

CHAPTER 60.

AN ACT TO AMEND CHAPTER THIRTY-ONE (31) OF THE SPECIAL LAWS OF ONE THOUSAND EIGHT HUNDRED AND EIGHTY-ONE (1881), ENTITLED "AN ACT TO INCORPORATE THE VILLAGE OF NORWOOD, IN THE COUNTY OF CARVER, UNDER THE PROVISIONS OF CHAPTER ONE HUNDRED AND THIRTY-NINE (139) OF THE GENERAL LAWS OF THE STATE OF MINNESOTA FOR THE YEAR ONE THOUSAND EIGHT HUNDRED AND SEVENTY-FIVE (1875), AND TO CONFER CERTAIN POWERS UPON THE COUNCIL AND ELECTORS OF SAID VILLAGE," AND TO ADD CERTAIN NEW ARTICLES TO SAID CHAPTER.

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

SECTION 1. That section one (1) of article one (1) of chapter thirty-one (31) of the special laws of one thousand eight hundred and eighty-one (1881) be and is hereby amended so as to read as follows:

ARTICLE I.

SECTION 1. The following described territory, situated in the town of Young America, in the county of Carver, in this state, to-wit: The south half ($\frac{1}{2}$) of the northeast quarter ($\frac{1}{4}$) and the north half ($\frac{1}{2}$) of the southeast quarter ($\frac{1}{4}$) of section fifteen (15) and the south half ($\frac{1}{2}$) of the northwest quarter ($\frac{1}{4}$) and the north half ($\frac{1}{2}$) of the southwest quarter ($\frac{1}{4}$) and the north half ($\frac{1}{2}$) of the southeast quarter ($\frac{1}{4}$) of section fourteen (14), in township one hundred and fifteen (115) of range twenty-six (26), is hereby set apart for incorporation as a village, and shall and may organize as a municipal corporation by the inhabitants thereof, and the said inhabitants residing within the limits of said above described territory are hereby authorized to organize such municipal corporation and village in manner and form as provided in said chapter one hundred and thirty-nine (139) of the said general laws of Minnesota for the year A. D. one thousand eight hundred and seventy-five (1875), and shall, upon becoming organized in the manner aforesaid, be endowed with all the rights, powers and duties mentioned and specified in said chapter one hundred and thirty-nine (139), all of the provisions of which said chapter shall apply to and be in force in said village of Norwood, by which name said municipal corporation shall hereafter be known.

SEC. 2. That section one (1) of article two (2) of chapter thirty-one (31) of the special laws of one thousand eight hundred and eighty-one (1881) be and is hereby amended by striking out the words, "Provided, That no candidate for office shall act as judge or clerk of any election at which he is a candidate for office."

SEC. 3. That subdivision *First* of section two (2) of article four (4)

of chapter thirty-one (31) of the special laws of one thousand eight hundred and eighty-one (1881) be and is hereby amended to read as follows:

First.--To license and regulate exhibitions of common show-men and shows of all kinds, circuses, menageries and theatrical performances, also to license and regulate auction stores and sales by auction, hawkers and peddlers; also to license and regulate billiard tables, pigeon-hole tables, nine and ten-pin alleys, shooting galleries and other places of amusements.

SEC. 4. That subdivision twelfth (12th) of section two (2) of article four (4) of chapter thirty-one (31) of the special laws of one thousand eight hundred and eighty-one (1881) be and is hereby amended by striking out the words "twenty-five," in the tenth (10th) line of said subdivision and inserting instead thereof the words and figures "thirty-five (35);" and in the eleventh (11th) line of said subdivision by striking out the words and figures "seventy-five (75)" and inserting instead thereof the words and figures "one hundred (100)."

SEC. 5. That chapter thirty-one (31) of the special laws of one thousand eight hundred and eighty-one (1881) be and is hereby amended by adding article five (5), to read as follows:

ARTICLE V.

SECTION 1. The cost and expense of building, grading, paving or repairing sidewalks shall be, at the option of the village council, chargeable to the lots fronting on said improvements. Whenever the village council shall deem it necessary to construct or repair any sidewalks in said village they shall require the street commissioner to notify all owners and occupants of any lot or lots or parcels of land adjoining such sidewalks to construct or repair the same at his or their own proper expense and charge, within a certain time designated, by delivering to the owner or occupants of said lot or lots or parcels of land, or by publication in a newspaper published or printed in said county, for not less than two weeks, of a notice to said owners or occupants, setting forth what work is to be done, and the character of the same, by such owners or occupants, and the time within which they are required to do the same.

