

2349

CHARTER  
OF THE  
City of Granite Falls

PUBLISHED BY  
AUTHORITY OF THE CITY COUNCIL OF THE  
CITY OF GRANITE FALLS.

— 2349

NOVEMBER  
1907

RE-INDEXED

MAY 12 1921

CHARTER  
OF THE  
City of Granite Falls

---

PUBLISHED BY  
AUTHORITY OF THE CITY COUNCIL OF THE  
CITY OF GRANITE FALLS.

---

NOVEMBER  
1907

STATE OF MINNESOTA, }  
County of Yellow Medicine. }

In District Court.

IN THE MATTER OF THE APPOINTMENT OF A BOARD  
OF FREEHOLDERS TO FRAME A CHARTER FOR  
THE CITY OF GRANITE FALLS.

This matter is before the Court upon the petition of K. E. Neste praying for the appointment of a new Board of Freeholders to frame a Charter for said City of Granite Falls.

It appearing that an order was duly made herein appointing K. E. Neste, O. H. Sorlien, D. A. McLarty, J. S. Johnson, W. J. Rice, Charles E. McGregor, J. L. Putnam, Frank S. Wing, Ole Hartwick, Arthur W. Winter, C. A. Stoppe, H. A. Mikkelsen, J. J. Knudson, H. J. Larsen and O. G. Fostvedt as a Board of Freeholders to frame such Charter, which order was filed in the office of the Clerk of said Court, but that by inadvertence none of the persons so appointed have, within the time specified by law, filed acceptance of such office or the oath of office; that said proceeding has not been abandoned, and that all of the persons so appointed, with the exception of said H. J. Larsen, have expressed their willingness to act as members of such Board.

Now therefore, it is hereby ordered, that K. E. Neste, O. H. Sorlien, D. A. McLarty, J. S. Johnson, W. J. Rice, Charles E. McGregor, J. L. Putnam, Frank S. Wing, Ole Hartwick, Arthur W. Winter, C. A. Stoppe, H. A. Mikkelsen, J. J. Knudson, O. G. Fostvedt and A. E. Morse be and they are hereby appointed as a Board of Freeholders to frame a Charter for said City of Granite Falls, in accordance with Section 749 of the Revised Laws of 1905, and acts, if any, amendatory thereof.

Dated July 31, 1907.

GORHAM POWERS,

G. E. QVALIE,

Judges of said Court.

## CHARTER OF THE CITY OF GRANITE FALLS

### CHAPTER I.

#### NAME, POWERS AND BOUNDARIES.

##### NAME AND POWERS.

Section 1. All that district of country in the Counties of Yellow Medicine and Chippewa in the State of Minnesota, contained within the limits and boundaries hereinafter described, and all the people now inhabiting, and those who shall hereafter, inhabit the said district shall be a municipal corporation by the name of "City of Granite Falls" and by that name may sue and be sued, plead and be impleaded in any court or tribunal; have perpetual succession; make and use a common seal and alter it at pleasure; take, hold, purchase, lease and convey all such real, personal and mixed property within or without the limits of said district as the purposes of the corporation may require, or the transaction or exigencies of its business may render convenient; shall be capable of contracting and being contracted with, and shall have all the general powers possessed by municipal corporations at common law and in addition thereto all the powers granted to it under the general laws of the State of Minnesota, or by this Charter.

##### BOUNDARIES.

Section 2. The district of country constituting the City of Granite Falls shall include all of the following described territory, viz.:

Government Lots one (1), two (2) and three (3) in Section twenty-eight (28) in the County of Yellow Medicine, and Government Lot three (3) in said Section in the County of Chippewa, and all of Sections thirty-three (33) and thirty-four (34) in both Counties, and the South half of the Southwest quarter of Section twenty-seven (27) in the County of Chippewa, all in Township one hundred sixteen (116) North, of Range thirty-nine (39) West; also all that portion of Section three (3) in township one hundred fifteen (115) North of Range thirty-nine (39) West in the County of Chippewa.

WARD BOUNDARIES.

Section 3. The said City shall comprise and is hereby divided into two (2) Wards as follows:

The First Ward shall comprise all the territory within said City limits situated in the County of Yellow Medicine.

The Second Ward shall comprise all the territory within said City limits situated in the County of Chippewa.

SUCCESSION.

Section 4. When this Charter takes effect the City of Granite Falls shall be and become the legal successor of the City of Granite Falls under its former Charter, and shall be vested with all the rights and immunities formerly vested in the said City of Granite Falls, except as herein otherwise provided, and all ordinances existing at the time of the adoption of this Charter shall be and remain in full force and effect until repealed. All property, property rights and interests of every kind and nature formerly vested in the said City of Granite Falls shall, when this Charter takes effect, be and become vested in the City of Granite Falls under this Charter, and all previously existing indebtedness, obligations and liabilities of said City of Granite Falls, existing under its former Charter, together with interest accrued or to accrue thereon, shall be assumed and paid by the City of Granite Falls under this Charter.

CHAPTER II.

OFFICERS AND ELECTIONS.

ELECTIVE OFFICERS—APPOINTIVE OFFICERS.

Section 1. The elective officers of the City of Granite Falls shall be a Mayor, a City Clerk, a Treasurer, two City Justices, two City Constables, one Assessor from that portion of said City lying in Yellow Medicine County and one Assessor from that portion of said City lying in Chippewa County; two Aldermen from the First ward and one Alderman from the Second Ward.

The appointive officers of said City shall be appointed by the City Council and shall consist of the following: A City Attorney who shall be an attorney admitted to practice in any of the Courts of this State; a Street Commissioner; a Board of Health; a Chief of Police (and such other police officers as the Mayor and City Council shall deem necessary); a Fire Warden; Engineer; three Park Commissioners; Library Board; and such other officers and agents as may be necessary for the proper administration of the affairs of the City.

TERM OF OFFICE.

Section 2. The term of office of all said officers shall be one year excepting as follows: The term of office of the City Justices and Constables shall be two years.

All officers shall hold their respective offices until their successors are elected or appointed and qualified.

POWERS UNDER THIS CHARTER.

Section 3. From and after the time when this Charter shall go into effect the various officers of the City of Granite Falls, under its existing Charter, whether then in office or subsequently elected or appointed, shall exercise and be vested with such powers and functions only, as are specified and granted in this charter as to their respective offices.

TIME OF ELECTIONS.

Section 4. There shall be a city election for electing such officers of said City as are herein or otherwise by law made elective on the Third Tuesday in January, 1908, and thereafter a city election shall be held on the Third Tuesday in January of each year.

VACANCIES—HOW FILLED.

Section 5. Whenever any vacancy shall occur in any elective office of said City such vacancy shall be filled by appointment by the City Council, and such incumbent so appointed shall hold his office until the next succeeding election and until his successor is elected and qualified.

Vacancies in appointive offices shall be filled by the City Council.

ELECTION LAWS.

Section 6. All general laws of the State of Minnesota relating to elections and the preliminaries thereto shall, so far as applicable and so far as the same are not inconsistent with the provisions of this Charter, apply to and govern all elections under this Charter and are hereby adopted as a part of this Charter as though herein specifically re-enacted.

The annual Convention or party conventions for the nomination of candidates for City Offices shall be held on the second Friday preceding the annual election and certificates of nomination to such offices shall be filed with the City Clerk at least ten days before such annual election. Notice of such Convention shall be given by the publication thereof in one of the newspapers of said City for at least one week prior to such Convention and by posting such notice in three public places in said City for the same period.

Nominations by voters shall be made in accordance with the

provisions of Sections 213-16 of the Revised Laws of Minnesota, 1905, and such certificate of nomination shall be filed with the City Clerk not later than the Tuesday preceding the date of the annual election.

The City Council may by resolution adopted not less than thirty days prior to the holding of any City Election designate a single voting place in said City in which a City Election for the entire City shall be held and one set of election officials presiding thereat shall be sufficient, separate ballot boxes for each election district being provided and separate record kept therefor, and when such single voting place has been so designated it shall so continue until changed by resolution adopted at least thirty days prior to a subsequent City Election. Within three days after any election under this Charter the City Council shall meet and canvass the returns thereof and declare the result as it appears from such returns, and the City Clerk shall forthwith give notice to the officers elected of their respective elections.

A plurality of votes for elective officers shall constitute an election. When two or more persons shall receive an equal number of votes for the same office the election shall be determined by the casting of lots in the presence of the City Council at such time and place and in such manner as it may direct.

#### SPECIAL ELECTIONS.

Section 7. The City Council may by resolution, adopted by the affirmative vote of a majority of its members, order a special election of the voters of the City and provides for holding the same. The purpose of such special election shall be clearly stated in such resolution and no other matter shall be submitted thereat.

#### COMMENCEMENT OF TERMS OF OFFICE.

Section 8. The term of office of each officer elected under this Charter shall commence on the Fourth Tuesday in January of the year in which he was elected.

#### REMOVALS FROM OFFICE.

Section 9. Any elective officer under this Charter may be removed from his office by the affirmative vote of a majority of all the City Council, and no such officer shall be removed except for cause nor unless he has first been furnished with a copy of the charges against him and has reasonable opportunity to be heard in person or by counsel in his own defense. Continued absence from meetings by an Alderman and neglect of duty by an elective officer of the City shall be deemed sufficient cause for removal from office. The Council shall have the power to fix

the time and place of trial of such officer, who shall be given at least ten days notice thereof; to arrange the mode of trial; to compel the attendance of witnesses and the production of papers; to administer oaths and to hear the proofs and arguments. If such officer shall neglect, after due notice, to make answer to such charges, the same shall be cause for removal without further notice. The City Council shall have power to remove an appointive officer at its pleasure.

#### ABANDONMENT OF OFFICE.

Section 10. An elective or appointive officer, changing his residence from the City, an Alderman elected from a particular ward changing his residence from such ward, an Assessor elected from a particular County in which the City is located changing his residence from such County, and any elective or appointive officer who shall refuse or without cause neglect to qualify and enter upon the discharge of the duties of his office for ten days after the beginning of the term for which he was elected shall be deemed to have vacated or abandoned such office.

#### RESIGNATIONS.

Section 11. Any elective officer under this Charter having entered upon the duties of his office may resign the same, by and with the consent of the City Council.

#### OFFICERS TO QUALIFY.

Section 12. Every person elected or appointed to an office under this Charter shall, before he enters upon the duties of his office and within one week after his election or appointment, take and subscribe an oath of office and file the same with the City Clerk.

#### ELIGIBILITY.

Section 13. No person shall be eligible to any office under this Charter who has ever been convicted of any crime, or who was not at the time of his election or appointment to such office a qualified voter of the City of Granite Falls.

### CHAPTER III.

#### DUTIES OF OFFICERS.

##### POWERS OF MAYOR.

Section 1. The Mayor shall be the chief executive officer of the City. He shall be the head of and have command and control of the police force. In case of riot or other disturbance he may appoint as many special policemen as he shall deem

necessary and any police officer so appointed by the Mayor may be discharged from office by him whenever in his opinion the welfare of the City may demand it or the reduction in number of such special police officers may be rendered necessary. He shall be a member of the Council and preside over its meetings. He shall cause the laws of the State, the provisions of this Charter and all the ordinances of the City to be duly observed and enforced within the City and all officers of the City to discharge their respective duties, and to that end may institute and maintain any appropriate action or proceeding against any delinquent officer. He shall from time to time give the Council such information and recommend such measures as he shall deem advantageous to the City. He shall sign all warrants and orders drawn on the treasurer and all bonds, obligations and contracts on behalf of the City except as herein otherwise provided for. He shall upon service of notice, summons or process upon him in any action or proceeding against the City forthwith inform the Attorney and the Council thereof.

#### DUTIES OF VICE PRESIDENT.

Section 2. At the first meeting of the City Council in each year they shall proceed to elect by ballot, from their number, a Vice President. During the absence of the Mayor from the City, or his inability from any cause to discharge the duties of his office, the Vice President shall exercise all the powers and discharge all the duties of the Mayor. In case the Mayor shall be absent from any meeting of the Council the Vice President shall act as presiding officer for the time being and discharge the duties of the Mayor. The Vice President of the Council or temporary presiding officer while so performing the duties of Mayor shall be styled "Acting Mayor," and the acts performed by him while so acting as Mayor shall have the same force and validity as if performed by the Mayor. The Mayor and the Vice President shall have the right to administer oaths and affirmations.

#### CITY CLERK—DUTIES AND POWERS.

Section 3. The Clerk shall keep the Corporate Seal of the City and all papers and records thereof, save as otherwise herein provided; he shall be a member of the Council and attend all the meetings thereof; he shall keep a record of all proceedings of the Council; shall draw and sign all orders on the Treasurer as directed by the Council and keep a full and accurate account of the orders so drawn by him in books provided for that purpose and said books shall show to whom and for what purpose the same were drawn. He shall attest the signature of the Mayor to all contracts and affix the seal of the City thereto. He shall keep regular books of account which shall at all times show

the precise financial condition of the City, a record of all bonds, orders, warrants or other evidence of indebtedness, either outstanding or redeemed. His books shall contain separate accounts with the different city officers and the various funds of the City, and the amount, date and purpose of each appropriation, and all payments made on account of the same. He shall make and keep a list of outstanding bonds, to whom issued, for what purpose, when and where payable, and the rate of interest thereon, and recommend such action to the Council as will secure the punctual payment of the principal and interest of such bonds. He shall record at length, in a book provided by the City for that purpose, all official and other bonds running to the City, excepting only the bonds of the Clerk and Treasurer which shall be recorded in the office of the Register of Deeds of Yellow Medicine County, and all bonds shall be filed and preserved by the Clerk. He shall have the supervision of all printing and publications ordered by the Council, and he shall cause to be published in the official paper the minutes of all proceedings of the Council as soon after each meeting as practicable and also cause to be published in such paper all ordinances as soon as practicable after their final passage. He shall, upon request, furnish certified copies of papers and records in his possession and when so certified by him, under the corporate seal of the City, they shall be received in evidence in any and all Courts, the same as if the originals thereof were produced by said Clerk in said Court, and he shall be entitled to collect and receive for such services such fees as are allowed to the Clerk of the District Court of Yellow Medicine County for like services. He shall file in his office all chattel mortgages and other instruments by which personal property is transferred or incumbered, presented to him for filing, and which are permitted to be filed by the laws of this State relating to Chattel Mortgages, and shall receive as compensation therefor such fees as are allowed by the General Law. He shall, in addition to the duties herein prescribed, perform such other duties as may be required of him by the Council or by the general laws.

If, before the first of January, any year, the amount expended or to be expended, chargeable to any city fund, (adding thereto the current expenses estimated for the remainder of the fiscal year, and chargeable to such fund), shall be equal to three-fourths of the tax authorized to be raised or revenue estimated for such fund, he shall report the same at once to the City Council and he shall not countersign any contract chargeable to such fund until the amount of taxes actually collected be ascertained, and during the fiscal year he shall not countersign any contract, the amount of which shall exceed the revenue actually



collected for the fund to which such amount is properly chargeable.

#### EXAMINATIONS AND REPORTS.

Section 4. The City Clerk shall check up the books of the Treasurer monthly, count the cash and verify the bank balances, and he shall at least once in every month check up the books and accounts of all receiving and disbursing officers, boards and departments of the City. Upon completion of such examination he shall make report thereof to the City Council. For the purpose of making any examination provided for in this Charter the Clerk shall have power to summon before him and examine under oath any officer or employe of the City, or any other person, concerning any transaction of the City, or the accounts of any officer, board, department or employe thereof, and to compel the production of any books, accounts or other papers pertaining to such transaction or account; and shall upon completion of such examination immediately make detailed report thereof to the Council.

It shall be the duty of the Clerk to report to the Council the financial condition of the City whenever the Council may require.

