

CERTIFICATE OF AMENDMENT TO THE  
CHARTER OF THE  
CITY OF WORTHINGTON

I, John E. Fenstermacher, Mayor of the City of Worthington  
in the County of Nobles and State of Minnesota, do hereby  
certify:

1. That under date of the 27th day of February, 1957,  
the Board of Freeholders of said City duly submitted to me  
the following proposed amendment to the Charter of the City  
of Worthington, to wit:

#13275  
STATE OF MINNESOTA  
RECEIVED  
APR 1 1957  
Joseph L. Asmann  
Secretary of State

Washington, Minnesota  
February 27, 1907

To the Honorable John S. Burdick  
Mayor of the City of Washington

That the undersigned, constituting the Board of Freeholders duly appointed by the Judge of the District Court of Dallas County, Minnesota, to draft a proposed charter and amendments thereto for the City of Washington pursuant to Section 20, Article 27 of the Constitution of the State of Minnesota, and that enacted in pursuance thereof, do respectfully certify, which was certified to you as the Chief Magistrate of the City of Washington the following proposed instrument consisting of a complete revision of the charter of said city as heretofore duly adopted by the qualified voters of the City on January 2, 1907, and all amendments thereto heretofore adopted, said instrument and revision being in words and figures as follows:

**ARTICLE I**

**City of Washington**

The Charter of the City of Washington as certified by the Board of Freeholders to the Honorable William Hoffman, President of the Village of Washington, on January 2, 1907, and as adopted in said year 1907 and as heretofore amended by amendments numbered 1 to 14, inclusive, is hereby amended and revised to read as follows:

**Chapter 10**

**NAME, JURISDICTION, FORM AND GENERAL PROVISIONS**

**Section 1.01. Name and boundaries.** The City of Washington in the County of Dallas and State of Minnesota shall continue to be a municipal corporation under the name 'City of Washington' and shall continue to have the boundaries as fixed by law at the time of the adoption of this amendment or as may be hereafter established.

**Section 1.02. Powers of the City.** The city shall have municipal government, the right to elect and alter a council and, the right to take, hold, purchase, lease and convey any and all property or interests in property, real, personal and chose, within or without its boundaries, as the purposes of the corporation may require or the transaction or completion of its business may render convenient. The city shall also have all powers, functions, rights, privileges and immunities possessed by a municipal corporation of common law or given or granted by the Constitution and laws of the State of Minnesota to cities of a class which include the City of

ordinances are subject to the provisions hereinafter in this chapter.

**Section 2.25. Appropriation of this budget.** The president of this chapter shall be elected annually in favor of the city to the end that it shall have all powers, authority or equivalent for the protection or improvement of the public welfare or for the efficient conduct of its municipal affairs, which may be granted to any municipal corporation under the laws of the state, without the necessity of asking the legislature for special grants of power, as contemplated by the municipal law and provisions of the constitution and laws of the State of Minnesota, and specific sections of particular municipal powers in other sections of this chapter shall not be construed as limiting the power to those specifically mentioned or necessarily implied. It is intended that the city shall have and may exercise all powers which it would have if they were specifically mentioned, unless expressly granted to some other officer or body, all powers shall inure to the city council.

**Section 2.26. Ward Organization.** The city shall be divided into five wards of substantially equal population. The wards as hereinafter designated shall continue until changed by the city council. The city council may from time to time by ordinance adopted by two-thirds of its membership re-divide the city into wards as may be required in the public interests.

#### Chapter III.

#### OFFICERS AND MEMBERS

**Section 2.27. Executive Officers.** The executive officers of the city shall consist of a mayor, two members of the council from each ward and one member of the council from the city at large, who shall be known as clerk, a treasurer, a judge of the Municipal Court, and a special judge of the Municipal Court.

**Section 2.28. Acting Mayor.** At the annual meeting the council shall proceed to elect by ballot from the members, on writing paper, who shall preside over the meetings of the council during the absence of the mayor from the city, or his inability from any cause to discharge the duties of the office, and who shall exercise all the powers and discharge all the duties of the mayor, and acts performed by him, when acting as mayor as aforesaid, shall have the same force and validity as if performed by the mayor.

