

MINNESOTA STATUTES 1953 ANNOTATIONS

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GOVERNING BODIES 415.02

Where a petition for annexation of land to a city of third class involves platted land the law requires that a majority of the owners of all the land embraced within the official and legal plat join in the petition. OAG July 10, 1951 (59-A-1).

A tract of land surrounded by a city of third class does not automatically become a part of the city. OAG Aug. 19, 1952 (59-A-1).

Where an act does not declare that the boundaries of a city and the school district are coterminus, the fact that the city is contained within the district is not important. The city council has no more power to govern the school district than the school board has to govern the city. The boundaries of a school district may be changed only by the action of the county board. OAG Oct. 15, 1948 (166-D-1).

Where the territorial limits of the special school district of South St. Paul are coextensive with the limits of the city, the board of education may not pass on the question of annexation of territory to the city. That power is entirely in the city council. OAG Oct. 3, 1949 (166-D-1-D).

413.20 VILLAGES TO CITIES THIRD CLASS

HISTORY. 1915 c 32 s 1-11; MS 1927 s 1153-1162.

413.21 LANDS OF STATE INSTITUTIONS

HISTORY. 1907 c 349 s 1-3; MS 1927 s 1693-1695.

413.211 STATE LANDS

HISTORY. 1895 c 247 s 1.

413.22 CITY SECOND CLASS

HISTORY. Ex1937 c 57 s 1, 2.

Land lying in a village adjacent to a city of second class may not be annexed to the city under section 413.22. OAG Aug. 5, 1948 (59-A-1).

When a petition for annexation is made pursuant to section 413.22 the annexation may not be had under section 413.22. OAG Feb. 6, 1953 (59-A-1).

A petition for annexation to a village under section 413.22, subdivision 1, need not include all the land in the plat but may be for any land situated therein provided that the land included in the petition abuts the city. OAG Oct. 16, 1953 (59-A-1).

413.27-413.293 Repealed, 1949 c 119 s 110.

GENERAL GOVERNMENT

CHAPTER 415

GOVERNING BODIES

415.01 TOWN LAWS, APPLICATION

HISTORY. 1860 c 14 art 14 s 12; GS 1866 c 10 s 108; GS 1878 c 10 s 112; GS 1894 s 1029; RL 1905 s 692; MS 1927 s 1103.

415.02 CHARTER, ORDINANCES; CODIFICATION; EVIDENCE

HISTORY. 1901 c 296; RL 1905 s 771; MS 1927 s 1837.

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415.03 GOVERNING BODIES

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A provision in a city charter which authorizes the council to designate two official newspapers is valid. OAG Oct. 5, 1948 (277-A-10).

415.03 Repealed, 1949 c 119 s 110.

415.031 Local (city of Henderson).

415.032 Repealed, 1951 c 174 s 1.

415.033 CITIES FOURTH CLASS; MAYOR; TERM

HISTORY. 1941 c 124 s 1.

415.035 Obsolete.

415.04 Repealed, 1945 c 464 s 2.

415.045 Repealed, 1949 c 119 s 110.

415.05 MAYOR, COUNCIL, CITIES FOURTH CLASS; SALARIES

HISTORY. 1905 c 301 s 1; MS 1927 s 1728; 1949 c 414 s 1.

Under the provisions of Laws 1949, Chapter 414, a city created under the provisions of section 411.01 may fix salaries of mayor and councilmen at not over \$100 per year by a two-thirds vote of the council. OAG June 1, 1949 (61-G); OAG Feb. 9, 1950 (63-A-2).

Where a village has been established and its officers elected and it is planned to create the village a special election and assessment district, the ballot should state the question so that the voters may vote yes or no. The council will determine the election date after having resolved to submit the question to the voters. There must be ten days notice. A clerk and two judges of election must be appointed as required by section 212.37. Under section 212.10 the polls may open any time between 9:00 A.M. and 1:00 P.M., and shall close at 5:00 P.M. These hours apply unless the council by previous resolution, at least 30 days before the election, fixes different hours. OAG Sept. 17, 1947 (472-I).

415.08 SALARY OF ALDERMEN

HISTORY. 1937 c 294 s 1; 1939 c 132 s 1.

NOTE: This section applies solely to the city of Minneapolis.

CHAPTER 416

PUBLIC BUILDINGS

416.01 MEMORIALS FOR WAR VETERANS

There is no statute specifically authorizing a city of the fourth class to appropriate money for building a gate or entrance over a cemetery but the end probably could be reached under section 416.01 or section 465.50 as those sections are intended to commemorate the noble deeds of the soldier dead. OAG July 21, 1949 (59-B-9).

To raise money to erect a war memorial or a contribution for that purpose there must be a submission of the question to the electorate. OAG April 23, 1947 (310-F).