

## CHAPTER 499—S. F. No. 1368

[Not Coded]

*An act pertaining to the city of Minneapolis and relating to local improvements and special assessments therefor of the city of Minneapolis; permitting said city to exercise the powers and procedures as provided by Minnesota Statutes 1967, Chapter 429.*

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

**Section 1. Minneapolis, city of; assessments and local improvements.** Notwithstanding the provisions of the charter of the city of Minneapolis or of any statutory enactment, the provisions of Minnesota Statutes 1967, Chapter 429, are hereby made applicable to the city of Minneapolis; and said city, at its option, may make any local improvement and levy any special assessment either under its home rule charter, or under said Chapter 429, or under other existing statutory authority, as the council of the city of Minneapolis may in each case determine.

**Sec. 2.** Notwithstanding any provisions of the charter of the city of Minneapolis, or of any statutory enactments, the said city may provide for the collection of special charges for all or any part of the cost of any service to streets, sidewalks, or other property, street oiling, street flushing and cleaning, and any and all other services or improvements specified in said Chapter 429, as a special assessment against the property benefitted. The procedure for the levy of said special assessment shall, if the city elects to proceed under the provisions of said Chapter 429, be as provided in said Chapter 429.

**Section 3.** This act shall become effective only after its approval by a majority of the governing body of the city of Minneapolis and upon compliance with the provisions of Minnesota Statutes, Section 645.021.

Approved May 20, 1969.

## CHAPTER 500—S. F. No. 1383

*An act relating to street lighting in cities of the first class and assessments therefor, amending Minnesota Statutes 1967, Section 430.07.*

**Changes or additions indicated by *italics*, deletions by ~~strikeout~~.**

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

Section 1. Minnesota Statutes 1967, Section 430.07, is amended to read as follows:

**430.07 Cities of first class; lighting and assessments.** The city council and park commissioners may, by concurrent resolution, or by separate resolution when acting separately, specify the method of improving any such street, pedestrian mall, park or parkway, including grading, drainage, planting, *street lighting*, paving, curb, gutter, and sidewalk, as well as sewer and water mains where necessary, and in the case of parks, the necessary structures and apparatus for playgrounds and general park uses. A pedestrian mall improvement shall mean and include any improvement designed and to be used primarily for the movement, safety, convenience and enjoyment of pedestrians, whether or not a part of a street is set apart for roadway for emergency vehicles, transit vehicles and private vehicles or any of them, and a pedestrian mall improvement may provide for, and include space for, seating, cafe tables, shelters, trees, flower plantings, sculptures, newsstands, telephone booths, traffic signs, kiosks, fire hydrants, street lighting, ornamental signs, ornamental lights, trash receptacles, display cases, marquees, awnings, canopies, overhead radiant heating fixtures, underground radiant heating pipes and devices, walls, bollards and chains and all such other fixtures, equipment, facilities and appurtenances which in the judgment of the council will enhance the movement, safety, convenience and enjoyment of pedestrians and benefit the city and adjoining properties; sidewalks on pedestrian malls may be constructed of concrete, bricks, asphalt tiles, blocks, granite sets or such other materials and such combinations of materials as the council shall approve. The council may in its discretion narrow any roadway to be kept and maintained in connection with any pedestrian mall, may cause any street vaults to be reconstructed or removed, may construct crosswalks at any point within a block as well as at the ends of blocks, and may cause the roadway to curve and meander within the limits of the street regardless of the uniformity of width of the street or curve or absence of curve in the center line of such street to enhance the usefulness and appearance of a pedestrian mall. The city engineer shall estimate the cost of each item in the improvement separately, or by reasonable classifications detailed to the satisfaction of the city council or the park commissioners, and submit the estimate with the plat. In the case of property used for residential purposes only and for not to exceed a four-family dwelling these estimates shall be for not to exceed six-inch water mains and not to exceed 24-inch sewers. The city council shall examine the estimates and, after modifying, if necessary, find and adopt an estimate of the cost. The city council, in appointing commissioners,