**Section 2.29. Appointing Officers.** At the annual meeting each year or within one month thereafter the city council shall appoint a clerk, treasurer, street commissioner, and such other officers as the city council shall deem necessary. Such appointments shall be by a majority vote of the council and the vote shall be by ballot. All appointments shall be for a term of one year except that of attorney, which shall be for a two year term. The city council shall fill

all vacancies for the unexpired term.

Section 2.04. Term of Office. The term of office of the mayor, all aldermen and the treasurer shall be for two years, and the term of office of the Judge of the Municipal Court and the special Judge of the Municipal Court shall be six years. The elective officers in office at the date of adoption of this amendment shall continue in office until the end of their respective terms when their successors shall be elected.

Section 2.05. Elections. Regular city elections shall be held on the first Tuesday in April each year. The city council may by resolution order special elections, fix the time of holding the same and provide all means for holding such elections. Notice of election shall be given as provided by law. The city council shall meet within three days after any city election and canvass the returns and declare the result thereof. Its determination as to the result of any election shall be final and conclusive unless an appeal shall be taken therefrom within ten days after such canvass and determination.

Section 2.06. Election Law and Administration. So far as applicable, unless otherwise clearly provided by this charter, general laws of the State relating to primaries, elections and related matters shall apply to and govern primaries and elections under this charter. The city council shall make such supplementary and interpretive regulations, not inconsistent with this charter, or general law, as may be deemed necessary.

Section 2.07. Vacancy in Office. A vacancy in the city council shall exist in event of the failure of any person elected thereto to qualify on or before the date of the second regular meeting following his election or by reason of the death of the mayor or of any alderman, or his resignation, removal from office, removal from the state, continuous absence from the city for more than three months or conviction of a criminal offense which at the time of its commission constituted a felony under the laws of the State of Minnesota, whether before or after qualification or by reason of his failure without good cause to perform the duties of the office for a period of three months. The city council shall fill the unexpired term, if any. The resolution declaring the vacancy shall be subject to review in the courts as to any question of law or fact in an action brought by the aldermen or former aldermen or by any two registered voters acting jointly. Any appointive officer may be removed for the reasons above set forth, but in such event the action of the city council declaring the vacancy shall be final and shall not be subject to review in the courts.

Section 2.10. Powers and Duties. No officer or employee of the city shall make for or on the city any contract in violation of this city or any department thereof, with individuals, or with any firm or person for the purpose, nor shall he be in any manner, directly or indirectly, interested in any contract with the city, and any contract in which any officer or employee of the city, or his or her family, directly or indirectly, interested, shall be entered into, shall be void, and any such officer, by the date of such entry, shall forfeit his salary and any money which shall be paid on such contract by the city, and he shall be considered as having resigned from office and shall be liable to a suit or action for the recovery of the same by the city.

Section 2.11. Reports. Every department officer and all boards shall make reports to the city council at least once each year, and in such form and manner as the city council shall require.

Section 2.12. Delivery of Public Property. At the expiration of his term of office, each officer or employee shall turn over to the city or to the successor all books, papers, files, records and other property of the city belonging to the city which may be in his possession or under his control.

#### CHAPTER III.

##### CIVIL SERVICE AND SALARIES.

Section 3.01. Mayor and Mayor Pro Tem. The mayor, or, in his absence, the acting mayor shall preside at all city council meetings, but shall have no vote except in case of a tie; and he shall not have the vote power. He shall be considered as head of the city for all ceremonial purposes and for the purpose of official law. He shall be the chief executive officer of the city and shall sign all resolutions, ordinances, bonds and contracts on behalf of the city except as otherwise provided herein.

Section 3.02. Board and Officers of City Clerk. The city clerk shall be responsible for keeping the corporate seal and all of the books and records and other property of the city except as otherwise provided herein. He shall attend all meetings of the city council and of all committees thereof and keep records of the proceedings. He shall draw all warrants on the city treasury and shall keep an accurate account thereof. He shall obtain the signature of the mayor on all ordinances, resolutions, bonds and contracts and affix the seal of the city thereto. He shall keep books of account in such form as may be required by the city council and which shall show the financial condition of the city and of all departments thereof and he shall make such annual, monthly and other reports as the city council

any register. He shall give receipt by day payment and receipt of cash for amounts as may be fixed by the city council, furnish certified copies of the proceedings and records of the city which are in his possession or under his control, which copies may be referred in evidence in any court with the same effect as if the originals were produced.

