fourth (24th) street south, and of the line which would be the middle line of said street if the same was extended due east to the said river and which lies east of the Fifth Ward, shall constitute the Sixth Ward of said city.

*Seventh Ward.* All that part of said city which lies south of the middle line of Twenty-fourth (24th) street south and of the line which would be the middle line of said street if the same was extended due east to the said river, and which lies east of the middle line of Chicago avenue and of the line which would be the middle line of said street if the same was extended due south to the city limits, shall constitute the Seventh Ward of said city.

*Eighth Ward.* All that part of said city which is not included within the other seven wards as above established, shall constitute the Eighth Ward of said city.

This and the preceding section shall be construed as continuing and extending the present city and wards, and shall not disturb or interfere with any city or ward officer, each of whom shall serve the enlarged city or ward, as the case may be, during the remainder of the term for which he was elected or appointed, subject only to removal in the cases and manner provided by law.

At the general election for city officers to be held on the first (1st) Tuesday of April, one thousand eight hundred and eighty-three (1883), there shall be elected in and for each new ward above constituted, being the seventh and eighth wards, two (2) aldermen, one (1) for two (2) years and one (1) for three (3) years, the same to be designated on the ballots voted.

SEC. 4. By changing the words "The city clerk shall hold his office for the term of two (2) years," found in section one (1) of chapter two (2) thereof, so that they shall read as follows, to-wit: The city clerk

and the superintendent of the poor shall each hold his office for the term of two (2) years.

SEC. 5. By adding to section one (1) of chapter two (2) thereof, after the words "each ward shall elect one (1) alderman each year," the following, to-wit: "except that the seventh (7th) and eighth (8th) wards shall only elect in those years in which a vacancy occurs," and by striking out the word "who" immediately thereafter, and inserting instead "each alderman."

SEC. 6. By adding to chapter two (2) thereof the following, to-wit:

Section 11. No person shall be eligible to, or shall be elected or appointed to, any city office whatever, who is at the time either directly or indirectly interested in any contract with the city, whether said contract was made by the city council or by any board or officer of said city, and every such contract in which any city officer shall be directly or indirectly interested, shall be void.

SEC. 7. By striking out of section eight (8), chapter three (3) thereof, all of said section following the words "supervisors of the poor."

SEC. 8. By so altering section twenty-seven (27) of chapter three (3); thereof, that it shall read as follows:

Section 27. The mayor shall be entitled to an annual salary of one thousand (\$1,000) dollars. Each alderman shall be entitled to an annual salary of three hundred (\$300) dollars, and in addition thereto members of the Board of Equalization of taxes, and aldermen acting as judges of election may be given compensation for such special services.

SEC. 9. By so altering section twenty-nine (29) of chapter three (3) thereof, that it shall read as follows:

Section 29. The city council shall have power, where the same is not herein fixed, to fix the compensation of all officers elected or appointed under this act. Such compensation shall be fixed by resolution at the time the office is created and at the commencement of any year, as soon after election as practicable, and when so fixed shall not be increased or diminished during the term for which such officer shall have been elected or appointed.

All fees and emoluments, of whatever character, accruing to any city officer, as such officer shall be reported to the city council monthly, and paid monthly into the city treasury, except that the sealer of weights and measures shall be entitled to receive his fees as fixed by the city council, and shall have no other compensation, and except market masters and such inspectors, weighers and measurers as the city council may appoint, whenever the city council fixes their fees and gives them the same in lieu of all other compensation.

SEC. 10. By inserting in that subdivision or portion of section five (5), of chapter (4) thereof designated as "first" and after the word "pawnbrokers," the following to-wit: dealers in second hand goods, junk dealers, keepers of intelligence or employment offices, as well as all persons doing the business of seeking employment for others or procuring or furnishing employees for others

And by adding at the end of said subdivision "First," the following to-wit:

*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 second hand 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 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.