He shall annually make a report stating in detail the items of account audited and allowed against the City, the nature of each account, and the person in whose favor the same was allowed, and a detailed statement of the financial concerns of the City; such report shall be submitted to the Auditing Committee of the Council and when approved by such Auditing Committee the original thereof shall be placed on file in the Clerk's office and a copy thereof published in the official paper of the City in the issue thereof of the second week preceding the annual election, and a copy thereof shall be posted at the time and place of holding the annual election.

#### PURCHASING AGENT.

Section 5. The Clerk shall be the purchasing agent of the City. In all cases where bids are not required by law to be advertised for supplies for the public works and purposes of the City shall be purchased as follows: The Council or such purchasing committee or officer or employe as may be by it designated for that purpose, shall make an estimate of the necessary supplies and draw a requisition upon the Clerk therefore, who shall make a full record of the same, and upon which he shall, under the direction of the purchasing committee, after being authorized by the Council, purchase such supplies for account of the City; provided there be money in the particular fund from which payment therefor may be made.

#### REVENUE AND EXPENSES.

Section 6. The Clerk shall annually ten days previous to the annual election, report to the City Council an estimate of the expenses of the City and the revenue necessary to be raised for the current year.

#### CITY ATTORNEY.

Section 7. The city attorney shall be the legal advisor of the City, and shall perform all services incident to that office. He shall appear in and conduct civil suits, prosecutions and proceedings in which the City shall be directly or indirectly interested, and take charge of and conduct all prosecutions for the violations of all ordinances and resolutions of the City, and for the violation of any of the provisions of this charter. He shall, when requested, furnish a written opinion upon any subject submitted to him by the City Council or the Mayor in respect to their official duties or municipal affairs.

#### CITY TREASURER.

Section 8. The City Treasurer shall receive and safely keep all money belonging or accruing to the City, including taxes, license money and fines, and keep an accurate and detailed account thereof in such a manner as the City Council shall from time to time direct. The treasurer shall furnish to the City Council at the beginning of each fiscal year a statement of the receipts and disbursements from the date of the last annual report, and also of the state of the treasury, which account shall be filed with the clerk, and a copy of the same posted at the time and place of holding the annual election and published in the official paper if the council so directs. He shall report to the City Council as it may require. He shall be the custodian of all bonds, certificates of indebtedness or other securities held by the City or in any of its funds. Upon the receipt of any money by him he shall forthwith credit the same to the fund to which the same belongs or for which the same has been levied and shall deposit the same daily to the order of the treasurer in such depositories as shall have been designated by the Council therefor, and it shall be unlawful to transfer from one fund to another or divert money from the fund to which it belongs except when there shall be a surplus of cash to the credit of any fund the council may by resolution by at least three-fifths of its members authorize such surplus to be placed in another fund.

#### CHIEF OF POLICE.

Section 9. The chief of police shall possess the same powers as the Constables provided for in this Charter and shall have the power to serve and execute any warrant, summons or other pro-

cess issued out of any Justice Court or the Municipal Court of said City, and he shall have power and authority to pursue and arrest any person fleeing from justice in any part of the state, and when performing the duty of constable aforesaid shall be entitled to the fees prescribed by statute. The Chief of Police shall perform such other duties and keep such records and make such reports as the council may require.

#### CONSERVATORS OF THE PEACE.

Section 10. The Mayor or acting Mayor, the Alderman, the Municipal Judge, the City Justices, the Chief of Police, the Sheriff of either county and all police officers and constables shall be conservators of the peace. They may command the peace and suppress in a summary manner all riotous or disorderly behavior or proceedings within the city limits and for such purpose may require the assistance of all bystanders, and if need be of all citizens, and in suppressing any riotous or disorderly behavior or proceedings the authority to command shall be in the officer present, in the order in this section named.

If any bystander or citizen shall refuse to aid in preserving the peace, or in suppressing riotous or disorderly behavior or proceedings, when thereto required as provided in the preceding section, he shall be guilty of a misdemeanor and be punished by a fine of not more than one hundred dollars or by imprisonment for a term not exceeding ninety days.

#### COMPENSATION.

Section 11. Except as otherwise herein provided, the compensation of the Chief of Police, watchmen or other employes of the police department shall be fixed by the council in the same manner as the compensation of other city officers.

#### STREET COMMISSIONERS.

Section 12. The street commissioner, under the direction and control of the City Council, shall have the supervision of the construction, maintaining and repairing of sidewalks and of the grading and cleaning of all streets, alleys and other public places within the City. He shall give bond with sureties satisfactory to the council conditioned for the faithful performance of his duties. He shall make reports to the council as may be required by it.

#### ENGINEER.

Section 13. The Council may, when necessary and occasion requires, appoint a civil engineer, of at least three years practical experience as such, who shall hold his office at the pleasure of the council and receive such compensation and perform such service as may be determined by the Council. All surveys, pro-

files, plans and estimates made by him for said City and his official records shall be the property of said City, and shall be carefully indexed and preserved in the office of the clerk. He shall possess the same power in the City in making surveys, plats and certificates as is or may be given from time to time by general law to county surveyors, and his official acts and all plats, surveys and certificates made by him shall have the same validity and be of the same force and effect as are or may be given to those of county surveyors. He shall, before entering upon his duties, execute his bond to be approved by the council, conditioned for the faithful performance of his duties.

#### FIRE WARDEN.

Section 14. The duties of the Fire Warden shall be fixed by the Council. He shall hold his office at the pleasure of the Council.

#### CITY ASSESSORS.

Section 15. The assessor for that portion of said City situated in Yellow Medicine County shall be a resident of such portion, and the assessor for that portion of said City situated in Chippewa County shall be a resident of that portion. They may, with the consent of the Council, appoint such deputies as may be required to enable them to perform their respective duties and may discharge such deputies at will. The assessors and their deputies shall qualify in the manner and form prescribed by the general laws of said state and have the power, rights and privileges within their respective counties as are allowed by such general laws, respecting the listing of property for taxation within the portion of said City in their respective Counties.

#### BOARD OF EQUALIZATION.

Section 16. The City Council of said City shall constitute a Board of Equalization. The members thereof shall be sworn according to law as such, and shall meet at the council chamber on the fourth Monday in June at ten o'clock in the forenoon, and from day to day thereafter by adjournment until their work is completed. Said Board shall give notice of its meetings as is required by the general laws. Said Board shall elect one of its members as secretary, who shall keep a record of its proceedings, and perform such other duties as may be required by it.

The powers and duties of such Board of Equalization shall be the same as those prescribed by general laws for township boards of review and county boards of equalization so far as relates to property within the City of Granite Falls, and the mode of procedure shall be the same, so far as applicable, as that prescribed by the general laws for the conduct of proceedings of



such boards. The assessors shall attend the sessions and hearings of said board, and give information when desired. They shall revise their respective assessment rolls in accordance with the decisions of said board, and after the same shall have been certified by the Mayor and Secretary of said board they shall transmit to the respective County Auditors such revised assessment rolls not later than the fifteenth day of July of each year.

#### MUNICIPAL COURT AND JUSTICE COURTS.

Section 17. All laws of the State of Minnesota relating to the Justice Courts and City Justices thereof of said City in force at the time this Charter goes into effect are hereby adopted and made a part of this Charter, save as the same may conflict with any of the provisions hereinafter set forth, and shall have the same force and effect as if herein set out in full.

The said Justice Courts and the City Justices shall have jurisdiction of all matters, civil and criminal, within and throughout the said Counties of Yellow Medicine and Chippewa, in all matters cognizable before a Court of a Justice of the Peace of this State. The City Justices shall, until the establishment of a Municipal Court in said City, have cognizance, concurrent and exclusive jurisdiction of all offenses against this Charter and any ordinance of said City and in all cases cognizable before a Justice of the Peace in which the City is a party and in all actions, suits and proceedings or prosecutions for the recovery of a fine, forfeiture or penalty under this Charter, or any Ordinance, rule or regulation of said City or the breach thereof.

The Municipal Court shall have jurisdiction within and throughout the Counties of Yellow Medicine and Chippewa aforesaid in all actions, suits or proceedings cognizable before a Municipal Court under the general laws of this State, and save as herein provided all general laws of the State of Minnesota relating to Municipal Courts and the Judges thereof and their jurisdiction are hereby adopted and made a part of this Charter, and shall have the same force and effect as if herein set out in full.

#### PROCESS.

Section 18. The style of all process issued by the Municipal Judge and the City Justices of said City shall be: "State of Minnesota, Counties of Yellow Medicine and Chippewa. City of Granite Falls.—ss."

#### JURY.

Section 19. In any prosecution before the Municipal or Justice Courts of said County for the violation of any of the general laws of this State the jury shall be drawn from the County in which the offense was committed.

In all other actions, suits or proceedings the Jury may be drawn from either or both of said Counties of Yellow Medicine and Chippewa.

#### APPEALS.

Section 20. Appeals from the decisions or judgments of the Municipal or Justice Courts of said City in criminal prosecutions for the violation of the general laws of the State shall be taken to the County in which the offense was committed.

In all civil actions or proceedings and all prosecutions or proceedings for a violation of the Charter, Ordinances or Regulations of said City, and in all cases in which the City or any of its officers as such is a party appeals from such Municipal and Justice Courts shall be taken to said County of Yellow Medicine.

#### OTHER OFFICERS.

Section 21. The City Council shall have power at any time to require other and further duties to be performed by any officer, whose duties are herein prescribed, not inconsistent with this charter, and to appoint such other officers as may be necessary to carry into effect the provisions of this charter, and to prescribe their duties, unless otherwise provided for, but no such officer shall be appointed for a longer term than one year.

#### COMPENSATION.

Section 22. The City Council shall have the power, except as otherwise herein provided, to fix the compensation of all officers elected or appointed under this Charter. Such compensation shall be fixed by resolution within one month from the first organization and meeting of the Council each year. It is provided, however, that the Mayor and Aldermen shall receive no compensation for their services as such, except when acting as a Board of Equalization, but may be reimbursed upon properly verified claim presented to the Council for expenses necessarily incurred in the performance of their duties.

#### CONTRACTS.

Section 23. No officer elected or appointed to office, under the provisions of this Charter, shall be a party to, or interested in, any contract in which the City is interested, made while such officer is holding office.

#### OFFICIAL BONDS.

Section 24. The City Treasurer, City Clerk and Chief of Police and such other officers as the City Council may direct shall severally before entering upon the duties of their respective offices, execute to the City a bond with at least two sureties (to be approved by the City Council), who shall make affidavit that

they are each worth a penalty specified in said bond over and above all debts, exemptions and liabilities; or the said officers may furnish the bond of a surety company, (to be approved by the City Council), and said bond shall contain such penal sum and such conditions as the City Council may deem proper, and the City Council may from time to time require new or additional bonds and remove from office any officer, refusing or neglecting to give the same.

#### CHAPTER IV. CITY COUNCIL. GENERAL POWERS.

Section 1. The legislative power and authority of the City of Granite Falls shall be vested in the City Council, composed of the Mayor, Aldermen and City Clerk, except as in this Charter otherwise provided.

##### MEETINGS.

Section 2. The City Council shall determine the time of its regular meetings and provide for special meetings, and may prescribe rules for its proceedings not inconsistent with this Charter, and the Mayor may, and, upon written request of three Aldermen shall, call special meetings of the Council by giving written notice to each of its members, to be delivered personally, or left at his usual place of abode, and no business shall be transacted at any special meeting unless the subject of the same shall have been specified in said written notice. No action shall be taken at such special meeting except by the affirmative vote of a majority of the members of the Council.

##### QUORUM.

Section 3. A majority of the members of the City Council shall constitute a quorum, but less than a majority may adjourn from time to time, and a minority as well as a majority may compel the attendance of the absent members.

##### CANVASSING VOTES.

Section 4. The council shall, within three days after any city election, meet and canvass the returns of votes cast at such election and declare the result thereof, and the City Clerk shall prepare and furnish forthwith certificates of election to the officers found to be elected, and the City Council shall be the judge of the election and qualification of its own members.

#### ORDINANCES AND RESOLUTIONS.

Section 5. Every legislative act of the City Council shall be by ordinance or resolution. The enacting clause of every ordinance shall be: "The City Council of the City of Granite Falls do ordain as follows." No ordinance or resolution, except for general appropriations, shall contain more than one subject, which shall be expressed in the title and no ordinance or resolution shall be amended after its introduction so as to change its original subject or purpose.

##### PASSAGE OF ORDINANCES.

Section 6. An affirmative vote of at least a majority of all members of the City Council shall be required to enact any ordinance or resolution, which shall be taken by yeas and nays and be entered in the minutes. No ordinance shall be introduced except at a regular meeting at which meeting it shall have its first reading. Its second reading, except by unanimous consent, shall be held at a subsequent regular or adjourned regular meeting, occurring not less than one week after its first reading, and said ordinance shall not be amended after the meeting at which it receives its second reading except by unanimous consent. It shall receive its third reading and may be passed only at a regular or adjourned regular meeting occurring at least one week subsequent to the time of its second reading. No ordinance shall be passed until it has had three readings, and no ordinance, resolution, proposed ordinance or proposed resolution shall be reconsidered except at the same or the next regular meeting after its adoption or rejection, and not in such case unless there are then present at least as many members of the Council as were present when said ordinance or resolution was adopted or rejected.

Upon the passage of any ordinance it shall be published once in the official newspaper of the City before it takes effect. Proof of such publication shall be by affidavit of one of the printers, publishers or the foreman of such newspaper which shall be prima facie evidence of the legal passage of such ordinance in all courts of this state or elsewhere. All ordinances and resolutions passed by the Council shall be signed by the Mayor and attested by the Clerk. All ordinances with proof of publication shall be deposited with the Clerk, who shall record the same at length in a suitable book, but proof of recording shall not be required in any proceeding where it is necessary to prove such ordinance.

##### FAILURE TO VOTE.

Section 7. Any member of the Council, who being present when his name is called, fails to vote upon any question, shall,

unless excused by the Council, be counted as having voted in the negative.

### THREE-FIFTHS VOTE.

Section 8. Every ordinance, order or resolution appropriating money, creating any liability of the City, awarding or approving of any contract for the payment of money, or ordering any condemnation of private property or the making of any public improvement, shall require a three-fifths vote of all the members of the Council; provided, that this section shall not apply to the payment of the ordinary bills, hereinafter provided for.

### FUNDS AND ACCOUNTS.

Section 9. The City Council may designate the disposition of the funds of the City and by resolution approve of all bonds given for the safe-keeping thereof, and it shall examine and audit the accounts of all city officers.

### DISQUALIFICATIONS.

Section 10. Except as in this Charter otherwise provided no member of the City Council shall, during the term for which he is elected be eligible to any other elective or appointive office of the City.

### SUPERVISION OF PUBLIC PROPERTY.

Section 11. The City Council shall have the care, control and supervision of all public buildings and grounds of the City, the care and supervision of which are not by this Charter vested in any board or officer of the City.

### OPENING, VACATING AND IMPROVING STREETS.

Section 12. The City Council shall have exclusive power to open, vacate, alter and improve the streets, public grounds, alleys and highways of the City, as in this Charter provided, and shall have and maintain the active care, supervision and control of all public highways, bridges, streets, alleys and public grounds within the limits of the City, but this provision shall not be construed to alter or modify any contract now in existence with relation to the care, supervision or control of any bridge within said City.

Section 13. The City Council shall have power, by a vote of three-fifths of all its members, to erect, provide for, improve and repair all public buildings and works together with such appurtenances, accessories, apparatus and equipment in connection therewith, as may be necessary for the transaction of the business of the City, either within or without its limits; and to acquire by purchase, gift or condemnation all lands necessary as sites for buildings, works or for other purposes, and to

acquire by purchase, gift or condemnation real property for municipal purposes and to sell and convey any of said property.