Section 2-119. Mayor and Justice of City Treasurer. The city treasurer shall receive and keep all moneys belonging to the city and shall conduct a full account. He shall be paid out of the city treasury within three months after deposit with the city clerk an itemized claim duly verified as required by law and allowed by the proper authority except as otherwise provided herein. All paid accounts shall be retained by the city clerk as record of the payments.

Section 2-120. Mayor and Justice of City Attorney. The city attorney shall be an attorney at law, who, at the time of his appointment, shall have been admitted to practice and shall have resided for at least one year in the State of Illinois for at least two years. He shall be the chief legal adviser of the city and of all departments, officers and boards thereof and shall represent the city in suits and other legal proceedings and its proceedings for violation of any ordinance or other local law.

Section 2-121. Mayor and Justice of City Assessor. The city assessor shall be a resident voter of the city for at least two years immediately preceding his appointment. He shall be appointed in December in the even numbered years for a two year term commencing on the first day of January in each odd numbered year. He shall, by and with the consent and approval of the city council, appoint such deputies as may be required to enable him to perform properly the duties of his office and may discharge such deputies at will. He shall assess all taxable property in the city as required by law. In the event any real property which was on the tax rolls of the city during the preceding year shall be valued by the city assessor at a value greater than the value placed thereon by the city assessor in each preceding year, he shall give notice to the owner of such real property as shown by the records in the office of the county auditor, stating the full and true value of said property as so fixed. Such notice may be given by mail or by personal service thereof but must be given at least one week prior to the date of next meeting of the board of equalization.

Section 2-122. Board of Equalization. The city council shall appoint a board of at least three from the members to constitute a board of equalization to review, amend and equalize the assessment of property as returned by the city assessor.

The board shall have the authority to take the provisions of this ordinance into effect and may continue to work thereon until the same is complete. It shall be subject to all laws which are in force and effect of any and all laws of the state so far as such laws may be applicable and shall not be considered as any violation respecting violation of applicable law or any or external property in violation by the city treasurer. Any person appointed by the council and of this ordinance may appear before the board and present his objections. When the accounts have been reviewed and put in final form by the board they shall be considered by resolution of the city council and forwarded to the county auditor together with a certified copy of such resolution. The city council shall file the copies of the city accounts and of each member of the board.

Section 3-11. Power and duties of city engineer. The city engineer shall be a civil engineer. He shall be responsible for the preparation of all maps, plans, designs, specifications and estimates for all public works and structures of the city and shall perform such other duties as the city council may direct.

Section 3-12. Power and duties of street commissioner. The city council shall appoint a street commissioner with such powers, duties and compensation as the city council shall provide.

Section 3-13. Power and duties of park commissioner. The city council shall appoint three resident citizens of the city to act as park commissioners. The park commissioners in office at the time of the adoption of this ordinance shall continue until the termination of their respective terms. Hereafter and on the term of office of each commissioner expires, the city council shall appoint a successor for a three year term. The park commissioners shall have such powers and shall perform such duties and receive such compensation as the city council shall provide. The park commissioners shall meet in regular session at least quarterly at such time and place as fixed by said board and shall keep a record and render regular reports of all of their proceedings.

Section 3-14. Power and duties of city planning board. The city council shall appoint a city planning board to consist of six (6) resident citizens of the city, and in addition, the city engineer, the city attorney, and one member of the city council shall be members of said board and shall advise the board in its work. The board shall cause a comprehensive plan to be prepared covering the future physical development and improvement of the city. It shall recommend to the city council such regulations covering zoning, the use of lands and structures, the

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vote and entered into the record upon the request of any councilman.

**Section 4.65. Ordinances and Resolutions.** Every legislative act of the city shall be by ordinance or resolution. The enacting clause of every ordinance shall be "The City Council of the City of Washington do enact." Each ordinance shall be limited to one subject which shall be expressed in its title. Every ordinance shall have at least three readings. The second reading shall be not less than two weeks after the first reading, and the third reading shall be not less than two weeks after the second reading. Within one week after the third reading of any ordinance, the council shall cause a notice to be published in the official newspaper that said ordinance is pending before the council. After the second reading of any ordinance and at least one week before the third reading, the council shall cause a notice to be published in the official newspaper stating the date and the hour of the meeting at which said third reading shall be had on said ordinance. Said two notices shall set out the title and a descriptive statement of the ordinance. It shall require the affirmative vote of at least three of the members of the city council to enact an ordinance or resolution, which vote shall be taken by "aye" and "no" and entered upon the record. Every ordinance and resolution before its entry effect shall be published in the official newspaper.