SEC. 11. By inserting in that subdivision or portion of section five (5), chapter four (4), thereof designated as "Seventh", next after the words "whistling of locomotive engines", the following to-wit:

To regulate and prohibit the unnecessary discharging of steam therefrom, and the causing or permitting 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.

SEC. 12. By inserting in the subdivision or portion of section five (5), chapter four (4), thereof designated as "twenty-seventh", after the words "to regulate the inspection of", the following to-wit: wood, hay, grain.

And by inserting after the word "beef", therein the following, to-wit: mutton, veal and all other kinds of meat, poultry and game.

SEC. 13. By adding to section five (5), chapter four (4), thereof the following to-wit:

*Thirty-ninth.* 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.

*Fortieth* 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 regulations for its use.

*Forty-first.* 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.

*Forty-second.* 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

SEC. 14. By so altering section one (1) of chapter five (5), thereof, that it shall read as follow, to-wit:

Section 1. The city council shall at its first regular meeting in March, one thousand eight hundred and eighty-three (1883), and at the same time in every third (3d) year thereafter, or as soon after said meeting 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. The term of office of the city assessor shall be three (3) years, commencing on the last Monday in March, of the year of his appointment, and until his successor is appointed and qualified. Vacancies in said office may be filled as in other cases. The city assessor shall in each year appoint such number of deputies as may be required to enable him to properly do his work. Such appointments, however, to be approved and confirmed by the city council which deputies shall serve during the time of the making of the lists, but only so long as their services may be needed, the city assessor discharging such of said deputies, from time to time as the work proceeds, as he can spare.

The city assessor shall also with approval of the city council employ such clerks as may be necessary, their number to be reduced or increased whenever occasion requires, or the city council directs. The city assessor shall, so far as may be, present to the city council, at its second regular meeting in March of each year, the names of such persons as he shall desire to have for deputies, designating in each case the time when the appointee shall, with the approval of the city council, commence to serve as such, which time shall be long enough before May first (1st), so that each may before that day be assigned his portion of the work and be properly instructed and prepared to do the same. He may, however, in case his deputies are not all appointed, or all confirmed at that time, present to the city council other names for deputies at subsequent meetings as occasion shall require.

The city assessor and his deputies shall qualify in the manner, and discharge the duties, prescribed by general law. It shall also be the duty of the city assessor to make full preparation and do whatever he can towards the making of his lists beforehand, and the county auditor shall deliver to him his assessment books and blanks in season to enable him to do so. He shall commence on the first (1st) day of May of each year, and as soon as may be thereafter complete his lists, according to law, but he shall be allowed until the second Monday in July to revise his lists, correct and equalize his appraisals, and make out and complete the assessment of said city.

Notices may be signed and given, and other acts in the line of his duty done by any deputy assessor in the name of the city assessor. *Provided*, however, that each assessor now serving as such (unless appointed city assessor) shall, if he desires to do so, serve as deputy assessor until the expiration of the time for which he was appointed as assessor, subject, however, to removal as in other cases.

SEC. 15. By changing the words "said assessors," and also the words "the assessor," in each case where they appear in sections two

(2), three (3) and six (6) of chapter five (5) thereof, to "the city assessor."

SEC. 16. By inserting in section six (6) chapter eight (8) thereof, after the words "city engineer," found therein, the following, to-wit: or general street commissioner, and by adding to said section the following, to-wit: the city council may also appoint one (1) general street commissioner for the entire city, who shall receive and observe the instructions of the city engineer, superintend and have general charge of the work of the street commissioners of the several wards, and do all other things which the city council may require him to do.

SEC. 17. By inserting in section three (3) of chapter nine (9) thereof, after the words "including pipe," found in parenthesis therein, the following, to-wit: hydrants, valves and all necessary specials," and by adding to said section at the end thereof the following, to-wit:

Or instead of the plan above proposed, the city council may, for all water mains laid, relaid or extended during any one (1) season, levy and collect an equal sum per front foot without regard to the cash valuation of such property, and without regard to the size of the mains, by a special assessment upon all the property not exempt, on both sides of all the streets and alleys in which such water mains shall be laid, relaid or extended, and abutting upon the same, which sum shall not exceed the sum of two dollars (\$2) per lineal foot of such mains. The cost in excess of the sum above named and the cost of such mains upon street crossings and against property which is by law exempt from such assessment, shall be paid out of the said water works fund.

