

same effect in all respects as if said Chapter three hundred and two (302) of said laws of one thousand eight hundred and eighty-seven (1887) had never been enacted.

SEC. 3. That section eight (8) of Chapter thirty-three (33) of the Special Laws of one thousand eight hundred and eighty-one (1881), entitled "An act to incorporate the city of Ortonville, in the counties of Big Stone and Lac qui Parle," be and the same is hereby re-enacted as if, in this section, fully and at length set forth, and with the same effect in relation to the indebtedness of said township of Ortonville existing on or before the second (2d) day of March one thousand eight hundred and eighty-seven (1887), as if said section eight (8) had never been repealed.

SEC. 4. Nothing in this act contained shall be construed to re-annex to said city any territory excluded therefrom by Chapter thirty-seven (37) of the Special Laws of one thousand eight hundred and eighty-three (1883). All territory then so excluded shall hereafter be, and is hereby declared to have been, ever since such exclusion, part and parcel of said township for all purposes, in all respects as if never included within said city.

SEC. 5. That the ensuing general election, to be held in said town of Ortonville on the tenth (10th) day of March, one thousand eight hundred and ninety-one (1891), shall be held at the usual place of holding elections in the territory comprised within the limits of said city of Ortonville, viz.: at the engine house in said city.

SEC. 6. This act shall be deemed a public act and need not be pleaded or proven in any court in this state.

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

Approved March 24, 1891.

CHAPTER 157.

[S. F. No. 319.]

AN ACT TO AMEND THE CHARTER OF THE CITY OF NEW ULM.

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

SECTION 1. The act entitled "An act to reduce, consolidate and amend the charter of the city of New Ulm, in the county of Brown and state of Minnesota," being Chapter four (4) of the Special Laws of the year one thousand eight hundred and eighty-seven (1887), and approved March first (1st), one thousand eight hundred and eighty-seven (1887), is hereby amended as follows:

SEC. 2. Section seven (7) of chapter three (3) of said charter of said city of New Ulm is hereby amended by striking out the following sentence where it occurs therein, to-wit: "He shall have no vote except in a case of a tie, when he shall cast the deciding vote," and insert in lieu thereof the following: "He shall have the right to vote on all matters and things brought before the council, but shall always vote last."

SEC. 3. Section twelve (12) of chapter three (3) of said charter is hereby amended by striking out the proviso contained therein and insert in lieu thereof the following: *Provided*, that in all cases of prosecutions for a breach or violation of any ordinance, law, regulation or by-law of said city or its charter, now in force or hereafter enacted or ordained, cognizable before a city justice and committed within said city, no appeal shall be allowed when the judgment or fine imposed, exclusive of costs, does not exceed fifteen (\$15) dollars; *And provided further*, said city justices shall proceed to hear, determine and dispose of, in a summary manner, all causes which shall be brought before them by the police officers of said city or otherwise, either with or without process, for the violation of any ordinances, laws, regulations or by-laws of said city or its charter, which may now be in force or which may be hereafter enacted or ordained.

SEC. 4. Section five (5) of chapter four (4) of said charter is hereby amended by inserting after the words, "these purposes," in the twenty-second (22d) line thereof, the following words, to-wit: "and for the purposes hereinafter named."

SEC. 5. The thirty-first (31st) subdivision of section five (5) of chapter four (4) of said charter is hereby amended by striking out the following words where they occur therein, to-wit: "and their duties and regulate the same," also "and duties and regulate the same."

SEC. 6. Section five (5) of chapter four (4) of said charter is hereby amended by adding another subdivision at the end thereof, to be known as subdivision fifty-first (51st), as follows:

Fifty-first—To regulate the construction of buildings and other structures; to prescribe the depth of cellars; the material and method of construction of foundations and foundation walls; the manner of construction and location of drains and sewer pipes; the thickness, material and construction of party walls, partitions and outside walls; the size and material of floor beams, girders, piers, columns, roofs, chimneys, flues and heating apparatus; to apportion and adjust such regulations to the height and size of the buildings to be erected; to regulate the construction and location of privies and vaults in such buildings; to prohibit the construction of buildings not conforming to such prescribed standard, either in the whole city or within such building limits as it may prescribe; to establish, alter or enlarge such building limits from time to time; to provide for the collection of building statistics; to appoint an inspector or inspectors of buildings, or to devolve the duties of such inspector on any city officer; to give such inspectors or other officer authority to enter upon, examine and inspect all buildings in process of construction in said city or within such building limits; and to direct the suspension of any such building operation as shall not conform to such regulations.

Provided, however, that neither said city council, nor any inspector or officer of said city, shall have control or regulation of any building erected by the United States or the state of Minnesota.

SEC. 7. Section fourteen (14) of chapter four (4) of said charter is hereby amended by adding at the end thereof the following: All deeds or other conveyances, agreements for purchase or sale, releases, satisfactions, bonds, contracts or other instruments in writing, made and executed for and on behalf of the city, may be signed and executed by the mayor and attested by the city clerk, or in such other manner as the city council may direct.

SEC. 8. Section three (3) of chapter eight (8) of said charter is hereby amended by striking out the words "one hundred dollars," where they occur therein, and insert in lieu thereof the words "two hundred dollars."

SEC. 9. Section four (4) of chapter eight (8) of said charter is hereby amended by striking out the last sentence immediately before the proviso therein contained and inserting in lieu thereof the following: "Each of said members of the board of public works shall hold his office for three (3) years and until his successor shall be appointed and qualified, and all vacancies for the unexpired term of any member thereof shall be filled by said judge of the district court in like manner as original appointments are above provided to be made; *Provided*, that this amendment shall not in any manner affect the term of office of any member of the present board of public works of said city; *And provided*, that at the expiration of the term of office of the present members of said board, there shall be appointed one (1) member for the term of one (1) year, one (1) member for the term of two (2) years and one (1) member for the term of three (3) years, and that thereafter a member of said board shall be appointed annually for the term of three (3) years."

SEC. 10. Section twenty-one (21) of chapter eight (8) of said charter is hereby amended by adding at the end thereof the following: "All special assessments made under the provisions of this charter, and which are not paid to the city treasurer within the time limited for the payment thereof, shall be deemed to be delinquent, and thereupon a penalty of ten (10) per cent of the amount thereof shall immediately attach to and become a part of the assessment as penalty for the non-payment thereof."

SEC. 11. Section twenty-eight (28) of chapter eight (8) of said charter is hereby amended by adding at the end thereof the following: "On all assessment rolls made or directed to be made by the city council there shall be added to the amount due on each delinquent item a sum equal to seven (7) per cent interest on such delinquent item from the day of delinquency to the thirty-first (31st) day of May next ensuing, when the taxes therefor would be paid, and this amount, with the penalty hereinbefore provided, shall be collected as a part of the cost of the improvement as other taxes are collected; *Provided*, that the time of delivery of assessment rolls to the county auditor shall not in any manner affect any assessment made under this charter."

SEC. 12. This act shall take effect and be in force from and after its passage.

Approved March 23, 1891.