

city or adjoining county for which they receive compensation, provided that this provision shall not apply to any person so employed at the time this act takes effect.

Approved April 24, 1959.

CHAPTER 663—H. F. No. 1414

[Coded]

An act relating to certain claims against cities and villages; providing that the provisions of Minnesota Statutes 1957, Sections 465.09 to 465.12, and acts amendatory thereof and supplementary thereto are applicable to all cities and villages notwithstanding charter or ordinance provisions; providing that a charter provision which prescribes the form, manner, or duration of actual or constructive notice of a defect in a village street, sidewalk, or other property is prohibited.

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

Section 1. [465.121] **Charter and ordinance provisions relating to claims; notice of defect.** Subdivision 1. The provisions of Minnesota Statutes 1957, Sections 465.09 to 465.12, and acts amendatory thereof and supplementary thereto, shall apply to all cities and villages notwithstanding the provisions of any charter or ordinance on the same subject matter and regardless of whether such charter or ordinance was adopted before or after the enactment of this section.

Subd. 2. When a claim or action is brought against a municipality pursuant to Minnesota Statutes 1957, Sections 465.09 to 465.12, and acts amendatory thereof and supplementary thereto, the municipality shall not be liable for failure to repair any defect mentioned in Minnesota Statutes 1957, Section 465.09, and giving rise to such claim unless the municipality has had actual or constructive notice of such defect and also has had a sufficient time prior to any accident arising because of such defect to have repaired such defect or otherwise guarded the public therefrom. Any charter provision which now or hereafter prescribes the form, manner, or duration of such actual or constructive notice of defect is void.

Subd. 3. This act shall not apply to cities of the first

class except to the extent that the sections mentioned already apply.

Subd. 4. This act shall be effective on July 1, 1959.

Approved April 24, 1959.

CHAPTER 664—H. F. No. 1152

[Not Coded]

An act authorizing the acquisition and purchase of water supply and distribution facilities, sewage disposal plants and storm and sanitary sewer facilities by the Village of Hoyt Lakes in St. Louis County, Minnesota; authorizing the issuance of bonds for such purposes by said village, and the levy of taxes upon taconite lands and facilities for the payment thereof.

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

Section 1. Hoyt Lakes, village of, water and sewage systems. The village of Hoyt Lakes in St. Louis county, Minnesota, is hereby authorized to issue its bonds to provide funds for the purchase of water supply, treatment, and distribution plants, appurtenances, supplies, and facilities, and storm and sanitary sewage systems, treatment plants, appurtenances, supplies, and facilities, existing in but not owned by the village, in an aggregate principal amount not exceeding \$1,500,000, and may use the proceeds of the sale of said bonds for such purposes; however, the sum of \$85,000 of the proceeds of said bonds may be directly expended by the village on necessary repairs of such plants and facilities, and on initial costs of operation thereof. Except as hereinafter otherwise specifically permitted, such bonds shall be authorized, issued, sold, executed and delivered in the manner provided by Minnesota Statutes 1957, Chapter 475. They may be issued on resolution adopted by a majority vote of the members of the village council, without a vote of the electors of said village. Such bonds shall mature serially in not less than five nor more than ten annual installments, the first of which annual installments shall be payable within not more than four years after the date of issue. No such annual installments of principal payable in any year shall exceed by more than 25 percent the smallest of such annual installments. No vote of the electors shall be necessary to authorize the purchase or acquisition of such plants and facilities.