

CHAPTER 365

GENERAL PROVISIONS

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365.10 TOWN MEETINGS, POWERS.

The electors of each town have power, at their annual town meeting:

(1) to determine the locations of pounds, and number of poundmasters, and to discontinue any such pounds;

(2) to select such town officers as are to be chosen;

(3) to make lawful orders and bylaws as they deem proper for restraining horses, cattle, sheep, swine, and other domestic animals from going at large on the highways, provide for impounding those animals so going at large, and to fix penalties for violations of the orders or bylaws;

(4) to vote money for the repair and construction of roads and bridges, and to vote such sums as they deem expedient for other town expenses, including the construction and maintenance of docks and breakwaters;

(5) when they deem it for the interest of the town to direct that a specified amount of the road tax be expended, under the direction of their town board, on the roads of an adjoining town;

(6) to authorize the town board to purchase or build a town hall or other building for the use of the town, and to determine, by ballot, the amount of money to be raised for that purpose; but, if a site for a town hall is once obtained, it shall not be changed for another site, except by vote therefor designating a new site by two-thirds of the votes cast at such election of the legal voters of the town;

(7) to authorize the town board, by vote, to purchase grounds for a town cemetery, and limit the price to be paid, and to vote a tax for the payment thereof;

(8) to authorize the town, either by itself or in conjunction with one or more other towns, to purchase grounds for a public park and to limit the price to be paid therefor, to authorize the town, alone or in conjunction with such other town or towns, to care for, improve, and beautify such parks, and to determine, by ballot, the amount of money to be raised for that purpose, and to vote a tax for the payment thereof;

(9) to vote money to aid in the construction of community halls, to be erected by farm bureaus, farmers clubs, or other like organizations;

(10) to vote a tax to purchase and maintain a public dumping ground;

(11) to authorize the town board, by resolution, to determine whether to open or maintain town roads or town cartways under the jurisdiction of the town board upon which no maintenance or construction has been conducted for 25 years or more. For purposes of this clause the provisions of section 163.16 shall not apply to town roads described in this clause. Nothing in this clause shall be construed to abridge the right of town voters or land owners to petition for the establishment of a cartway as provided in section 164.08;

(12) to authorize the town board to spend money in an amount as determined by the electors for the purpose of commemorating an event of historical significance to the town;

(13) to authorize the town board to provide, by ordinance, for licensing and regulating the presence or keeping of dogs and cats and their running at large within the town; and

(14) to authorize the town board to contract with nonprofit organizations for health, social, or recreational services in an amount not to exceed a total of \$5,000 in any year when deemed in the public interest and of benefit to the town.

History: 1985 c 169 s 7

365.37 CONTRACTS; LET ON BIDS, OFFICERS NOT TO BE INTERESTED.

Except as provided in sections 471.87 to 471.89, no supervisors, town clerk, or town board shall become a party to, or be directly or indirectly interested in, any contract made or payment voted by the town board and all contracts let on bid shall be let to the lowest responsible bidder after ten days public notice, posted in the three most public places in the town or published for two weeks in a newspaper generally circulated in the town, of the time and place of receiving bids. In cases of special emergency, a contract may be let without the notice being given or sealed bids solicited. A special emergency, for the purposes of this section, is a situation where immediate action must be taken, essential to the health, safety, or welfare of the community. Every contract made and payment voted or made contrary to the provisions of this section shall be void and any such officer violating the provisions of this section shall be guilty of a misdemeanor and, in addition to the provisions prescribed by law, removed from office.

History: 1985 c 169 s 8; 1Sp1985 c 16 art 2 s 11

365.44 SEPARATION FROM A STATUTORY CITY.

Upon filing with the clerk of any town of a notice, signed by not less than 50 town voters residing either within or without the statutory city to be separated stating that the question of the separation of the town for all purposes from any statutory city located within the town will be voted upon at the next annual town meeting, the clerk shall insert the statement in the notice of the meeting, and the question shall be voted upon by a ballot. If a majority of the votes cast upon the proposition be in favor of the separation, the town shall be separated from the statutory city for all purposes. Only voters residing without the statutory city may vote upon the question at the town meeting.

History: 1985 c 169 s 9

365.51 ANNUAL TOWN MEETING; PRECINCTS; POLLING PLACES.

There shall be an annual town meeting held in each town on the second Tuesday of March at the place designated by the annual town meeting, and if no designation is so made then at the place designated by the town board. The place designated may be located outside the town within five miles of one boundary of the town. In the event of inclement weather the meeting shall be held on another March day designated by the board. The clerk shall give ten days' published notice specifying time and place in a qualified newspaper having general circulation within the town, or by posted notice, as the town board shall direct unless the voters at the annual town meeting direct otherwise. All town officers required by law to be

elected shall be chosen thereat, and other business done as is by law required or permitted. The town board may, with respect to an election by ballot at the annual town meeting for the purpose of selecting town officers or of determining any matter of town business, provide for the casting of ballots in precincts and at polling places. Precincts and polling places shall be designated by the town board in the manner prescribed by sections 204B.14 and 204B.16.

History: 1985 c 307 s 2