

General Government

CHAPTER 415

GOVERNING BODIES

<p>Sec. 415.01 Laws relating to towns not to apply to territory in villages or cities 415.02 Codification of charter and ordinance; evidence 415.03 Publication of village proceedings 415.033 Terms of mayor in certain cities of fourth class</p>		<p>Sec. 415.035 Aldermen or councilmen; term 415.04 Salaries of council members in certain villages 415.05 Salaries of mayor and council in cities of fourth class 415.06 Votes, how cast 415.07 To what cities applicable 415.08 Salary of aldermen</p>
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415.01 LAWS RELATING TO TOWNS NOT TO APPLY TO TERRITORY IN VILLAGES OR CITIES. Nothing contained in chapters 365 to 368 shall apply to territory embraced within the limits of any city or village, but each city and village shall have and exercise within its limits all the powers conferred by these chapters upon towns.

[*R. L. s. 692*] (*1103*)

415.02 CODIFICATION OF CHARTER AND ORDINANCE; EVIDENCE. Any city or village may cause its charter, and all general and special laws, ordinances, resolutions, rules, and by-laws in force therein, to be codified, printed, and published, and may declare, by ordinance, such codification to be prima facie evidence of the law of such municipality. It shall thereupon be received in evidence by the courts.

[*R. L. s. 771*] (*1837*)

415.03 PUBLICATION OF VILLAGE PROCEEDINGS. The council of any village may cause to be published once, in some newspaper published in such village, the official proceedings of such village, and such publication shall be made as soon as may be, and not later than 30 days after the meeting at which such proceedings were had.

The term "proceedings," as used in this section, shall include a statement of all motions or resolutions passed by the council, and a brief itemized statement of claims allowed or disallowed giving the name of the claimant and amount and general purpose of the claim.

Nothing in this section shall abrogate the publication of ordinances, rules, and by-laws as now required by statute.

[*1937 c. 472 ss. 1, 2*] (*1197-1*) (*1197-2*)

415.033 TERMS OF MAYOR IN CERTAIN CITIES OF FOURTH CLASS. In every city having a population of less than 1,000 and not operating under a home rule charter, the term of the mayor shall be two years and until his successor is elected and qualifies.

[*1941 c. 124*]

415.035 ALDERMEN OR COUNCILMEN; TERM. All aldermen or councilmen of all cities or other municipalities of this state shall be elected to such positions therein, for a term of office as such aldermen and councilmen thereof not exceeding two years and their official term shall commence as now provided by law and terminate two years thereafter. The provisions of this section shall not apply to any city or municipality in this state where, by the provisions of its charter, annual elections are held for city or village officers, nor shall it apply to cities having a population of more than 100,000.

[*1895 c. 239*]

415.04 SALARIES OF COUNCIL MEMBERS IN CERTAIN VILLAGES. Subdivision 1. In all villages of this state, except those governed under a charter adopted pursuant to the Constitution of the State of Minnesota, Article 4, Section 36, the salaries of the president and trustees shall be in amounts according to the following classifications of villages; provided, that the council of any village shall have the authority to fix the salaries of its president and its trustees in a lesser

amount for the term of office during which the members of such council are elected. The classification and salaries are as set forth in the following subdivisions of this section.

Subdivision 2. In villages having both a population of not less than 5,000 and an assessed valuation of not less than \$10,000,000, the salary of the president is fixed at \$200.00 per month and the salary of each trustee at \$150.00 per month.

Subdivision 3. In villages not included in any of the foregoing classifications, having both a population of not less than 1,500 and an assessed valuation of not less than \$3,000,000, or having a population of not less than 1,200 and an assessed valuation of not less than \$6,000,000, the salary of the president is fixed at \$80.00 per month and the salary of each trustee at \$60.00 per month.

Subdivision 4. In villages not included in any of the foregoing classifications, having both a population of not less than 2,000 and an assessed valuation of not less than \$1,500,000, the salary of the president is fixed at \$50.00 per month and the salary of each trustee at \$35.00 per month.

Subdivision 5. In villages not included in any of the foregoing classifications, having both a population of not less than 300 and an assessed valuation of not less than \$925,000, the salary of the president is fixed at \$35.00 per month and the salary of each trustee at \$25.00 per month.

Subdivision 6. In villages not included in any of the foregoing classifications, either having both a population of not less than 5,000 and an assessed valuation of less than \$1,000,000, or having both a population of less than 600 and an assessed valuation of not less than \$1,000,000, the salary of the president and each trustee is fixed at \$100.00 per year; provided, in villages having an assessed valuation exceeding \$1,500,000, and not over \$3,000,000, the salary of the president and each trustee shall remain \$100.00 per year, and in villages having an assessed valuation exceeding \$1,000,000, and not over \$1,500,000, such salary shall remain \$10.00 per year, unless the voters in any such village at a regular or special election therein held shall fix such salaries at a larger amount, within the limitations of this section. This section shall in no way apply to villages having an assessed valuation of less than \$1,500,000 and an area of less than 1,300 acres.

