

Cities and Villages
Organization

CHAPTER 410

CLASSIFICATION; CHARTERS

410.01 HOW CLASSIFIED.

HISTORY. R.L. 1905 s. 746; G.S. 1913 s. 1339; G.S. 1923 s. 1265; M.S. 1927 s. 1265.

410.02 CENSUS GOVERNS.

HISTORY. 1911 c. 73 s. 1; G.S. 1913 s. 1340; 1921 c. 12 s. 1; G.S. 1923 s. 1266; M.S. 1927 s. 1266.

This section sets forth the method of computing the population of a city for the purpose of issuing licenses for the sale of intoxicating liquors. OAG Jan. 30, 1934.

410.03 EXISTING CHARTERS PRESERVED.

HISTORY. R.L. s. 747; G.S. 1913 s. 1341; G.S. 1923 s. 1267; M.S. 1927 s. 1267.

Revised Laws 1905, Sections 1519 to 1566, provide a general system for the regulation of the business of selling intoxicating liquors, which is operative throughout the state and imposes a standard of regulation below which no municipality may fall. It does not deprive municipalities of their existing charter powers to provide for such supplementary and additional regulations as are required by local conditions. Such additional regulations are not inconsistent with the general law. The requirement of the charter of Redwood Falls that all liquor licenses shall commence and terminate on the twentieth of January of each year was not repealed by Laws 1895, Chapter 90, or by Revised Laws 1905, Section 1522, and is still in force. *Evans v City of Redwood Falls*, 103 M 314, 115 NW 200.

The power conferred by the charter of St. Cloud upon the council thereof, upon the subject of the removal of municipal officers for misconduct in office, does not exclude the power of the state, through the attorney general, to effect a removal for a violation of a statute. The power and authority of each is concurrent. *State ex rel v Robinson*, 101 M 277, 112 NW 269.

410.04 HOME RULE CHARTERS; PATROL LIMITS.

HISTORY. 1899 c. 351 ss. 1, 2; 1903 c. 238 ss. 1, 5; R.L. 1905 s. 748; 1907 c. 375 s. 1; G.S. 1913 s. 1342; G.S. 1923 s. 1268; M.S. 1927 s. 1268.

Minnesota Constitution, Article 4, Section 36, as amended in 1898, applies to incorporated cities in existence at the time of its adoption, and not to cities to be thereafter incorporated. Laws 1899, Chapter 351, authorizing any city incorporated prior to the adoption of Laws 1897, Chapter 280, or any village desiring to be incorporated as a city, to frame its own charter for its government as a city, is constitutional. The city charter of St. Paul framed under and pursuant to Laws 1899, Chapter 351, and adopted May 1, 1900, by the qualified voters of such city, is valid, and became upon such adoption the law for the government of such city. *State ex rel v O'Connor*, 81 M 79, 83 NW 498.

The court will take judicial notice of the contents of a home rule charter, and of amendments regularly adopted thereto, certified and deposited as required by law. *White Townsite Co. v City of Moorhead*, 120 M 1, 138 NW 939.

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An amendment to the charter of Moorhead empowers and authorizes the city to construct a pavement on and retaining wall along a certain street, notwithstanding that the cost of such improvement would make the indebtedness of the city exceed the limit prescribed by the original charter. *White Townsite Co. v City of Moorhead*, 120 M 1, 138 NW 939.

A constable is not a constitutional officer and a city charter may abolish the office. OAG Oct. 3, 1931.

A home rule charter may be adopted by the city of Biwabik, containing provisions leaving the new city and the town of Biwabik in the same election and assessment district. 1942 OAG 103, Aug. 14, 1941 (580).

There is no provision for a home rule charter for territory other than included in a city or village. OAG Sept. 29, 1944 (59a-1).

410.05 BOARD OF FREEHOLDERS.

HISTORY. 1899 c. 351 s. 2; 1903 c. 238 ss. 2, 3; R.L. 1905 s. 749; 1909 c. 423; 1913 c. 535 s. 1; G.S. 1913 s. 1343; G.S. 1923 s. 1269; M.S. 1927 s. 1269; M. Supp. s. 1269.

The existence of freehold population is not a condition precedent to the incorporation or reincorporation of a municipality. A freeholder is one having title to real estate, however small its value. The members of a board of freeholders were qualified though they were conveyed land as a gift for the sole purpose of qualifying them. Even if a member of a board of freeholders is not a freeholder, his acts are valid as those of a de facto officer. *State v City of Fraser*, 191 M 427, 254 NW 776.

