

General Government

CHAPTER 415

GOVERNING BODIES

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415.01 LAWS RELATING TO TOWNS NOT TO APPLY TO TERRITORY IN VILLAGES OR CITIES. Nothing contained in chapters 365 to 368 shall apply to territory embraced within the limits of any city or village, but each city and village shall have and exercise within its limits all the powers conferred by these chapters upon towns.

[R. L. s. 692] (1103)

415.02 CODIFICATION OF CHARTER AND ORDINANCE; EVIDENCE. Any city or village may cause its charter, and all general and special laws, ordinances, resolutions, rules, and by-laws in force therein, to be codified, printed, and published, and may declare, by ordinance, such codification to be prima facie evidence of the law of such municipality. It shall thereupon be received in evidence by the courts.

[R. L. s. 771] (1837)

415.03 PUBLICATION OF VILLAGE PROCEEDINGS. The council of any village may cause to be published once, in some newspaper published in such village, the official proceedings of such village, and such publication shall be made as soon as may be, and not later than 30 days after the meeting at which such proceedings were had.

The term "proceedings," as used in this section, shall include a statement of all motions or resolutions passed by the council, and a brief itemized statement of claims allowed or disallowed giving the name of the claimant and amount and general purpose of the claim.

Nothing in this section shall abrogate the publication of ordinances, rules, and by-laws as now required by statute.

[1927 c. 472 ss. 1, 2] (1197-1, 1197-2)

415.031 MAYOR OF CERTAIN CITIES MAY VOTE IN CASE OF A TIE VOTE. In all cities of the fourth class not organized and operating under a charter adopted pursuant to the Constitution of the State of Minnesota, Article 4, Section 36, in which the mayor is the presiding officer of the common council, but has no vote, he shall have the right to vote in case of a tie, but in such case only.

[1933 c. 192] (1828-100)

415.032 OFFICE OF MAYOR AND CHIEF OF POLICE COMBINED IN CERTAIN CITIES. In any city of the fourth class organized under any special or general law and having a population of not less than 500, or more than 1,000, except any city operating under a home rule charter, the governing body of such city is hereby authorized by ordinance to combine the office of chief of police with that of the mayor and to provide that the mayor of such city shall also be the chief of police of such city and perform all the duties by law conferred upon the chief of police of such city for the preservation of the public peace.

[1937 c. 68 s. 1] (1828-103)

415.033 TERMS OF MAYOR IN CERTAIN CITIES OF FOURTH CLASS. In every city having a population of less than 1,000 and not operating under a home rule charter, the term of the mayor shall be two years and until his successor is elected and qualifies.

[1941 c. 124]

415.035 [Obsolete]

415.04 [Repealed by 1945 c. 464 s. 2]

415.045 SALARIES OF PRESIDENT AND TRUSTEES IN VILLAGES. Subdivision 1. The salaries of the president and trustees in villages shall be those fixed in the following subdivisions, but the council of any village may fix such salaries in a less amount for any year.

Subd. 2. In any village having a population of not less than 5,000 and an assessed valuation of not less than \$10,000,000, the salary of the president is fixed at \$200 per month and the salary of each trustee at \$150 per month.

Subd. 3. In any village not included in the foregoing class and having either (a) a population of not less than 1,500 and an assessed valuation of not less than \$3,000,000, or (b) a population of not less than 1,200 and an assessed valuation of not less than \$6,000,000, the salary of the president is fixed at \$80.00 per month and the salary of each trustee at \$60.00 per month.

Subd. 4. In any village not included in any of the foregoing classes and having a population of not less than 2,000 and an assessed valuation of not less than \$1,500,000, the salary of the president is fixed at \$50.00 per month and the salary of each trustee at \$35.00 per month.

Subd. 5. In villages not included in any of the foregoing classifications, having both a population of not less than 300 and an assessed valuation of not less than \$925,000, or having both a population of not less than 300 and an assessed valuation of not less than \$700,000 of which not less than 30 per cent is iron ore valuation, the salary of the president is fixed at \$35 per month and the salary of each trustee at \$25 per month.