**Section 4.66. Record of Ordinances and Resolutions.** All ordinances and resolutions with proof of publication shall be filed with the clerk and recorded at length in a suitable book and a certified copy of any such ordinance or resolution so recorded shall be prima facie evidence of the reading, adoption and publication thereof.

**Section 4.67. Official Newspaper.** The city council shall at its first regular meeting each year designate an official local newspaper for the publication of all notices required by law to be published.

**Section 4.68. Codification of Ordinances.** The city council may from time to time provide for the codification of all general ordinances of the city into a single ordinance code. Such code may be in book form and may be enacted without other publication. Such ordinance code shall be received as evidence in all courts without other evidence of its passage and publication.

**Section 4.69. Vote of Public Utility.** No ordinance or resolution authorizing the lease or sale of any public utility or duly dedicated land owned by the city shall be valid until the same shall have been submitted to the electors of the city and approved by a majority of those voting thereon.

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ARTICLE X

Section 10.1. General Powers. The Council shall have the authority to exercise all powers not herein specifically reserved to the Mayor.

Section 10.2. Contracts. The Mayor shall have the power to execute and ratify for a term of three years or less any contract which the City Council has authorized or approved in all respects and which the City Council has authorized or approved in all respects in this section.

Section 10.3. Public Works. The Mayor shall have the power to execute and ratify for a term of three years or less any contract which the City Council has authorized or approved in all respects and which the City Council has authorized or approved in all respects in this section.

Section 10.4. Insurance of Property. The Mayor shall have the power to execute and ratify for a term of three years or less any contract which the City Council has authorized or approved in all respects and which the City Council has authorized or approved in all respects in this section.

Section 10.5. Sanitation in Anticipation of Insects. The City Council may borrow money for the purpose of anticipating collection of general or special taxes through the sale of bonds for city purposes by the issuance of warrants or certificates of indebtedness but the aggregate amount thereof shall not exceed fifty per cent of the amount of such indebtedness; provided that the amount thereof shall not exceed the amount of such indebtedness; provided that the amount thereof shall not exceed the amount of such indebtedness; provided that the amount thereof shall not exceed the amount of such indebtedness.

Section 5.00. Petty Cash Fund. The city council may provide by ordinance for a petty cash fund under the direction of the city clerk. The city clerk shall be authorized to pay out of such fund miscellaneous small items of expense, including postage, freight, wages of casual labor and other similar items. He shall make a detailed account of all such expenditures. The city council shall appropriate from time to time to the petty cash fund a sufficient amount to maintain such fund.

#### Chapter VI.

##### WATER AND LIGHT UTILITIES

Section 6.01. Power to Operate Public Utilities. The city shall have power to operate, extend, enlarge, maintain and improve all public utilities now owned and operated by the city but shall not acquire and operate other public utilities except after approval by a majority of the voters voting on the question.

Section 6.02. Control and Management of Public Utilities. The control and management of the operations of the water and light utilities shall be committed to a water and light commission. The city council may by resolution impose upon the commission the control and management of any other utility owned and operated by the city including the sewer system.

Section 6.03. Appointment of Water and Light Commission. The water and light commission shall consist of three members appointed by the city council for a three year term commencing on April 1 of the year in which appointed, except that the terms of the three members appointed hereunder shall expire in one, two, and three years respectively. The city council shall have power to fill all vacancies. Each member shall receive a salary of two hundred dollars per year and actual expenses while absent from the city on business of the commission. The city council shall have authority to increase such salary. The commission shall elect a president from its membership. The city clerk shall act as secretary of the commission.

Section 6.04. Power and Duties. The water and light commission shall have the power to fix rates and charges for utility services, including such services furnished to the city, and to provide for the collection thereof subject to such ordinances as the city council may adopt. The commission shall purchase all materials and supplies and employ all help necessary for the operation of any utility committed to its care, including necessary extensions, improvements and additions thereto and may provide for payment therefor out of the earnings, provided that no expenditures in excess of one thousand dollars for any single purpose shall be made without the approval thereof by the city council and all contracts for materials and supplies and labor in excess of five thousand dollars shall be let only after bids have been received.





