CHAPTER 373

COUNTIES; POWERS, DUTIES, PRIVILEGES

373.01 POWERS.
373.02 POWERS, HOW EXERCISED.
373.03 CONVEYANCES TO COUNTY; EFFECT.
373.04 CERTAIN COUNTIES AUTHORIZED TO CONSTRUCT BRANCH RAILROAD TRACKS.
373.041 POLICE-OPERATED BROADCASTING STATIONS.
373.05 COUNTY BUILDINGS.
373.052 COUNTY OFFICES; CLOSING, EFFECT.
373.053 WAR MEMORIAL BUILDINGS.
373.06 ACTIONS AGAINST COUNTIES.
373.07 SUITS AGAINST COUNTIES; SERVICE; JURORS.
373.08 COUNTY, HOW NAMED IN SUITS.
373.09 CLAIMS AGAINST COUNTY; APPEAL.
373.10 PROCEEDINGS ON APPEAL.
373.11 APPEALS; COUNTERCLAIM.
373.12 JUDGMENTS AGAINST COUNTIES; HOW PAID.
373.25 LEVY FOR LAND AND BUILDINGS.
373.26 COUNTY PARKING FACILITIES.
373.27 GREAT RIVER ROAD, FINANCIAL ASSISTANCE.
373.30 WHAT PRE-1969 LAWS APPLY IF 1970 CENSUS PASSED 100,000.
373.32 LICENSE BUREAU AUTHORIZED.
373.33 STATE LICENSES MAY BE ISSUED.
373.34 IMPLEMENTATION, NOTICE.
373.35 DIRECTOR OF BUREAU.
373.37 TERMINATION OF BUREAU.
373.38 BUSINESS HOURS.
373.39 SPENDING FOR FIRE PROTECTION, COMMUNITY PROJECTS.
373.40 CAPITAL IMPROVEMENT BONDS.
373.41 MISCELLANEOUS FEES.
373.43 FINANCING AUTHORITY; ICE FACILITIES.
373.44 REVENUE FINANCING AUTHORITY; ICE FACILITIES.
373.47 COUNTY DEBT AUTHORITY.
373.475 COUNTY ENVIRONMENTAL TRUST FUND.
373.48 FINANCING ENERGY PURCHASE CONTRACTS; PARTICIPATION IN GENERATION AND TRANSMISSION PROJECTS.
373.50 POSTPONEMENT OF ELECTION; INCLEMENT WEATHER.
373.51 ALTERNATIVE PROCESS FOR CONSOLIDATION.

373.01 POWERS.

Subdivision 1. **Public corporation; listed powers.** (a) Each county is a body politic and corporate and may:

(1) Sue and be sued.

(2) Acquire and hold real and personal property for the use of the county, and lands sold for taxes as provided by law.

(3) Purchase and hold for the benefit of the county real estate sold by virtue of judicial proceedings, to which the county is a party.

(4) Sell, lease, and convey real or personal estate owned by the county, and give contracts or options to sell, lease, or convey it, and make orders respecting it as deemed conducive to the interests of the county's inhabitants.

(5) Make all contracts and do all other acts in relation to the property and concerns of the county necessary to the exercise of its corporate powers.

(b) No sale, lease, or conveyance of real estate owned by the county, except the lease of a residence acquired for the furtherance of an approved capital improvement project, nor any contract or option for it, shall be valid, without first advertising for bids or proposals in the official newspaper of the county and the county's website for three consecutive weeks, and once in a newspaper of general circulation in the area where the property is located. The notice shall state the time, place, and manner of considering and accepting proposals, contain a legal description of any real estate, and a brief description of any personal property.

After publication in the official newspaper, county website, and relevant newspaper of general circulation, bids may be solicited and accepted by the online auction process authorized in section 471.345, subdivision 17. Leases and proposals that do not exceed $15,000 for any one year may be negotiated and are not subject to the competitive bid procedures of this section. All proposals estimated to exceed $15,000 in any one year shall be considered at the time set for accepting proposals, and the one most favorable to the county accepted, but the county board may, in the interest of the county, reject any or all proposals.

(c) Sales of personal property the value of which is estimated to be $15,000 or more shall be made only after advertising for bids or proposals in the county's official newspaper, on the county's website, or in a recognized industry trade journal. At the same time it posts on its website or publishes in a trade journal, the county must publish in the official newspaper, either as part of the minutes of a regular meeting of the county board or in a separate notice, a summary of all requests for bids or proposals that the county advertises on its website or in a trade journal. After publication in the official newspaper, on the website, or in a trade journal, bids or proposals may be solicited and accepted by the electronic selling process authorized in section 471.345, subdivision 17. Sales of personal property the value of which is estimated to be less than $15,000 may be made either on competitive bids or in the open market, in the discretion of the county board. "Website" means a specific, addressable location provided on a server connected to the Internet and hosting World Wide Web pages and other files that are generally accessible on the Internet all or most of a day.

(d) Notwithstanding anything to the contrary herein, the county may, when acquiring real property for county highway right-of-way, exchange parcels of real property of substantially similar or equal value without advertising for bids. The estimated values for these parcels shall be determined by the county assessor.

(e) Notwithstanding anything in this section to the contrary, the county may, when acquiring real property for purposes other than county highway right-of-way, exchange parcels of real property of substantially similar or equal value without advertising for bids. The estimated values for these parcels must be determined by the county assessor or a private appraisal performed by a licensed Minnesota real estate appraiser. For the purpose of determining for the county the estimated values of parcels proposed to be exchanged, the county assessor need not be licensed under chapter 82B. Before giving final approval to any exchange of land, the county board shall hold a public hearing on the exchange. At least two weeks before the hearing, the county auditor shall post a notice in the auditor's office and the official newspaper of the county of the hearing that contains a description of the lands affected.

(f) If real estate or personal property remains unsold after advertising for and consideration of bids or proposals the county may employ a broker to sell the property. The broker may sell the property for not less than 90 percent of its appraised market value as determined by the county. The broker's fee shall be set by agreement with the county but may not exceed ten percent of the sale price and must be paid from the proceeds of the sale.

