

## 423.36 POLICE PENSIONS

### CHAPTER 423. POLICE PENSIONS

#### CERTAIN CITIES FOURTH CLASS

Sec.

423.36 Membership.

#### CERTAIN CITIES FOURTH CLASS

#### 423.36 Membership

Members of such relief association shall not be compelled to become members of the municipal employees retirement association, and if already members of the association shall, upon the establishment of the relief association under sections 423.22 to 423.36, cease to be members thereof and shall be entitled to receive from such association the amount of accumulated deductions of pay contributed to the association in the same manner as they would be entitled thereto upon ceasing to be employees of the municipality.

[1973 c 35 s 73]

## FINANCE, TAXATION, SPECIAL ASSESSMENTS

### CHAPTER 426. FINANCE, TAXATION

Sec.

426.04 Taxes for general purposes.

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The governing body of any home rule charter city of the third or fourth class in this state is hereby authorized to levy taxes annually against the taxable property in any such city for all general fund purposes, not exceeding 40 mills on the dollar of the assessed valuation of the city, computed as permitted under section 273.13, subdivision 7a. If the charter of such city authorizes it to levy taxes for general fund purposes in excess of 40 mills on the dollar, these provisions shall not limit any such city. This section does not apply to a third class city which is contiguous to a city of the first class located in a different county or to a fourth class city in a county containing a first class city.

[1973 c 123 art IV s 6]

426.056 [Repealed, 1973 c 123 art IV s 12]

### CHAPTER 429. LOCAL IMPROVEMENTS, SPECIAL ASSESSMENTS

Sec.

429.011 Definitions.

429.021 Local improvements, council powers.

Sec.

429.101 Service charges, a special assessment against benefited property.

#### 429.011 Definitions

[For text of subds. 1 and 2, see M.S.1971]

Subd. 2a. "Municipality" also includes a county in the case of construction, reconstruction or improvement of a county state-aid highway or county highway including curbs and gutters and storm sewers outside of the boundaries of any city, village or borough and includes a county exercising its powers and duties under section 444.075, subdivision 1.

[1973 c 702 s 22]

Subd. 2b. "Municipality" also includes any town not having the powers granted herein pursuant to any other law in the case of construction, reconstruction or improvement of a town road including curbs and gutters and storm sewers and in the case of those improvements designated in section 429.021, subdivision 1, clauses (1), (2), (4), (5), (6), (7), (8) and (10); provided that any improvement or assessments authorized by this subdivision may be

LOCAL IMPROVEMENTS, SPECIAL ASSESSMENTS 429.101

made only upon the affirmative vote of the election of the town at the annual town meeting or at a special town meeting held pursuant to sections 365.52 to 365.58.

[1973 c 636 s 1]

[For text of subds. 3 to 12, see M.S.1971]

**429.021 Local improvements, council powers**

**Subdivision 1. Improvements authorized.** The council of a municipality shall have power to make the following improvements:

(1) To acquire, open, and widen any street, and to improve the same by constructing, reconstructing, and maintaining sidewalks, pavement, gutters, curbs, and vehicle parking strips of any material, or by grading, graveling, oiling, or otherwise improving the same, including the beautification thereof and including storm sewers or other street drainage and connections from sewer, water or similar mains to curb lines.

(2) To acquire, develop, construct, reconstruct, extend and maintain storm and sanitary sewers and systems, including outlets, holding areas and ponds, treatment plants, pumps, lift stations, service connections, and other appurtenances of a sewer system, within and without the corporate limits.

(3) To construct, reconstruct, extend and maintain steam heating mains.

(4) To install, replace, extend and maintain street lights and street lighting systems and special lighting systems.

(5) To construct, reconstruct, extend and maintain water works systems, including mains, valves, hydrants, service connections, wells, pumps, reservoirs, tanks, treatment plants, and other appurtenances of a water works system, within and without the corporate limits.

(6) To acquire, improve and equip parks, open space areas, playgrounds and recreational facilities within or without the corporate limits.

