

CHAPTER 256.

AN ACT AUTHORIZING THE CITY OF RED WING TO ESTABLISH A SYSTEM OF SEWERAGE, AND TO CONSTRUCT SEWERS WITHIN SAID CITY, AND TO ASSESS THE COST OF SUCH SEWERS UPON PROPERTY BOUNDING OR ABUTTING THEREON OR BENEFITED THEREBY.

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

SECTION 1. The city council of the city of Red Wing, in addition to the powers conferred on said council by the charter of said city, shall have power to establish and maintain at any time, and from time to time, any general system or systems of sewerage for said city or for any sewerage district or districts into which said city or any part thereof may hereafter be divided, or for any part or portion of said city, in such manner and under such regulations as said council may deem expedient, and such system or systems of sewerage to altar or change from time to time, as said council may deem proper.

SEC. 2. The said city council, for the purposes aforesaid, shall have power at any time, and from time to time, to divide the said city of Red Wing, or any such part or parts thereof as said council may deem expedient, into sewerage districts, and the same from time to time to change or alter, and to create a district sewerage fund for each or any of said districts, in such manner and under such regulations as said city council may deem expedient.

SEC. 3. The said city council is authorized whenever it may deem the same necessary, to cause sewers to be constructed in any street or alley within said city, and to levy and collect the cost and expense thereof, excepting street and alley crossings and catch basins, or such portion of such cost and expense as said council may deem just, by an assessment upon the properties bounding or abutting on the portions of such streets or alleys, along which such sewer may be constructed, of an equal sum per foot front of such properties, or such cost and expense may be assessed partly upon such abutting properties, and partly upon property not abutting upon such street or alley but benefited by such sewer; in either case such assessment may be made without regard to the cash or assessed valuation of any such properties, and said council shall determine what proportion of such cost and expense shall be assessed upon such abutting, and what proportion thereof upon such non-abutting property; in either case the assessment per foot front shall be equal upon all property of the same class. The cost and expense of any such sewer may be assessed partly in the manner aforesaid, upon the two (2) classes of property above named, or either of them, and partly by taxation upon the whole property of the city, or of the sewerage district within which such sewer or sewers may be constructed, or such cost and expense may be wholly paid by taxation upon the whole property of the city, or of the proper sewerage district.

The cost and expense of all street and alley crossings and of all catch basins, shall be paid out of the sewerage or general fund of the city, or out of the sewerage fund of the proper district.

SEC. 4. Whenever said city council shall vote to cause to be made any such sewer as is mentioned in this act, it shall determine and designate in a general way as nearly as may be practicable the character and extent of such improvement, and the material to be used therein; and it shall thereupon be the duty of the city engineer of said city, or of any other competent engineer by said council designated for that purpose, to make and present to said council an estimate of the cost of such improvement. Upon the reception of such report, said council may postpone action thereon to any regular or special meeting thereof, and may direct the city recorder of said city to advertise for, and receive in the meantime, bids for doing the work and furnishing the materials, or either, required to construct or complete such improvement, and report the same to said council; or said council may, in any other manner obtain information respecting the probable cost of such improvement.

Whenever said council shall have obtained such information as it may deem necessary with reference to such improvement, it shall determine the manner in which the cost and expense thereof shall be assessed. If it shall determine that the whole, or any part of such cost and expense shall be assessed upon any properties bounding or abutting upon such improvement, or partly upon such properties and partly upon properties not so bounding or abutting, but benefited thereby, it shall determine what properties are within each of said classes, and the proportion of such cost and expense to be assessed upon the properties in each of such classes, and shall appoint a meeting of such council at which all persons interested in such improvement may be heard; and thereupon said recorder shall prepare a list which shall contain the names of the owners so far as the same are known, and a description of each and all such properties, which list, together with a notice of the time and place of such meeting, he shall cause to be published once in the official paper of said city, and which publication shall be not less than ten (10) days prior to such meeting. At the time and place appointed for such meeting, said council shall meet and hear all persons interested in such improvement, who may desire to be heard, and the council may adhere to its resolution to make such improvement or modify the character thereof, or manner of assessing the cost and expense thereof, or may abandon it. If said council shall determine to make such improvement it shall enter into a written contract for the construction thereof. When such contract shall have been entered into, the said council shall proceed to apportion and assess the expense of such improvement, upon the principle, and in accordance with its previous determination in the matter, and shall cause to be made and shall adopt an assessment of such cost and expense, which may be in the following or any other form which said council may deem proper, viz.:

The city council of the city of Red Wing doth hereby assess and levy upon and against the several lots and parcels of land below described and situated in said city, the respective sums of money set opposite each lot or parcel. This assessment is made to defray the cost and expense of constructing a sewer along _____ from _____ to _____ in said city. Said lots or parcels of land abutting upon such improvement are assessed upon the basis

of _____ per foot front, and said lots not abutting upon, but benefited by such improvement upon the basis of _____ per foot front.

Name of owner, if known.	Description of land.	Lot.	Block	Abutting or Benefited.	Amount.	
					Dollars.	Cents.

Done at a meeting of said council held this _____ day of _____ A. D.

Attest:

City Recorder.

Mayor.

Such assessment shall be returned to the county auditor of the county of Goodhue, on or before the first (1st) day of September, next after the making thereof. Said auditor shall extend the said assessment upon the tax lists, as a tax upon the several lots or parcels of land in said assessment described, and such taxes shall be collected and the payment thereof enforced in the same manner as may by law be provided for the collection of state and county taxes. No error or informality in the levy of any such tax or in the making of such assessment, or in any of the proceedings herein provided, shall in any manner vitiate or affect the legality of such tax or assessment, or prevent the collection thereof.

SEC. 5. Said city council are hereby authorized to prescribe the conditions upon, and manner in which any sewer that now is, or hereafter may be constructed within said city, may be tapped or connected with, by any person, and also to determine the amounts to be paid said city for permits for so doing, as well as to prescribe such regulations and enact such ordinances in relation to such sewers and sewerage and for the protection and maintenance thereof as said council may deem expedient.

SEC. 6. Said council are hereby authorized in any year, and from year to year, to levy upon the taxable property of the city, or upon the taxable property within any sewerage district of said city, such tax, not exceeding one-tenth ($\frac{1}{10}$) of one (1) per cent. in any one (1) year, as it may deem necessary for the construction or repair of sewers within said city or district. No money received from any tax levied for such purpose shall be applied or appropriated to any other purpose or purposes whatever.

SEC. 7. This act shall take effect and be in force from and after its passage.

Approved February 24, 1883.