Section 11.02. Responsibility for Damages. In case of any negligence, the city shall not, by construction, be held liable for any liability, damages or expense, without regard to the amount of the same, which may be justly claimed in the resolution. In case the city council shall determine that any liability or expense shall be incurred in any such case, the same shall be paid out of the revenues and funds available for such purposes as herein provided.

CHAPTER XII

ARTICLE III

Section 11.03. Salaries. The salary of the mayor and members of the board shall be fixed by resolution and such salaries shall not exceed the salaries of the mayor and members of the board of the city of Chicago. The salaries of the mayor and members of the board shall be paid by the city council. The salaries of the mayor and members of the board shall be paid by the city council. The salaries of the mayor and members of the board shall be paid by the city council. The salaries of the mayor and members of the board shall be paid by the city council.

Section 11.04. Gifts or Contributions to Officers. No officer, member of the board or employee of the city shall, directly or indirectly, ask for or receive any gift, contribution, gratuity, reward or other valuable thing in connection with or resulting from the performance of his office or position excepting the salary as fixed by law.

CHAPTER XIII

ARTICLE IV

Section 11.05. Improvements Allowed. In case herein the word "improvements" shall include the opening or widening of any street, alley or other public way, the improvement thereof by any kind of paving or curbing, the construction, grading or maintenance thereof, installing curb and gutter and other street apparatuses including street lighting, the laying of water mains, sewers or drains, the construction of sidewalks or other ways and the removal or reconstruction of any such improvements, and improvement in all the above ways of fire or water mains may be included in and provided and controlled as the city council may determine. An improvement may be made pursuant to this chapter or any other applicable law.

In connection with any such public improvement, the council may require property owners to install water, sewer or gas pipes along the center or the street in the property line, or any suitable distance of such installations as a part of the cost of the improvement.

Section 12.02. Power to take improvements. The city council is authorized to cause any improvement under this chapter to be constructed, by ordinance, vote, or order of council, of which all owners of property adjoining or near improvements or subject to assessment by reason of benefits conferred shall have been notified by the taxing jurisdiction in the official manner, or in absence of a majority of the property liable to assessment for any improvement shall sign a written petition protesting against such improvement, such petition shall not be adopted unless supported by unanimous vote of all adjacent owners at such meeting. The city council may cause any improvement to be run in advance of any regular tax collection of amount of 10% or more of the benefits of the property benefiting upon streets used in the petition as the location of the improvement. In case any such petition has been signed by owners of 10% of such property, no notice or meeting shall be required. The city council may order any petition to be registered upon 30 days written notice and if not done within said time, the city may proceed to make the repairs and assess cost to adjoining property owners.

Section 12.03. Notification of Township of Transfer. An ownership of property shall be determined by the city clerk by inspection of the records in the office of the auditor of the county. Joint names shall not be counted as petitioners for an improvement unless all have joined in signing the petition. If the records disclose that property has been sold under execution for taxes, the signatures of both the venditor and the purchaser shall be required. The determination of the clerk as to the percentage of owners signing any petition or protesting against any improvement as shown by the certificate shall be conclusive as to all facts in reference thereto unless an action shall be brought to contest the same within ten days after the adoption of the resolution to make the improvement.

Section 12.04. Apportionment of Cost. The city council shall determine the portion of the cost of any local improvement to be borne by the entire city because of real property owned by the city to be specially benefited thereby or because of interconnecting streets and alleys or for fire hydrants and necessary connections to the mains and such further portion of the cost which it deems should be imposed upon general taxpayers of the city. Assessments may be levied upon property owned by the county or the school district in the same manner as other property and the assessment may be recovered in a civil action if not paid when due.

Section 12.05. Special Fund for Local Improvement. A special fund shall be set up on the books of the city for each local improvement. The city council shall by resolution set up such fund, which resolution shall determine the portion of the cost to be paid by the entire city and the portion to be assessed against benefited property provided that the city shall be primarily liable in the first instance for the contract cost and incidental expense and the city council shall provide sufficient funds to pay all such costs and expenses and shall credit the same to the improvement fund.