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shall recite the estimate, and the commissioners shall assess the amount thereof, or so much thereof as shall be directed by the city council, upon such lots and parcels of land in the city as they shall deem specifically benefited, in proportion to such benefits, not exceeding the actual benefit to any parcel, and add the same to the benefits assessed under section 430.02 and report the net result of damages or benefits as required by section 430.02, and with like proceedings thereafter. If, in any proceedings under this chapter, the actual cost of the improvement of any street, park, or parkway in the manner herein designated is less than the estimated cost thereof, as found and adopted by it, the city council shall immediately cancel and annul the assessments made in the proceedings to an amount which, in the aggregate, shall not exceed such fractional part of the total amount of the excess of estimated cost over the actual cost as shall be equivalent to the fraction obtained by dividing the total amount of the assessments by the total amount of the estimated cost. In case the assessments in any proceeding have not been entirely collected or in case the city council deems that any such assessments cannot be fully collected, the city council may direct the city comptroller to retain in the fund in the proceeding a sum sufficient, in the judgment of the city council, to cover the deficiencies in the collection of the assessments, and the city council shall direct that the balance of the excess of estimated cost shall be disposed of in the manner hereinafter provided. The city council shall direct the city comptroller to certify the amount of this balance to the county auditor. The auditor shall thereupon deduct the amount from the first instalment of the assessment to be collected after the receipt of this certificate. This deduction shall be made from the assessment against each piece or parcel of property in the proportion that the excess, as certified by the city comptroller, bears to the total of the instalment of the assessment. If the balance as certified, exceeds one instalment, it shall also be deducted in like manner from succeeding instalments until the same is fully deducted. If any portion of the damages and cost of the improvement has been paid by the city, the city council shall direct the city comptroller to certify to the county auditor only that percentage of the balance or excess of estimated cost as shall be equal to the percentage of the total estimated cost of the improvement and damages which has been or is assessed against benefited property. No such certificate shall be directed by the council or issued to the county auditor until after a report from the city engineer that the work under any such proceeding has been completed and each item of damage or cost in the proceeding has been paid, and this report by the city engineer shall be made to the city council immediately upon the completion of the work in the proceeding. In any proceeding where there is or may be an excess of estimated cost and there is or shall be a balance in the

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fund in the proceeding over and above the actual cost, the city council shall be entitled to withdraw from this fund a percentage of the fund equal to the percentage of the cost of the improvement paid by the city, and cause this percentage to be deposited in the fund from which it was originally drawn or taken by the city council. Any existing street, park or parkway or pedestrian mall may be improved and the expense thereof assessed and raised in the manner provided by this chapter for acquiring and opening streets, parks, parkways and pedestrian malls and improving the same, including any or all of the following improvements: widening, grading, drainage, planting, pavement, sidewalks, curb and gutter, sewers and water mains, and in the case of parks, the necessary structures and apparatus for playgrounds and general park uses. In case of streets or parkways exceeding 80 feet in width, the resolution may, for the purpose of facilitating connections with private property and obviating the necessity of cutting or breaking into the improvements, order a double water main or a double sewer, one on either side of the street or parkway, or adopt such other arrangement or device as may seem most feasible.

Approved May 20, 1969.

#### CHAPTER 501—S. F. No. 1995

*An act relating to Hennepin county municipal court; statute, traffic and ordinance violations bureaus; amending Minnesota Statutes 1967, Section 488A.08, Subdivision 1.*

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

Section 1. Minnesota Statutes 1967, Section 488A.08, Subdivision 1, is amended to read:

488A.08 **Hennepin county municipal court; violation bureaus.** Subdivision 1. **Establishment.** *Statute, traffic, and ordinance violation bureaus shall be established at Minneapolis, Bloomington, St. Louis Park, Wayzata, and Crystal and at such additional places as a majority of the judges of the court may establish.*

Approved May 20, 1969.

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