(7) To plant trees on streets and provide for their trimming, care and removal.

(8) To abate nuisances and to drain swamps, marshes and ponds on public or private property and to fill the same.

(9) To construct, reconstruct, extend, and maintain dikes and other flood control works.

(10) To construct, reconstruct, extend and maintain retaining walls and area walls.

(11) To acquire, construct, reconstruct, improve, alter, extend, operate, maintain and promote a pedestrian skyway system.

(12) To acquire, construct, reconstruct, extend, operate, maintain and promote underground pedestrian concourses.

[1973 c 201 s 1]

[For text of subds. 2 and 3, see M.S.1971]

**429.101 Service charges, a special assessment against benefited property**

**Subdivision 1. Ordinances.** In addition to any other method authorized by law or charter, the council of any municipality may provide for the collection of unpaid special charges for all or any part of the cost of snow, ice, or rubbish removal from sidewalks, weed elimination from streets or private property, street sprinkling or other dust treatment of streets, the trimming and care of trees and the removal of unsound trees from any street, the treatment and removal of insect infested or diseased trees on private property, the repair of sidewalks and alleys, or the operation of a street lighting system, as a special assessment against the property benefited. The council may by ordinance adopt regulations consistent with this section to make this authority effective, including, at the option of the council, provisions for placing primary responsibility upon the property owner or occupant to do the work himself (ex-

## 429.101 LOCAL IMPROVEMENTS, SPECIAL ASSESSMENTS

cept in the case of street sprinkling or other dust treatment, alley repair, tree trimming, care, and removal or the operation of a street lighting system) upon notice before the work is undertaken, and for collection from the property owner or other person served of the charges when due before unpaid charges are made a special assessment.

[1973 c 337 s 1]

[For text of subs. 2 and 3, see M.S.1971]

## PUBLIC WORKS

### CHAPTER 440. STREET IMPROVEMENTS

Sec.		Sec.	
440.09	Condemnation proceedings.	440.35	Repealed.
440.33	Repealed.	440.36	Repealed.
440.34	Repealed.		

#### 440.09 Condemnation proceedings

Proceedings in eminent domain under sections 440.08 and 440.09 shall be in pursuance of chapter 117. The city, upon giving the notice required by section 117.042, or upon the filing of the report of the commissioners as provided in section 117.115 may enter upon and appropriate the lands so condemned or any distinct parcel thereof, without the giving of any bonds, but in case of such entry and appropriation the city shall be bound absolutely to pay all damages awarded, whether by commissioners acting under chapter 117, or by the court upon appeal from their award, together with all costs and expenses adjudged against it in the proceedings, and the court shall issue a writ to the sheriff of the county to put the city in possession. In case the city shall take appeal in any such proceedings it shall not be required to give or file any appeal bond.

[1973 c 35 s 71]

440.33 [Repealed, 1973 c 702 s 26]

440.34 [Repealed, 1973 c 702 s 26]

440.35 [Repealed, 1973 c 702 s 26]

440.36 [Repealed, 1973 c 702 s 26]

### CHAPTER 443. SEWAGE AND RUBBISH DISPOSAL

Sec.	
443.02	Repealed.

443.02 [Repealed, 1973 c 702 s 26]

### CHAPTER 444. WATERWORKS, SEWERS, DRAINS, STORM SEWERS

Sec.		Sec.	
444.075	Waterworks systems, main sewers, sewage disposal plants.	444.11	Repealed.
444.09	Repealed.	444.12	Repealed.
444.10	Repealed.	444.13	Repealed.
		444.14	Repealed.

#### 444.075 Waterworks systems, main sewers, sewage disposal plants

**Subdivision 1. Authorization.** Any city, except cities of the first class operating under a home rule charter, or any village is hereby authorized and empowered to build, construct, reconstruct, repair, enlarge, improve, or in any other manner obtain waterworks systems, including mains, valves, hydrants, service connections, wells, pumps, reservoirs, tanks, treatment plants, and other appurtenances of a waterworks system, and sewer systems, sewage treat-