(g) A county or its agent may rent a county-owned residence acquired for the furtherance of an approved capital improvement project subject to the conditions set by the county board and not subject to the conditions for lease otherwise provided by paragraph (a), clause (4), and paragraphs (b), (c), (d), (f), and (h).

(h) In no case shall lands be disposed of without there being reserved to the county all iron ore and other valuable minerals in and upon the lands, with right to explore for, mine and remove the iron ore and other valuable minerals, nor shall the minerals and mineral rights be disposed of, either before or after disposition of the surface rights, otherwise than by mining lease, in similar general form to that provided by section 93.20 for mining leases affecting state lands. The lease shall be for a term not exceeding 50 years, and be issued on a royalty basis, the royalty to be not less than 25 cents per ton of 2,240 pounds, and fix a minimum

amount of royalty payable during each year, whether mineral is removed or not. Prospecting options for mining leases may be granted for periods not exceeding one year. The options shall require, among other things, periodical showings to the county board of the results of exploration work done.

(i) Notwithstanding anything in this subdivision to the contrary, the county may, when selling real property owned in fee simple that cannot be improved because of noncompliance with local ordinances regarding minimum area, shape, frontage, or access, proceed to sell the nonconforming parcel without advertising for bid. At the county's discretion, the real property may be restricted to sale to adjoining landowners or may be sold to any other interested party. The property shall be sold to the highest bidder, but in no case shall the property be sold for less than 90 percent of its fair market value as determined by the county assessor. All owners of land adjoining the land to be sold shall be given a written notice at least 30 days before the sale. This paragraph shall be liberally construed to encourage the sale of nonconforming real property and promote its return to the tax roles.

Subd. 2. **Road equipment agreements, terms.** Notwithstanding any other contrary law, a county may enter into a rental purchase agreement or conditional sales agreement to acquire road equipment but the seller shall be limited to the remedy of recovery of the property in case of nonpayment of all or part of the purchase price. The purchase price shall be payable over not more than five years.

Subd. 3. **Capital notes.** (a) A county board may, by resolution and without referendum, issue capital notes subject to the county debt limit to purchase capital equipment useful for county purposes that has an expected useful life at least equal to the term of the notes. The notes shall be payable in not more than 20 years and shall be issued on the terms and in the manner determined by the board. A tax levy shall be made for payment of the principal and interest on the notes, in accordance with section 475.61, as in the case of bonds.

(b) For purposes of this subdivision, "capital equipment" means:

(1) public safety, ambulance, road construction or maintenance, and medical equipment;

(2) computer hardware and software, whether bundled with machinery or equipment or unbundled, together with application development services and training related to the use of the computer hardware or software; and

(3) projects that eliminate R-22, as defined in section 240A.09, paragraph (b), clause (2).

Subd. 4. **Tax anticipation certificates.** The county board of any county may, by resolution, issue and sell as many certificates of indebtedness as may be needed in anticipation of the collection of taxes levied for any fund named in the tax levy for the purpose of raising money for such fund, but the certificates outstanding for any such separate funds shall not on the date on which the certificates are issued exceed 75 percent of the amount of taxes previously levied for such fund remaining uncollected. No certificate shall be issued to become due and payable later than 15 months after the deadline for the certification of the property tax levy under section 275.07, subdivision 1, and the certificates shall not be sold for less than par and accrued interest. The certificates of indebtedness may be issued at any time after the levy has been finally made and certified to the county auditor. They shall be numbered consecutively, be in denominations of $100 or a multiple thereof, may have interest coupons attached, shall be otherwise of such form and terms, and may be made payable at such place, as will best aid in their negotiation, and the proceeds of the tax assessed and collected on account of the fund and the full faith and credit of the county shall be irrevocably pledged for the redemption and payment of the certificates so issued. Such certificates shall be payable primarily from the moneys derived from the levy for the years against which such certificates were issued,

but shall constitute unlimited general obligations of the county. Money derived from the sale of such certificates shall be credited to the fund or funds the taxes for which are so anticipated.

History: *(638) RL s 409; 1907 c 310 s 1; 1961 c 539 s 1; 1965 c 56 s 1; 1973 c 163 s 1; 1984 c 437 s 1; 1984 c 629 s 1; 1985 c 108 s 4; 1989 c 26 s 1; 1989 c 176 s 2; 1996 c 471 art 3 s 54; 2003 c 127 art 12 s 8; 1Sp2003 c 21 art 10 s 11; 2004 c 278 s 4; 2005 c 152 art 1 s 6; 2007 c 131 art 1 s 78; 2008 c 154 art 10 s 9; 2011 c 14 s 15; 2013 c 143 art 12 s 4; art 17 s 17; 2022 c 66 s 1; 2023 c 64 art 12 s 4*

373.011 MS 1957 [Repealed, 1961 c 561 s 17]

373.013 MS 1994 [Repealed, 1996 c 310 s 1]

373.02 POWERS, HOW EXERCISED.

The powers of the county as a body politic and corporate shall only be exercised by the county board or in pursuance of a resolution adopted by the county board. Deeds and other written instruments made by the county shall be executed in its name by the chair of the county board and by the clerk of the board.

History: *(641) RL s 411; 1984 c 629 s 1; 1986 c 444*

373.03 CONVEYANCES TO COUNTY; EFFECT.

All real and personal estate conveyed by any form of conveyance to a county or its inhabitants, or to any person for the use and benefit of a county or its inhabitants, shall be deemed to be the property thereof. The conveyances shall have the same force and effect as if made to the county by its corporate name.

History: *(640) RL s 410; 1984 c 629 s 1*

373.04 CERTAIN COUNTIES AUTHORIZED TO CONSTRUCT BRANCH RAILROAD TRACKS.

When county buildings, or buildings in which a county is interested with other counties, are on land adjacent to or near a railway track, the county where the buildings are located, may pay from its general revenue fund, or from any money raised by it in excess of its proportionate share for the institution, the costs of procuring a right-of-way for and the building of a branch track suitable for transportation from the railway track to the buildings of the articles and commodities needed by the institution and of persons going to and from it.

