

General Government

CHAPTER 415

GOVERNING BODIES

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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 ORDINANCES; 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415.03 [Repealed, 1949 c 119 s 110]

415.031 MAYOR OF CERTAIN CITIES MAY VOTE IN CASE OF A TIE VOTE. In all cities of the fourth class not organized and operating under a charter adopted pursuant to the Constitution of the State of Minnesota, Article 4, Section 36, in which the mayor is the presiding officer of the common council, but has no vote, he shall have the right to vote in case of a tie, but in such case only.

[1933 c. 192] (1828-100)

415.032 OFFICE OF MAYOR AND CHIEF OF POLICE COMBINED IN CERTAIN CITIES. In any city of the fourth class organized under any special or general law and having a population of not less than 500, or more than 1,000, except any city operating under a home rule charter, the governing body of such city is hereby authorized by ordinance to combine the office of chief of police with that of the mayor and to provide that the mayor of such city shall also be the chief of police of such city and perform all the duties by law conferred upon the chief of police of such city for the preservation of the public peace.

[1937 c. 68 s. 1] (1828-103)

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 [Obsolete]

415.04 [Repealed, 1945 c 464 s 2]

415.045 [Repealed, 1949 c 119 s 110]

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 and not organized under the laws of 1895, 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 \$200 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 \$....., a 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 \$200. 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; provided, that in any city of the fourth class not operating under a home rule charter the salaries of the councilmen and mayor may be fixed by a two-thirds vote of the council at not to exceed \$100 per year for each such councilman and mayor.

[1905 c 301 s 1; 1949 c 414 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)