The motives of electors at a city charter election are not to be considered so long as their actions are within the law. *State v City of Fraser*, 191 M 427, 254 NW 776.

410.06 COMPENSATION; EXPENSES.

HISTORY. 1901 c. 129 s. 1; 1903 c. 350; R.L. 1905 s. 750; 1907 c. 216 s. 1; G.S. 1913 s. 1344; G.S. 1923 s. 1270; M.S. 1927 s. 1270.

The expenses of the preparation and submission of a charter, including legal services in connection therewith, must be kept within the \$500.00 limit. OAG July 1, 1933.

A board of freeholders cannot employ and agree to pay one or more of its members as counsel for the board to furnish advice to it and to prepare a charter for it. *Young v City of Mankato*, 97 M 4, 105 NW 969.

410.07 FRAMING CHARTER.

HISTORY. 1899 c. 351 s. 2; 1903 c. 238 ss. 4, 5, 9; R.L. 1905 s. 751; G.S. 1913 s. 1345; 1921 c. 120 s. 1; 1921 c. 343; G.S. 1923 s. 1271; M.S. 1927 s. 1271.

Under Minnesota Constitution, Article 9, Section 1, construed with Article 4, Section 36, a charter may authorize local assessment without preliminary petition by property owners. *Wolfe v City of Moorhead*, 98 M 113, 107 NW 728.

Unless otherwise expressly provided, the provisions of the charter, if germane to municipal legislation, supersede general laws with reference to the same subject matter. *Turner v Snyder*, 101 M 481, 112 NW 868; *Peterson v City of Red Wing*, 101 M 62, 111 NW 840.

A city, adopting a charter for its own government under the constitutional and statutory authority, is not authorized to extend its power and jurisdiction to territory and residents outside the boundaries of the city. *City of Duluth v Orr*, 115 M 267, 132 NW 265.

The Commission Charter of St. Paul, adopted in 1912, sustained as against the contention that, by reason of its educational features, its adoption solely by the male voters or otherwise, was not authorized by Minnesota Constitution, Article 4, Section 36, relating to home rule charters, and that such provisions contravene Minnesota Constitution, Article 8, Sections 1, 3, relating to the establishment and maintenance of public schools, and, both in themselves and in the manner of their

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adoption, violate Minnesota Constitution, Article 7, Section 8, enfranchising women in educational matters. *State ex rel v City of St. Paul*, 128 M 82, 150 NW 389.

The constitutional and legislative provisions relative to home rule charters of villages and cities do not authorize a city to grant its council the right to punish a witness called before it for contempt. Such power is not to be inferred but must be clearly granted either by the constitution or by statute. *State ex rel v Fitzgerald*, 131 M 116, 154 NW 750.

The home rule charter of St. Cloud vests the control of the streets in the city commission, consisting of the mayor and two commissioners. The commission has full power to fix curb, sidewalk, driveway, and boulevard space in the streets. *Bennett v Beaty*, 156 M 293, 194 NW 627.

The courts may not control the judgment and action of the commission in designating what part of a street shall be a roadway and what part a boulevard unless it has acted arbitrarily, oppressively, and against public interest. *Bennett v Beaty*, 156 M 293, 194 NW 627.

It was within the power of the electors of Minneapolis to withdraw the city from the operation of Special Laws 1879, Chapter 338, by the adoption of a home rule charter. Taxation for municipal purposes is purely a matter of municipal concern and may be dealt with in a home rule charter. *State ex rel v Erickson*, 157 M 200, 195 NW 919.

Duluth is given the care and control of its streets to serve public convenience and safety, and an ordinance enacted for such purposes is not in excess of the power possessed by the city. *Schultz v City of Duluth*, 163 M 65, 203 NW 449.

Minneapolis, under its charter, may acquire lands for park purposes, even though such lands are located within the corporate limits of another municipality. Lands located within one and one-half miles from the city limits are adjacent to the city within the language of the city charter authorizing the acquisition of such lands for park purposes. Public function includes public parks. Authority to acquire and maintain parks includes the authority to acquire and maintain a public golf course. A park is a pleasure ground for the recreation of the public to promote its health and enjoyment. *Booth v City of Minneapolis*, 163 M 223, 203 NW 625.