History: *(639) 1915 c 55; 1984 c 629 s 1*

373.041 POLICE-OPERATED BROADCASTING STATIONS.

Subdivision 1. **Station and mobile units by sheriff.** A county may establish, construct, equip and maintain a radio broadcasting station, with land-fixed repeater stations and two-way communication mobile units as necessary, to be used for public safety purposes under the direction of the sheriff. The county may acquire land by gift, purchase or condemnation for use as a site or sites for the station or stations. The county shall exercise its powers under this subdivision in conformance with any statewide plan for a coordinated system of radio communications adopted by the Department of Public Safety after consultation with the professional communications officers representing law enforcement agencies involved in the plan. The Department of Public Safety shall adopt rules to implement the statewide plan.

Subd. 2. **Rules and regulations; FCC.** A county owning and maintaining a broadcasting station under subdivision 1 may, subject to the rules and regulations of the Federal Communications Commission, extend its facilities to any city located in the county, and to any adjoining county and any city in an adjoining county,

upon application of its governing body to the county board requesting radio communication and service. All mobile radio equipment and apparatus for two-way communication used for the extended service shall be owned, maintained and serviced by the county owning the broadcasting station. Charges for the service extended to counties and municipalities shall be made on a cost-sharing basis.

Subd. 3. **Sheriff radio and maintenance account.** All money received as charges for the service rendered under subdivision 2 shall be kept in an account designated the "Sheriff Radio and Maintenance Account," shall not be transferred or apportioned to any other fund or account, and shall be used for no other purpose than the purchase of radio equipment and maintenance of radio equipment and apparatus.

Subd. 4. **Sheriff; duties.** The sheriff of the county owning the radio facilities shall broadcast all police dispatches and reports submitted which, in the opinion of the sheriff, have a reasonable relation to or connection with the apprehension of criminals, the prevention of crime and the maintenance of peace and order throughout the area serviced by the broadcasting station or stations.

History: *1949 c 387 s 1-4; 1971 c 149 s 1,2; 1973 c 123 art 5 s 7; 1984 c 629 s 1; 1985 c 248 s 70*

373.045 MS 1994 [Repealed, 1996 c 310 s 1]

373.05 COUNTY BUILDINGS.

Each county shall provide at the county seat, and keep in good repair, a suitable courthouse, supplied with fireproof vaults, a suitable and sufficient jail, and other necessary buildings.

History: *(643) RL s 412; 1984 c 629 s 1*

373.052 COUNTY OFFICES; CLOSING, EFFECT.

Subdivision 1. **Business days.** County offices shall be open for public business on all business days except (a) legal holidays, (b) holidays established by the county board pursuant to contract with certified employee bargaining units, and (c) emergency situations. For purposes of this section "business day" means Monday, Tuesday, Wednesday, Thursday and Friday.

Subd. 1a. **Hours by board.** The county board shall establish the hours during which county offices shall be open on business days.

Subd. 1b. **Closing.** The county board by resolution may authorize the closing of a county office on other days as stated in the resolution, if there is an emergency situation, public business is transacted at other reasonable times and places, and the public interest is served. An emergency closing may be retroactively approved by the county board at its next succeeding meeting.

Subd. 2. **No loss if closed.** Any act authorized, required, or permitted by law or contract to be performed at or in county buildings, or their offices, which are closed as provided in this section, may be performed on the next succeeding regular business day and no liability or loss of rights on the part of any person shall result from the closing.

History: *1959 c 349 s 1; 1959 c 393 s 1,2; 1978 c 678 s 1; 1984 c 629 s 1*

373.053 WAR MEMORIAL BUILDINGS.

Subdivision 1. **County war memorial; cost limit.** Subject to the limitations of this section, a county may construct and maintain in the county a building, including a hospital, to be erected as a memorial to the men and women who have served in the armed forces of the United States during a time when it was at war,

if the construction of the building at a sum not to exceed a specified amount is authorized by a vote of the electors of the county in the manner provided by section 375.20. The cost of the building shall not exceed $250,000.

Subd. 2. **Supervision.** The war memorial building, if not a hospital, shall be under the supervision and control of the county board. The building shall be used as a meeting place for local or county units of any war veterans' organization chartered by the Congress of the United States, and if there is space, for offices of the organizations. The building may also contain the county library and the exhibits of the county historical society and other civic and recreational facilities as determined by the county board. If the memorial is a hospital, it shall be under the control of the county board or a hospital commission to be appointed by the board.

Subd. 3. **City may convey site.** A city in which the construction of a war memorial building or hospital has been authorized, may acquire and convey to the county without compensation a suitable tract of land upon which to construct the building.

Subd. 4. **War memorial building account.** To pay the cost of the war memorial building or hospital, the county board, after approval of the project by a vote of the electors of the county, may certify to the county auditor the amount necessary for the construction of the building and the portion of the amount to be levied in each succeeding taxable year, not exceeding five years, until the whole has been raised. The county auditor on receipt of the certification shall levy upon all taxable property in the county a tax in each year certified by the county board sufficient to produce the amount certified. The proceeds of the tax levy shall be deposited in a separate "War Memorial Building Account."

Subd. 5. **Maintenance.** The county board may certify to the county auditor the amount necessary each year for the maintenance and operation of the building or hospital. The county auditor upon receipt of the certification shall levy a tax upon all taxable property in the county sufficient to produce the amount certified. The proceeds of the tax levy shall be credited to the War Memorial Building Account and shall be used only for the maintenance and operation of the war memorial building. Any balance remaining in the account at the end of any year shall be available for the next year, and the amount certified by the county board for the maintenance and operation of the war memorial building or hospital shall be reduced by the amount of the balance.

Subd. 6. **Gifts authorized.** To carry out the purposes of this section the county board or hospital commission may accept grants or gifts from the federal government or any of its agencies, or from any person.

History: *1945 c 399; 1973 c 123 art 5 s 7; 1984 c 629 s 1*

373.06 ACTIONS AGAINST COUNTIES.

No action shall be maintained by any claimant, except the state of Minnesota, against a county upon any claim except county orders, when the only relief demanded is a judgment for money, until the claim has been presented to the board and it has failed to act upon it within the time fixed by law, or the board consents to the institution of the action.