### PLATS.

Section 14. The City Council shall have the sole power to accept and approve plats of additions to the City and to prescribe the location and width of streets and alleys in said additions.

### APPOINTMENTS.

Section 15. The appointment of any officer of the City shall require the affirmative vote of a majority of all the members of the City Council, taken by ballot and recorded by the Clerk.

### REVOCATION OF LICENSES.

Section 16. Any license issued by authority of the City Council may be revoked by a majority of the City Council at any time, for sufficient cause, and upon conviction of any person holding a license before the Municipal or Justice Courts of said City, for a violation of a right granted by such license, the City Council may revoke such license, in addition to the penalties provided by law or ordinance for such violation.

### PUNISHMENTS.

Section 17. The City Council may impose any punishment for the breach of any ordinance of the City to the extent of a fine not exceeding one hundred dollars or imprisonment in the city jail or any other place of detention maintained by the City, or in case there be no city prison in the county jail of either said Yellow Medicine or Chippewa Counties, for a period not exceeding ninety days, and may provide that said punishment shall be cumulative for an indefinite term, not exceeding ninety days, subject to suspension or termination by reason of or during good behavior of the person imprisoned; and offenders against such ordinance may be required to give security for to keep the peace and for good behavior for a period not exceeding six months, in a sum not exceeding five hundred dollars. The City Council may further provide by ordinance that any person convicted of any offense before the Municipal or Justice Courts of said City, subjecting said person to imprisonment under an ordinance of the City, may be kept at hard labor during the term of such imprisonment at the place of confinement or upon the public works of the City; and the City Council shall have full power to establish by ordinance all needful regulations for the security of said persons and to prevent their escape, and to secure proper discipline.

## COMPILATIONS.

Section 18. The City Council may from time to time provide for the compilation and publication of the Charter, ordinances, rules of the City Council and such other reports and regulations of the Council, and such statutes of the state as it may designate, and may provide for the distribution, sale or disposal of copies of such compilation or publication. Such publication so issued, purporting on the title page to have been published by the authority of the City Council and to contain the ordinances of the City or other matter in this section above mentioned shall be prima facie evidence of their contents in all courts of this state, and in absence of evidence to the contrary, all ordinances, rules, regulations, and resolutions found therein shall be presumed to have been duly and legally passed and adopted. Such compilation may be adopted by a resolution of the Council and the Council may by resolution adopt any compilation of the ordinances of the city or other matter in this section mentioned that may have heretofore been made under authority of the City Council of said City with like effect. Copies, duly certified by the City Clerk of ordinances, rules, regulations and resolutions, or other papers in his official custody, or of any records kept by him in his official capacity shall also be admitted as prima facie evidence of their contents in all courts of this state. The Municipal Court and the Justice Courts of said City shall take judicial notice of all ordinances and resolutions passed by the City Council.

## WITNESSES.

Section 19. The City Council, and any of its committees authorized by it so to do shall have the power to compel the attendance of witnesses and the production of books, papers and other evidence at any of its meetings, or before such committee, and for that purpose may issue subpoenas or attachments in any case of inquiry or investigation, to be signed by its president or the chairman of such committee, as the case may be, which shall be served and executed by any officer or person authorized by law, to serve subpoenas or other process.

## SPECIFIC POWERS.

Section 20. The City Council, except as in this charter otherwise provided, shall have the general management and control of the finances and all the property of the city, and shall have full power and authority to make, amend or repeal all such ordinances and resolutions as it shall deem expedient for the government and good order of the city, for the protection of the public and the public health, comfort and safety, for the suppression of vice and intemperance and declare and impose pen-

alties and punishments for the violation of ordinances and resolutions, and to enforce the same against any person who may violate the same; and all such ordinances and resolutions, not inconsistent with the constitution and laws of this State or the laws of the United States, are hereby declared to have the full force of law. For these purposes the City Council shall have specific authority by ordinance:

1st. To regulate the use of and to prevent encroachments into, upon or over streets, alleys, avenues, public grounds, public places, public streams and waters and to prevent injury thereto and to prohibit the improper use thereof.

2nd. To regulate and prevent the throwing or disposing of ashes, paper, refuse, offal, dirt, garbage or any other offensive matter or obstruction in or upon any street, alley, public ground, place or public stream or waters.

3rd. To require the owner or occupant of any premises to keep the sidewalks along or in front of the same free from obstruction and to remove snow, dirt or rubbish therefrom, and to authorize the removal thereof at the expense of such owner or occupant and to assess the cost of such removal against said premises.

4th. To regulate the making and maintaining of openings and excavations in the streets, alleys, public grounds and public places for the laying of gas and water mains and pipes, construction of subways and conduits, and for other purposes, and to regulate the building and maintaining of sewers, tunnels and drains and the construction and use of all structures and conduits of every kind underneath the streets, alleys, sidewalks, public grounds and places of the city, and to regulate, and, if it is deemed necessary, to prohibit the construction and maintaining of coal holes, manholes, hatchways and other openings in sidewalks, streets and alleys and the coverings and guards thereof.

5th. To require throughout the city or such district or districts as the council may designate the owner or occupant of any premises to collect, remove and dispose of ashes, swill, offal, refuse, garbage, manure, dead animals, night soil, and other vile, unhealthy or offensive matter; to regulate and provide for the collection, removal and disposition thereof, either at the expense of the City or of such owner or occupant and to assess the cost of such collection and removal against said premises.

6th. To provide for, and regulate the construction and use of pavements, sidewalks, crosswalks, curbs and gutters.

7th. To regulate and prevent the use of streets, alleys, sidewalks, and public grounds for signs, signposts, awnings, awning posts, telegraph, telephone and electric poles, horse-troughs, racks and other obstructions, and to remove and abate any nuisance, obstruction or encroachment upon the walks, streets, alleys



and public grounds, and regulate and prevent the encumbering of the same with vehicles, boxes, lumber, or any other thing; to provide for and regulate the erection of hitching posts and rings for fastening horses and other animals and to prohibit the same in any portion of the city.

8th. To regulate and prohibit the exhibition or carrying of banners; painting, posting, distributing or placing of placards, advertisements, handbills or other articles upon telegraph, telephone or electric light poles or in or upon the streets, alleys, sidewalks and public places; and to regulate and prevent the flying of flags, banners and signs across or over the streets, alleys and public places, and to regulate, license or prohibit the construction and use of bill boards and signs adjacent to or near the streets, alleys and public places or upon any vacant lot or other property.

9th. To regulate and prohibit traffic and sales upon the streets, sidewalks and public places.

10th. To regulate the speed of horses and other animals, bicycles, cars, locomotives, automobiles and other vehicles within the limits of the City and to compel persons to fasten their horses or other animals attached to vehicles or otherwise while standing in the streets, alleys or public places.

11th. To regulate and prescribe the maximum weight of a load to be drawn over any bridge or street in the city, and to direct upon what streets heavily loaded vehicles or traction engines may be drawn or propelled and from what streets, bridges, alleys and public places the same may be excluded.

12th. To name and change the names of streets, alleys and other public places.

13th. To regulate and prohibit the use of all bridges, drains, sewers, privies and cess-pools within the City, or in such portions of the City as it may designate, and to compel sewer connections in such portions and to make the same, and to assess the cost thereof on the property so connected.

14th. To regulate the numbering of houses, buildings and lots.

15th. To provide for and change the location, grade and crossing of any railroad, and to require railroad companies to lower and bridge over or raise their tracks and to pay all damages caused thereby, and to fence their respective rights of way, or any portion of the same, and construct cattle guards and to keep the same in repair within the limits of the city.

16th. To require railroad companies to keep flagmen and erect and maintain gates at railroad crossings of streets or public places, and to regulate and prohibit the obstruction of streets, alleys and other public places in the city by railway trains, cars or engines.

17. To require railroad companies to raise or lower their

tracks to conform to any grade which has been or hereafter may be established in said city, and to keep such tracks on a level with the street surface, and to compel the planking or paving of said track by such railroad companies so that they may be crossed at any place on a street, alley or public place.

18th. To prevent the pollution of the waters of any creek, river, pond or watercourse within or adjacent to said city; to prevent the dumping of refuse or other matter therein or on the banks thereof and to provide for the cleansing and purification of water and water courses, and the draining or filling of ponds or pools on private property when necessary to prevent or abate a nuisance, and to compel the owner of any grounds where water is liable to collect and become stagnant to fill or drain such low places and upon his failure so to do, to authorize such draining or filling and to assess the cost thereof upon such ground.

19th. To designate places within or without the city upon which manure, filth or offal may be dumped or deposited, and to regulate the use of such places so designated.

20th. To require railroad companies to make and keep open and in repair ditches, drains, sewers and culverts along and under their tracks so as not to impede natural drainage and so that stagnant or filthy water may not stand on their grounds or right of way.

21st. To regulate and prevent the cutting of ice in waters in or adjacent to the City and to compel the erection of fences around all ice cuttings and to prevent the sale of impure ice within the City.

22nd. To fix the amount, terms and manner of issuing licenses not inconsistent with law and subject to the provisions of this charter; provided that no license shall be issued for more than one year.

23rd. To license, regulate or prohibit billiards, pool and pigeonhole tables, pin alleys, bowling alleys and shooting galleries.

24th. To license, regulate or prohibit caravans, menageries, circuses, street exhibitions and all places of amusement.

25th. To license and regulate fire, auction and bankrupt sales, itinerant merchants and transient vendors of merchandise; and to license and regulate auctioneers, pawnbrokers, second-hand dealers and junk dealers and to compel all such persons to keep such records of their transactions as it shall direct.

26th. To license and regulate peddlers, street hawkers, clairvoyants, fortune tellers and astrologers.

27th. To license and regulate hackmen, draymen, expressmen, porters and all other persons or corporations engaged in carrying passengers, baggage or freight, and to regulate their charges therefor, and to provide standing places or stations on

the streets or near railway stations where the same may remain while waiting for business, and to prohibit the same from standing or waiting for business at any other than the place prescribed.

28th. To license and regulate breweries and to prohibit their erection in or near any portion of the city which it may designate.

29th. To license and regulate plumbers, and regulate sewer and water and street connections of all kinds.

30th. To prohibit the carrying of concealed weapons and to provide for the confiscation of the same.

31st. To license and regulate the keeping of dogs and to prevent their running at large, and to provide for the destruction of unlicensed dogs.

32nd. To regulate and prohibit the storage and use of gunpowder, dry pitch, resin, coal oil, benzine, naphtha, gasoline, turpentine, gun-cotton, nitro-glycerine and any product thereof, and other combustible or explosive materials, within the city, and of lights in stables, shops and other places, and of the building of bonfires, and to regulate and prohibit the use of fireworks and firearms.

33rd. To prohibit, punish and suppress riots, routs, affrays, disturbances, disorderly assemblies, cock fights, dog fights, sparring matches, prize fights and all brutal or depraving exhibitions.

34th. To restrain and punish vagrants, mendicants, street beggars, and prostitutes, and to regulate bathing and swimming in waters within the city limits, and to prevent and punish drunkenness, fighting, assaults, batteries and disorderly conduct and obscenity within the city; and to prohibit within the city the circulation, sale or exhibition of libelous, obscene and immoral publications, prints, pictures, advertisements and illustrations, and any printed matter naturally tending to provoke a breach of the peace or impair the morals of the community.

35th. To prohibit and suppress bawdy and disorderly houses and houses of ill fame and assignation within the limits of the city, and to provide for the arrest and punishment of the keepers, inmates and patrons thereof, and persons who visit the same for lewd or immoral purposes.

36th. To prohibit lotteries and gift enterprises and to prevent all description of gambling and playing dice, hazard, roulette or other games of chance; the use of black boards, lists, tickers or price quotations for the purpose of betting or gambling; to prohibit all pool rooms, bucket shops and betting rooms and the selling of pools and making of books on horse races or other contests, real or fictitious; to suppress and prohibit all mechanism and other devices for gambling or betting; to prohibit all fraudulent practices and the use of fraudulent devices, and to

authorize the destruction of all instruments used for the purpose of betting, gambling or other unlawful purposes.

37th. To establish pounds and pound districts, which shall be under the supervision of a pound master; to restrain the running at large or staking out of horses, mules, cattle, swine, sheep, poultry and other animals and to authorize the restraining and sale of the same.

38th. To establish, license and regulate markets and market houses.

39th. To provide for and regulate the inspection and sale of meats, poultry, fish, game, butter, cheese, lard, eggs, vegetables, flour, meal, milk, fruits and other products, and to regulate the making, and sale of bread and prescribe the weight and quality of bread in the loaf and to provide for the taking and summary destruction or forfeiture of any such products as are unsound, spoiled or unwholesome, or of such bread baked contrary to such regulations; and to regulate and prevent the bringing into the city and the having or keeping of such unsound or unwholesome product.

40th. To provide for and regulate the place and manner of weighing hay and straw and selling the same, and measuring and selling firewood, coal and lime.

41st. To provide for the inspection and sealing of all weights and measures and to enforce the keeping and use by vendors of proper weights and measures duly inspected and sealed.

42nd. To regulate the height, construction and materials of all buildings, chimneys, stacks and other structures, to prevent the erection or maintenance of insecure or unsafe buildings, walls, stacks, chimneys or other structures and to provide for their summary abatement or destruction; to prescribe the material and methods of construction of foundations and foundation walls, the manner of construction and location of drains and sewer pipes, the thickness, materials and construction and location of party walls, partitions and outside walls, the size and material of floor beams, girders, piers, columns, roofs, chimney flues, and heating apparatus; to regulate the construction of bath rooms, water-closets, privies and vaults, to prohibit the construction of buildings and structures not conforming to such regulations, and to direct the suspension at any time of any such building as does not conform to such regulations.

43rd. To regulate and repairing and remodeling of buildings within the fire limits of the city, and to determine the extent to, and the manner, in which wooden buildings or structures within such fire limits may be repaired or remodeled. To prescribe the fire limits within which wooden buildings or structures shall not be erected or placed, and to direct that any build-



ing within which such fire limits when damaged by fire, decay or otherwise so as to become a menace to persons or property, shall be torn down and removed and to prescribe the manner of ascertaining the amount of such damage, and to provide for requiring the owners of buildings or other structures which have been destroyed or partly destroyed or have become dangerous by fire or otherwise to take the same or any part thereof down, and in case of refusal or neglect of said owner to take the same down when ordered by the City Council, they to cause the same to be done at the expense of the owner and assess the cost thereof upon the land upon which said building or structure stood.

44th. To require the owners or lessees of buildings or structures to place thereon such fire escapes and appliances for the protection of life and property and for extinguishment of fires as it may direct.

45th. To prevent the construction and to cause the removal of dangerous chimneys, fire places, hearths, stoves, stove-pipes, ovens, boilers and apparatus used in or about any building or structure; to prevent the depositing of ashes or the accumulation of shavings, rubbish or other combustible materials in unsafe places, and to make provisions to guard against fires.

46th. To regulate the operation of blasts and blastings, and the construction, location and operation of derricks, windlasses, freight and passenger elevators and other apparatus, structures and operations hazardous to life or property.

47th. To define what shall constitute a nuisance and to abate the same and to impose fines upon persons who may create, continue or suffer nuisances to exist.

48th. To regulate the burial of the dead within the City and to regulate and determine the time and manner in which bodies which have been placed in a vault or tomb or any other place for the purpose of burial may be removed, and to regulate and control the location of cemeteries and to cause the removal of bodies interred contrary to law.

49th. To provide for and compel the reporting and recording of births and deaths within the city.

