

CHAPTER 223—S. F. No. 1020.

An act to authorize the board of park commissioners or the body charged with control of the park system of any city now or hereafter having a population of more than 50,000 and not organized under Section 36 of Article 4 of the Constitution of the state of Minnesota, to build and construct or cause to be built and constructed, sidewalks and curb and gutter along the parkways of any such city and assess the cost thereof on abutting property.

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

Section 1. Park commissioners authorized to construct curbs and gutters.—The board of park commissioners of any city of the first class not organized under a home rule charter, or the board or body having charge or control of the parkways in any such city, 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 or body.

Sec. 2. Owners required to construct and maintain sidewalks—assessments authorized.—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 hereafter be constructed, the same to be built of such material and width and upon such place or grade, as the said board or body may prescribe by ordinance or otherwise. Whenever said board or body shall deem it necessary that any sidewalk shall be constructed or reconstructed along a parkway in any such 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 or body 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 assessment made by the city council or common council of any such city for the construction of sidewalks upon streets and alleys under its control, and the duties to be performed by the city or common council, the city engineer and the city clerk respectively, shall appertain to and be performed by the said board or body, its engineer and superintendent, and its secretary respectively. And the said board or body 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 or body may determine.

Sec. 3. Park board may repair sidewalks.—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 or body 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 assessments 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 and common council of any such city 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 or body 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.

Sec. 4. Grading ordered before reconstruction.—The said board or body 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.

Sec. 5. Majority vote of board to proceed.—It shall require a majority vote of the members elected to the said board or body 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.

Sec. 6. By contract or by direct employment of labor, etc., by board.—Any curb, gutter or sidewalk which said board or body 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 or body by the employment of labor or purchase of material, or in any other manner in which said board or body may deem proper in any particular case. The said board

or body 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 or body 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 await the collection of the assessments made therefor, or said board or body 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.

Sec. 7. **Assessments payable in one installment.**—All special assessments for curb or gutter or sidewalks made by said board or body under this act, shall be assessed and made payable in one installment and collected with the taxes for the year in which the assessment is made, anything herein, or in the method or manner of collection of similar improvements by the common or city council to the contrary notwithstanding.

Sec. 8. **In addition to existing powers.**—The powers granted by this act are in addition to all other existing powers of such cities.

Sec. 9. This act shall take effect and be in force from and after its passage.

Approved April 11, 1919.

CHAPTER 224—S. F. No. 1027.

An act fixing the salaries and compensation of county officers and their expenses and clerk hire, in all counties in this state now or hereafter having not less than thirty-five or more than forty congressional townships, and now or hereafter having an assessed valuation of not less than sixteen million (\$16,000,000) nor more than twenty million (\$20,000,000), and prescribing the amounts thereof. Be it enacted by the Legislature of the State of Minnesota:

Section 1. **Salaries of county officers in certain counties.**—That in all counties in this state now or hereafter having not less than 35 nor more than 40 congressional townships and now or hereafter having an assessed valuation of not less than sixteen million (\$16,000,000) nor more than twenty million (\$20,000,000) the salary and compensation of the county officers hereinafter named shall be as follows:

Sec. 2. **County auditor.**—\$2,800 per year and fees and clerk hire as now prescribed by law.