No action shall be brought by any person, except the state of Minnesota, upon any county order until the expiration of 30 days after a demand for payment of it has been made. Any judgment against the county entered in an action brought on an order without a demand is void.

History: *(994) RL s 620; 1923 c 210; 1984 c 629 s 1*

373.07 SUITS AGAINST COUNTIES; SERVICE; JURORS.

Service of summons or other original process in actions against a county shall be made upon the chair of the board or upon the county auditor, either during a session of the board, or within ten days before the day appointed for one. The person served shall immediately notify the county attorney of the service and give the board at its next regular meeting all the information the person has regarding the action. In actions in which the county is a party, its inhabitants, if otherwise qualified, may be jurors.

History: *(644) RL s 413; 1974 c 394 s 5; 1984 c 629 s 1; 1986 c 444*

373.08 COUNTY, HOW NAMED IN SUITS.

In all actions and proceedings by or against a county, the name in which it shall sue or be sued shall be "The county of ....." (insert name of the county). This provision shall not prevent county officers, when authorized by law, from suing in their official names for the benefit of the county.

History: *(645) RL s 414; 1984 c 629 s 1*

373.09 CLAIMS AGAINST COUNTY; APPEAL.

When a claim against a county is disallowed in whole or part by the county board, the claimant may appeal to the district court by (1) filing a written notice of appeal in the office of the auditor within 15 days after written notice is mailed to the claimant by the county auditor showing the disallowance of the claim and (2) giving security for costs, to be approved by the auditor. The auditor shall notify the county attorney of the appeal.

When a claim is allowed in whole or in part by the board, no order shall be issued to pay it or any part of it, until three days after the date of the decision. The county attorney may, on behalf and in the name of the county, appeal from the decision to the district court, by filing a written notice of appeal in the office of the auditor within three days after the date of the decision appealed from. Any seven taxpayers of the county may appeal in their own names from the decision to the district court by (1) filing a written notice of appeal stating the grounds in the office of the auditor within three days after the date of the decision appealed from, and (2) giving security to the claimant for the claimant's costs and disbursements. The security shall be approved by a judge of the district court. After filing of a notice of appeal no order shall be issued in payment of the claim until a certified copy of the judgment of the court is filed in the office of the auditor. Upon filing of a notice of appeal, the court has jurisdiction of the parties and of the subject matter, and may compel a return to be made.

History: *(646) RL s 415; 1925 c 317 s 1; 1933 c 191; 1943 c 114 s 1; 1945 c 246 s 1; 1959 c 212 s 1; 1969 c 673 s 1; 1983 c 359 s 54; 1984 c 629 s 1; 1986 c 444*

373.10 PROCEEDINGS ON APPEAL.

Within ten days after an appeal has been taken, the auditor shall, without charge, file in the office of the court administrator a certified copy of the claim and a transcript of the record of the action of the board on it, together with a copy of the notice of appeal, and the date of its filing in the auditor's office. The proceedings shall be put upon the calendar for trial as an issue of fact. The court shall direct pleadings to be made as in a civil action, upon which the proceeding shall be tried, and all questions of law summarily heard and determined. Issues of fact shall be tried and judgment rendered and perfected as in a civil action but no

execution shall issue on the judgment except for the collection of a counterclaim or costs and disbursements in case of a judgment for them against a claimant.

History: *(647) RL s 416; 1984 c 629 s 1; 1986 c 444; 1Sp1986 c 3 art 1 s 82*

373.11 APPEALS; COUNTERCLAIM.

An appeal from the judgment of the district court may be taken as in other civil cases within 30 days after the actual entry of the judgment. If no appeal is taken, a certified copy of the judgment shall be filed in the office of the auditor. If an appeal is taken, the determination of the court of appeals shall be certified to the district court and judgment entered in accordance with it, and that judgment certified to and filed in the office of the county auditor. In either case, after the certified copy is filed, orders shall be drawn on the county treasury in payment of any judgment in favor of a claimant. Execution may issue out of the district court for the collection of any costs awarded against a claimant. If costs are awarded against a claimant and there is any allowance on the claim in favor of the claimant, the amount of the costs shall be deducted from the allowance. In any case of an appeal, the county may interpose in the district court as a counterclaim any demand which it has against the claimant, and have execution for the collection of any judgment in its favor.

History: *(648) RL s 417; 1983 c 247 s 146; 1984 c 629 s 1; 1986 c 444*

373.12 JUDGMENTS AGAINST COUNTIES; HOW PAID.

When a judgment is recovered against a county, or against a county officer, in an action prosecuted by or against the officer officially and the judgment is to be paid by the county, no execution shall issue except as provided in this section. Unless reversed, the judgment shall be paid from funds in the treasury, if available. If funds are not available, the unpaid amount of the judgment shall be levied and collected as other county charges, and, when collected, shall be paid to the person in whose favor the judgment was rendered, upon the delivery of a proper voucher. If payment is not made within 30 days after the time the treasurer is required by law to make settlement with the auditor next after the rendition of the judgment, execution may issue, but only the property of the county shall be liable on it.

History: *(649) RL s 418; 1984 c 629 s 1; 1986 c 444*

373.13 [Local, St. Louis County]

373.14 MS 1961 [Repealed, 1965 c 45 s 73]

373.15 MS 1961 [Repealed, 1965 c 45 s 73]

373.16 MS 1961 [Repealed, 1965 c 45 s 73]

373.17 MS 1961 [Repealed, 1965 c 45 s 73]

373.18 MS 1961 [Repealed, 1965 c 45 s 73]

373.19 MS 1961 [Repealed, 1965 c 45 s 73]

373.20 MS 1971 [Repealed, 1973 c 650 art 27 s 1]

373.21 MS 1971 [Repealed, 1973 c 650 art 27 s 1]

373.22 MS 1971 [Repealed, 1973 c 650 art 27 s 1]

373.23 MS 1971 [Repealed, 1973 c 650 art 27 s 1]

373.24 MS 1971 [Repealed, 1973 c 650 art 27 s 1]

373.25 LEVY FOR LAND AND BUILDINGS.

Subdivision 1. **County building fund.** The county board of any county may provide a county building fund. In addition to all other kinds and amounts of taxes permitted by law to be levied for county purposes, the county board may include in its annual tax levy an amount for the county building fund. Its proceeds shall be credited to the county building fund. A county building fund established pursuant to this section to which a tax is credited may be used by the county solely to acquire, construct, reconstruct, maintain and repair buildings used in the administration of county affairs and to acquire lands necessary for those purposes.

