

MINNESOTA STATUTES 1953 ANNOTATIONS

393.09 COUNTY WELFARE BOARD

1048

must be given effect. The city council has authority to increase the items of the welfare budget by ten percent provided that it does not increase the comptroller's estimate by more than three percent; and the city council and the county board may adopt a new welfare budget which would increase the comptroller's budget for welfare purposes within the above stated limitation. The county welfare board of Ramsey county is not authorized to exceed the amounts so budgeted. OAG Sept. 19, 1949 (125-A-64).

The cost of immunization of the staff of the welfare board against diphtheria may not be paid out of administration fund of the welfare board. OAG March 8, 1951 (125-A-64).

The statutory time for tax levying is directory not mandatory; but a tax levy may be made after the July meeting but not after the tax has been spread on the rolls. OAG Nov. 1, 1951 (519-D).

393.09 MONTHLY MEETINGS

The welfare board submits to the county board an annual budget estimating its needs. The estimate is not binding on the county board. If the county board approves the estimate, a tax is levied accordingly. The county board, under the provisions of section 262.01, establishes a poorhouse and by direction of the county board the welfare board operates it. While the county board has power to repair, equip, and put a poorhouse in shape as requested by the county welfare board, it is limited in its expenditures. It may expend available money but cannot contract to spend money it does not have. OAG Sept. 3, 1948 (125-A-36).

CHAPTER 394

BUILDING COMMISSION; PLANNING BOARDS

PLANNING BOARD

394.06 PLANNING BOARD AUTHORIZED

A county is not authorized to zone unless it falls within the class specified in MSA, Chapter 396. No authority exists for a city or village to enforce its zoning ordinance outside of the corporation limits. Town boards in Lyon county have no authority to zone. OAG Sept. 21, 1949 (59-A-32).

Upon recommendation of the planning commission the town board, after a public hearing thereon, may grant an application for reclassification modifying the zoning system. OAG April 11, 1947 (110).

Where a town was zoned under the County Zoning Act, a village organized out of a part of the town is under the Original Zoning Act until superseded by a new village zoning ordinance. OAG May 16, 1950 (441-H).

A member of a village park commission may also serve as a member of the county planning board. OAG June 15, 1948 (948).

394.10 PLANS PREPARED UPON REQUEST OF TOWN BOARD

A zoning plan under section 394.10 must have at least one public hearing before accepted, and must be acted upon within 90 days of its submission. OAG July 7, 1950 (441-H).

After the adoption of a county zoning plan in a village the town may adopt a zoning plan even though it has previously approved a county zoning plan. OAG July 10, 1950 (441-H).