Subd. 6. In any village not included in any of the foregoing classes and having (a) a population of not less than 5,000 and an assessed valuation of less than \$1,000,000, (b) a population of less than 600 and an assessed valuation of not less than \$1,000,000, (c) a population of more than 5,000, or (d) an assessed valuation of more than \$1,500,000, the salary of the president and each trustee is fixed at \$100 per year.

Subd. 7. In any village not included in any of the foregoing classes and having either (a) population of more than 500 and an assessed valuation of not less than \$100,000 and situated in a county having a population of not less than 500,000 and an assessed valuation, exclusive of money and credits, of not less than \$280,000,000, or (b) a population of more than 1,000 and less than 2,000 and an assessed valuation of more than \$500,000, exclusive of money and credits, more than 70 per cent of which valuation consists of iron ore, the salary of the president is fixed at \$20 per month and the salary of each trustee at \$15 per month.

Subd. 8. In any village not included in any of the foregoing classes, the salary of the president is fixed at \$2.00 per day or meeting for each day's service necessarily rendered or meeting attended, with a maximum of \$30.00 per year, and the salary of each trustee is fixed at 1.50 per day or meeting for each day's service necessarily rendered or council meeting attended, with a maximum of \$20.00 per year, except that in any village having a population of not less than 2,100, an assessed valuation of not less than \$700,000, and a municipal electric light plant, the salary of the president may be increased to \$100 per year and the salary of each trustee to \$60.00 per year by resolution adopted by unanimous vote of the council.

Subd. 9. The council of any village to which subdivision 8 applies may by resolution fix the salaries of the president and trustee at larger amounts than therein specified but not in excess of \$100 per year. No such resolution shall be effective until approved by a majority of those voting on the proposition at a regular or special village election. Salaries thus approved by the voters shall remain in effect until changed by similar action, unless decreased by the council as authorized in subdivision 1.

Subd. 10. The valuation shall be that fixed by the previous year's assessment.
[1945 c. 464 s. 1]

415.05 SALARIES OF MAYOR AND COUNCIL IN CITIES OF FOURTH CLASS. In any city in this state having a population not to exceed 10,000 the common council may, prior to any annual city election to be held therein, pass a resolution fixing the annual salaries of the mayor and the members of such common council at not to exceed \$100 per annum for each officer, and the common council shall cause notice thereof to be given to the voters of such city in the notice of the annual city election, and the recorder of such city shall place upon the official ballot of the city, to be used therein at the annual city election the proposition "in favor of paying the sum of \$..... as salary to the mayor and each member of the common council," and the proposition "against paying the sum of \$..... as salary to the mayor and each member of the common council." The recorder shall place the amount of money in each of the above propositions on the ballots, as the common council shall determine by resolution, as aforesaid, but not to exceed \$100. The voters of the city at such annual city election shall vote for or against the proposition of paying the mayor and the respective members of the common council as salary the amount placed upon the ballot and, if a majority of the voters of the city voting on the proposition shall vote in favor of the paying of the salary then the proposition shall be deemed carried and the mayor and each member of the common council shall be entitled to be paid out of the city treasury the sum so voted for as an annual salary for services to be rendered by them thereafter. The amount voted for annual salary of the officers shall thereafter be paid to each of the officers as their annual salary until otherwise changed by a vote of the legal voters of the city as herein provided for fixing the salaries.

[1905 c. 301 s. 1] (1728)

415.06 VOTES, HOW CAST. The voter wishing to vote for or against the proposition of paying the amount for salary to the officer shall place a cross mark (X) opposite the proposition for which he intends to vote. All the votes cast for or against the proposition shall be canvassed, counted, and returned to the city recorder, the same as the votes are for city officers in said city.

[1905 c. 301 s. 2] (1729)

415.07 TO WHAT CITIES APPLICABLE. Sections 415.05 and 415.06 shall apply to all such cities therein mentioned, whether incorporated under a general or special law, but nothing therein contained shall be construed to apply to any municipality now operating under a home rule charter.

[1905 c. 301 s. 3] (1730)

415.08 SALARY OF ALDERMEN. In cities now or hereafter having over 50,000 inhabitants and not having a commission or council manager form of government the salary of each alderman shall be \$2,400 per annum, payable pro rata monthly out of the city treasury.

[1937 c. 294 s. 1; 1939 c. 132 s. 1] (1417-1)