Subd. 2. **Add to older law.** This section does not repeal or supersede any other law authorizing a levy for the same purpose.

History: *1949 c 693 s 1,2; 1973 c 583 s 20; 1978 c 743 s 13; 1984 c 629 s 1; 1988 c 519 s 1*

373.26 COUNTY PARKING FACILITIES.

Subdivision 1. **Application.** No motor vehicle, either privately or publicly owned, may be parked upon a parking lot or facilities owned or operated by a county except as authorized by this section.

Subd. 2. **Regulations by resolution.** The county board may regulate, by resolution, the parking of motor vehicles, either privately or publicly owned, including the authority to make charges for parking privileges, upon any parking lot or facility owned or operated by the county.

Subd. 3. **Enforcement.** Regulations promulgated under subdivision 2 shall be enforced by the sheriff unless the county board has entered into a service contract for enforcement with the municipality where the parking lot or facility is located.

Subd. 4. **Removal and impounding of vehicles.** A motor vehicle parked upon a parking lot or facility owned and operated by the county not in conformity with the resolution of the county board regulating its operation and use may be deemed a public nuisance and the board may provide for the abatement of the nuisance by resolution.

Subd. 5. **Penalties.** A person, state, or county official, elective or appointed, firm, association, or corporation which violates a provision of this section or a resolution of the county board adopted under this section is guilty of a misdemeanor.

All fines imposed and collected by a court for violations of the regulations shall be remitted by the court to the treasurer of the county within 30 days after the collection of the fine.

History: *1963 c 163 s 1; 1984 c 629 s 1*

373.27 GREAT RIVER ROAD, FINANCIAL ASSISTANCE.

Subdivision 1. **From county.** The county board of any county lying adjacent to the Great River Road or through which the Great River Road passes, may grant to the Mississippi River Parkway Commission of Minnesota, the commissioner of transportation, or the commissioner of natural resources the money it deems advisable, for the following purposes:

(a) to promote and develop the Great River Road in Minnesota;

(b) to pay actual expenses of commission members incurred in the performance of their duties as commissioners;

(c) to purchase stationery and office supplies;

(d) to pay dues to the national Mississippi River Parkway Commission; and

(e) to purchase lands and interests in lands including scenic easements, in addition to the normal right-of-way required for the Great River Road.

Lands and interests in lands purchased may include parkway features such as lands necessary for recreation, safety rest areas, and the conservation of natural scenic beauty, including submarginal lands, faces of adjacent hillsides, lakeshore and river banks, swamps and residual parcels and areas of historical, archaeological or scientific interest, in accordance with the joint report to Congress and the plan proposed by the state and approved by the secretary of commerce and the secretary of the interior.

Subd. 2. **May tax for.** County grants may come from any money available in the county treasury and the county may levy a tax upon the taxable property in the county to make the grants authorized by this section.

Subd. 3. **State appropriation; use.** All money grants under subdivision 1 shall be deposited in the special revenue fund in the state treasury and is appropriated to the commission or commissioner for the purposes specified in the grant. The money shall not cancel but shall remain available until expended for the purpose or purposes for which it was granted. If no specific purpose is named in the grant, the money shall be available to the commission or commissioner for any of the purposes set forth in subdivision 1.

History: *1963 c 169 s 1,2; 1965 c 237 s 1; 1969 c 399 s 49; 1969 c 1129 art 3 s 1; 1973 c 583 s 21,22; 1976 c 166 s 7; 1984 c 629 s 1; 1989 c 335 art 4 s 83*

373.28 MS 1982 [Repealed, 1984 c 629 s 4]

373.30 WHAT PRE-1969 LAWS APPLY IF 1970 CENSUS PASSED 100,000.

A county with a population according to the 1960 federal census of less than 100,000 which has a population of over 100,000 according to the 1970 federal census may continue to use authorities granted to counties of under 100,000 population notwithstanding the change in population. Statutory limitations and mandatory provisions of law relating to counties of over 100,000 population shall not apply to counties which had a population according to the 1960 federal census of less than 100,000 population. Statutory limitations and mandatory provisions of law applicable to counties of under 100,000 shall continue to apply to counties which according to the 1960 federal census had less than 100,000 and which according to the 1970 federal census have a population in excess of 100,000. Application of legislation passed in 1969 or later shall not be affected by this section.

History: *1969 c 254 s 1; 1984 c 629 s 1*

373.31 MS 1986 [Repealed, 1987 c 291 s 244]

373.32 LICENSE BUREAU AUTHORIZED.

Any county may establish a county license bureau. The license bureau may be located in the county seat or at another location or locations the county board designates.

History: *1973 c 675 s 1; 1984 c 629 s 1*

373.33 STATE LICENSES MAY BE ISSUED.

A county license bureau may issue, process or assist in preparing an application for any license or permit issued by the state or a state official including but not limited to game and fish, trapping, wild rice harvest, motor vehicle, manufactured home, trailer, snowmobile, watercraft or driver's license or as many of the licenses as designated by the county board. The processing of driver's license applications by a county license bureau is subject to the provisions of section 171.061. This authority does not include the issuance of marriage licenses. The county board may delegate the responsibility for the issuance of any county license or permit to the county license bureau.

History: *1973 c 675 s 2; 1981 c 365 s 9; 1984 c 629 s 1; 1997 c 250 s 11*

373.34 IMPLEMENTATION, NOTICE.

Subdivision 1. **By resolution.** Sections 373.32 to 373.37 shall be operative in a county when the county board passes a resolution declaring its intent to proceed under the sections and establish a bureau. The resolution establishing a county license bureau shall take effect when the county board designates but not less than 30 days after the date of the adoption of the resolution.