White Bear, under its home rule charter, has authority to condemn Goose Lake, outside its corporate limits, as a sewage disposal plant, notwithstanding Special Laws 1881, Chapter 410, which declares that the waters of Goose Lake shall remain free for common and public use, and that they shall not be connected with or applied to a public or private use. *City of White Bear Lake v Leuthold*, 172 M 255, 214 NW 930.

Minneapolis ordinance imposing liability on adjoining owners to sheathpile in making excavation so as to protect walls on the adjoining property held invalid. *Young v Mall Inv. Co.* 172 M 428, 215 NW 840.

A provision in the home rule charter of Waseca that "no fine or judgment recovered by the city shall be remitted or discharged except by the vote of the council and the approval of the mayor", is valid. OAG April 8, 1931.

City charter of Brainerd cannot regulate the employment of attorneys by the school district, which is not an integral part of the city government. OAG June 10, 1931.

Provisions of charter of Ely with respect to the condemnation of land outside the city are void. OAG June 15, 1931.

County board of Hennepin may issue license to Minneapolis park board to sell non-intoxicating malt liquors at golf course and airport situated outside the city limits. OAG April 22, 1933.

Under its home rule charter, Waseca has authority to condemn land outside the city for an airport. OAG Aug. 3, 1934 (817f).

A city may acquire by gift land used as a golf course, though such land is encumbered, provided that the city does not assume the indebtedness, and provided it is not to be used as a private golf course by members of the club making the gift. OAG Aug. 30, 1935 (59b-11).

Municipal regulation of public utilities in Minnesota. 16 MLR 541.

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410.08 BONDED INDEBTEDNESS.

HISTORY. 1893 c. 204 ss. 1, 2; G.S. 1894 ss. 1094, 1095; 1895 c. 128 s. 1; 1897 c. 270 s. 1; 1899 c. 351 s. 10; 1903 c. 208 s. 1; 1903 c. 238 s. 9; R.L. 1905 s. 752; G.S. 1913 s. 1346; 1921 c. 120 s. 1; G.S. 1923 s. 1272; M.S. 1927 s. 1272.

Duluth may adopt an ordinance declaring sewage disposal plants to be a public utility and issue bonds to pay the cost of completing the same payable out of rentals or charges for the use of such plants, without an election, and sell them to the state. OAG Sept. 23, 1937. (387b-9).

The provisions of General Statutes 1894, Sections 1095, 1639, limiting the indebtedness of municipal corporations to five per cent of the assessed valuation of taxable property do not apply to the city of Waseca. The provisions of the charter, enacted under Laws 1903, Chapter 238, limiting the indebtedness to ten per cent of the assessed valuation of taxable property, supersedes the provisions of the general statutes, and the limit by which the city is controlled is that fixed by the charter. *Amer. Elec. Co. v City of Waseca*, 102 M 329, 112 NW 899.

An outline of municipal bond procedure in Minnesota. 20 MLR 583.

410.09 REGULATION OF FRANCHISES.

HISTORY. 1899 c. 351 s. 9; 1903 c. 238 s. 9; R.L. 1905 s. 753; G.S. 1913 s. 1347; G.S. 1923 s. 1283; M.S. 1927 s. 1283.

Mankato never had the power to grant a perpetual electric franchise. OAG Dec. 28, 1933.

A village cannot avoid an electric franchise for irregularities in the granting thereof where it has accepted the benefits thereof for a number of years, but the granting of one franchise does not prevent the granting of another franchise to other parties or the purchase of electricity from another city, unless the first utility has been expressly given exclusive right. OAG May 25, 1935 (59a-36).

Village operating under Laws 1885, is bound by 25-year franchise granted to a power company in 1916, and cannot lower rates by ordinance. OAG Sept. 16, 1937 (624c-6).

Municipal regulation of public utilities in Minnesota. 16 MLR 541.

410.10 CHARTER; HOW SUBMITTED.

HISTORY. 1899 c. 351 ss. 3, 4; 1901 c. 323 s. 1; 1903 c. 238 ss. 4, 10; R.L. 1905 s. 754; 1909 c. 214 s. 1; G.S. 1913 s. 1348; G.S. 1923 s. 1284; M.S. 1927 s. 1284.

A special election on a proposed city charter for the village of North St. Paul on the same date as a state-wide primary was entirely separate, and the polls should remain open from 9:00 A. M. until 9:00 P. M. though no person could vote at the primary after 8:00 P. M. OAG June 15, 1932.