50th. To regulate the location, construction and management of stock yards, slaughter houses, packing houses, rendering establishments, tallow chandleries, storing houses for hides, bone or glue houses, gas works, soap factories, dye houses, tanneries, sausage manufactories and other noisome or unwholesome business, to prevent the slaughter of animals or poultry within the City and to regulate the handling or exposure of the carcasses of dead animals or poultry.

51st. To prohibit offensive or unwholesome business or establishments within the City.

52nd. To compel the owner of any soap or tallow chandlery, creamery, cheese factory, sausage manufactory, pig sty, privy, or other unwholesome, or noxious houses or place, to cleanse, abate or remove the same, and to provide for the inspection of all animals, poultry and meats to be slaughtered, butchered or offered for sale in the City, and to prevent the sale or offering for sale of any diseased or unwholesome meats, poultry or fish in said City.

53rd. To regulate the location of lumber yards and places for piling timber, wood, and other combustible materials, and the manner of piling the same, and to require any person maintaining any lumber, shingle or lath piles, or wood yards to remove the same when they become dangerous to buildings, structures or other property or to persons.

54th. To regulate and prevent the playing of games or any other amusements on the streets, alleys, sidewalks or public places, and to regulate the use of vehicles thereon.

55th. To regulate and prevent the ringing of bells and chimes, the blowing of whistles, beating of drums and the making of other noises.

56th. To establish and regulate City hospitals or pest houses, and to make all regulations which may be necessary and expedient for the preservation of health and the suppression of disease, and make regulations to prevent the introduction of contagious, infectious or other diseases into the City, and to make quarantine regulations and enforce the same, and to regulate, control and prevent the landing of persons, baggage, merchandise or other property from cars or other conveyances infected with contagious or communicable diseases, and to make such disposition of such persons or property as to preserve the health of said City, and to prevent infected cars or other conveyances from coming within the limits of the City.

57th. To establish and regulate the public wells, cisterns, hydrants, reservoirs, fountains, and watering troughs.

58th. To provide for the lighting of said City and the furnishing of light, heat, power and water for the City and its inhabitants, to regulate and control the furnishing, supply, quality and measurement of light, heat, power and water, to provide a scale of charges for light, heat, power and water consumed, to make rules and regulations concerning the City light and waterworks plant and the use thereof, and to punish violations of such rules and regulations.

59th. To regulate lodging, tenement and apartment houses, hotels and restaurants, and to prevent the over-crowding of the same and to require the same to be put and kept in proper sanitary condition.

60th. To prohibit and punish cruelty to animals and to

require the places where animals are kept to be maintained in a healthful condition and to protect birds and harmless wild animals.

61st. To compel the owners and occupants of property within the City limits, to keep the same clear of noxious weeds and of any brush or other material or substance liable to communicate fire to adjoining property.

62nd. To punish injuries to, or interference with, the ornamental trees or shrubbery in the streets and public places of the city; to provide for the trimming of trees which overhang the sidewalks of said city or which may interfere or be liable to interfere with the wires, cross-arms or attachments of the municipal light and power plant.

63rd. To provide for the revocation of licenses.

64th. To regulate and require licenses to be obtained for the pursuit and prosecution of such occupation or kinds of business not in this chapter expressly referred to and provided for, as in the opinion of the City Council may require regulation, and in general to adopt such measures and establish all such regulations in cases for which no express provision is in this chapter made as the City Council may from time to time deem necessary for the promotion of the health, comfort and safety of the inhabitants, the preservation of the peace and good order, the suppression of vice and the enhancement of the public welfare of the city.

65th. To establish and maintain City prisons and other places of confinement for the imprisonment, punishment and safe keeping of all persons arrested for, charged with or convicted of any offense; make rules and regulations for the government and management of such prison, and other places of confinement, and to prescribe the duties of the keepers and officers of the same, which keepers shall have all powers and authority of jailors at common law or under the laws of this State.

66th. To provide for the investigation of the origin and cause of fires, and compel the attendance of witnesses and the production and giving of evidence upon such investigations.

67th. To regulate and control, in a manner not contrary to any specific provision of this charter on the subject, the exercise by any person or corporation of any public franchise or privilege in any of the streets or public places of the city, whether such franchises or privileges have been granted by said City or under the laws of the State of Minnesota, or any other authority.

68th. To restrain any person from vending, dealing in or in any way disposing of any spirituous, vinous, fermented, malt or intoxicating liquors, unless duly licensed by the city council; and to license and regulate the sale of spirituous, vinous, fermented, malt or intoxicating liquors and all persons vending,

dealing in or disposing of the same; to regulate all saloons and other places where such liquors are sold or kept for sale and the manner of doing business therein; to prohibit vending, dealing in or disposing of by any person or persons (except regularly licensed druggists to sell for medicinal, chemical or mechanical purposes not to be used or drunk on the premises) of any spirituous, vinous, fermented, malt or intoxicating liquors in any district of the City which it may designate; and it is provided that in case of the death of the licensee and the discontinuance of the business for which said license was granted the council may refund to the widow or legal representative that portion of said license money, pro rata for the unexpired term of said license.

69th. To provide for the levy, assessment and collection of a poll tax pursuant to the laws of the State of Minnesota.

70th. To provide for the regulation and inspection of dairies and milk cows.

71st. To provide for the advertising for and receiving of bids for commodities, work and service for the city and the letting of contracts therefor.

#### DEPOSITORIES.

Section 21. The City Council shall each year within one month after their first meeting designate, and from time to time thereafter as occasion may require redesignate, the banks, banking houses, trust companies and other depositories in which the city treasurer shall deposit and keep the monies of the City, designating in each instance the maximum amount which may at any time be kept in any one of such depositories, which maximum amount shall in no case exceed 25 per centum of the paid-up capital and surplus of such depository. The Council shall require from such depositories good and sufficient bonds payable to said City and approved by the Council for double the amount of money likely to be received and conditioned for the safe keeping and payment of funds so deposited. The Council shall exercise all possible care to secure safe depositories for the funds of the City and to obtain the highest rate of interest possible consistent with safety for such monies. All interest received for the use or keeping of such monies shall be credited to the general fund of the City. The City Treasurer shall keep the funds of the City as far as possible in the depositories so designated, and when so deposited the Treasurer and the sureties on his bond shall be exempt from all liability for the loss of any such funds so deposited, if such loss is caused by the failure, bankruptcy or other act or default of the depository. The failure of the City Council to designate depositories as herein provided shall not exempt or relieve the City Treasurer or the sureties on his official bond from any liability.

All monies of the City kept in accordance with this act in any depository designated by the City Council shall be kept and deposited in the name of the City and such depository shall have no authority to pay out any such money except upon checks drawn upon such depository signed by the City Treasurer.

The Treasurer who has City funds deposited in accordance with this section shall, whenever notified so to do by the sureties on his official bond or by the City Council, withdraw all funds from any designated depository, and it shall be the duty of the City Clerk to countersign all checks for such withdrawal. Said City Treasurer shall thereupon, upon such withdrawal, notify the City Council thereof and thenceforth said Treasurer shall deposit no more funds in such depository until authorized so to do by the City Council. And upon such withdrawal it shall be the duty of the City Council to proceed forthwith to redesignate in accordance with the provisions of this section.

#### INTOXICATING LIQUORS.

Section 22. All general laws of the State of Minnesota pertaining in any manner to intoxicating liquors shall, so far as applicable, be in force in and apply to the City of Granite Falls.

It is provided, however, that the legal voters of the City of Granite Falls shall have the authority and power to vote upon, and determine for themselves, the question whether or not license for the sale of intoxicating liquors as a beverage shall be granted by the Council of said City; and it shall be the duty of the City Clerk of said City, upon receiving a petition for that purpose, of 25 or more legal voters of said City, at any time not less than fifteen days before any annual election of said City, to give at least ten days notice that the question of granting license for sale of intoxicating liquors as a beverage in said City shall be submitted to the legal voters thereof, at the next ensuing election, which question shall be decided by ballot containing the words, "In favor of license," or "Against license," as the case may be, provided, however, that the failure or neglect of the City Clerk to give the notice required herein shall not invalidate the vote and determination made under the provisions of this section, if the petition therefor shall have been duly filed. The votes upon such question shall be taken, canvassed, returned and announced in the same manner as is provided in this charter for the taking, canvassing and returning of the votes for the election of city officers, which determination so made shall continue until the same shall be revoked at a subsequent election in the same manner; and if such returns show that the majority of the votes cast at such election on said question shall be in favor of license then the City Council may grant license to any suitable person of lawful age and being a bona fide resident of this

State for the sale of intoxicating liquors. The City Council shall have the exclusive right, within said City to license persons vending, selling or disposing of intoxicating liquors as a beverage in said City, and no person shall be licensed by the City Council to sell or deal in intoxicating liquors as a beverage in said City unless he shall fully comply with all the requirements and be subject to all the penalties as provided in the ordinances of the City, the general statutes of the State of Minnesota and of the United States; provided, that whenever the people shall have voted against the issuance of license for the sale of intoxicating liquors in said City it shall thereafter be unlawful for any person or corporation to sell, barter or give away the same, in said City, at retail or wholesale, in any quantity whatever; provided that nothing herein shall be construed to prevent or forbid any manufacturer of intoxicating liquors in said City from selling his product to be consumed outside of said City.

#### CHAPTER V.

##### CITY FINANCE.

Section 1. The fiscal year of the City of Granite Falls shall commence on the first day of January, each year.

##### GENERAL FUND.

Section 2. The City Council shall have the power to levy upon all the taxable property within said City taxes to provide for the current expenses of the City Government, and for the acquiring, improving and maintaining of public grounds, and for the construction and maintaining of buildings, bridges, culverts and all improvements of a public character, and opening, constructing, maintaining and repairing roads, highways, streets and alleys, and the construction of reservoirs, sewers, drains and street gutters, and the grading of streets, and for other purposes conducive to good order, general welfare, health, cleanliness and protection against crime.

Provided, that such tax in no year shall exceed two (2) per cent of the assessed valuation. All monies not properly belonging to any other fund shall be paid into the General Fund.

##### ELECTRIC LIGHT AND WATERWORKS FUND.

Section 3. In addition to any other fund or funds herein provided there shall be maintained in the treasury of said City an Electric Light and Waterworks Fund. The Electric Light and Waterworks Fund is created for the purpose of purchasing, constructing, maintaining, extending, enlarging, improving and

operating a City light, power and waterworks plant or plants. The Electric Light and Waterworks Fund shall not be supported by taxation, but there shall be paid into such fund all income from the operation and maintaining of such plant or plants, all income from the sale of supplies, labor and materials in connection therewith, all income that shall be set apart from the General Fund on account of lighting, water and power for public purposes, the principal and premium derived from the sale of any and all bonds issued on account of such plant and all monies paid into such fund to meet outstanding bonds or indebtedness against the same.

The City Council shall each year not later than the last meeting in February set apart from the General Fund to the Electric Light and Waterworks Fund not less than Forty Dollars nor more than Seventy-five Dollars for each arc lamp used for the lighting of the public streets and ways of the City and in addition thereto such other reasonable sum as may be considered by the Council to compensate for the other light, power and water used for public purposes, all while furnished by the municipal light and waterworks plant or plants.

#### SINKING FUNDS.

Section 4. When there shall be any bonded indebtedness owing by the City as a whole, exclusive of Electric Light and Waterworks bonds, the City Council shall maintain a General Sinking Fund. Such General Sinking Fund is created for the purpose of accumulating money to pay the principal of the aforementioned bonded indebtedness and for the maintenance of this fund there shall be levied an annual tax of one (1) mill on each dollar of assessed valuation of all the taxable property of the City and there shall also be assigned and placed in such General Sinking Fund fifteen per centum of all license fees collected by the City. When there shall be no bonds of the class above mentioned outstanding against the City as a whole, exclusive as aforesaid of Electric Light and Waterworks bonds, such General Sinking Fund may be discontinued and any balance remaining therein may be paid into the General Fund, but thereafter upon the issuance of any such new bonds such General Sinking Fund shall be re-established and maintained as herein prescribed. There shall also be paid into the General Sinking Fund all taxes collected to pay interest in excess of the amount required to pay such interest.

When there shall be outstanding and unpaid any Electric Light and Waterworks bonds against the City the City Council shall maintain in the City Treasury an Electric Light and Waterworks Sinking Fund. This fund is created for the purpose of paying the principal of such Electric Light and Water-

works bonds and for the maintenance of this fund there shall each year be paid therein an amount equal to the amount set apart to the Electric Light and Waterworks Fund from the General Fund for light, water and power for public purposes, and also such other sums as the Council may set apart from the Electric Light and Waterworks Fund. The sums so paid into the Electric Light and Waterworks Sinking Fund shall be paid from the Electric Light and Waterworks Fund.

Nothing in this chapter contained shall be construed to alter or limit the liability of the City as a whole for the payment of its bonds or other liabilities or indebtedness.

#### TIME WARRANTS.

Section 5. The City Council may issue time warrants, when the fund on which the warrant would otherwise be drawn is exhausted, provided that at no time shall the aggregate warrants outstanding against all funds exceed the sum of three thousand dollars, and that said warrants shall bear interest at the legal rate.

#### INCURRING DEBT.

Section 6. No debt shall be incurred or created by the City, the City Council or any officer, except pursuant to the authority herein expressly given for that purpose, and no orders shall be issued upon the City Treasurer exceeding the amount of tax collected or assessed and tax or revenue in process of collection.

#### BONDS.

Section 7. The City Council shall have the power to borrow money and issue the bonds of the City therefor for such amount as may be authorized by a majority of the legal voters of the City voting upon the question, the votes to be polled and returns thereof made and canvassed in conformity with the provisions of this charter respecting City Elections, and upon due notice given under the direction of the City Council. All bonds shall be redeemable within twenty years from their date and taxes may be levied by the Council to pay the interest and principal as the same become due and such authorized indebtedness shall never exceed the limit provided by law. The bonds herein provided for shall bear no greater rate of interest than five (5) per centum per annum, but this limitation, however, as to the rate of interest shall not apply in the case of the issuance of refunding bonds.

#### TAXES.

Section 8. Taxes may be levied by resolution of the City Council, and no tax shall be invalid by reason of any informal-



ity in the manner of levying the same nor because the amount shall exceed the amount required to be raised for the special purpose for which the same is levied; but in such case the surplus shall, if the tax be a general tax, go into the General Fund of the City. If it be a bond or interest tax it shall be kept and used for the future payment of principal and interest of the same class of bonds or the purchase thereof before due. If it be for improvements it shall be kept and used for future improvements of the same character.

The City Council shall divide the tax levied and apportion the same against the property in both the Counties of Yellow Medicine and Chippewa so that the portion of tax levied against the property in each of said Counties shall bear the same proportion to the whole amount of tax levied as the equalized taxable valuation of the portion of said City in each of said Counties bears to the equalized taxable valuation of the whole City.

#### STATEMENT TO AUDITOR.

Section 9. The City Council shall cause to be transmitted to the County Auditors of said Yellow Medicine and Chippewa Counties, on or before the tenth day of October of each year, a statement of all taxes levied on the property in the respective Counties, and such taxes shall be collected and the payment thereof enforced in like manner as other taxes. And the Treasurers of the respective Counties shall pay such taxes to the Treasurer of the City on the warrant of the respective County Auditors, after the Auditor makes the settlement with the County Treasurer according to law.

#### MONEY—HOW PAID.

Section 10. No money shall be paid out of the City Treasury unless such payment be authorized by vote of a majority of all members of the City Council, and then shall be drawn only upon the order of the Mayor, countersigned by the Clerk, which order shall specify the purpose for which it is drawn, and the person in whose favor it is drawn, and may be made payable to the order of such person, or the bearer, as the Council may direct.