Subd. 2. **Notices of intent required.** A resolution establishing a county license bureau shall not be valid unless a notice of intention to adopt the resolution has been mailed by the clerk of the county board to each state department having responsibility for the issuance of a state license not less than 20 days before the date of the meeting at which the adoption of the resolution is to be considered. A similar notice shall be delivered by the clerk of the county board to the deputy registrar of motor vehicles for the county and to each county officer having the authority to issue, process or assist in the preparation of an application for the issuance of any license not less than ten days before the date of the meeting.

History: *1973 c 675 s 3; 1984 c 629 s 1*

373.35 DIRECTOR OF BUREAU.

Subdivision 1. **Auditor or board appointee.** The county auditor shall serve as the director of the county license bureau or, if the auditor chooses not to serve, the county board shall appoint any other county officer or employee, or any other person, to serve as the director upon the terms and conditions the county board deems advisable. The county board shall set the compensation of the director and may provide for the expenses of the office including the premium of any bond required to be furnished by the director. The director shall have the powers and duties imposed on the county officer who previously had the authority to issue or process the application for any license referred to in section 373.32.

Notwithstanding section 168.33, subdivision 2, the commissioner of public safety may appoint, and for cause discontinue, the director as the deputy registrar of motor vehicles in the county. If the director is a deputy registrar, all provisions of section 168.33 and Minnesota Rules, chapter 7406, apply to a county license bureau. If the director is a driver's license agent, section 171.061 and rules promulgated thereunder apply to the county license board director.

Subd. 2. **Director's duties; no fee retention.** The director shall be responsible for all funds in the director's custody as director of the license bureau and shall deposit them in the county treasury, a state depository or forward the funds to the appropriate state official as provided by law or rule or as designated by the county board consistent with applicable statutes and rules. The director or an employee in the bureau

may not retain any portion of the fee charged by law or any surcharge upon the license or application. The sole compensation shall be the salary provided by the county board.

History: *1973 c 675 s 4; 1976 c 281 s 3; 1984 c 629 s 1; 1986 c 444; 1989 c 269 s 46; 1995 c 71 s 1; 1997 c 250 s 12*

373.36 MS 1974 [Repealed, 1976 c 281 s 7]

373.37 TERMINATION OF BUREAU.

A county license bureau may be terminated in the same manner provided in section 373.34 to establish a license bureau. Duties and responsibilities assigned to the director of the license bureau shall then be vested in the officer or person who has responsibility for the function as provided by other law at the time of the termination.

History: *1973 c 675 s 6; 1984 c 629 s 1*

373.38 BUSINESS HOURS.

County license bureaus shall maintain hours to best serve the public. They shall be open to the public for at least 40 hours each week.

History: *1973 c 675 s 7; 1984 c 629 s 1; 2017 c 67 s 1*

373.39 SPENDING FOR FIRE PROTECTION, COMMUNITY PROJECTS.

Any county located outside the metropolitan area as defined in section 473.121, subdivision 2, may appropriate moneys from its general fund or expend funds received from the federal government under the State and Local Fiscal Assistance Act of 1972 (Title 1, Public Law 92-512) to make grants to cities and towns within the county to be used to provide fire protection, including the construction and equipping of local fire departments, or for other community projects. The grants may be terminated upon expiration of the federal act.

History: *1976 c 144 s 1; 1984 c 629 s 1*

373.40 CAPITAL IMPROVEMENT BONDS.

Subdivision 1. **Definitions.** For purposes of this section, the following terms have the meanings given.

(a) "Bonds" means an obligation as defined under section 475.51.

(b) "Capital improvement" means acquisition or betterment of public lands, buildings, or other improvements within the county for the purpose of a county courthouse, administrative building, health or social service facility, correctional facility, jail, law enforcement center, hospital, morgue, library, park, qualified indoor ice arena, roads and bridges, public works facilities, fairground buildings, and records and data storage facilities, and the acquisition of development rights in the form of conservation easements under chapter 84C. An improvement must have an expected useful life of five years or more to qualify. "Capital improvement" does not include a recreation or sports facility building (such as, but not limited to, a gymnasium, ice arena, racquet sports facility, swimming pool, exercise room or health spa), unless the building is part of an outdoor park facility and is incidental to the primary purpose of outdoor recreation. For purposes of this section, "capital improvement" includes expenditures for purposes described in this paragraph that have been incurred by a county before approval of a capital improvement plan, if such

expenditures are included in a capital improvement plan approved on or before the date of the public hearing under subdivision 2 regarding issuance of bonds for such expenditures.

(c) "Metropolitan county" means a county located in the seven-county metropolitan area as defined in section 473.121 or a county with a population of 90,000 or more.

(d) "Population" means the population established by the most recent of the following (determined as of the date the resolution authorizing the bonds was adopted):

(1) the federal decennial census,

(2) a special census conducted under contract by the United States Bureau of the Census, or

(3) a population estimate made either by the Metropolitan Council or by the state demographer under section 4A.02.

(e) "Qualified indoor ice arena" means a facility that meets the requirements of section 373.43.

Subd. 2. **Application of election requirement.** (a) Bonds issued by a county to finance capital improvements under an approved capital improvement plan are not subject to the election requirements of section 375.18 or 475.58. The bonds must be approved by vote of at least three-fifths of the members of the county board. In the case of a metropolitan county, the bonds must be approved by vote of at least two-thirds of the members of the county board.

(b) Before issuance of bonds qualifying under this section, the county must publish a notice of its intention to issue the bonds and the date and time of a hearing to obtain public comment on the matter. The notice must be published in the official newspaper of the county or in a newspaper of general circulation in the county. The notice must be published at least ten, but not more than 28, days before the date of the hearing.