To authorize the following of this plan the city council shall first determine what portion of the cost of such mains not exceeding the sum per lineal foot above named, is the just and fair proportion of such cost which should be borne by the abutting property, and shall by resolution name and fix the amount per lineal foot which it determines to be such just and fair proportion.

Thereupon this shall be the plan to be followed, and the amount so named and fixed shall be and remain in all cases the portion of the cost of all such mains laid, relaid or extended in said city, which shall be levied upon, assessed against and collected of abutting property, until a different amount be by like resolution of the city council named and fixed, or until the city council by resolution determines to adopt and follow the other plan first above proposed. *Provided*, That in case of a reassessment for any cause, the city council may direct that the reassessment be made upon either of the plans here proposed without regard to which plan was adopted in the first instance.

SEC. 18. By inserting in section four (4) of chapter nine (9) thereof, after the words "estimated cost of a sewer two (2) feet in diameter," found in the fourth (4th) line thereof the following, to-wit: including all necessary catch basins, manholes, lampholes, and flushing valves. And by adding to said section at the end thereof the following, to-wit:

Or instead of the plan above proposed, the city council may for all sewers constructed, laid, relaid or extended, during any one (1) season, levy and collect an equal sum per front foot, without regard to cash valuation of such property, and without regard to the size of the sew-

ers, by special assessment upon all the property not exempt, on both sides of all the streets along which such sewers shall be constructed, laid, relaid or extended, and abutting upon the same, which sum shall not exceed the sum of four dollars (\$4) per lineal foot of such sewers. The cost in excess of said sum and the cost of such sewers upon street crossings and against property which by law is exempt from such assessment, shall be paid out of the internal improvement fund of said city.

To authorize the following of this plan the city council shall first determine what portion of the cost of such sewers, not exceeding the sum per lineal foot above named, is the just and fair proportion of such cost which should be borne by the abutting property, and shall by resolution name and fix the amount per lineal foot which it determines to be such just and fair proportion. Thereupon this shall be the plan to be followed, and the amount so named and fixed shall be and remain, in all cases, the portion of the cost of all sewers constructed, laid, relaid or extended in said city, which shall be levied upon, assessed against and collected of abutting property until a different amount be by like resolution of the city council named and fixed, or until the city council by resolution determines to adopt and follow the other plan first above proposed. *Provided*, That in case of a reassessment for any cause, the city council may direct that the reassessment be made upon either of the plans here proposed without regard to which plan was adopted in the first instance.

SEC. 19. By adding to section eight (8) of chapter ten (10) thereof, the following, to-wit:

*Provided, however*, That in all cases where the second (2d) plan proposed in section three (3) and in section four (4) of chapter nine (9) hereof, for the apportionment of the cost of water mains and of sewers, be the plan adopted and followed, the city engineer may omit from his report all estimates of cost and all apportionments thereof. In all such cases too, when the city council determines to go on with such improvements, it shall make the equal assessment per front foot previously determined and fixed upon without other regard to the cost of the work or to the apportionment of that cost, than was had at the time when the amount to be assessed against abutting property was named and fixed, [and shall cause to be made] and shall adopt an assessment roll thereof substantially like that prescribed when the other plan is followed.

SEC. 20. By so altering section five (5) of chapter nine (9), thereof, that it shall read as follows:

Section 5. 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.

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 re-



quire 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) hereof, 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.

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.

Sec 21. By adding to section ten (10), chapter eleven (11) thereof, the following to-wit:

And shall not be liable to any jailor or other officer for any fee for the committing any person to the county jail or for the receiving 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.

Sec. 22 This act shall take effect and be in force from and after its passage.

Approved February 27, 1883.