#### ORDERS CANCELED.

Section 11. When any such order shall have been paid or received by the Treasurer it shall not again be issued, but he shall immediately cancel the same, and file the same in his office, paying against the order drawn on each fund.

### CHAPTER VI. FRANCHISES.

Section 1. The legally qualified voters of the City of Granite Falls shall have the power to grant franchises for the occupation of the streets, alleys and public grounds of said City for the use of telegraph, telephone and electric light poles and wires, for street car tracks and for laying of gas pipes or mains, electric conduits, and for other purposes for the use, convenience and accommodation of the public, and in all cases the City Council shall regulate and control the same, so that nothing shall interfere with the construction or maintenance of common sewers or the lateral branches thereof, or with the proper location of water mains and pipes, or the poles, wires, cross-arms or attachments of the electric lighting and power system of the City, and the City Council may at any time require the location of any such poles, pipes, conduits or anything else so authorized to be changed, if the same shall be found to interfere in any way with the proper and convenient location of sewer or water mains or pipes or the poles, wires, cross-arms or attachments of such lighting and power plant, or any other way inconvenience the public; provided that all such franchises shall be subject to the regulations and restrictions hereinafter contained.

#### LIMITS.

Section 2. No exclusive franchise shall ever be granted; and no franchise shall be granted for a term to exceed twenty years.

#### APPLICATION AND VOTE.

Section 3. The person, firm or corporation desiring any franchise, right or privilege shall make written application therefor and file such application together with the form of franchise, right or privilege desired with the City Clerk, and at the same time deposit with the Clerk the sum of fifty dollars to cover the cost of the election thereon and the publication of such application and form if the Council direct the publication thereof. Upon the filing of such application and the deposit of such fifty dollars the City Council shall submit the question of the granting of such franchise to the vote of the legal voters of said City at any general or special election.

#### CONTROL AND PERCENTAGE.

Section 4. Every franchise shall contain a provision reserving to the City Council the right to regulate and control the business for which said franchise shall be granted and to limit the rates to be charged for any service to be rendered, and the

City Council shall have the right in its discretion to provide for the payment to the City of a percentage of gross earnings.

#### ACQUISITION.

Section 5. Every franchise granted shall contain a provision granting the City the right to acquire the same and the business for which it is granted at the end of every term of five years, if a majority of the voters of the City vote in favor of such acquisition.

Whenever the voters of the City are desirous of acquiring any franchise and the business operated thereunder such acquisition shall be by purchase, at an appraised value, the method of appraising to be determined by the City Council by ordinance.

#### PRIVATE SEWERS.

Section 6. The City Council may permit any person or number of persons associated together for such purpose to construct or lay private sewers in any of the streets or alleys of the City, provided the same makes proper connections with any of the public sewers of the City and conforms in all respect with such rules, regulations and requirements as may be prescribed by said City Council by ordinance; and such sewers shall be constructed under the direction and supervision of the City Council or such officers as it may designate for such purpose; provided, that the City shall have the right of way to connect any public sewer with such private sewer without the payment of any fee for such connection and the City Council shall have the right to prescribe by ordinance the manner and terms upon which any person not joining in its construction may have the right to make subsequent connections with any such sewer; and provided further, that the City may acquire and take possession of the same at any time when the public welfare demands it.

### CHAPTER VII.

#### FIRE DEPARTMENT.

Section 1. There shall be a Fire Department in the City of Granite Falls, consisting of such divisions as the Council may by ordinance determine.

The head of said department shall be known as Chief of the Fire Department, and there shall also be an Assistant Chief of the Fire Department, and such other officers, assistants and employes as may be necessary for the purpose of said department. The Chief and Assistant Chief shall be nominated by the joint vote of the several divisions of such department and said nominations shall be reported to the City Council at their first

regular meeting after the annual election and after the newly elected Council shall have qualified such nominations to be confirmed or rejected as the Council may determine. Such officers shall hold their office for one year and until their successors are elected and qualified, unless sooner removed for cause by the City Council. Officers other than the Chief and Assistant Chief shall be elected by the joint vote of the several divisions of such department.

#### POWERS AND DUTIES OF THE CHIEF.

Section 2. It shall be the duty of the Chief to preside at all joint meetings of the divisions of the department, to take full charge of all the men and apparatus and make all orders for the direction of his men in the extinguishment of fires. He shall see that all property of the department is kept in order that all rules and regulations of such department and of the ordinances and provisions of this Charter relative to such department and to the prevention and extinguishment of fires are duly executed. He shall superintend the preservation of all property endangered by fires and shall have control and direction, in cases of fire, of all persons, organizations or associations engaged in preserving such property.

The Chief shall have the powers of a City Marshal during the progress of a fire and may arrest any person for disobeying orders or interfering, intermeddling or obstructing or attempting to obstruct the firemen while attempting to extinguish any fire.

#### ASSISTANT CHIEF.

Section 3. The Assistant shall have all the powers and duties of the Chief in the absence of such Chief or his inability to act.

#### RULES AND REGULATIONS.

Section 4. The several companies or divisions of such department shall make such rules and regulations for the conduct and management of the members as they may determine upon, provided the same are not in conflict with the provisions of this charter or the ordinance of the City.

#### AUTHORITY AT FIRES.

Section 5. The City Council may by ordinance provide for the removal and keeping away of any and all persons from fires and may confer powers for that purpose upon the Mayor, the Chief of said department, the Assistant Chief and other officers of the department and police officers of the City.

#### FIRE ALARM AND OTHER PROPERTY.

Section 6. The City Council may provide for the estab-



ishment and maintenance of a fire alarm, telegraph or telephone system for the purposes of the department, and may provide for the purchase of the necessary apparatus for that purpose.

#### DESTRUCTION OF BUILDINGS.

Section 7. The City Council may by ordinance provide that the officer having charge of the extinguishment of any fire within said City may, by and with the consent of such other officer or officers of the City as it may determine, order and direct the destruction and removal of, and to destroy, pull down and remove any building that may be afire, or any other building or buildings in the vicinity or any part thereof that they deem hazardous or likely to communicate fire; and no action shall be maintained against any person or the City on account thereof.

#### PENALTIES.

Section 8. If any person shall at any fire refuse to obey the orders of the Chief of the Fire Department, or other officer vested with authority at such fire, such person shall be guilty of a misdemeanor and shall be punished as prescribed by the ordinances of the City, or in case the offense is not punishable under the ordinance of the City then as misdemeanors under the laws of the State.

#### OTHER OFFICERS.

Section 9. The City Council may by ordinance prescribe the order in which the officers of said department shall have authority in the event of the absence of a superior officer or his inability to act.

### CHAPTER VIII.

#### STREETS AND HIGHWAYS.

Section 1. The City Council shall have the custody of and control over the streets, alleys and public places within its limits. The City Council may lay out, open, extend, widen or straighten any street, alley or public place within the City, and may also, for the purposes of drainage, construction of bridges or the making of other necessary public improvements, or the improvement of the health or sanitary conditions of the City, enter upon, lower, raise, change the course of, or divert any stream of water, ditch or drain within the limits of the City, and may cause to be built, maintained or repaired, bridges across streams or railway tracks, and may provide for the construction of curbs and gutters and for the pavement of streets, alleys, or public places of the City.

#### GRADES.

Section 2. The City Council may by resolution establish the grade of any street when such grade has not been established, and may by resolution passed by the affirmative vote of three-fifths of the members of the City Council change the grade of any street after such grade has been established. It shall cause accurate profiles of the grades of all streets to be made and kept in the office of the City Clerk.

It is provided, however, that when the grade of any street shall have once been established by the City Council and the record thereof filed with the City Clerk such grade shall not be changed by the Council except upon the petition of a majority of the owners of property abutting such street.

#### BRIDGES.

Section 3. All bridges in the City of Granite Falls, together with the guards and embankments connected therewith, and the immediate approaches thereto, which form a necessary part of the same, shall be built, maintained and kept in repair by the City as a general City charge, except so far as the building, maintaining or keeping in repair of the same may be chargeable to any railway company, county, corporation or person.

#### POWER TO OPEN STREET AND MAKE OTHER IMPROVEMENTS.

Section 4. Whenever the City Council shall determine to lay out or open new streets or alleys in said City, or to widen, straighten or extend any than now or hereafter may exist, it may for such purpose purchase or condemn any real estate or interest therein which is private property as may be taken for such improvement, and all damages done to private property by reason of such improvements.

#### SIDEWALK REPAIRS.

Section 5. If the owner of any lot or parcel of land shall suffer any sidewalk along the same to become broken, rotten or out of repair, it shall be the duty of the street commissioner to immediately repair the same in a good and substantial manner and report to the City Council the cost of such repairs in each case and a description of the lot or parcel of land abutting the walk on which such repairs were made, and such report shall be filed and preserved by the City Clerk; and the City Council shall assess and levy upon each of the lots or parcels of land fronting or abutting upon the sidewalks so repaired the cost of making such repairs. Such assessment for all such repairs within the City for the year may be combined in the one assessment roll for the County in which such lot or parcel is situated and be

collected as provided for in the chapter on local improvements of this charter.

#### LIABILITY FOR OBSTRUCTION OF STREETS.

Section 6. All persons who shall by means of any excavations in or obstructions upon any street of said City, not authorized by law or the ordinances of the City, render such streets unsafe for travel, or who shall by negligence in the management of such excavation or obstruction as shall be authorized, or by the failure to maintain proper guards or lights thereat, render such streets insufficient or unsafe for travel, shall be liable for all damages not caused by negligence of the party injured, to whomsoever resulting, by reason of such excavation, obstruction or negligence, and no action shall be maintained against said City for such damages unless such person or persons shall be joined as party defendants; and in case of judgment against the defendants in such action, execution shall first issue only against the defendant causing such damage or injury, and the City shall not be required to take steps to pay such judgment until such execution shall be returned unsatisfied, and if the City shall pay such judgment it shall become the owner of the same and may enforce payment of the same from the other defendant or defendants and shall be entitled to execution against him or them and to take such other proceedings as judgment creditors are entitled to take.

#### ACTIONS FOR INJURIES.

Section 7. No action shall be maintained against the City of Granite Falls on account of any injury received by reason of any defect in the condition of any bridge, street, sidewalk or thoroughfare unless such action shall be commenced within one year from the happening of such injury, nor unless notice shall have been first given in writing to the Mayor or Clerk of said City thereof within thirty days of the occurrence of such injury or damage stating the time when and the place where such injury was received and that the person so injured will claim damages of the City for such injury, but such notice shall not be required when the person injured shall in consequence thereof be bereft of reason. Nor shall any such action be maintained for any defect in any street until the same shall have been graded, nor for any insufficiency of such grounds or sidewalks as are usually constructed when no sidewalk has been ordered by the City.

#### PILING SNOW PROHIBITED.

Section 8. No railway company shall have any right to pile up snow or other material and leave the same piled upon any traveled portion of any street, alley or public place in said City, and any such company shall, in addition to all penalties

prescribed therefor, be liable to any person who shall be injured by reason of any such obstruction caused by such company or its servants for all damages sustained; and in case any damage shall be recovered against the City for injuries caused by such obstruction the City shall have the right to recover the amount paid therefor by the City from the company causing such obstructions.

#### PLATS.

Section 9. Whenever any person shall subdivide any piece of ground within the said City, he shall cause the same to be surveyed and platted in accordance with the provisions of Chapter 64 of the Revised Laws of Minnesota for the year 1905, and when so completed the said survey and plat shall be presented to the City Council for its approval. The acceptance of such plat or addition shall not make the City liable to grade the streets therein designated, nor responsible for any insufficiency of such streets until the same are graded and opened for travel under the direction of the City Council.

#### VACATION OF STREETS.

Section 10. The City Council may upon petition signed by a majority of the citizens who are owners of property on the line of that portion of any street, alley, public ground or highway proposed to be vacated, stating the facts and reasons therefor, order the vacation of any such street, alley, public place or highway. If the City Council deem it expedient that the matter should be proceeded with it shall order the City Clerk to give notice to all persons interested in such manner as it shall require. The City Council after investigating said matter and hearing all persons interested may by resolution passed by four-fifths of all its members, order the vacation of such street, alley, public places or highway.

#### IMPROVEMENTS—HOW MADE.

Section 11. All of the improvements herein provided for shall be made under the chapter of this charter relating to local improvements so far as the same may apply.

### CHAPTER IX.

#### LOCAL IMPROVEMENTS.

Section 1. The City of Granite Falls may acquire by purchase, condemnation or otherwise, either within or without the limits of the City, any property that may be required for any purposes of the City. In said cases the City may acquire the fee title and absolute ownership of any such property and where nothing to the contrary appears the City shall be deemed to

have acquired the fee title and absolute ownership of said property, except in the cases of streets and alleys.

#### GENERAL IMPROVEMENTS.

Section 2. Whenever the City Council shall consider it necessary to procure real estate, or any rights in real estate or any other property for public purposes, the City Council shall appoint a committee of not less than three of its members, who together with the City Engineer, if there be one, shall make examination and report to the City Council a proposed location and description of land and other property suitable for the purpose and the most convenient manner of taking and using the same and present to the City Council a plat, plan or description of the land or other property proposed to be taken, and their report shall, so far as the committee shall deem necessary, state what other existing property can be used for the particular purpose under consideration, and any other matters which the committee shall deem proper for the information of the Council; and such committee may present for the consideration of the Council more than one location, proposition or plan. Any citizen may present for the consideration of the Council any such location, plan or proposition for such purpose.

Such committee shall file its report with the City Clerk, who shall give notice by publication twice in the official paper of said City, that such report is on file in his office, for the inspection of all persons interested, and that the same will be presented to the City Council for action thereon at a meeting of the said City Council to be named in such notice; which shall be the regular meeting of the Council occurring next after one week from the second publication of such notice. At the meeting named in such notice the City Clerk shall present such report and the matter may be proceeded with by the City Council at the same or any subsequent meeting. The City Council under such rules as it may prescribe may hear any person interested in the matter or refer the matter to a committee to hear such persons and report.

#### ACTION AND REPORT.

Section 3. In all cases where different locations, propositions or plans may be equally available for the purpose specified in section 2 of this Chapter the Council may, either before or after appointing said committee, obtain offers for appropriate real estate or other property, and may if it deem advisable accept the most advantageous of such offers without taking any condemnation proceedings; and in all cases where different locations, propositions or plans may appear to be equally available or advantageous for the purpose under consideration, the com-

mittee shall before making its report secure proposals or offers for such locations, propositions or plans.

#### CONDEMNATION PROCEDURE.

Section 4. Whenever the City Council shall determine to take and appropriate any lands or other property for any public purpose it shall designate the same as nearly as may conveniently be done, and direct the City Engineer, or other city officer, to make such plat or survey and description as may be necessary to show or explain the same, and when made it shall be filed with the City Clerk; and the City Council shall then or afterwards appoint three (3) commissioners, who shall be freeholders of said City, no more than two of whom shall reside in the same ward, to view the lands or other property to be taken and appropriated and ascertain and award the amount of damages or compensation to be paid to the owners of the same.

Two of such commissioners shall constitute a quorum and be competent to do any act required of such commissioners. They shall be notified by the City Clerk by notice served on them severally, either personally or by mail, to attend at his office, on or before the day fixed by him, not less than two days after the service or mailing of such notice, to qualify and enter upon their duties; and in case a quorum of such commissioners shall not so attend at the time and place designated in such notice the Mayor of the City may in writing appoint one or more commissioners in the place of such absentees. The commissioners shall be sworn by the City Clerk or any other officer authorized to administer oaths, to discharge their duties as such commissioners in the matter with fidelity and impartiality and make due return of their action to the City Council.