(c) A county may issue the bonds only upon obtaining the approval of a majority of the voters voting on the question of issuing the obligations, if a petition requesting a vote on the issuance is signed by voters equal to five percent of the votes cast in the county in the last county general election and is filed with the county auditor within 30 days after the public hearing. If the county elects not to submit the question to the voters, the county shall not propose the issuance of bonds under this section for the same purpose and in the same amount for a period of 365 days from the date of receipt of the petition. If the question of issuing the bonds is submitted and not approved by the voters, the provisions of section 475.58, subdivision 1a, shall apply.

Subd. 3. **Capital improvement plan.** (a) A county may adopt a capital improvement plan. The plan must cover at least the five-year period beginning with the date of its adoption. The plan must set forth the estimated schedule, timing, and details of specific capital improvements by year, together with the estimated cost, the need for the improvement, and sources of revenues to pay for the improvement. In preparing the capital improvement plan, the county board must consider for each project and for the overall plan:

(1) the condition of the county's existing infrastructure, including the projected need for repair or replacement;

(2) the likely demand for the improvement;

(3) the estimated cost of the improvement;

(4) the available public resources;

(5) the level of overlapping debt in the county;

(6) the relative benefits and costs of alternative uses of the funds;

(7) operating costs of the proposed improvements; and

(8) alternatives for providing services more efficiently through shared facilities with other counties or local government units.

(b) The capital improvement plan and annual amendments to it are not effective until approved by the county board after public hearing.

Subd. 4. **Limitations on amount.** A county may not issue bonds under this section if the maximum amount of principal and interest to become due in any year on all the outstanding bonds issued pursuant to this section (including the bonds to be issued) will equal or exceed 0.12 percent of the estimated market value of property in the county. Calculation of the limit must be made using the estimated market value for the taxes payable year in which the obligations are issued and sold. This section does not limit the authority to issue bonds under any other special or general law.

Subd. 5. **Application of chapter 475.** Bonds to finance capital improvements qualifying under this section must be issued under the issuance authority in chapter 475 and the provisions of chapter 475 apply, except as otherwise specifically provided in this section.

Subd. 6. MS 1992 [Repealed, 1994 c 505 art 2 s 7]

Subd. 7. MS 2000 [Repealed, 2001 c 214 s 49]

History: *1988 c 519 s 2; 1988 c 719 art 5 s 84; art 19 s 20; 1989 c 277 art 4 s 30,31; 1989 c 329 art 13 s 20; 1Sp1989 c 1 art 5 s 27; art 17 s 6,7; 1990 c 480 art 9 s 13; 1990 c 592 s 1,2; 1991 c 345 art 2 s 55; 1992 c 511 art 9 s 11; 1995 c 256 s 1; 1997 c 231 art 2 s 31; 1999 c 243 art 5 s 34; 1Sp2003 c 4 s 1; 2005 c 152 art 1 s 7; 1Sp2005 c 1 art 4 s 101,102; 2008 c 154 art 10 s 10; 2010 c 389 art 7 s 2; 2013 c 143 art 12 s 5,6; art 14 s 50,51; 1Sp2025 c 13 art 7 s 1*

373.41 MISCELLANEOUS FEES.

The county may charge a fee to record, file, certify, or provide copies of any instrument, document, or paper that is required by law to be filed or which may be filed in any county office. The county may charge fees for service provided by any county office, official, department, court, or employee. The county board may, after a public hearing, establish the amounts of fees to be charged for the services, unless a statute has specified the amount. There must be a reasonable relation between the fee and the cost of providing the service. A county may also impose a fee or an interest charge on payments of money to the county that are more than 90 days overdue, provided that late property tax payments remain subject only to the penalty and interest provisions of chapters 277 and 279.

History: *1987 c 164 s 1; 1993 c 217 s 1*

373.42 MS 2008 [Repealed, 2009 c 152 s 25]

373.43 FINANCING AUTHORITY; ICE FACILITIES.

A county may issue and sell its general obligations under chapter 475 to finance acquisition and construction of an indoor ice arena intended to be used predominantly for youth athletic activities if all the following conditions are met.

(a) The obligations are secured by a pledge of revenues from the facility.

(b) The county has entered into a qualified agreement. A qualified agreement means:

(1) a joint powers agreement with the school district or the city in which the facility is located that governs ownership, operation, and maintenance of the facility; or

(2) an agreement with a nonprofit corporation, qualifying under section 501(c)(3) of the Internal Revenue Code of 1986, that provides that the corporation will operate, manage, and maintain the facility; or

(3) any combination of agreements under clauses (1) and (2).

(c) The agreements under paragraph (b) provide that all parties must pay the principal and interest on obligations, if the revenues for the facility are insufficient to pay the obligations in full.

(d) The county board finds, based on analysis provided by a professional experienced in finance, that the facility's revenues and other available money will be sufficient to pay the obligations, without reliance on a property tax levy or the general purpose state aid of the county or any party to a joint powers agreement.

History: *1995 c 256 s 2*

373.44 REVENUE FINANCING AUTHORITY; ICE FACILITIES.

For the purpose of acquiring, leasing, equipping, or maintaining land or buildings for use as an indoor ice arena as defined in section 373.43, a county has the same authority and powers granted to a city by section 471.191.

History: *1995 c 256 s 3*

373.45 [Renumbered 446A.086]

373.47 COUNTY DEBT AUTHORITY.

Subdivision 1. **Authority to incur debt.** Subject to prior approval by the Statewide Radio Board under section 403.36, the governing body of a county may finance the cost of designing, constructing, and acquiring public safety communication system infrastructure and equipment for use on the statewide, shared public safety radio system by issuing:

(1) capital improvement bonds under section 373.40, as if the infrastructure and equipment qualified as a "capital improvement" within the meaning of section 373.40, subdivision 1, paragraph (b). Bonds issued under this section are exempt from and shall not be included in calculating the limitations in section 373.40, subdivision 4; and

(2) capital notes under the provisions of section 373.01, subdivision 3, as if the equipment qualified as "capital equipment" within the meaning of section 373.01, subdivision 3.

Subd. 2. **Treatment of levy.** The county may report the tax attributable to any levy to pay principal and interest on bonds or notes issued under this section as a separate line item on the property tax statement. The levy to pay principal and interest on the notes or bonds is exempt from the limits on the amount or rate of tax imposed under any other provision of law.