Fraudulent ballots, ballots with unintelligible marks expressing no effective vote upon any subject of choice, as well as ballots upon which no markings have been made by the voter, should be excluded from the aggregate number upon which the requisite four-sevenths required by the constitutional amendment is to be estimated, in determining the ratification of a proposed charter. *Hopkins v City of Duluth*, 81 M 189, 83 NW 536.

Laws 1899, Chapter 351, Section 4, as amended by Laws 1901, Chapter 323, providing for the submission of a proposed new charter of a municipality to the voters thereof for ratification at a general or special election, is constitutional. *State ex rel v Kiewel*, 86 M 136, 90 NW 160.

No petition by voters is required to submit an amendment by the charter commission. An amendment may be submitted at a special election on the date of the primary election. OAG May 12, 1944 (58e).

410.11 HOW ADOPTED; JUDICIAL NOTICE.

HISTORY. 1903 c. 238 ss. 5, 8; R.L. 1905 s. 755; G.S. 1913 s. 1349; G.S. 1923 s. 1285; M.S. 1927 s. 1285.

Where a charter has been prepared and submitted under the provisions of Article 4, Section 36, (amendment of 1898) and has been actually ratified by the

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requisite number of qualified voters, it takes effect and becomes the charter of the city or village as a city in which it has been submitted, at the end of 30 days after the day of election. It is immaterial that such ratification is not judicially determined, on appeal from the decision of the canvassing board, until after the 30-day period has expired. *Davis v Hugo*, 81 M 220, 83 NW 984.

410.12 AMENDMENTS.

HISTORY. 1899 c. 351 s. 11; 1903 c. 238 s. 6; R.L. 1905 s. 756; 1907 c. 199 s. 1; 1911 c. 343 s. 1; G.S. 1913 s. 1350; G.S. 1923 s. 1286; M.S. 1927 s. 1286; 1943 c. 227 s. 1.

The actual publication in this case for 31 days in one daily newspaper and for at least 32 days in five consecutive issues of two weekly newspapers conforms to law. *Wolfe v City of Moorhead*, 98 M 113, 107 NW 728.

The fifth decennial census of Minnesota went into legal effect upon its compilation and publication by the superintendent of the census, and not upon the deposit of the enumeration in his hands. A charter amendment election held after the enumeration was delivered to the superintendent, but before its compilation and publication by him, was governed by the laws applying to the cities whose class was determined by the previous census. *Wolfe v City of Moorhead*, 98 M 113, 107 NW 728.

Submission of proposed amendment to the charter of a city constituted a "special election", though not so designated by the city council, though submitted at the same time as the general election. *Godward v City of Minneapolis*, 190 M 51, 250 NW 719.

Blank ballots at a special election on a city charter amendment are properly rejected in computing the total number of voters in ascertaining the percentage of voters accepting the amendment. *Godward v City of Minneapolis*, 190 M 51, 250 NW 719.

A village which has once adopted a home rule charter may amend its charter but can never do away with it so as to again become a village, but would still remain a city of the fourth class. OAG Oct. 21, 1931.

Neither the charter commission nor the city council has authority to revise or supervise charter amendments presented to the commission by petition, and the courts have no jurisdiction to determine the constitutionality thereof until the electors have acted. OAG Aug. 25, 1933.

Charter amendments authorizing the issuance of bonds for certain purposes upon vote of people must be adopted before calling an election to vote on the proposition of the issuance of bonds. OAG June 5, 1935 (63b-4).

An amendment to a home rule charter may be submitted at a special election called for the purpose. OAG Nov. 6, 1935 (64t).

Amendments to a home rule charter may be submitted pursuant to the Constitution, Article 4, Section 36, and Mason's Statutes, Sections 1284, 1286 (410.10, 410.12), and not pursuant to the terms of the home rule charter, and may be submitted at a special election, and it is not required that all newspapers be published in the city if they have a general circulation there. OAG Oct. 18, 1937 (58c).

The proposed amendment may specify the time it shall take effect, but it must be fixed at some date following the election. OAG Oct. 18, 1937 (58c).

The proper method of submitting alternative proposals is to submit them in such a manner that voters may vote for only one. OAG Feb. 21, 1938 (59a-11).

Voters should vote on each amendment separately. OAG Oct. 4, 1938 (59a-11).