They shall give notice by two publications in the official paper of said City that they will on a day designated in such notice, (which shall be at least ten days after the first publication of such notice), meet at a place designated in such notice on or near the property proposed to be taken and appropriated and view such property and ascertain and award therefor compensation and damages, and that they will then and there hear such allegations and proofs as interested persons may offer.

After the publication of such notice, and at least six days before the meeting designated in said notice, the City Clerk shall also cause a copy of the same to be served personally upon some person in possession of each parcel of said property as separately assessed or some part thereof, if the same is actually occupied, in the same manner as is provided for the service of a summons in civil actions in the District Courts of this State.

A copy of all subsequent notices relating to said proceedings which are required to be published shall be mailed in the manner

above specified by the City Clerk, immediately after the first publication thereof, to such persons interested in said proceeding as shall have appeared in said proceeding and requested in writing that such notices be mailed to them.

Such commissioners shall meet and view the property pursuant to the notice so given by them, and may adjourn from time to time, and after having viewed the property may for the hearing of evidence and preparation of their award adjourn or go to any other convenient place in said City and such commissioners shall make a true and impartial appraisal and award of the compensation and damages to be paid to each person whose property is to be taken or appropriated, and shall forthwith file a report of the same with the City Clerk for presentation by him to the City Council and such report shall lie over until the next meeting of the City Council, which shall occur at least one week after the reception of the same, at which or at any subsequent time the City Council may act on such award and hear any objection made thereto, or may refer the matter to a committee to hear objections and report thereon.

The City Council may confirm such award or annul the same, or send the same back to the same or a new board of commissioners for further consideration; and such commissioners may in such case again, on giving notice as before, meet at a time and place to be designated in said notice and hear any evidence that may be adduced by interested parties or persons, and may adjourn from time to time and correct any mistake in such award, and revise and alter the same as they deem proper, and again report such award to the City Council, which may confirm or annul the same.

#### AWARDS.

Section 5. Whenever any award of compensation and damages is confirmed by the City Council and not appealed from, and whenever the same when appealed from shall not be set aside by the court, the same shall constitute a lawful and sufficient condemnation and appropriation to public use of the land or property, or rights in property, for which compensation or damages are so awarded, and the City Council shall thereupon cause to be paid from the proper fund of the City to the owners of such property the amount awarded to each severally. In case such payment is not made, or the money set apart in the treasury within one year after the confirmation of the award or the determination of the appeal thereupon, the proceedings shall be deemed to be abandoned.

In case there shall be any doubt as to who shall be entitled to such compensation or damages or any part of the same, the amount so awarded or the part thereof in dispute shall by the City Council be deposited with the Clerk of the District Court

of the County in which such property is situated for whomsoever shall show to such court his right to receive the same.

Upon the payment of such award or appropriation, or the setting apart of the money in the City Treasury to pay the same, or the payment and deposit of the money to and with the Clerk of said District Court as aforesaid, the City shall become vested with the title to the property taken and condemned and may forthwith enter upon and use the same.

This section shall apply to all cases of appropriation of private property for public use, provided for in this section.

#### STREETS AND WATER COURSES.

Section 6. Whenever the City Council shall vote to lay out or open any new street or alley, or to straighten, widen or extend any that now or hereafter may exist, which shall make it necessary to take, injure or interfere with private property, it shall determine and designate in a general way as nearly as may be, the character and extent of the proposed improvement and injury, and shall proceed as near as can be as provided in sections four and five of this chapter; provided, that the plat and survey therein provided for shall show all land contiguous to said improvement, and the notices therein required shall be served upon the owners or occupants of all lands shown on said plat, and the commissioners therein provided for shall, after viewing the premises and hearing the evidence offered, prepare and make a true and impartial appraisal and award of the compensation and damages to be paid to each person whose property is to be taken or injured by the making of such improvement, but if the remainder of the same property, a part only of which is to be taken or damaged by such improvement shall be benefited by such improvement, then the commissioners, in considering and awarding compensation and damages shall also consider, estimate and offset the benefits which will accrue to the same owner in respect to the remainder of the same property, and award him only the excess of the compensation or damages over and above such benefits, if any there be.

The said commissioners shall then assess the amount of such compensation and damages so awarded, together with the expense and cost of making the improvements upon the land and property benefited by such improvement and in proportion to such benefits, but in no case shall the amount of such assessment exceed the actual benefit to the lot or parcel of land so assessed after deducting therefrom any damages or injuries to the same parcel which are less than such benefits, and assessing only the excess, and prepare and report to the City Council their appraisal and award. And if, in the judgment of said commissioners, the whole amount of such compensation and dam-



ages, together with the cost of making such improvement, shall exceed the actual benefits to the specific property subject to such assessment, they shall so indicate in their report, stating the amount of such excess. Said commissioners shall also report to the City Council an assessment list containing their assessment of such compensation, damages and costs of such improvement or so much thereof as shall not exceed the actual benefits to the property so assessed, which list shall contain a brief description of each tract or parcel of property assessed, the name or names of the owners thereof, if known, and the amount assessed against each parcel of property and the amount of the excess of such compensation, damages and costs as aforesaid which they shall return unassessed, and shall be presented and acted upon as provided in sections four and five of this chapter.

Whenever the City Council shall confirm any such award and assessment such confirmation shall make such award and assessment final and conclusive upon all parties interested, except as hereinafter provided, and the City Council shall proceed, at the same or at any subsequent meeting, to levy such assessment upon the several parcels of land described in the assessment list reported by the commissioners, in accordance with the assessment so confirmed, and cause to be made and adopted an assessment roll of the same which may be in any form the City Council may adopt.

#### OBJECTIONS AND APPEALS.

Section 7. Any person whose property is proposed to be taken, interfered with, or assessed for benefits, under any of the provisions of this chapter, and who deems that there is an irregularity in the proceedings of the Council, or action of the commissioners by reason of which the award of the commissioners ought not to be confirmed, or who is dissatisfied with the amount of damages awarded him for the taking of or interference with his property or the amount of assessment for benefits to any property affected by such proceeding belonging to him, may at any time before such award or assessment shall be confirmed by the City Council file with the City Clerk in writing his objection to such confirmation, setting forth therein specifically the particular irregularities complained of, and containing a description of the property affected by such proceedings, and if, notwithstanding such objections, the City Council shall confirm the award or assessment such person so objecting shall have the right to appeal from such confirmation of the City Council, to the District Court of the County where such property is situated at any time within twenty days after such confirmation.

Such appeal shall be made by serving a written notice of appeal upon the City Clerk of said City, which shall specify the property of the appellant affected by such award, and refer to the

objection filed as aforesaid, and by also delivering to the said City Clerk a bond to the City of Granite Falls, executed by the appellant or some one in his behalf, with two or more sureties who shall justify in the penal sum of fifty dollars, conditioned to pay all costs that may be awarded against appellant on such appeal, which bond shall be first approved by the Clerk of the District Court of the County to which such appeal is to be taken. Thereupon the City Clerk shall make out and transmit to the Clerk of said District Court within ten days after the taking of such appeal a copy of the award of said commissioners, as confirmed by the City Council, and of the action of the Council confirming the same and of the objections filed by the appellant as aforesaid, all certified by said City Clerk to be true copies. But if more than one appeal be taken from any award or assessment to the same District Court it shall not be necessary for the Clerk, in appeals subsequent to the first, to send up anything except a certified copy of the appellant's objection.

There shall be no pleadings on such appeal, but the court shall determine in the first instance whether there was in the proceedings any such irregularity or omission of duty, prejudicial to the appellant and specified in said written objection, that as to the appellant the award or assessment of the commissioners ought not to stand, and whether said commissioners had jurisdiction to take action in the premises.

The case may be brought on for hearing on eight days notice at any general or special term of the court and the judgment of the court shall be either to affirm or annul the proceedings only as the same affects the property of the appellant proposed to be taken, damaged or assessed for benefits, as described in the written objection.

In case the amount of damages awarded or assessments made for benefits is complained of by such appellant the court shall, if the proceedings be confirmed in other respects, upon such confirmation order the cause to be docketed by the Clerk, in the name of the person taking such appeal against the City of Granite Falls, as an appeal from assessments. Such appeal shall be tried in the district court as are all other civil cases, except no pleading shall be required and as to the owner the only questions to be passed upon shall be whether the valuation of the property specified in the objection is a fair valuation and the assessment of damages, so far as it affects said property, is fair and impartial. The judgment of the court shall be such as to confirm or annul said assessment or to modify said assessment to conform to the verdict or findings, so far as the same affects the property appropriated of said appellant; and if the court shall be of the opinion that such appeal was frivolous or vexatious it may adjudge costs against the appellant in a sum not ex-

ceeding twenty-five dollars in addition to all costs allowed by law.

#### ABANDONMENT.

Section 8. The City Council shall have the right at any time during the pendency of any proceedings for the improvements authorized in this chapter, or at any time within thirty days after the final order of the court on any appeal from such proceedings, to abandon all such proceedings or any part of the same, whenever it shall deem it for the best interest of the City so to do.

#### PAVEMENTS AND SEWERS.

Section 9. Whenever the City Council shall determine to cause to be paved, re-paved, or macadamized, any street, lane or alley in said City, or to lay, relay or extend any sewer pipes in or through such street, lane or alley, or any portion of the same, it shall determine and designate in a general way as nearly as may be convenient the character and extent of the improvements and the material to be used therein, and thereupon it shall be the duty of the City Engineer or other officer of the City authorized by the City Council so to do, to make and present to the City Council an estimate of the cost of construction of such improvements in front of abutting lands, which cost shall in case of sewers not exceed the cost of eight-inch sewers in front of any abutting lands, and the proportion thereof required to construct the same across streets, lanes, alleys and in front of lands not subject to assessment, and also the excess of cost in case of sewers over and above the cost of such eight-inch sewers, also a list of the several lots and parcels of land in front of each extending along such improvements, together with the names of the owners of the several parcels as nearly as can be determined. A record of the reception of such report shall be made in the official proceedings of the City Council, and there shall be published once in the official paper a brief statement of the proposed improvements over the signature of the City Clerk, which shall be held to be sufficient notice to all persons concerned, and such report shall lie over without any assessment being made until the next regular meeting of the City Council, which shall not occur for at least one week after the reception of such report and the publishing of such notice; but the City Council, in its discretion, may direct the City Clerk to advertise for and receive, in the meantime, bids for doing work and furnishing the material required to construct and complete such improvement and report the same to the City Council at such meeting as it may designate or to which such report is laid over. The City Council may consider such estimate and bids and any further communications respecting the matter, and under such rules

as it may make shall hear all persons interested in the matter of such improvements who may desire to be heard, and the City Council may adhere to its resolution to make improvements or may modify the character of or abandon the same. If the City Council shall determine to proceed with such improvements, whether modified or not, it may either before or after having contracted for the construction of such improvements estimate and fix upon the cost thereof, and the proportion or amount of such cost which is required to construct such improvements, not exceeding in the case of sewers the cost of eight-inch sewers, and may assess and levy such proportion or amount of such cost upon the same lots and parcels of land upon the basis of an equal sum per front foot of each lot or parcel, measuring along the line of such improvements, and provide for the payment of any deficiency from the General Fund of said City, and the City Council shall cause to be made, and shall adopt, an assessment roll thereof, which may be in any form which the City Council may deem proper; and in any case where it shall be found necessary to extend any sewer, ditch or drain beyond the limits of said City for the purpose of procuring a suitable outlet to any drain, sewer or ditch in or to be constructed in said City the Council shall have full power and authority to construct the same and pay the costs thereof out of the General Funds of said City, and may acquire by purchase, condemnation or otherwise any and all property or rights of property necessary to be acquired for the purpose of affording such outlet.

#### CORNER LOTS.

Section 10. The City Council shall, when any corner lot has been previously assessed for the laying of any sewer pipe upon a different street or avenue from the one through which such proposed improvement is to be extended, remit from the assessment of such corner lots such portion of such second assessment as shall equal the amount of assessment of the width of said lot. And in no case shall assessments be made for the laying of sewer pipe and the construction of sewers on any corner lot in said City for a distance greater than the longest abutting dimension of said lot.

#### SIDEWALKS.

Section 11. Whenever the City Council shall have ordered the construction or reconstruction of any sidewalk it shall be the duty of the street committee to report to the City Council a list of the several lots and parcels of land with the number of feet front of each extending along such improvements and the name of the owner or owners of the several lots and parcels as nearly as they can readily ascertain the same, and their estimate



of the cost of constructing or reconstructing such sidewalk, together with an estimate, in cases of new sidewalks, of the cost of grading therefor.

The City Clerk shall give notice by publication, once in the official paper, and in such other manner as the City Council may direct, that such report is on file in his office for inspection of all persons interested and that the same will be presented to the City Council for action thereon at a meeting of said Council to be named in said notice, which shall be the regular meeting of said Council occurring next after one week from the publication of said notice, at which meeting, or any subsequent meeting to which the matter may be adjourned, all parties interested may be heard. At such meeting named in said notice, or at any future meeting, the City Council may order the building of such sidewalks and thereupon after the building of such sidewalks or the letting of the contract therefor, the City Council shall assess and levy upon and against each lot and parcel of land along which such sidewalk is to be or has been built, such sum as will cover the cost of building such sidewalk along and fronting upon the various lots and parcels of land respectively and cause to be made an assessment roll of the same; provided, however, that in cases where new sidewalks are built under the order of the City Council the expense of grading for such new sidewalks shall be borne and paid by the City and no part of the expense of grading for such new sidewalks shall be included in such assessment roll, and provided further, that nothing in this section contained shall apply to cases where the owner of the property shall construct his own sidewalk as hereinafter provided.

No sidewalk shall be ordered by the City Council except upon recommendation of the street committee.

No person shall construct any sidewalk, curb or gutter on any street, lane or alley in the City of Granite Falls where the same has not been ordered by the City Council unless he shall have first obtained a permit from the City Council for doing such work, which permit shall regulate the manner of constructing such improvement and shall also include whatever bond or bonds the City Council may deem necessary to protect the interest of the City.

#### SPRINKLING STREETS.

Section 12. The City Council shall have power to cause the streets within the City to be sprinkled and assess the property abutting on the streets so sprinkled for all or a portion of the expense thereof.

#### PROCEEDINGS WHEN AWARDS ARE SET ASIDE.

Section 13. Whenever any portion of any award made by commissioners and confirmed by the City Council under the

provisions of Section Five of this chapter shall be annulled by the court upon appeal as hereinbefore provided, the City Council may again appoint commissioners to view the property affected by such appeal, and appraise and amend the compensation and damages to be paid for the taking or appropriation of the same and the like proceedings shall be had so far as applicable as described in said Section Five, except that such commissioners shall make no new assessment of cost and expenses. They shall, however, in arriving at the compensation and damages to be awarded, take into consideration and offset any benefits which in their judgment the contemplated improvements will be to the remainder of the property, part of which may be taken or appropriated, and report their award to the City Council, whereupon the same proceedings may be had, so far as applicable as upon the original award, and if such award shall again upon appeal be annulled by the court still another commission may be appointed and award made in the same manner, and so on until a valid award shall be made, but no assessment for benefits shall be made merely by reason of any changes in the amount of the sum awarded for compensation and damages, and any sum which may be lacking to pay the award shall be paid from the General Fund.

