

## CHAPTER 179—S. F. No. 354.

*An Act authorizing cities of more than fifty thousand inhabitants to sprinkle the boulevards within the limits of any street in such city and to levy special assessments therefor.*

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

**Council to authorize sprinkling of boulevards and assessment.**—Section 1. Whenever in any city of this state having more than fifty thousand inhabitants, a majority of the owners of property fronting upon any street or any portion of any street not less than one block in length, wherein have been constructed or shall hereafter be constructed any grass plots between the sidewalks and roadways of such streets, shall file a petition with the common council or other governing body, to place the grass plots in said street (or such portion of the street upon which the property owned by the petitioners shall front as aforesaid) under the care and management of the board of park commissioners of such city for the purpose of having the grass sprinkled during the season of the year when the streets adjacent thereto are sprinkled, such common council may, upon the filing of such petition, pass a resolution placing the grass plots in the street or portion of street described in such petition, under the jurisdiction, care and management of said board of park commissioners, for the purpose of having the grass thereon sprinkled between the sidewalk and roadway in any such street, and upon the passage of such resolution it shall be the duty of the clerk of such common councils, or other governing body, to forthwith forward to said board of park commissioners a certified copy of such resolution.

**Boulevard defined.**—Sec. 2. The word "boulevard" as used in this act shall be construed to mean and refer to all that portion of any street upon which shall have been constructed any grass plot between the sidewalk and roadway of such street.

**Duties of park commissioners.**—Sec. 3. On receipt by said board of park commissioners of a certified copy of such resolution, the boulevard upon the street or portion of street described in said petition and resolution shall be under the jurisdiction, care and management of said board of park commissioners for the purpose of sprinkling said boulevard whenever necessary, and thereupon said board of park commissioners may cause said boulevard to be sprinkled when-

ever necessary, and the expense of such work shall in the first instance be payable out of a general fund of such city.

**To keep accurate account of cost.**—Sec. 4. It shall be the duty of the said board of park commissioners at all times to keep accurate account of the cost of sprinkling such boulevards as authorized by this act, in front of such lot or parcel of land fronting on such boulevard, and on or before the first day of October of each year, said board shall assess the cost and expense of such work as has been done in front of each of said lots or parcels of land since the first day of October in the preceding year, including the proportionate cost of making such assessment, upon such lot or parcel of land.

**To transmit assessment roll to county auditor.**—Sec. 5. On or before the first day of November of each year, said board of park commissioners shall transmit to the county auditor of the county in which said city shall be located, a certified copy of the assessment roll and said county auditor shall extend the assessments in the proper columns against the pieces or parcels of land assessed, and such assessment shall be collected and the payment thereof enforced in like manner as state and county taxes are collected in such county and in said state, and the payment thereof enforced. When such assessment shall have been collected, the amount thereof shall be paid by the county treasurer to the city treasurer of such city, and by said city treasurer be placed to the credit of the general fund of such city for the purpose of reimbursing the said city for the cost of doing the work for which said assessment was made.

**Re-assessment provided for.**—Sec. 6. If any such assessment shall be set aside as to any real estate for any cause by a decision of court or for any cause may be found irregular or defective, the said board of park commissioners may make a re-assessment as to such property from time to time and as often as need be, until each lot or parcel of real estate has paid the cost of sprinkling the boulevard in front thereof, together with its proportionate part of the cost of making such assessment.

Approved April 13, 1907.