Section 12.06. Assessment Roll. As soon after the property subject to assessment has been determined and the cost of the improvement has been estimated, an assessment roll shall be prepared by the city clerk with the assistance of the engineer or other competent person selected by the city council. All assessments shall be on the basis of benefits, giving effect to frontage, area, corner lot location, location in reference to the improvement and such other factors as the city council may deem proper for determining the benefits received. The city council shall, by resolution, fix the number of equal annual installments into which any assessment shall be divided, not exceeding twenty. The share of the cost to be paid by the city may be provided by an annual tax levy apportioned in the years and in sufficient amount to meet such share over the period in which the assessments are levied. Such levies shall not be subject to any statutory or charter millage limits.

Section 12.07. Notice of Hearing on Assessment. After the assessment roll has been filed with the city clerk, the clerk shall cause notice of the time and place when and where the city council will meet to pass upon the assessment to be given by two weeks publication in the official newspaper. The notice will describe the improvement generally but need not otherwise identify the property to be assessed. It shall state that the city council will consider objections in writing filed with the city clerk prior to the time of meeting.

Section 12.17. Resolutions and Ordinances. At the time and place fixed in the notice, the city council shall meet to consider the ordinance and resolutions thereto and shall on such time or later adopt a resolution certifying the ordinance when such ordinance as the city council shall deem proper.

Section 12.18. Appeal and Review. No ordinance, ordinance or ordinance in any proceedings for the raising of an improvement or in preliminary to the levy of any special assessment shall affect the validity of an ordinance or order by resolution of the city council unless an appeal shall be taken to the district court within thirty days after the adoption of such resolution. Notice of appeal shall be served upon the city clerk. The district court or justice thereof shall have jurisdiction to hear and determine all appeals. In case the special assessment shall be adjudged invalid or should the city council determine that the assessment is invalid, on account of any defect in any proceedings, or such other defect of any kind prior to the certification of the assessment for collection by the county auditor, the city council may proceed as if in the case of an original assessment or by picking up the previous proceedings at the point where error occurred and may take and levy a new assessment in the place of the assessment which has been adjudged or otherwise determined to be invalid. A re-assessment shall be made in the same manner as the original assessment and shall be collected in the same manner.

Section 12.19. Collection of Assessment. The city clerk shall record all assessment rolls of special assessments in a book to be kept for that purpose and shall on or before the 15th day of October in each year deliver to the county auditor all assessment rolls not theretofore delivered and the county auditor shall extend the assessments against the property assessed. All informal installations of assessments shall bear interest after 30 days from the date of the adoption of the resolution approving the assessment of such rolls as may be fixed by the city council. Assessments shall be collected and payment thereof enforced in the same proceedings and in like manner as other taxes are collected or payment thereof enforced and the proceeds of the assessments shall be paid to the city treasurer together with all costs, penalties and interest collected thereon at the time of making payment of other city taxes.

Section 12.21. Warrants of Special Assessments. The city council may issue certificates of indebtedness for each improvement which may be made payable solely from the proceeds of the assessments or which may pledge the full faith and credit of the city to their payment, as the city council may determine. All certificates

of indebtedness pledging the full faith and credit of the city shall be sold at public sale in the manner provided in Minnesota Statutes.

Section 12.12. Permanent Improvement Revolving Fund. The city council may create and maintain a permanent improvement revolving fund for the purpose of financing any or all local improvements and may issue general obligation bonds of the city from time to time as may be necessary in order to create and maintain such fund. All such bonds shall be sold at public sale in the manner provided in Minnesota Statutes.

#### Chapter XIII.

##### HOSPITAL DEPARTMENT.

Section 13.01. Hospital Board. The control and management of all hospitals owned by the city shall be committed to a hospital board consisting of seven members appointed by the city council for a three year term except that the terms of the first members shall expire three in three years, two in two years and two in one year. The city council shall appoint to fill vacancies. The members of the board shall serve without pay but shall receive actual expenses while absent from the city on business of the board and may pay reasonable compensation to members for services as secretary or treasurer or both. All members of the hospital board shall be resident voters of the city provided that no doctor, dentist, druggist or mortician shall be eligible to appointment.

Section 13.02. Officers. The hospital board shall elect a president, vice president, secretary and treasurer. One official may serve as both secretary and treasurer. The board shall fix the bond of the treasurer and provide for the payment of the premium thereon out of the hospital fund.

