

# MINNESOTA STATUTES 1953 ANNOTATIONS

## 441.30 STREETS, BRIDGES

1144

### 441.30 CONTRACT FOR REPAIR OR REBUILDING

Municipal corporations; liability on ultra vires contracts; quasi-contracts; ratification. 34 MLR 46.

## CHAPTER 442

### SEWAGE DISPOSAL; WATER AND SEWAGE

**442.01, 442.02** Repealed, 1949 c 119 s 110.

### 442.03 WATERWORKS, LIGHTING PLANTS AND SEWAGE PUMPING PLANTS; BOARD OF MUNICIPAL WORKS

The provisions of the charter of the city of Rochester providing for the establishment of a public utility board, appointment of members, and prescribing duties and powers supersede sections 442.03 to 442.25 as to provisions relating to boards of municipal works in cities of second class. OAG April 14, 1949 (624-A-3).

An extension of a city waterworks system could be made by the council under the powers of the charter of the city. OAG Sept. 27, 1950 (624-D-11).

### 442.05 BOARD OF MUNICIPAL WORKS

**HISTORY.** Amended, 1951 c 417 s 1.

When a municipality engages in the manufacture, sale, and distribution of electrical energy it acts in a proprietary capacity and has generally the same powers as a natural person. Contracts made by a municipality for the sale and distribution of electrical energy may be amended, modified, or abrogated by mutual consent. OAG March 25, 1948 (624-C-2).

### 442.08 USE OF RAILROAD RIGHT OF WAY OR HIGHWAYS

Water mains may be laid on perpetual easements acquired for that purpose across private properties. OAG May 28, 1951 (624-D-11).

### 442.09 RECORDS

**HISTORY.** Amended, 1951 c 417 s 2.

### 442.17 SYSTEM EXTENDED, RATES

**HISTORY.** Amended, 1951 c 417 s 3.

Section 442.17 is permissive and does not abridge or repeal the power granted by a city charter to the council to extend the city waterworks system by the installation of water main extensions. OAG Sept. 27, 1950 (624-D-11).

### 442.25 COMMENCEMENT AND SCOPE OF POWERS OF BOARD

Power to install a cemetery sewer extension is lodged exclusively in the city council and the board of municipal works possesses no power or authority with reference to that project. OAG Sept. 27, 1950 (624-D-11).