#### RE-ASSESSMENT.

Section 14. If any special assessment heretofore or hereafter made by the City Council or under its direction to defray the expense of any local improvement has been or shall be, either in whole or in part, annulled, vacated or set aside by the judgment of any court, or if the City Council shall be satisfied that any such assessment is so irregular or defective that the same cannot be enforced or collected, or if the City Council shall have omitted to make such assessment at or before the making of such improvement when it might or should have been done, the City Council shall anew, or thereafter compute or determine upon the cost of making such improvement in gross amount, upon such data as it shall deem sufficient, not exceeding in the case of sewers the cost of eight-inch sewers; and the City Council may then proceed to cause a new assessment of the cost of such local improvements to be made either on the property fronting such improvements according to the character of such improvements, following as nearly as may be the provisions of this charter in force at the time of making such improvements in determining the property to be assessed, and the form and manner of proceeding subsequent to the determination of the cost of the improvements and in case such second assessment shall be annulled the City Council may proceed to make other assessments until a valid assessment shall be made, but nothing in this section shall authorize any new assessment in cases where the

court shall determine that the lots are not subject thereto. After such assessment roll shall have been completed the City Clerk shall note thereon, against any piece or parcel of land upon which a former assessment for the same improvement has been paid, the words, "Paid on former assessment," which shall cancel such assessment on that parcel.

#### RECORD AND RETURN OF ASSESSMENT ROLLS.

Section 15. The City Clerk shall record all assessment rolls of special assessments in books to be kept by him for that purpose, and shall, on or before the tenth day of October of each year, deliver to the auditors of the respective Counties of Yellow Medicine and Chippewa all such assessment rolls, so far as the same affect lands in the respective counties, and the said Auditors shall extend the assessments in proper columns against the property assessed, and such assessments shall be collected and the payment thereof enforced, with and in like manner as state, county and other taxes are collected and enforced; such assessments when collected, shall be paid over by the respective county treasurers to the Treasurer of the City, together with all costs, penalties and interest collected thereon, at the time of making payment of City taxes to the City Treasurer.

#### INFORMALITIES.

Section 16. No omission, informality or irregularity in proceedings in or preliminary to the making of any special assessment shall affect the validity of the same where the assessment roll has been adopted by the City Council. And the assessment roll, and the record thereof kept by the City Clerk, shall be competent and sufficient evidence that the assessment was duly levied and the assessment roll duly made and adopted and that all other proceedings antecedent to the adoption of such assessment roll were duly had, taken and performed as required by this charter. And no failure of the City Clerk to record the assessment roll, or to deliver the same to the county Auditor of either of said counties on or before the time prescribed for such delivery, or to do any other act by him required shall in any way invalidate any assessment; and no variance from the directions herein contained as to the form or manner of any proceedings shall be held material unless it be clearly shown that the party objecting was materially injured thereby.

#### PAYMENT OF ASSESSMENTS.

Section 17. After a special assessment shall have been adopted by the City Council, and before the same shall have been delivered to the respective County Auditors for assessment and collection, any assessment thereon may be paid direct to the

City Treasurer, and upon the production of the City Treasurer's receipt therefor, the City Clerk shall enter upon the assessment roll, opposite the assessment so paid the words, "Paid to the City Treasurer," which entry shall cancel the assessment so paid.

#### INSUFFICIENCY OF ASSESSMENT.

Section 18. In all cases where it shall be found that the actual cost of making any of the improvements for which any special assessment shall have been made has exceeded the total amount of benefits already assessed the commissioners are authorized, in their discretion to levy an additional assessment upon parcels of land benefited by such local improvement, and in such case such additional assessment shall be for such additional cost, and in such case like notice shall be given and similar proceedings had in all respects as in making said original assessments.

### CHAPTER X.

#### HEALTH DEPARTMENT.

Section 1. The health department shall consist of three members, one of whom shall be a physician duly licensed to practice medicine within the State of Minnesota, of good standing in his profession, and who shall have been in practice for at least three years. He shall be styled "Health Officer." Each member of the said department shall be a resident and elector of the City at the time of his appointment.

#### GENERAL POWERS AND DUTIES.

Section 2. Except as otherwise provided in this charter the members of said department shall have and exercise all the authority and powers and perform all the duties granted to or imposed upon local boards of health by the General Laws of the State of Minnesota, and such laws governing such local boards shall so far as applicable apply and be in force in the City.

#### SPECIAL POWERS AND DUTIES.

Section 3. The members of said department, in addition to the powers and duties mentioned in section two of this chapter, shall have the following and additional powers: To enforce the laws of the state and the ordinances of the City and the provisions of this charter relative to public health; and for the enforcement of all such laws, ordinances and provisions they and each of them shall have and be vested with all the powers of police officers of the City.

The health officer, in addition to other powers and duties vested in and required of him shall be required:

(1) To give to the Mayor or other City authorities such professional advice and information as they may require, with a view to the preservation of the public health; and whenever he shall know or be informed of the existence of any malignant, contagious or pestilential disease he shall investigate the same and adopt measures to arrest its progress.

(2) It shall be the duty of the members of the health department to make or cause to be made a personal inspection of every part of the City from time to time, not less than once a month during the period from April first to October first each year, and in all cases where they may discover the existence of agent, the presence of which might prove dangerous to the health of the City, to cause the same to be removed in accordance with the ordinances of the City, or should there be no ordinance competent for the correction of the evil they shall immediately report the same to the City Council accompanied by their written opinion of the necessity of extraordinary or particular action.

#### QUARANTINE STATIONS.

Section 4. The health department by and with the approval of the City Council, may select such sites, places and boundaries for quarantine stations and purposes as may be necessary.

#### RIGHT TO ENTER BUILDINGS.

Section 5. For the purpose of carrying out the foregoing requirements the health department shall be permitted at all times, from the rising to the setting of the sun, to enter into any house, store, stable or other building and to cause the floors to be raised, if they shall deem it necessary, for the purpose of a thorough examination of cellars, vaults, sinks, or drains, and to cause all privies to be cleaned and kept in good condition and to cause all dead animals or other nuisance or unwholesome things to be burned, removed or disposed of as they may direct.

#### NOTICE TO ABATE NUISANCE.

Section 6. It shall be the duty of the health department to serve notice in writing upon the owner, occupant or agent of any lot, building or premises in or upon which any nuisance may be found, or upon any person who shall have caused such nuisance, requiring him to abate the same within a reasonable time, and such notice may be given or served by any officer who may be directed to give or serve the same by the health department.

#### RECORDS.

Section 7. It shall be the duty of the health officer to provide at the expense of the City the necessary books for keeping a record of all transactions of the health department, including the proper registration of births and deaths, and such other statistical information necessary for the official work of said department.

#### VISITING AND EXAMINING THE SICK.

Section 8. It shall be the further duty of the health officer to visit and examine or cause to be visited and examined all sick persons who shall be reported to him as suffering from any infectious or contagious disease, and to cause such person to be sufficiently quarantined, and cause him to be provided with suitable nurses and attendance at the expense of such person if he is able to pay for the same, but if not then at the expense of the City or county chargeable therefor.

#### PROVIDING EQUIPMENT AND MEDICINE.

Section 9. The health officer shall provide under the direction of the City Council or the proper County Board or Commissioner furniture, fuel, food, medicine and such other articles as may be necessary for the equipment and maintenance of any hospital for the prevention and control of infectious or contagious disease among men or animals; and control such hospitals and secure the decent and prompt burial of bodies of all persons dying at such hospital. He shall when directed by the City Council or the board of health attend poor and indigent sick in the City and furnish at the expense of the proper City or county, medicine for said person.

#### PENALTIES.

Section 10. Any person who, without a permit from the health officer, shall bury or remove the body of any dead person, or shall leave unburied any such dead body longer than four days, or who shall fail to bury the body of any person dying of any infections or contagious disease within twenty-four hours after death, when ordered by the health officer so to do; or shall refuse or neglect to abate any nuisance for the existence of which, as owner, occupant or agent of the place upon or within which such nuisance exists he is responsible, after having received notice from the health officer so to do; or who shall neglect to report the occurrence or existence of any birth or death, or case of contagious or infectious disease, as provided for in this charter, the ordinances of this City or the laws of the State of Minnesota, or who shall import or bring within the

limits of the City knowingly any person or animal sick with contagious or infectious disease; or who shall remove or cause to be removed without permission from the health officer any placard announcing any contagious or infectious disease and attached to any house or building or place by the health officer or his subordinates; or who shall refuse to be vaccinated or to secure the vaccination of any minor child for whom he may be responsible; or who shall disobey or wilfully avoid quarantine regulations imposed by the health officer or who shall interfere with the health officer or his subordinates in the exercise of his or their duties; or who shall violate any of the provisions of this charter, the laws of the state, or the ordinances of the City relating to the public health, shall, upon conviction, be guilty of a misdemeanor, and punished as prescribed by the ordinances of the City, or in case the offense be not punishable under the ordinances of the City then as misdemeanors under the laws of the State of Minnesota.

Whenever the owner or occupant of any building, structure or premises within the City shall neglect or refuse after reasonable notice by the board of health or health officer to observe and comply with respect to the sanitary condition of such building, structure or premises the requirements of the laws of the state, the ordinances of the City and provisions of this charter or the rules and regulations of the board of health or health officer relative to the public health and sanitary condition of the City, then the board of health or health officer shall cause to be done in and upon such building, structure or premises whatever may be reasonable necessary to remove any cause of offense and put the same into suitable sanitary condition in accordance with the requirements of law and the rules and regulations of the board of health or directions of the health officer and assess the expense thereof against the property in and upon which such expense has been incurred in the premises.

Before proceeding, however, in any case accordance with the foregoing paragraph of this section, the City Council shall give at least five days notice to such owner or occupant of its intention to take such action and to assess the cost thereof upon said property; which notice may be served upon such owner or occupant personally, if found within the City; if not occupied and the owner does not reside within the City then said notice may be served by mailing a copy thereof to said owner at his last known postoffice address. At a meeting of the City Council at which said matter is to be heard, or at any meeting to which said matter may be adjourned, the City Council shall hear all interested parties, and if determined upon to make an assessment against said property such assessment for such expense incurred as aforesaid may be for the full amount of such expense

and the cost of notice; and before making the same the City Council shall require the City Clerk to give notice personally or by mail to the interested parties of its intention to make such assessment upon such property at a meeting of the City Council to be specified in said notice, and at said meeting or at any subsequent meeting to which said matter may be put over the City Council shall hear all interested parties and shall then, or at a subsequent meeting, proceed to make an assessment against said property, which assessment shall be certified and returned to the Auditor of the County in which such property is situated, to be collected in the same manner as other City assessments are collected.

Nothing herein contained shall affect the right of the City to have imposed, or relieve any person mentioned in this section from any liability to any prosecution for the violation of or penalty imposed by any ordinance of this City, and nothing herein contained shall affect the right of the City to recover from the person responsible for any nuisance the cost of removing or abating the same.

## CHAPTER XI.

### PARK BOARD.

Section 1. There may be appointed by the City Council of said City three park commissioners, to be known as the Park Board of Granite Falls, who shall have control and supervision of the parks within the corporate limits of the said City, and also of such streets or portions of streets and other public grounds as the Council shall by proper resolution designate. Said commissioners shall hold their offices for three years and until their successors shall have been appointed and qualified; provided, that the first commission shall be appointed for one, two and three years respectively.

### POWERS.

Section 2. Said Board shall have power and it shall be their duty, to enforce such laws of the state and ordinances of the City as they may deem necessary for the proper performance of their duties in such department.

### MONEY—HOW APPROPRIATED AND EXPENDED.

Section 3. The City Council may appropriate money from the General Fund and turn the same over to said board for the purposes of said board as herein above set forth, and said board shall have power to expend such moneys as they may see fit in improving and beautifying such parks and public grounds and for the purposes of furnishing entertainment for the public on such public grounds as they may designate.



## CHAPTER XII.

## CLAIMS.

Section 1. Before any account, claim or demand against the City for any services, property or material for which the City shall be liable shall be audited or allowed by any board, person or persons authorized by this charter to audit or allow the same, the person in whose favor such claim shall be, or his agent having personal knowledge of the facts, shall reduce the same to writing, in items, and shall verify the same as claims are required to be verified by Section 438 of the Revised Laws of Minnesota for the year 1905; provided, that the provisions of this section shall not apply to any claim or demand for the salary of any City official or regular employe under any department of the City government entitled to salary at stated intervals, but such claims, shall be paid by the City Treasurer upon the warrant of the Mayor countersigned by the City Clerk unless otherwise ordered by the City Council.

## APPEALS.

Section 2. When any claim or demand against the City for any services, property or material shall have been presented for allowance by any board, person or persons authorized by this charter to audit or allow the same, shall have been disallowed in whole or in part, the claimant may appeal from such disallowance as hereinafter provided.

In case the amount of such disallowance shall not exceed the sum of one hundred dollars such appeal may be taken to the court of one of the City Justices of said City in case no Municipal Court therein shall be then established, if the matter be such as a Justice Court would have jurisdiction over.

In case the amount of such disallowance shall not exceed the sum of five hundred dollars and a Municipal Court shall then be established such appeal shall be taken to the Municipal Court of said City, if the matter be such as a Municipal Court would have jurisdiction over.

In all other cases such appeal shall be taken to the District Court of said County of Yellow Medicine.

Such appeal shall be taken by filing in the office of the City Clerk a notice specifying the claim appealed from and a notice stating that the claimant appeals from the disallowance thereof to the court mentioned therein; and said claimant shall also file with said notice security for costs on such appeal to be approved by the City Clerk. Such notice and security for costs shall be filed in the office of the City Clerk within ten days after the date of disallowance of such claim, and thereupon upon the filing of such notice and security the court to which such

appeal shall be taken shall acquire jurisdiction of the parties and of the subject matter and may compel a return to be made. Within ten days after an appeal has been taken the City Clerk shall file with the court to which such appeal is taken a certified copy of the claim and a transcript of the record of the action taken thereon, together with a copy of the notice of appeal and the date of filing the same in his office.

In case such appeal shall be taken to a Justice Court the same may be brought on for trial by either party by giving the adverse party at least eight days notice of trial served not earlier than ten days after the taking of such appeal.

In case such appeal shall be taken to the Municipal or District Court the same shall be put upon the calendar for trial at the next General Term occurring not less than ten days after the date of the appeal.

The court to which such appeal shall be so taken shall direct that pleadings be made up as in civil actions triable before such court 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 civil actions, but no execution shall issue thereon except for the collection of a counterclaim or costs and disbursements in case of a judgment therefor against the claimant.

Upon final judgment being entered against the City the same shall be paid as other claims against the City.

## CHAPTER XIII.

MISCELLANEOUS PROVISIONS.  
RECONSIDERATIONS.

Section 1. No vote of the City Council shall be reconsidered or rescinded at a subsequent meeting unless at such subsequent meeting there shall be present as large a number of the City Council as were present when the vote was taken, and no such motion shall be made more than once.

## REMITTING PENALTY.

Section 2. No penalty or judgment recovered in favor of the City shall be remitted except by the vote of three-fifths of the members of the City Council.

## PROSECUTIONS AND ARRESTS.

Section 3. In all prosecutions for the violation of the provisions of this charter or the ordinances of the City the first process shall be by warrant on complaint being made; provided, no warrant shall be necessary in any case for the arrest of any

person while in the act of violating any law of the State of Minnesota or the provisions of this charter or the ordinances of the City, but the person or persons so arrested may be proceeded against, tried, convicted, punished or discharged in the same manner as if the arrest had been made by warrant.

#### OFFICIAL PRINTING.

Section 4. The City Council shall at its first regular meeting in January each year direct the City Clerk to procure bids for the publishing of ordinances, resolutions and proceedings of the City Council and any other notices required to be published by the City. Such publications shall be in some weekly newspaper printed in the English language and published in the City, and which shall have been printed, published and of general circulation in said City continuously for at least one year prior thereto. Such bids shall include the publication of such pamphlets or bound proceedings of the City Council as may be required and any other printing required by the City or any department thereof. The City Council shall at the time of accepting any bid, designate the newspaper to which the contract is awarded as the official newspaper of the City, and all notices and advertisements by this charter required to be published shall be published in said newspaper, unless in this charter otherwise provided, and in case of the suspension of the publication of such newspaper, or the failure or refusal of its publisher to make publications for the City, or if at any time for any reason there shall be no official newspaper in which publications can be made, the City Council may designate some other newspaper as the official newspaper of the City until such time as a contract can be made. Immediately after the publication of any notice, ordinance, resolution or other matter which is required to be published the printer or publisher of such paper shall file with the City Clerk a copy of such publication with his affidavit or the affidavit of the foreman or his Clerk showing the time when such publication was made, but this provision shall not apply when proof of publication of any such notice or other matter is not required.