SEC. 2. If such work is not done and the sidewalks not built or repaired in the manner and within the time prescribed, the village council may order the same to be done by the street commissioner, at the expense of the lots or parcels of land adjoining said sidewalks, and said expense shall be assessed upon such lots and parcels of land so chargeable by the village council and returned by them, and said assessments so made and returned, if approved by the village council, shall become a lien upon said lots and parcels of land and collected as in case of county and state taxes.

SEC. 3. If said assessments be not paid to the village recorder on or before the twentieth (20th) day of August in any year the common council shall cause a statement of the same to be transmitted to the county auditor of the county of Carver on or before the first (1st) day of September in each year, and the said auditor shall insert the same with the other taxes in duplicate statement of taxes annually transmitted by him to the county treasurer for collection, and payment

thereof enforced with and in like manner as county and state taxes are collected and payment enforced.

SEC. 4. The common council shall prescribe the width of sidewalks and may establish different widths in different localities, and determine the kind of material of which the same shall be constructed, having regard to the business and the amount of travel in the vicinity of each.

SEC. 5. All sidewalks constructed or repaired by the owner or occupant of any lot or parcel of land in pursuance of notice under this act, or without such notice, shall be subject to the approval of the street commissioner of said village.

SEC. 6. That chapter thirty-one (31) of the special laws of one thousand eight hundred and eighty-one (1881) be and is hereby amended by adding article six (6) to read as follows:

ARTICLE VI.

SECTION 1. All property, real and personal, in said village, except such as may be exempt by the laws of this state or as village property, shall be subject to taxation, and all moneys arising from fines, commutation and licenses, shall be paid into the village treasury.

SEC. 2. The village council shall have power to levy upon all the taxable property of said village taxes to provide for current expenses of the village government and police, for the opening and improving of public grounds and the construction of buildings and improvements of a general character; *Provided*, That such taxes shall in no year exceed two (2) mills upon a dollar of the assessed valuation.

SEC. 3. The village council shall have power to levy a special tax upon all the taxable property in the village for the purpose of constructing, maintaining and repairing roads, bridges, streets and alleys, for the construction of cisterns, sewers, drains and street gutters, and grading of streets, and for other purposes conducive to good order and cleanliness, and to protection against crime, disease and fire; *Provided*, That such taxes shall in no year exceed two (2) mills upon the dollar of the assessed valuation.

SEC. 4. Taxes may be levied by resolution of the village council, and no tax shall be invalid by reason of any informality in the manner of levying the same, nor because the amount levied shall exceed the amount required to be raised for the special purpose for which the same is levied, but in such case the surplus shall go into the general fund of the village.

SEC. 5. The village council shall cause a statement to be transmitted to the county auditor of Carver county, on or before the first (1st) day of September of each year, a statement of all taxes by them levied, and such taxes shall be collected and payment thereof enforced with and in like manner of state and county taxes are collected and paid; and the treasurer of said county shall pay such taxes over to the village treasurer as provided by law in cases of town taxes.

SEC. 6. That chapter thirty-one (31) of the special law of one thousand eight hundred and eighty-one (1881) be and is hereby amended by adding article seven (7), to read as follows:

ARTICLE VII.

SECTION 1. That the organization of the village of Norwood and the proceedings of the village council be and the same are hereby legalized as fully, to all intents and purposes, as if the north half ($\frac{1}{2}$) of the southwest quarter ($\frac{1}{4}$) of section fourteen (14), township one hundred and fifteen (115), of range twenty-six (26), had been contained in the original territory set apart for incorporation as said village of Norwood.

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved March 4, 1885.

CHAPTER 61.

AN ACT TO AMEND SECTION FOUR (4) OF ARTICLE FIVE (5) OF CHAPTER SEVEN (7), OF THE SPECIAL LAWS OF ONE THOUSAND EIGHT HUNDRED AND SEVENTY FIVE (1875), BEING "AN ACT TO AMEND AN ACT INCORPORATING THE CITY OF OWATONNA, AND THE SEVERAL ACTS AMENDATORY THEREOF," APPROVED MARCH SECOND (2d), ONE THOUSAND EIGHT HUNDRED AND SEVENTY-FIVE (1875).

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

SECTION 1. That section four (4) of article five (5) of chapter seven (7) of the special laws of one thousand eight hundred and seventy-five (1875), as said chapter is amended by section one (1) of chapter thirty-nine (39) of the special laws of one thousand eight hundred and seventy-six (1876), be and the same is hereby amended by adding at the end of said section four (4) the following proviso, to wit: "Provided, That the common council may, from time to time, in their discretion, transfer any moneys in the general fund to the school fund or to the road and bridge fund; but no such transfer shall be made without a majority of the full council voting in favor of it, and the vote shall be taken by calling the roll, and the vote of each member shall be entered upon the journal of the council."

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved Feb. 10, 1885.