

## CHAPTER 4.

## 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), as amended by an act entitled "An act to amend the charter of the city of Minneapolis," approved February twenty-seventh (27th), one thousand eight hundred and eighty-three (1883), the same being chapter three (3) of the special laws of one thousand eight hundred and eighty three (1883), and amended by an act entitled "An act to further amend the charter of the city of Minneapolis," approved February twenty-second (22d), one thousand eight hundred and eighty-three (1883), the same being chapter seven (7) of the special laws of one thousand eight hundred and eighty-three (1883), be, and the same hereby is, further amended by striking out, adding to, and altering the same in the manner following, to-wit:

Section 1. By adding the words "except such control of the property connected with the water works of said city, as shall be given in this act to the board of water commissioners," after the word "city," in the second (2d) line of section fourteen (14) of chapter four (4) of said charter, as the same now reads.

SEC. 2. By adding after the word "department," in the sixth (6th) line of section four (4) of chapter seven (7) of said charter, the following words, to-wit: "But the board of water commissioners shall have the right to determine the highest limit of pressure to be placed on the force used to force water through the said mains during a fire."

SEC. 3. By adding to the last end of section five (5) of chapter nine (9) of said charter, the following words, to-wit: "and to place therein any hydrant or other part of the water works of said city."

SEC. 4. By adding after the word "year," in the eighth (8th) line of section seven (7) of chapter nine (9) of said charter, the following words, to-wit: "In case of the absence of the president, or his inability to act, then the president of the city council or acting mayor shall by *ex officio* a member of the board of water commissioners, but shall have power only to sign warrants, contracts and papers pertaining to the business of the said board, and to call special meetings of said board, as in this act provided, and to perform such other executive acts as may be authorized by said board." By striking out the words "one hundred and fifty dollars," where the same occur in words and figures in next to the last line of said section seven (7), and inserting in place thereof the words and figures "five hundred dollars (\$500)."

SEC. 5. By adding after the word "works," in the seventeenth (17th) line of section eight (8) of chapter nine (9) of said charter, the

words "a secretary and an assistant secretary;" and by adding to the end of said section the words "which compensation shall cease when any such engineer, superintendent, secretary, assistant secretary or other employe shall be so removed by said board."

SEC. 6. By striking out the word "shall," in the second (2d) line of section nine (9) of chapter nine (9) of said charter, and putting in the place thereof the word "may;" by adding after the word "board," in the seventh (7th) line from the bottom of said section nine (9), the following words, to-wit: "in case of his absence or inability to act then by the president of the city council or acting mayor;" and by adding to the end of section nine (9) the following words, to-wit: "If said board shall at any time appoint a secretary other than the superintendent of water works, then said board shall require a like bond of said secretary, and said board shall, in that case, have a right to define the respective duties of said superintendent and said secretary. And said board of water commissioners shall have the further power to appoint an assistant secretary, who shall act as secretary of the board of water commissioners in the absence or inability of the superintendent or secretary to act; and may at any time, when necessary, appoint an assistant superintendent of water works to act in the place of the superintendent of water works in his absence or inability to act."

SEC. 7. By adding after the word "board," in the the third (3d) line of section ten (10) of chapter nine (9) of said charter, the following words, to-wit: "or in his absence or inability to act then by the president of the city council or acting mayor; and on the written request of any two members of said board, other than the president thereof, to call a special meeting of said board, then said president, or in his absence or inability to act, then the president of the city council or acting mayor, shall call such special meetings of said board, which special meeting shall be called;" and by adding after the word "upon," in the tenth (10th) line of said section ten (10), the following words, to-wit: "which rules shall not be changed, except upon notice given at least one week before the proposed change shall be proposed to said board, and which change of said rules shall not be adopted for at least one week after they are so proposed to said board." And by adding to the end of said section ten (10) the following words, to-wit: "If said city council shall fail to so provide and furnish suitable desks, furniture and fixtures, and suitable room for the meeting of said board and office of said superintendent of water works, then said board may so provide and furnish with suitable desks, furniture and fixtures a suitable room for the meeting of said board and office of said superintendent of water works conveniently near the city hall building of said city."

SEC. 8. By adding to the end of section eleven (11) of chapter nine (9) of said charter the following words, to-wit: "but said board of water commissioners shall have the right to make contracts for anything pertaining to said water works of said city in anticipation of the sales of any bonds which said city shall have been authorized to sell, the avails of which are required by the act of the legislature authorizing the sale of said bonds to be set apart to the credit of the water works fund of said city."

SEC. 9. By striking out section fourteen (14) of said chapter nine

(9) of said charter, and inserting in the place thereof the following section, to-wit:

Sec. 14. It shall be the duty of said board to 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 payable, which rates shall become and be the rates so to be charged for the rent or use of water used in said city, unless the same shall, as to any rate so fixed by said board, be increased or decreased by the city council, when the rate so increased or decreased shall become the rate to be so charged. And said board 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 act, and to protect the property, interest and rights of said water works of said city; and may make all necessary rules and regulations concerning the tapping of any mains or branches, or making connection therewith, by any private parties or licensed plumbers. Which right to make such rules and regulations shall include the right to report to the city council of said city the name of any licensed 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, with a request to said city council that the license of said plumber shall be revoked; whereupon said city council shall revoke the license of said plumber; and may also include the right to make rules for the shutting off of water from any premises where rates are payable and remain unpaid; and said board shall have the right to furnish water free to any charitable or public building, association or institution.

SEC. 10. By striking out the words "the rates or rents to be paid for the use of water, and the times when the same shall be payable and the shutting off of water from any premises where rents are payable and remain unpaid and," in the eighth (8), ninth (9th), tenth (10th) and eleventh (11th) lines of section fifteen (15) of chapter nine (9) of said charter.

SEC. 11. By adding to the last end of section nine (9) of chapter nine (9) of said charter the following words, to-wit: "The city comptroller shall keep regular books of account of the board, in which he shall enter all indebtedness of said 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 he shall countersign all bonds, orders or other evidences 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 treasurer on account of said board. All claims allowed by the board shall before they are paid be audited by the comptroller."

SEC. 12. And by adding to said chapter nine (9) of said charter, the following section, to-wit:

Sec. 17. Any person who shall, without authority from said board of water commissioners or the city council, willfully 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 ma-

chinery 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 communication 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 one hundred (100) dollars, or by both such fine and imprisonment. The municipal court of said city shall have jurisdiction of all offenses under this act. This section shall not apply to any sewers heretofore constructed by said city or private individuals to empty into the said river.

SEC. 13. By adding after the words "water works," in the fourth (4th) line of section one (1) of chapter ten (10) of said charter, the following words: "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 the same be water or land, or interests in any water power or water reservoir, and to land 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.

SEC. 14. All acts and parts of acts relating to said charter of the city of Minneapolis conflicting with the provisions of this act are hereby repealed.

SEC. 15. This act shall take effect from and after its passage.

Approved Feb. 26, 1885.