410.13 AMENDMENTS IN CITIES OF FOURTH CLASS; POSTPONING ELECTION.

HISTORY. 1913 c. 35 s. 1; G.S. 1913 s. 1351; G.S. 1923 s. 1287; M.S. 1927 s. 1287.

If proposed amendment to charter provides for holding of city election at a later date than is provided in the charter, and a special election will be called to vote on the proposed amendment and the same, if adopted, will not take effect

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prior to the date for the city election in the charter, the city primary and election may be postponed within the limitation of this section. OAG Oct. 18, 1937 (58c).

410.14 ALTERNATIVE PROPOSALS.

HISTORY. 1899 c. 351 s. 3; 1903 c. 238 s. 7; R.L. 1905 s. 757; G.S. 1913 s. 1352; G.S. 1923 s. 1288; M.S. 1927 s. 1288.

410.15 SUCCESSION; SUBSISTING RIGHTS.

HISTORY. 1899 c. 351 ss. 5 to 8; 1903 c. 238 s. 5; R.L. 1905 s. 758; G.S. 1913 s. 1353; G.S. 1923 s. 1289; M.S. 1927 s. 1289.

Prior to 1904 a municipal court under the constitution had jurisdiction of only such criminal offenses as involved punishment not exceeding a fine of \$100.00, or imprisonment not exceeding three months. The Duluth charter of 1891 provided that "the common council may impose punishment for the breach of any ordinance * * * to the extent of a fine * * * and imprisonment * * * and any person fined may be imprisoned * * * until said fine shall have been paid, not to exceed in all ninety days". The ordinance of 1898, enacted under such authority, imposed for its violation a punishment of fine or imprisonment, or both. It was held that the municipal court had no jurisdiction to try the case under the charter of 1891 and ordinance of 1898, because thereunder the offense was punishable by both fine and imprisonment; and that the home rule charter did not make effective that invalid legislation. State ex rel v Bates, 105 M 440, 117 NW 844.

410.16 COMMISSION FORM OF CITY GOVERNMENT.

HISTORY. 1909 c. 170 s. 1; G.S. 1913 s. 1354; G.S. 1923 s. 1290; M.S. 1927 s. 1290.

Laws 1909, Chapter 170, authorizing cities and villages to adopt the commission form of government, is constitutional. The Mankato city charter, which provides and establishes the commission form of government for the city, is authorized by Laws 1909, Chapter 170, and does not transcend the constitutional limitations imposed upon the form of municipal government. State ex rel v City of Mankato, 117 M 458, 136 NW 264.

410.17 OFFICERS, HOW NOMINATED AND ELECTED.

HISTORY. 1909 c. 170 s. 2; G.S. 1913 s. 1355; G.S. 1923 s. 1291; M.S. 1927 s. 1291.

410.18 DISTRIBUTION OF ADMINISTRATIVE POWERS.

HISTORY. 1909 c. 170 s. 3; G.S. 1913 s. 1356; G.S. 1923 s. 1292; M.S. 1927 s. 1292.

410.19 POWERS OF MAYOR AND COUNCIL.

HISTORY. 1909 c. 170 s. 4; G.S. 1913 s. 1357; G.S. 1923 s. 1293; M.S. 1927 s. 1293.

The requirement of Constitution, Article 4, Section 36, that home rule charters must provide for "a mayor or chief magistrate, and a legislative body", does not of itself import such a severance of the several departments of municipal government as to preclude the legislature from authorizing cities and villages to adopt the commission form of government, wherein the mayor is vested with legislative functions and the council is given other than legislative powers. State ex rel v City of Mankato, 117 M 458, 136 NW 264.

The Constitution, Article 3, providing that the powers of government shall be divided into executive, legislative, and judicial, etc., does not apply to municipal governments; and neither its expressed intent nor its spirit can be read into the Constitution, Article 4, Section 36, so as to extend the limitation imposed by the latter on the form of municipal government and thereby make it co-extensive

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with the limitation imposed by the former upon the form of state government. *State ex rel v City of Mankato*, 117 M 458, 236 NW 264.

Loans of the city's credit and all contributions and donations are expressly forbidden by the Eveleth city charter. In disregard of the prohibition, and without seeking the advice of counsel, large sums of money were appropriated to subsidize a baseball and hockey team, to pay bills for board and lodging for the players, and to pay for lumber used to erect a hockey rink. As a matter of law, in voting to expend public money for these purposes the members of the council did not act in good faith. *Burns v Essling*, 163 M 57, 203 NW 605.

