

## CHAPTER 412

### STATUTORY CITIES

412.152 Mayor; fire chief; offices not  
incompatible.

412.191 Members; powers, duties.

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412.631 Composition of council.

#### **412.152 MAYOR; FIRE CHIEF; OFFICES NOT INCOMPATIBLE.**

The offices of mayor of a statutory city and the fire chief of an independent nonprofit firefighting corporation serving the city are not incompatible offices and a person may concurrently hold both offices if all of the following conditions exist:

- (1) the mayor does not appoint the fire chief;
- (2) the mayor does not set the salary or benefits of the fire chief;
- (3) neither officer performs functions that are inconsistent with the other's;
- (4) neither officer in the officer's official capacity contracts with the other; and
- (5) the mayor does not approve the fidelity bond of the fire chief.

**History:** 1997 c 23 s 1

#### **412.191 MEMBERS; POWERS, DUTIES.**

Subdivision 1. **Composition.** The city council in a standard plan city shall consist of the mayor, the clerk, and the three or five council members. In optional plan cities, except those cities having a larger council under repealed section 412.023, subdivision 4, the council shall consist of the mayor and the four council members. A majority of all the members shall constitute a quorum although a smaller number may adjourn from time to time.

*[For text of subs 2 to 4, see M.S.1996]*

**History:** 1997 c 7 art 1 s 135

#### **412.581 OFFICERS.**

In any city operating under Optional Plan A except a city having a larger council under repealed section 412.023, subdivision 4, the council shall be composed of five or seven members consisting, except during the initial period of its operation as provided in section 412.571, of the mayor and four or six council members and, except as provided in that section, the clerk and treasurer or clerk-treasurer shall be appointed by the council for indefinite terms.

**History:** 1997 c 7 art 1 s 136

#### **412.631 COMPOSITION OF COUNCIL.**

In any city operating under Optional Plan B, the council shall, except as provided in repealed sections 412.023, subdivision 4, and 412.571, be composed of a mayor and four or six council members.

**History:** 1997 c 7 art 1 s 137