

MINNESOTA STATUTES 1953 ANNOTATIONS

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WATER AND LIGHT PLANTS 457.12

456.32 EXTENDING WATER PIPES

HISTORY. Amended, 1949 c 119 s 111; 1951 c 377 s 1.

Cities of the fourth class may extend water mains and may in a proper case provide sewer service beyond the corporate limits and make reasonable charges for whatever service rendered. OAG March 29, 1948 (387-G-7) (624-D-17).

By ordinance a village may require payment of a reasonable amount as a condition for permitting an owner to connect his premises with the village water main. OAG April 23, 1947 (624-D-10).

A village may extend its mains beyond the village limits and may supply water to occupants of property outside the village limits. OAG May 10, 1948 (624-D-17).

A city of fourth class may supply water to residents of an adjacent village through their own water main installation, separately metered, or by extending the city water mains into the village. OAG July 2, 1951 (624-D-17); OAG Aug. 8, 1952 (624-D-17).

456.34 Renumbered, 457.085, subdivision 1.

456.35 Renumbered, 457.085, subdivision 2.

456.36 Renumbered, 457.085, subdivision 3.

456.37 Renumbered, 457.085, subdivision 4.

456.38 Renumbered, 457.085, subdivision 5.

456.39 Renumbered, 457.085, subdivision 6.

456.40 Renumbered, 457.085, subdivision 7.

CHAPTER 457

WATER AND LIGHT PLANTS

457.01 Repealed, 1949 c 119 s 110.

457.03 POWERS OF COUNCIL; SUBMISSION TO VOTERS; NOTICE

To pay the cost of improvement of a water utility a city of the fourth class may issue certificates payable out of receipts without a vote of the electorate; but full faith and credit bonds must be authorized by vote before issuance. OAG Oct. 1, 1947 (59-A-51).

457.07 BONDS, HOW DISPOSED OF

A village cannot borrow money by issuing warrants to a bank for the purpose of construction or reconstruction of streets. OAG Oct. 7, 1948 (476-A-3).

457.09-457.11 Repealed, 1949 c 119 s 110.

457.12 CONTRACTS FOR WATER AND LIGHT IN CITIES OF SECOND AND THIRD CLASS

Where a city would not have actual possession of material or equipment under a contract for manufacture of lighting plant equipment, the city could not make

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progress payments in advance of delivery of such equipment. OAG Sept. 11, 1951 (707-B-7).

Electricity or electrical energy is property within the meaning of section 457.12. The city of Fergus Falls under its charter must submit a contract involving expenditures in excess of \$3,000 for the purchase of electricity or electrical energy by the city at wholesale to be resold to city customers, to the electors for their approval. OAG May 3, 1950 (624-C-2).

457.13 LEASING, SELLING, ABANDONING OF WATERWORKS OR LIGHTING PLANTS

HISTORY. 1915 c 79 s 1, 2; 1917 c 172 s 1-3; 1931 c 133; 1949 c 119 s 111.

A covenant embodied in a resolution authorizing the sale of revenue certificates that the city would continue to operate a public utility plant and system as a revenue producing utility does not preclude the city from selling rural lines; but such rural lines cannot be sold without an election. OAG Oct. 28, 1948 (634-C-10).

457.14-457.18 Repealed, 1949 c 119 s 110.

CHAPTER 458

DOCKS; QUAYS; LEVEES; WHARVES; LANDING AND LOADING PLACES; WATER FREIGHT; PASSENGER STATIONS; TERMINALS

TRANSPORTATION TERMINALS

458.01 Repealed, 1949 c 119 s 110.

PORT AUTHORITIES

458.09 PORT AUTHORITY COMMISSION

Evidence sustains the finding and judgment of the district court in vacating the order of the railroad and warehouse commission on the ground that the rates prescribed for switching interstate cars between the property of the port authority of St. Paul and industries in the St. Paul switching district were inadequate, unreasonable, and unlawful as constituting a taking of property without due process of law. State v Northern Pacific, 229 M 312, 39 NW(2d) 752.

458.16 POWERS AND DUTIES

Evidence sustains the finding and judgment of the district court in vacating the order of the railroad and warehouse commission on the ground that the rates prescribed for switching interstate cars between the property of the port authority of St. Paul and industries in the St. Paul switching district were inadequate, unreasonable, and unlawful as constituting a taking of property without due process of law. State v Northern Pacific, 229 M 312, 39 NW(2d) 752.

WATER TERMINALS

458.42 ACQUISITION OF LAND

A utility board is an independent body free from control by the city council, and the council should not take part in appointing one of its own members to the utility board. OAG Dec. 23, 1948 (624-A-3).