Section 13.03. Powers of Board. The board shall have charge of the maintenance and operations of all hospitals and may make rules, regulations and by-laws concerning the same which it may deem for the best interest of such hospital or hospitals. The board shall receive all donations and contributions for hospital purposes that may be made to the city and all earnings of public hospitals and all funds provided for hospital purposes including the proceeds of taxes and all its funds shall be disbursed as ordered by the board. The board shall employ a superintendent for each hospital and such other employees as may be required and shall have authority to fix their pay. The board shall hold regular meetings at least once each month as fixed by the by-laws and four members shall constitute a quorum at any meeting.

Section 19.04. Funds. All funds received from the operations of the hospital or provided therefor by order of the city council shall be kept in a separate account and used solely for hospital purposes. The hospital board shall have authority to expend money therefrom but shall not make any single expenditure exceeding one thousand dollars except after bids have been received as provided in Chapter 4. The board may pledge for the acquisition of hospital facilities and may pledge the net profits of the hospital for the payment of revenue bonds issued therefor. Such bonds shall not pledge the full faith and credit of the city but may be made payable from the proceeds of taxes hereinafter ordered levied by the city council for hospital purposes. No limit on tax levies shall apply to any levy pledged for the payment of such bonds.

Section 19.05. Reports. The board shall submit to the city council detailed reports of its operations semi-annually on or the first day of January and the first day of July in each year. The report on or of January first shall include an inventory of all property and assets under the hospital board.

#### Chapter XXV.

#### FRANCHISES.

Section 21.01. Franchise Ordinances. The city council may grant franchises to any private corporation for use of streets and other public places or for furnishing public utility services to the city and its inhabitants. All franchises and any reasonable, extensions or amendments thereof shall be granted by ordinance.

Section 21.02. Franchise Required. A franchise shall be required for any use or occupancy of any streets or public places of the city with any permanent or non-permanent structure for the transmission of electricity, gas, heat or any other utility or the transportation of persons or things. The city council may also require a franchise for any other use of the public streets different from that of the ordinary citizen.

Section 21.03. Vote on Franchise Ordinances. All franchise ordinances shall set out the terms and conditions of the franchise and shall be submitted to and approved by a majority of the voters of the city voting thereon before they shall be in force and effect. The city council shall provide for such elections and the question to be submitted thereon.

Section 21.04. Franchise Regulations. The city council is empowered to regulate and control the exercise of any franchise, however acquired, whether the same shall have been acquired hereunder or previously granted by the city or by the state. No franchise shall be transferred except as authorized by resolution of the city council.



To do hereby respectfully propose and submit for adoption by the qualified voters of the City of Washington the following proposed amendment to said city charter as referred and proposed by us, the undersigned Board of Municipalities constituting the charter committee of said city, this 25th day of February, 1937.

John P. Petersen

Everett Bisch

Mrs. Inez B. Madsen

Harry R. Mall

G. L. Gardner

Theo. Nelson

H. Harvell Tripp

Donald E. Rickers

Ed Forbeck

K. L. Sunday

Elvin Thue

Albert Walz

Roger D. Rohrer

Thelma G. Mork

Marc F. LaVelle, Chairman

Received by the Mayor on February 27, 1937, and presented to the City Council

John E. Fenstermacher

2. That pursuant to the Constitution and Laws of said State, said proposed amendment was published once a week for four weeks in the Worthington Daily Globe, a newspaper of general circulation in said City, and all other steps required by Law were duly taken to bring the said proposed amendment to a vote of the electors of said City.

3. That said proposed amendment was duly submitted for adoption or rejection of the electors of said City at the election held on the 2nd day of April, 1957.

4. That from the official canvass of the votes cast at the said election for and against the aforesaid proposed amendment, made in conformity with the law, it appears that more than three-fifths of all electors voting at such election voted for the adoption of such proposed amendment.

5. That this Certificate is made by me by virtue of the authority vested in me as Mayor of the City of Worthington and in compliance with law, and to certify that aforesaid proposed Amendment to the Charter of said City has been duly ratified and adopted as prescribed by the Constitution and Laws of the State.

IN TESTIMONY WHEREOF I have hereunto set my hand and caused the Seal of this City to be affixed this 12th day of April, 1957.

*John E. Ferstenmacher*  
Mayor, City of Worthington, Minnesota

Attest *[Signature]*  
City Clerk

#13275