Subd. 3. **Expiration.** The authority to issue debt under this section expires December 31, 2012.

History: *2002 c 401 art 1 s 2; 2003 c 127 art 12 s 10; 1Sp2003 c 1 art 2 s 135; 1Sp2003 c 21 art 10 s 11; 2008 c 299 s 16; 2009 c 88 art 6 s 7*

373.475 COUNTY ENVIRONMENTAL TRUST FUND.

(a) Notwithstanding the provisions of chapter 282 and any other law relating to the apportionment of proceeds from the sale of tax-forfeited land, and except as otherwise provided in this section, a county board must deposit the money received from the sale of land under Laws 1998, chapter 389, article 16, section 31, subdivision 3, into an environmental trust fund established by the county under this section. The principal from the sale of the land may not be expended, and the county board may spend interest earned on the principal only for purposes related to the improvement of natural resources. To the extent money received from the sale is attributable to tax-forfeited land from another county, the money must be deposited in an environmental trust fund established under this section by that county board.

(b) Notwithstanding paragraph (a), St. Louis County may use up to 50 percent of the principal in an environmental trust fund established under this section in calendar years 2023, 2024, and 2025 and up to ten percent annually thereafter for renewable and climate change related economic development and environmental projects in the county that protect the environment or create clean-economy jobs and manufacturing. The county must leave a minimum of $10,000,000 as principal in the account. For purposes of this paragraph, economic development projects mean solar incentives and projects to protect Lake Superior and other waters in the Great Lakes watershed from PFAS contamination from landfills. Notwithstanding section 10.49, the environmental trust fund established under this section must be named the Mary C. Murphy Trust Fund.

History: *1998 c 389 art 16 s 31 subd 4; 2023 c 60 art 9 s 9*

373.48 FINANCING ENERGY PURCHASE CONTRACTS; PARTICIPATION IN GENERATION AND TRANSMISSION PROJECTS.

Subdivision 1. **Definitions.** For the purpose of this section, "project" means a facility that generates electricity from renewable energy sources listed in section 216B.1691, subdivision 1, paragraph (c).

Subd. 2. **Energy purchase contracts; generation projects.** A county may, for itself or in cooperation with other counties, enter into agreements for the purchase of electrical energy from one or more projects, and may enter into agreements with a utility for the purchase and sale of the electrical energy so purchased. Agreements may be for a term of one year to 20 years. A county may also acquire an ownership interest in a project and may enter into agreements for the purchase and sale of electrical energy produced. A county may not sell, transmit, or distribute the electrical energy at retail or provide for end use from an off-site facility by the county or counties of the electrical energy. A county's on-site generation authorized under this subdivision is limited to a total of ten megawatts. Nothing in this section modifies the exclusive service territories or exclusive right to serve as provided in sections 216B.37 to 216B.43. The energy to be purchased by a county under agreements entered into under this section and the energy produced that is commensurate with the county's interest in projects shall not in any year exceed the total amount of energy used by the county for its own facilities in the immediately preceding year, regardless of the source from which energy was obtained.

Subd. 3. **Joint purchase of energy and acquisition of generation projects; financing.** (a) A county may enter into agreements under section 471.59 with other counties for joint purchase of energy or joint acquisition of interests in projects. A county that enters into a multiyear agreement for purchase of energy or acquires an interest in a project may finance the estimated cost of the energy to be purchased during the term of the agreement or the cost to the county of the interest in the project by the issuance of revenue bonds of the county, including clean renewable energy revenue bonds, provided that the annual debt service on all bonds issued under this section, together with the amounts to be paid by the county in any year for the

purchase of energy under agreements entered into under this section, must not exceed the estimated revenues of the project.

(b) An agreement entered into under section 471.59 as provided by this section may provide that:

(1) each county issues bonds to pay their respective shares of the cost of the projects;

(2) one of the counties issues bonds to pay the full costs of the project and that the other participating counties pay any available revenues of the project and pledge the revenues to the county that issues the bonds; or

(3) the joint powers board issues revenue bonds to pay the full costs of the project and that the participating counties pay any available revenues of the project under this subdivision and pledge the revenues to the joint powers entity for payment of the revenue bonds.

History: *2008 c 303 s 2; 2009 c 88 art 5 s 1,2; 2016 c 189 art 6 s 13; 2023 c 7 s 32*

373.50 POSTPONEMENT OF ELECTION; INCLEMENT WEATHER.

Subdivision 1. **Applicability.** This section applies to a primary, special, or general election held in a county that is not held in conjunction with a state or federal election.

Subd. 2. **Postponement of election.** (a) In the event of severe or inclement weather, the county auditor may postpone an election when the National Weather Service or a law enforcement agency has issued storm warnings or travel advisories indicating that the weather conditions would make travel to a polling place difficult or hazardous for voters and election judges. When one or more jurisdictions are holding elections in conjunction with one another, the jurisdiction that covers the largest geographic area has the authority, after consulting with the other auditors and clerks, to make the decision to postpone all of the elections. A decision to postpone an election must apply to every precinct in the jurisdiction.

(b) A decision to postpone an election must be made no later than 6:00 p.m. on the day before the election. The auditor must contact the election judges and notify local media outlets of the postponement. The auditor must also post a notice on the jurisdiction's website, if practicable.

(c) A postponed election must be rescheduled for the next following Tuesday after the election was originally scheduled. The date on which the postponed election will be held shall be considered the date of the election for purposes of absentee voting under chapter 203B. An election that is postponed due to weather may be postponed again if necessary under this section.

History: *2010 c 201 s 79*

373.51 ALTERNATIVE PROCESS FOR CONSOLIDATION.

Notwithstanding the provisions relating to petitions in sections 371.02 and 371.03, two or more counties may begin the process for consolidation by filing with the secretary of state a resolution unanimously adopted by the board of each affected county to seek voter approval for consolidation of the counties following the procedures in chapter 371.

History: *1Sp2011 c 7 art 6 s 13*