

Sec. 5. **Inconsistent acts repealed.**—All acts inconsistent with the provisions of this act are hereby repealed.

Sec. 6. This act shall take effect and be in force from and after its passage.

Approved April 17, 1919.

CHAPTER 291—S. F. No. 273.

An act authorizing and ratifying the payment of fees and expenses paid to any person for conveying insane patients to the state hospitals.

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

Section 1. **Certain fees made a legal charge against certain counties.**—That in all cases where a judge of probate has allowed and ordered paid fees, not to exceed three dollars per day and necessary expenses, to any person for acting as an officer or otherwise in charge of a defective or insane person while being conveyed to a state hospital, after having been authorized to so act by the said judge of probate, such fees and expenses are hereby made a legal charge against the county wherein such proceedings were had and any payments heretofore made of any such fees are hereby declared legal.

Sec. 2. **Application.**—This act shall apply to all cases from April 17th, 1917, to January 1st, 1919.

Approved April 17, 1919.

CHAPTER 292—S. F. No. 509.

An act authorizing the creation of a department of city planning in cities of the first class not organized under Section 36 of Article IV of the state constitution, and defining the powers and duties of such a department.

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

Section 1. **City planning department for Minneapolis—commission and membership.**—That an additional executive department in the government of cities of the first class not organized under section 36 of article IV of the state constitution shall be created to be known as the "city planning department" which shall be in charge of a city planning commission, consisting of nine persons. One shall be the mayor of the municipality; the city council, the school board, the park board and the county board of the county in which the municipality is situated shall each select one of its own members, as a member of the commission, in January of each odd numbered year; and four legal voters of the municipality not members of any of the above bodies or boards shall be appointed by the mayor with consent of the city council of the municipality. The first appointments shall be made as soon as practicable after the passage of this act.

The appointed members of the commission shall serve for four years. The first members first appointed by the mayor shall so classify themselves by lot that one of the number shall go out of office at the end of January of the odd year next after their appointment; one at the end of one year thereafter, and one at the end of two years thereafter; and shall certify the result of the classification to the city clerk. Vacancies for any unexpired term shall be filled by appointment as in the first instance.

The members of the commission shall serve without compensation, but the commission may with the consent of the city council 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. It shall make an annual report to the city council.

The term "city council" means the principal governing body of the municipality.

Sec. 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 of the municipality, 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.

Sec. 3. City council may grant certain powers.—The city council of the municipality may pass ordinances authorizing the city planning department to administer and enforce ordinances relative to city planning.

Sec. 4. Commission to approve public improvements contemplated.—No public improvements shall be authorized to be constructed in the municipality 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 reasons to the city council, or other governing body which has control of the construction of the proposed improvement; and the majority vote of such body shall be sufficient to over-rule such disapproval. If the reasons for disapproval are not given to the city council or other governing body within thirty 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 as herein used include "works of art" as defined in chapter 154, General Laws 1901.

Sec. 5. Plans, plats, etc., to be submitted to commission for approval or rejection.—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 purchases 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.

The duty of the city planning commission in accepting or rejecting a plat shall be deemed legislative and discretionary and not administrative.

Sec. 6. This act shall take effect and be in force from and after the date of its passage and approval.

Approved April 17, 1919.

CHAPTER 293—S. F. No. 546.

An act fixing the salary of judges of probate court in certain counties.

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

Section 1. Salaries of judges of probate in certain counties to be fixed by county boards.—The county board shall, at its first January meeting in each year, fix the salary of the judges of probate court in each and every county in which there are not less than forty-eight townships, which has an area of not less than one million acres nor more than a million and a half acres, and whose population according to the census then last taken was not less than fifteen thousand nor more than thirty thousand, and whose valuation is not less than ten million dollars nor more than twenty-five million dollars; and said salary not to be less than two thousand dollars (\$2,000.00) and not to exceed two thousand five hundred dollars (\$2,500.00) a year, payable in twelve equal monthly installments, shall be full compensation for the individual work of said judge of probate court, as such officials, and in addition thereto,