The city of Hastings may lawfully enter into a contract for the rental of property for public purposes which it might lawfully acquire by purchase, but it cannot purchase such equipment under a conditional sale contract or on the instalment plan under the guise of hiring the use thereof. OAG Jan. 26, 1931.

Where a city is operating under a home rule charter it has authority to regulate the rate of public service corporation and to require such reasonable extension as fact warrants. OAG Aug. 20, 1934 (524c-11).

410.20 RECALL AND REMOVAL OF OFFICERS; ORDINANCES.

HISTORY. 1909 c. 170 s. 5; G.S. 1913 s. 1358; G.S. 1923 s. 1294; M.S. 1927 s. 1294.

Under the Duluth city charter, when a sufficient referendum petition, protesting against an ordinance, is presented to the council, and the ordinance is repealed, the council cannot pass the same ordinance again, or one like it in all essential features, but it may pass an ordinance on the same subject matter, providing it acts in good faith and not for the purpose of evading the referendum provisions of the charter, and providing the new ordinance differs from the old in essential features. *State ex rel v Meining*, 133 M 98, 157 NW 991.

The former city charter of Duluth limited the control of the city over the liquor traffic so that the city could regulate but not prohibit such traffic; but the present charter, after continuing in force all powers previously possessed by the city, granted, in addition thereto, "all municipal power of every name and nature whatsoever". "All municipal power" includes all powers generally recognized as powers which may properly be exercised by municipal corporations and that the liquor traffic may be prohibited under the grant of such power. *State ex rel v City of Duluth*, 134 M 355, 159 NW 792.

In order to suspend the going into effect of an ordinance by referendum proceedings under the Duluth city charter a proper petition signed by the requisite number of qualified voters must be filed in the office of the city clerk before the date when the ordinance becomes the law. The charter provides that the city clerk shall ascertain from the voters' register whether the petition is signed by the requisite number of qualified electors. A compliance in good faith by the clerk with this provision of the charter is all that is required. *AAD Temple Bldg. Ass'n, v City of Duluth*, 135 M 221, 160 NW 682.

A charter provision requiring a verification of signatures on each separate "paper" or petition for a recall election is not satisfied where several such papers or petitions are bound together and then one verification attached purporting to cover signatures on all such separate papers or petitions. *State v Bickford*, 193 M 135, 258 NW 11.

410.21 APPLICATION OF GENERAL ELECTION LAWS.

HISTORY. 1909 c. 170 s. 6; G.S. 1913 s. 1359; G.S. 1923 s. 1295; M.S. 1927 s. 1295.

410.22 SUBMISSION OF AMENDMENTS.

HISTORY. 1909 c. 170 s. 7; G.S. 1913 s. 1360; G.S. 1923 s. 1296; M.S. 1927 s. 1296.

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410.23 NEW CHAPTER AUTHORIZED.

HISTORY. 1909 c. 236 s. 1; G.S. 1913 s. 1361; G.S. 1923 s. 1297; M.S. 1927 s. 1297.

The provision herein permitting the submission of a new or revised charter in the manner of an original charter, without publication, does not violate the Constitution, Article 4, Section 36. OAG July 31, 1931; OAG July 30, 1937 (59a-11).

410.24 AMENDMENTS AUTHORIZED.

HISTORY. 1909 c. 236 s. 2; G.S. 1913 s. 1362; G.S. 1923 s. 1298; M.S. 1927 s. 1298.

Proposed revision to home rule charter must be published for at least 30 days in three newspapers of general circulation in the city or village affected. OAG Jan. 12, 1933.

Thirty days' publication of proposed revision of home rule charter must be published once each week in weekly papers and daily in daily papers. OAG Jan. 12, 1933.

410.25 NOT OBLIGATORY TO REPORT TO CHIEF MAGISTRATE WITHIN SIX MONTHS.

HISTORY. 1909 c. 236 s. 3; G.S. 1913 s. 1363; G.S. 1923 s. 1299; M.S. 1927 s. 1299.

410.26 NEW CHARTER.

HISTORY. 1909 c. 137 s. 12; G.S. 1913 s. 1663; G.S. 1923 s. 1692; M.S. 1927 s. 1692.

Brainerd is a city of the third class and general laws relating to city elections in cities of the third class are now applicable to that city, except as its charter may contain provisions inconsistent therewith. OAG Feb. 28, 1931.