Subdivision 7. In villages not included in any of the foregoing classifications, having both a population of less than 5,000 and an assessed valuation of less than \$1,500,000, the president shall be entitled to receive as compensation for each day's service necessarily rendered or council meeting attended, the sum of \$2.00 per day or meeting, but no more than \$30.00 shall be paid in any one year to the president; and the trustees shall be entitled to receive as compensation for each day's service necessarily rendered or council meeting attended, the sum of \$1.50 per day or meeting, but no more than \$20.00 shall be paid to each trustee in any one year in any such village; provided, that in any county of this state having a population of not less than 500,000, according to the 1930 federal census, and having an assessed valuation, exclusive of money and credits, for the year 1935, of not less than \$280,000,000, the salary of the president is fixed at not more than \$20.00 per month and the salary of each trustee at not more than \$15.00 per month, in villages located therein and having a population of more than 500 and an assessed valuation at not less than \$100,000 and not more than \$925,000; and in villages of this state having a population of not less than 2,100 inhabitants, according to the federal census of 1940, and having an assessed valuation of not less than \$700,000, including money and credits, for the year 1940, and having a municipal electric light plant, the salary of the president may be increased to \$100.00 per annum and the salary of each trustee may be increased to \$60.00 per annum by resolution adopted by unanimous vote of the village council.

Subdivision 8. In all villages of this state, now or hereafter having, according to the then next preceding federal or state census, a population of more than 5,000, or having, according to the state records for the then next preceding year, an assessed valuation of more than \$1,500,000, the president and trustees shall receive an annual salary of \$100.00 for their services as such officers.

Subdivision 9. The valuation shall be that fixed by the previous year's assessment.

[1915 c. 313; 1925 c. 116 ss. 1, 2; 1927 c. 58 s. 1; 1927 c. 312; 1931 c. 47 s. 1; 1931 c. 362 s. 1; 1935 c. 36 s. 1; 1935 c. 158 s. 1; Ex. 1936 c. 89; 1939 c. 13; 1939 c. 272; 1939 c. 300; 1941 c. 221; 1941 c. 243] (1163) (1163-1) (1163-2)

415.05 SALARIES OF MAYOR AND COUNCIL IN CITIES OF FOURTH CLASS. In any city in this state having a population not to exceed 10,000 the common council may, prior to any annual city election to be held therein, pass a resolution fixing the annual salaries of the mayor and the members of such common council at not to exceed \$100.00 per annum for each officer, and the common council shall cause notice thereof to be given to the voters of such city in the notice of the annual city election, and the recorder of such city shall place upon the official ballot of the city, to be used therein at the annual city election the proposition "in favor of paying the sum of \$..... as salary to the mayor and each member of the common council," and the proposition "against paying the sum of \$..... as salary to the mayor and each member of the common council." The recorder shall place the amount of money in each of the above propositions on the ballots, as the common council shall determine by resolution, as aforesaid, but not to exceed \$100.00. The voters of the city at such annual city election shall vote for or against the proposition of paying the mayor and the respective members of the common council as salary the amount placed upon the ballot and, if a majority of the voters of the city voting on the proposition shall vote in favor of the paying of the salary then the proposition shall be deemed carried and the mayor and each member of the common council shall be entitled to be paid out of the city treasury the sum so voted for as an annual salary for services to be rendered by them thereafter. The amount voted for annual salary of the officers shall thereafter be paid to each of the officers as their annual salary until otherwise changed by a vote of the legal voters of the city as herein provided for fixing the salaries.

[1905 c. 301 s. 1] (1728)

415.06 VOTES, HOW CAST. The voter wishing to vote for or against the proposition of paying the amount for salary to the officer shall place a cross mark (X) opposite the proposition for which he intends to vote. All the votes cast for or against the proposition shall be canvassed, counted, and returned to the city recorder, the same as the votes are for city officers in said city.

[1905 c. 301 s. 2] (1729)

415.07 TO WHAT CITIES APPLICABLE. Sections 415.05 and 415.06 shall apply to all such cities therein mentioned, whether incorporated under a general or special law, but nothing therein contained shall be construed to apply to any municipality now operating under a home rule charter.

[1905 c. 301 s. 3] (1730)

415.08 SALARY OF ALDERMEN. In cities now or hereafter having over 50,000 inhabitants and not having a commission or council manager form of government the salary of each alderman shall be \$2,400 per annum, payable pro rata monthly out of the city treasury.

[1937 c. 294 s. 1; 1939 c. 132 s. 1] (1417-1)