#### RAILWAY COMPANIES.

Section 5. When, in any case, any portion of the cost and expense of making any improvement mentioned in Chapter IX of this Charter shall, by virtue of any law or ordinance or by virtue of any contract be chargeable upon any railway or street railway company, the amount so chargeable may be assessed against such property, and the balance only upon such real estate to be benefited thereby; and the City may collect the amount so assessed against said railway or street railway company by dis-

tress and sale of personal property, in the manner provided for by the general laws of this state in the case of taxes levied upon personal property, or by suit brought to enforce the collection of any indebtedness; provided, however, that any real estate belonging to such railway company and subject to assessment and deemed benefited by any such improvement, shall be assessed as in other cases.

#### JAIL FEES.

Section 6. The City of Granite Falls shall not be liable in any case for the board or jail fees of any person who may be committed by any officer or magistrate of the City to the county jail of either said Yellow Medicine or Chippewa County under the state laws.

#### ELIGIBILITY AND EXEMPTION.

Section 7. No person shall be an incompetent judge, justice, witness or juror by reason of his being an inhabitant of said city in any action or proceeding in which the City shall be a party in interest, and all officers of the City while in office, and all employes of the City while in service, and all officers and active members of the fire department in the City shall be exempt from duty as jurors in any court or tribunal in this state.

#### LIBRARY BOARD.

Section 8. All the provisions of the General Statutes of the State of Minnesota shall apply to the Library Board of the City of Granite Falls.

#### CITY PROPERTY EXEMPT FROM TAXATION.

Section 9. All real estate and appurtenances thereto, all buildings, structures and property of every kind and description owned or held by the City for City or public purposes or uses shall be exempt from taxation and from seizure and sale under or by virtue of any execution or other writ or by virtue of any action or proceeding.

#### AMENDMENTS.

Section 10. This charter may be amended at any time by complying with the requirements of Sections 756 and 757 of the Revised Laws of Minnesota for the year 1905, as amended or modified by Chapter 253 of the General Laws of Minnesota for the year 1905.



The foregoing is a draft of the proposed charter of the City of Granite Falls in the Counties of Yellow Medicine and Chippewa in the State of Minnesota, framed and adopted by the Commission appointed by the judges of the District Court of the Twelfth Judicial District of said State, under and pursuant to section thirty-six of Article four of the Constitution of Minnesota and Sections 748 to 758, inclusive, of the Revised Laws of Minnesota for the year 1905 and any acts amendatory or supplemental thereto, and said draft of said proposed Charter is hereby returned to the Honorable Ole Hartwick, Mayor of the City of Granite Falls aforesaid, according to law, signed by the undersigned, a majority of said Commission.

Dated at Granite Falls this 14th day of November, A. D. 1907.

J. S. Johnson President.  
Frank S. King Secretary.  
C. A. Stoppe  
H. A. Mikkelsen  
W. G. Rice  
H. E. Nestle  
W. E. Foster  
Ole Hartwick  
O. H. Sorlien  
Charles E. M. Jorgensen  
S. A. M. Lark  
J. H. Burdison  
J. L. Putnam  
Ernest D. D. D. D.  
A. E. Morse

## Index to Chapters

|                                     | Page   |
|-------------------------------------|--------|
| I. Name, Powers and Boundaries..... | 3, 4   |
| II. Officers and Elections.....     | 4, 7   |
| III. Duties of Officers.....        | 7, 16  |
| IV. City Council.....               | 16, 31 |
| V. City Finance.....                | 31, 34 |
| VI. Franchises.....                 | 35, 38 |
| VII. Fire Department.....           | 36, 38 |
| VIII. Streets and Highways.....     | 38, 41 |
| IX. Local Improvements.....         | 41, 53 |
| X. Health Department.....           | 53, 57 |
| XI. Park Board.....                 | 57     |
| XII. Claims.....                    | 58, 59 |
| XIII. Miscellaneous Provisions..... | 59, 62 |

## Alphabetical Index

References are to Pages

|                                  | Page   |                                | Page   |
|----------------------------------|--------|--------------------------------|--------|
| A.                               |        | Books-Transfers.....           | 17     |
| Abandonment of office.....       | 7      | Books-Board of Health.....     | 55     |
| Abandonment of Improvements..... | 48     | Borrowing Money.....           | 33     |
| Abatement of Nuisances.....      | 54     | Boundaries—of City.....        | 3      |
| Accounts of Officers.....        | 9      | Boundaries—of Wards.....       | 4      |
| Accounts of Auditing.....        | 10     | Bridges.....                   | 39     |
| Actions.....                     | 40, 42 | Buildings-Public.....          | 18     |
| Acquisition of Franchise.....    | 36     |                                |        |
| Advertising.....                 | 9      | C.                             |        |
| Aldermen—See Council.....        | 16     | Canvass of Votes.....          | 16     |
| Amendment of Charter.....        | 61     | Chief of Police.....           | 11     |
| Application Franchises.....      | 35     | Chief of Fire Department.....  | 37     |
| Appointments.....                | 19     | City Clerk.....                | 8      |
| Appropriations.....              | 57     | Claims.....                    | 58     |
| Arrests.....                     | 50     | Commencement of Office.....    | 6      |
| Assessments.....                 | 52, 53 | Commissioner-Street.....       | 12, 43 |
| Assessors.....                   | 13     | Commissioner-Park.....         | 57     |
| Attorney—City.....               | 11     | Committee-Street.....          | 12     |
| Auditing of Accounts.....        | 10     | Compensation of Officers.....  | 12, 15 |
| Auditors—Statements to.....      | 10     | Compilations.....              | 20     |
| Awards.....                      | 44, 50 | Condemnation of Property.....  | 43     |
| Appeals-Improvements.....        | 58     | Conservators of the Peace..... | 12     |
| Appeals-Claims.....              | 58     | Constables.....                | 23     |
|                                  |        | Contracts.....                 | 15     |
| B.                               |        | Control and Percentage-Fran-   |        |
| Bids.....                        | 10     | chises.....                    | 35     |
| Board of Equalization.....       | 13     | Council.....                   | 16     |
| Board of Health.....             | 53     | Corner Lots.....               | 49     |
| Board-Library.....               | 61     | Countersigning-Clerk.....      | 9      |
| Board-Park.....                  | 57     | Courts-Justice.....            | 14     |
| Bonds-City.....                  | 33     | Courts-Municipal.....          | 14, 15 |
| Bonds-on Contracts.....          | 15     |                                |        |
| Bonds-Official.....              | 15     | D.                             |        |
| Bonds of Depositories.....       | 29     | Damages-Action for Condemna-   |        |
|                                  |        | tion.....                      | 43     |

## Alphabetical Index-Continued

|  | Page       |                                | Page         |
|--|------------|--------------------------------|--------------|
| Debt-Incurring .....                           | 33         | Jury .....                     | 14           |
| Depositories .....                             | 29         |                                |              |
| Disqualification .....                         | 18         | L.                             |              |
| Duties of Officers.....                        | 7, 8, 53   | Labor .....                    |              |
| E.   |            | Liability-City .....           | 40           |
| Elections .....                                | 4, 5       | Liability-Niscanse .....       |              |
| Elective Officers .....                        | 4          | Library Board .....            | 61           |
| Electors .....                                 | 5          | Licenses .....                 | 19           |
| Eligibility to Office.....                     | 7, 61      | Limit-Indebtedness .....       | 33           |
| Estimates-Official .....                       |            | Limit-Franchises .....         | 35           |
| Estimates-Contracts .....                      |            | Liquors .....                  | 30           |
| Estimates-Improvements .....                   |            | Local Option .....             | 30           |
| Engineer-City .....                            | 12         | Local Improvements .....       | 41           |
| Evidence-Compilations as.....                  | 20         | Levy-Taxes and Assessments..   | 33           |
| Examinations and Reports....                   | 10         |                                |              |
| Exemptions from Jury duty..                    | 61         | M.                             |              |
| Exemptions from City proper-<br>ty .....       | 61         | Majority-Council .....         | 16           |
| F.   |            | Majority-Property Owners ..... | 39           |
| Failure to Vote-Council.....                   | 17         | Mayor .....                    | 8            |
| Finances .....                                 | 31         | Meetings .....                 | 16           |
| Fines .....                                    | 12, 19, 56 | Miscellaneous .....            | 59           |
| Fire Department .....                          | 36, 37     | Money-Payment .....            | 34, 57       |
| Fire Warden .....                              | 13         | Municipal Courts .....         | 14, 15       |
| Fiscal Year .....                              | 31         | N.                             |              |
| Four-fifths Vote-Council.....                  |            | Name and Powers .....          | 3            |
| Franchises .....                               | 35         | Notice .....                   | 54           |
| Funds and Accounts.....                        | 18         | Nuisance .....                 | 54           |
| Funds-General .....                            | 31         | O.                             |              |
| Funds-Electric Light and Wa-<br>terworks ..... | 31         | Objections-Improvements .....  | 46           |
| Funds-Sinking .....                            | 32         | Obstructions .....             | 40           |
| G.   |            | Officers .....                 | 4, 7, 15, 38 |
| General Improvements .....                     | 42         | Official Bonds .....           | 15           |
| General Powers-Council .....                   | 16         | Official Printing .....        | 60           |
| General Powers-Health Depart-<br>ment .....    | 53         | Orders .....                   | 34           |
| Grades .....                                   | 39         | Ordinances .....               | 17           |
| Grants of Franchises.....                      | 35         | P.                             |              |
| H.   |            | Park Board .....               | 57           |
| Health Department .....                        | 53, 55     | Pavements .....                | 48           |
| Holding and Selling Property 18, 19            |            | Peace Officers .....           | 33           |
| I.   |            | Penalties .....                | 38, 55       |
| Imprisonment .....                             | 19, 56     | Plans .....                    |              |
| Incurring Debt .....                           | 33         | Plats .....                    | 19, 41       |
| Informalities-Taxes .....                      | 52         | Plurality .....                | 6            |
| Informalities-Assessments .....                | 52         | Police Officers .....          | 11, 12       |
| Inspection-Health .....                        | 54         | Poll Tax .....                 |              |
| Insufficiency of Assessments....               | 53         | Powers-Official .....          | 5, 7, 57     |
| Intoxicating Liquors .....                     | 30         | Printing-Official .....        | 60           |
| Jails .....                                    | 61         | Private Sewers .....           | 36           |
| Judgments-Remitting .....                      | 15         | Process-Style of .....         | 14           |
| Justices .....                                 | 14         | Prosecutions .....             | 59           |
| Judicial Notice-Compilations...                | 20         | Punishments .....              | 10           |
|  |            | Purchasing Agent .....         | 10           |
|  |            | Quorum .....                   | 7            |
|  |            | Qualifications-Officers .....  | 54           |
|  |            | Quarantine .....               |              |

## Alphabetical Index-Continued.

|                               | Page           |  | Page |
|-------------------------------|----------------|--|------|
| R.                            |                | Street Committee .....                     |      |
| Railway Companies .....       | 60             | Succession .....                           | 4    |
| Reading-Ordinances .....      | 8, 9, 17       | Supervision of Public Property 18          |      |
| Re-Assessments .....          | 51             | Survey .....                               |      |
| Reconsiderations .....        | 59             | T.   |      |
| Records .....                 | 55             | Taxes .....                                | 33   |
| Remitting Penalty .....       | 59             | Terms of Office.....                       | 5, 4 |
| Removals from Office.....     | 6              | Time Warrants .....                        | 33   |
| Resignations .....            | 7              | Three-Fifths Vote .....                    | 18   |
| Resolutions .....             | 17             | Transfers from Funds.....                  | 18   |
| Revenue and Expenses.....     | 11             | Transfers of Books.....                    | 17   |
| Revocations .....             | 19             | Treasurer .....                            | 11   |
| Reports .....                 |                | U.   |      |
| Rules of Fire Department..... | 37             | Usage and Reading-Ordinances....           |      |
| S.                            |                | V.   |      |
| Salaries .....                | 11, 12, 15     | Vacancies .....                            | 5    |
| Sewers .....                  | 48             | Vacation of Streets.....                   | 41   |
| Sewers-Private .....          | 36             | Vice-President of Council.....             | 8    |
| Sidewalks .....               | 39, 40         | Visiting Sick-Health Depart-<br>ment ..... | 55   |
| Sinking Funds .....           |                | Vote-Council .....                         | 18   |
| Snow-Obstructions .....       | 40             | W.   |      |
| Sprinkling Streets .....      | 50             | Ward Boundaries .....                      | 4    |
| Special Assessments .....     | 6              | Witnesses .....                            | 20   |
| Special Elections .....       | 6              | Work-City .....                            |      |
| Specific Powers-Council ..... | 20             | Water Courses .....                        | 45   |
| Specifications-Plans .....    |                |  |      |
| Statement to Auditor.....     | 34             |  |      |
| Streets .....                 | 18, 39, 41, 45 |  |      |
| Street Commissioner .....     | 12             |  |      |

55- 2349

RE-INDEXED

MAY 12 1921

STATE OF MINNESOTA,  
COUNTY OF STATE

Notary Public  
of Secretary  
1907 day  
J. B. [Signature]  
Notary Public

State of Minnesota,

Counties of Yellow Medicine and  
Chippewa. City of Granite Falls.

I, Ole Hartwick, Mayor of the City of Granite Falls, in the Counties aforesaid, do hereby certify, that the foregoing proposed charter was, on this 14th day of November, A. D. 1907, returned and submitted to me, as such Mayor, by the Charter Commission duly appointed under the provisions of Section 36 of Article 4 of the Constitution of Minnesota, and Sections 748 and 749 of the Revised Laws of Minnesota, 1905, and Acts Amendatory thereof and Supplemental thereto, to be submitted to the voters of the said City according to law.

Witness my hand this 14th day of November, A. D. 1907.

*Ole Hartwick*

Mayor of said City.

At a regular meeting of the City Council of the City of Granite Falls in the Counties of Yellow Medicine and Chippewa, Minnesota, held on November ~~22nd~~ 1907, the City Mayor reported to the city council that the commission appointed to frame a charter for the City of Granite Falls had on November 14th, 1907, submitted a draft of the proposed charter to him. On motion made and carried a special election of the electors of said city to vote on the question of whether such charter be adopted was called to be held on the 5th day of December, 1907, such election to be held at the city hall in the first ward of said city. The City Recorder was directed to cause notice of such election to be given by posted notices in accordance with the provisions of law as the same apply to this city.

*W. J. Rice*

City Recorder.

State of Minnesota,

Counties of Yellow Medicine and  
Chippewa. City of Granite Falls.

I, Ole Hartwick, Mayor of the City of Granite Falls in the Counties aforesaid, do hereby certify, that the foregoing proposed charter was, on the 5th day of December, 1907, submitted by the City Council to the qualified electors of the said City of Granite Falls, at a special election then and there held, at which election said charter was duly ratified and adopted by a vote of one hundred and thirty four in favor of the adoption of said proposed charter and eighty against the adoption of said proposed charter. Two votes cast were thrown out and not counted.

Witness my hand and the seal of said City this 7th day of December, A. D. 1907.

*Ole Hartwick*

Mayor of said City.

2349